Proceedings

OF THE

BOARD OF LEGISLATORS

OF

LEWIS COUNTY

FOR

2012

Chairman
Jack T. Bush
Brantingham, New York

Clerk of the Board
Teresa K. Clark
Lowville, New York

Member of Congress
HON. WILLIAM L. OWENS
Plattsburgh, New York

State Senator – 47th District
HON. JOSEPH GRIFFO
Utica, New York

Member of Assembly – 122nd District
HON. KENNETH BLANKENBUSH
Black River, New York

COUNTY OFFICIALS – 2012

Supreme Court Judge
CHARLES MERRELL ..... Lowville, New York

Supreme/County Court Clerk
BART PLESKACH ..... Glenfield, New York

County/Surrogate & Family Court Judge
VACANCY ..... Lowville, New York

Family Court/Surrogate's Clerk
LORI PFENDLER ..... Lowville, New York

County Manager/Budget Officer
DAVID H. PENDERGAST ..... Lowville, New York

County Clerk
DOUGLAS HANNO ..... Lowville, New York

Deputy County Clerk
KATHLEEN R. BUSH ..... Lowville, New York

District Attorney
LEANNE MOSER ..... Castorland, New York

Sheriff
MICHAEL CARPINELLI ..... Osceola, New York

Undersheriff
JAMES MONNAT ..... Croghan, New York

Treasurer/Deputy Budget Officer
PATRICIA O'BRIEN ..... Lowville, New York

Deputy Treasurer
CYNTHIA WIEDRICK ..... Turin, New York

Attorney
RICHARD GRAHAM ..... Lowville, New York

Civil Service Administrator
MARYLOU VANBROCKLIN ..... Lowville, New York

Commissioner of Jurors
ANN HIL ..... Lowville, New York

Economic Development Director

ERIC VIRKLER ..... Lowville, New York

Election Commissioners

ANN NORTZ (Republican) ..... Lowville, New York
LINDSAY BURRISS (Democrat) ..... Croghan, New York

Emergency Management Director/Fire Coordinator

JAMES MARTIN ..... Croghan, New York

Emergency Medical Services Coordinator

ROBERT MCKENZIE ..... Lowville, New York

Highway Superintendent/Solid Waste Coordinator

JOSEPH LANGS (1/1/12-5/3/12) ..... Harrisville, New York
DAVID L. BECKER (6/21/12-12/31/12) ..... Lowville, New York

Hospital Administrator

ERIC BURCH ..... Lowville, New York

Human Resources Director

TIMOTHY RYAN ..... Watertown, New York

Junkyard Inspector

WILLIAM HOUPPERT ..... Lowville, New York

Mental Health Community Services Director

SARAH BULLOCK ..... Lowville, New York

Nursing Home Administrator

JOSEPH TODORA ..... Watertown, New York

Office For Aging Director

BRENDA BOURGEOIS ..... Lowville, New York

Probation Director

MARYJO BURKHARD ..... Beaver Falls, New York

Public Health Director

CAROL PALUCK ..... Constableville, New York

Real Property Tax Director

LINDA GYDESEN ..... Boonville, New York

Records Management Officer

DOUGLAS HANNO ..... Lowville, New York

Reforestation Foreman

RODNEY BUCKINGHAM ..... Lowville, New York

Sealer of Weights & Measures

BARBARA COOPER ..... Harrisville, New York

Social Services Commissioner

STACY ALVORD ..... Lowville, New York

Veterans' Services Director

DEREK DAVEY ..... Lowville, New York

Workers' Compensation Administrator

TERRY CLARK ..... Lowville, New York

Chairman, Board of Legislators
JACK T. BUSH
Brantingham, New York

Clerk, Board of Legislators
TERESA K. CLARK
Lowville, New York

JACK T.BUSH
CHAIRMAN OF THE BOARD

Front Row - Charles R. Fanning, Richard C. Lucas, John O. Boyd,
Paul M. Stanford, Patrick Wallace
Back Row- Jerry H. King, County Attorney Richard J. Graham,
County Treasurer Patricia O'Brien**,** Chairman of the Board Jack T. Bush,
Clerk of the Board Teresa Clark, William Burke, Michael A. Tabolt,
County Manager David H. Pendergast, Philip Hathway

ORGANIZATIONAL MEETING
January 3, 2012

The meeting was called to order at 5:00 p.m. by Clerk of the Board Teresa Clark.

Roll Call: All Legislators were present.

County Clerk Douglas Hanno administered the Oath of Office to each Legislator.

There were 14 persons present.

Mrs. Clark opened the floor for nominations of a Temporary Chairman. Legislator Tabolt nominated Legislator Burke, seconded by Legislator Stanford. There being no other nominations, Legislator Wallace asked that the polls be closed and the Clerk cast one ballot for Legislator Burke, seconded by Legislator Lucas. Legislators Fanning and Wallace escorted Legislator Burke to the chair.

Legislator Burke called upon Legislator Tabolt to offer the Invocation, and then led us in the Pledge of Allegiance to the Flag.

Temporary Chairman Burke opened the floor for nominations of a Permanent Chairman. Legislator Tabolt nominated Legislator Bush, seconded by Legislator Boyd and carried. Legislator King was opposed. Legislators Fanning and Stanford escorted Chairman Bush to the chair.

Chairman Bush thanked his colleagues, relating he would do his utmost to assure their trust was not displaced. Investment information would be reported to assist with a decision on whether to proceed with the new office building. The Reapportionment Committee will meet to discuss factual information to determine appropriate Legislative redistricting action. He also proposes to revisit the issue of acquiring the railroad lines.

Chairman Bush commended Legislators for their diligent deliberations during preparation of the 2012 County budget, hopeful that 2013 would be less difficult. There will be focus on cost saving measures, specifically privatization of the Mental Health programs. Citing the need for pension reform, he called upon C.S.E.A. President Cal Farney to speak with Albany officials, while expressing prospective appreciation for any resulting reform that would curtail those rising costs.

In closing, he encouraged Legislator Tabolt to continue his endeavors through the New York State Association of Counties (NYSAC) to persistently promote mandate relief.

Chairman Bush called for nominations for Clerk of the Board. Legislator King nominated Teresa Clark, seconded by Legislator Fanning and carried.

Chairman Bush called for nominations for County Attorney. Legislator Tabolt nominated Richard Graham, seconded by Legislator King and carried.

County Clerk Douglas Hanno administered the Oath of Office to Clerk of the Board Teresa Clark and County Attorney Richard Graham. Mrs. Clark thanked the Board for the appointment and looks forward to working with them for two more years.

Chairman Bush announced that the following Legislative Committee assignments:

2012 LEGISLATIVE COMMITTEES

COUNTY OFFICERS AND EMPLOYEES, VETERANS' SERVICES, JUNKYARD INSPECTOR, HISTORIAN
Paul Stanford, Chairman
Michael Tabolt
William Burke

COURTS AND LAW ENFORCEMENT, EMERGENCY MANAGEMENT, FIRE COORDINATOR, SEALER OF WEIGHTS AND MEASURES, BUILDING CODES
John Boyd, Chairman
Richard Lucas
Michael Tabolt

HOSPITAL
Michael Tabolt, Chairman
John Boyd
Philip Hathway

PUBLIC HEALTH, MENTAL HEALTH
Charles Fanning, Chairman
Jerry King
Paul Stanford

RULES AND LEGISLATION, WORKERS' COMPENSATION, ECONOMIC DEVELOPMENT, INSURANCE
Richard Lucas, Chairman
William Burke
Patrick Wallace

SOCIAL SERVICES, OFFICE FOR THE AGING, EMPLOYMENT & TRAINING, YOUTH BUREAU
Philip Hathway, Chairman
Charles Fanning
John Boyd

TAXATION, INFORMATION MANAGEMENT, ELECTIONS, AGRICULTURE, REFORESTATION
Jerry King, Chairman
Patrick Wallace
Paul Stanford

TRANSPORTATION, SOLID WASTE
Patrick Wallace, Chairman
Philip Hathway
Charles Fanning

WAYS AND MEANS, BUILDINGS AND GROUNDS, COUNTY CLERK
William Burke, Chair
Jerry King
Richard Lucas

Chairman Bush then approved the December 22, 2011 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
William Burke
Patrick Wallace

Dated: January 3, 2012

Legislator Tabolt made a motion to accept the report, seconded by Legislator Burke and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Real Property Tax Service Director Caryn Kolts had submitted her written letter of intent to retire, effective February 22, 2012. She expressed her pleasure for having worked with the Legislators, Assessors and County employees.

The following Newspaper Designations had been submitted from each the Republican and Democratic Legislators:

TO THE HONORABLE BOARD OF LEGISLATORS OF LEWIS COUNTY:

The people of the County of Lewis being divided into two principal political parties, namely, the Republican Party and the Democratic Party, the undersigned

Legislators of Lewis County elected by the **Republican Party,** pursuant to Section 214 of the County Law, hereby designate the Watertown Daily Times, a newspaper circulated in Lewis County, State of New York, which newspaper fairly represents the Republican Party of said County, to publish the session laws, concurrent resolutions of the Legislature as required by law to be published, certificates of nomination, local laws of the Board of Legislators, election notices, official canvass, and any and all other matters that are or may be required by law to be published in the official newspaper of the County.

Dated: January 3, 2012

Name:	Address
Philip Hathway	P.O. Box 82, Harrisville, NY 13648
Michael A. Tabolt	P.O. Box 171, Croghan, NY 13327
Charles R. Fanning	3525 Deer River Rd., Copenhagen, NY 13626
Patrick Wallace	5548 Woodlawn Ave., Lowville, NY 13367
William Burke	4218 State Rte. 177, Lowville, NY 13367
Richard C. Lucas	8622 Whitesville Rd., Copenhagen, NY 13626
Jack T. Bush	P.O. Box 177, Brantingham, NY 13312
Jerry H. King	P.O. Box 202, West Leyden, NY 13489

TO THE HONORABLE BOARD OF LEGISLATORS OF LEWIS COUNTY:

The people of the County of Lewis being divided into two principal political parties, namely, the Republican Party and the Democratic Party, the undersigned Legislators of Lewis County elected by the **Democratic Party,** pursuant to Section 214 of the County Law, hereby designate the Watertown Daily Times, a newspaper circulated in Lewis County, State of New York, which newspaper fairly represents the Democratic Party of said County, to publish the session laws, concurrent resolutions of the Legislature as required by law to be published, certificates of nomination, local laws of the Board of Legislators, election notices, official canvass, and any and all other matters that are or may be required by law to be published in the official newspaper of the County.

Dated: January 3, 2012

Name:	Address
John O. Boyd	8279 State Rte 812, Lowville, NY 13367
Paul M. Stanford	7007 Peckham Rd., Lowville, NY 13367

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Copies of the December 2011 Treasurer's Report, and the 2011 Hospital Annual Report, had been distributed to each Legislator.

County Sealer Barbara Cooper had submitted her September-December 2011 report, to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Office For Aging Committee Chairman, reported that interviews were scheduled for January 5, 2012 with Office For Aging Director candidates.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a November gain of $16,944; primarily attributable to additional nursing home IGT revenues received. He announced that audiologist Karen Borowski was named employee-of-the-month.

Legislator Tabolt further reported that the dialysis construction project was on schedule to be enclosed by September 2012; anticipating completion of the inside construction by December. Research continues for clinics in Copenhagen, Harrisville and West Carthage, the latter of which will be discussed at a joint Legislator and Board of Managers meeting.

Legislator Tabolt also reported that in an effort to present a stronger message to Albany, we have invoked New York State Association of Counties (NYSAC) to prepare a specific and more aggressive mandate relief plan. Several NYSAC Directors had personally expressed their support for the coalition. There is insistence on the need for more than the proposed Medicaid Relief Bill, that would take eight years before full implementation. The discussions will continue at the NYSAC Legislative Conference scheduled in Albany from January 30 - February 1, 2012.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported extending a bid with SuitKote for bituminous liquids for 2012; and discussions continue for 2012 paving projects.

Legislator Wallace made a motion to award the bid for bulk automotive liquids to Gilles Oil Division in accordance with bids on file, seconded by Legislator Hathway and carried.

Legislator Wallace also reported opening bids for a trash compactor box; and that an application for a solid waste recycling matching funds grant had been submitted through the New York State Department of Environmental Conservation.

Legislator Hathway made a motion to award the bid for a compactor box to CEJJ in the amount of $38,920.00, seconded by Legislator Fanning and carried.

Legislator Richard Lucas, Economic Development Committee Chairman, reported favorable results from the completed Croghan Dam inspection, determining there would be no significant damage downstream, even if the dam were to breach

itself.

Legislator Lucas, citing the complexities of the new Tax Cap Legislation, requested the Taxation Committee consider the possibility of offering Town officials education through the Treasurer and Real Property Tax Director.

Legislator Jerry King, Taxation Committee Chairman, responded affirmatively to Legislator Lucas's request. He also announced there would be a joint meeting of his and the Economic Development Committee, to discuss Reforestation issues.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported the maintenance department had completed 871 work orders during 2011, and anticipates that 2012 will be equally as busy.

Legislator Hathway inquired about the $13,000 proceeds from the surplus auction. Treasurer Patricia O'Brien reported the funds received today were deposited into the general fund. Legislator Fanning suggested the monies be appropriated to the capital equipment account, being the source of expenditure. Mr. Pendergast stated the auction included items from several departments, but confirmed it would be appropriate to designate the proceeds to the capital equipment account. Legislator Fanning made a motion appropriate the auction proceeds to the capital equipment account, seconded by Legislator Hathway. In response to Legislator King's inquiry, Mrs. O'Brien stated the revenue would be accountable in the 2012 budget, thereby not affecting 2011. The motion then carried.

REPORT OF THE WAYS AND MEANS COMMITTEE

REPORT OF WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $468,468.65 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: January 3, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator King, and carried.

RESOLUTION NO. 1 -2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke , Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 468,468.65 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Burke , seconded by Legislator Wallace and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 2 - 2012
RESOLUTION ADOPTING STANDING RULES OF THE BOARD OF LEGISLATORS OF LEWIS COUNTY

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby adopts the Standing Rules of the Board of Legislators of the County of Lewis, as and they be and hereby are adopted as the Standing Rules of the Lewis County Board of Legislators for the year 2012.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King , seconded by Legislator Wallace , and adopted.

RESOLUTION NO. 3 - 2012
RESOLUTION APPROVING THE FORM AND THE AMOUNT OF A BLANKET UNDERTAKING COVERING OFFICERS, CLERKS AND EMPLOYEES OF LEWIS COUNTY

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, County Law § 403 provides that the County Clerk, the County Treasurer, the Deputy Treasurer, the District Attorney, the Sheriff, as well as such county officers as shall be specifically required by local law, must execute and file with the County Clerk an undertaking in such, and in such amounts as may be approved by the Board of Legislators; and

WHEREAS, Public Officers Law § 11(2) further provides that it is permissible with the consent and approval of the officer or governing body authorized to require the

undertaking, for the County to procure a blanket undertaking from any duly authorized corporate surety covering officers, clerks and employees.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the blanket undertaking in the amount of One Hundred Fifty Thousand Dollars ($150,000) to be obtained from Rose & Kiernan, Inc., a corporate surety company duly authorized to do business in the State of New York, for the purpose of covering all officers, clerks and employees of Lewis County and that such officers, clerks and employees will faithfully discharge the duties of his or her office, and all trusts imposed upon him or her by law by virtue of his or her office, including the duty of promptly accounting for and paying over all moneys or property received by him as such officer, in accordance with law, and that if the said officers, clerks or employees fail to perform any of the above-mentioned conditions or is in default thereof, that the said corporate surety named herein will pay to the said County and to the People of the State of New York, all damages, costs and expenses resulting from such default, not exceeding the sum specified above.

Section 2. That a certified copy of this Resolution shall be affixed to a copy of the undertaking described herein and filed with the Lewis County Clerk's Office.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 4 -2012
RESOLUTION WAIVING THE NEED FOR A SURETY BOND ON THE PART OF THE CHAIRMAN OF THE BOARD OF LEGISLATORS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, County Law§ 450 provides that the Chairman of the Board of Legislators is to execute and file an undertaking with the County Clerk in such form and in such amount as may be required by the Board of Legislators; and

WHEREAS, the Board of Legislators has this date adopted a resolution approving a blanket undertaking covering the officers, clerks and employees of Lewis County.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby determines that separate undertaking for the Chairman of the Board of Legislators shall not be required and waives any further obligation on the part of the Chairman of the Board to obtain a

surety bond for the faithful performance of his office, pursuant to County Law§ 450.

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 5 - 2012
RESOLUTION WITH REFERENCE TO VICE-CHAIRMAN
OF LEWIS COUNTY BOARD OF LEGISLATORS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Vice-Chairman shall have and execute all powers and duties of such Chairman over any meeting that he is called to preside over.

Section 2. That the Vice-Chairman shall execute and perform such duties during the absence of the Chairman from the County of Lewis and at such times when the Chairman is physically or mentally unable to perform such duties.

Section 3. That the powers and duties so authorized to said Vice-Chairman shall not be executed by the Chairman during the above designated time periods.

Section 4. That this Board of Legislators hereby appoints LEGISLATOR MICHAEL A. TABOLT to perform the duties of Vice-Chairman of the Lewis County Board of Legislators for calendar year 2012.

Section 5. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 6 - 2012
RESOLUTION APPOINTING MEMBER
TO LEWIS COUNTY AGRICULTURAL SOCIETY BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator William Burke as the Board's representative to the Lewis County Agricultural Society Board.

Section 2. That the term of said appointment shall be in effect from January 1,

2012 through December 31, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 7 - 2012
RESOLUTION TO EXTEND AUTHORIZATION TO CANARX SERVICES, INC. AS LEWIS COUNTY HEALTH INSURANCE VENDOR

Introduced by Legislator Richard Lucas, Chairman of the Insurance Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby extends authorization to participants of the Lewis County Health Insurance Plan to utilize CanaRx Services, Inc. as a vendor for prescribed medications.

Section 2. That CanaRx Services, Inc. is hereby approved as a vendor for a period of one year to commence January 1, 2012 through December 31, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 8 - 2012
RESOLUTION APPOINTING MEMBERS TO LEWIS COUNTY COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislators Richard C. Lucas and Patrick Wallace as their representatives to the Lewis County Comprehensive Economic Development Strategy Committee.

Section 2. That the term of said appointments shall be effective from January 1, 2012 through December 31, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 9 - 2012
RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY COOPERATIVE EXTENSION BOARD OF DIRECTORS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Michael A. Tabolt as the Board's representative to the Lewis County Cooperative Extension Service Board of Directors.

Section 2. That the term of said appointment shall be effective immediately and terminate on December 31, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 10 -2012
DESIGNATION OF DEPOSITORIES FOR 2012

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, Subdivision 3 of Section 212 of the County Law provides that the Board of Legislators shall designate one or more depositories for deposit of all monies received by the Lewis County Treasurer, and specify the maximum amount which may be kept on deposit in each depository.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the following named banks, or banking associations be designated as depositories for Lewis County monies and for the maximum amount as set opposite the name of each

Community Bank N.A.	$20,000,000
Key Bank of Central NY N.A.	20,000,000
HSBC	20,000,000
Chase Bank	20,000,000
Citizens Bank	20,000,000

Section 2. That the Clerk of the Board be and she hereby is authorized and directed to file a certified copy of this resolution in the office of the Lewis County Clerk.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 11 - 2012
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY ETHICS BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

Whereas, in accordance with the Local Law that established the Lewis County Ethics Board, upon the expiration of her second term, Carolyn Virkler is no longer eligible to serve on that Board; and

Whereas, the Board wishes to appoint Bart Pleskach to fill the Ethics Board vacancy.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints BART PLESKACH of 5955 Main Street, Post Office Box 184, Glenfield, New York 13343 as a member of the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be for the period commencing on January 1, 2012 and terminate on December 31, 2014.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 12 - 2012
RESOLUTION APPOINTING AUDITOR OF COUNTY HIGHWAY FUNDS
AND SOLID WASTE ENTERPRISE FUND

Introduced by Legislator Patrick Wallace, Chairman of the Transportation/Solid Waste Committee.

WHEREAS, Section 600 of the County Law of New York State authorizes the Board of Legislators to appoint a County Auditor and limit the duties thereof to the auditing of specific claims.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the following individual is hereby appointed County Auditor with

duties limited to the audit of claims against the County Highway Department's various accounts: TERESA K. CLARK

Section 2. That said appointment shall be in effect for the period from January 1, 2012 through December 31, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 13 - 2012
RESOLUTION AUTHORIZING PLACEMENT OF A STOP SIGN AT THE INTERSECTION OF PARKER ROAD AND RECTOR ROAD AND REMOVAL OF STOP SIGN FROM THE PARKER ROAD

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, the Highway Committee has reviewed with the Highway Superintendent certain proposed changes to the orientation of stop signs at the intersection of Sears Pond Road, Parker Road and Rector Road, in the Town of Montague; and

WHEREAS, a stop sign needs to be permanently placed on the Sears Pond Road intersecting with Parker Road and Rector Road; and

WHEREAS, a stop sign needs to be removed from the Parker Road.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and directs the placement of the following sign on the county road within the Town of Montague: a "Stop" sign on the intersection of Parker Road and Rector Road; and the removal of a "Stop" sign from the Parker Road.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 14 - 2012
RESOLUTION APPOINTING MEMBER TO NORTH COUNTRY HOME CONSORTIUM BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Richard Lucas as the Board's representative to the North Country Home Consortium Board.

Section 2. That the term of said appointment shall be effective from January 1, 2012 through December 31,2013.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator King, and adopted.

RESOLUTION NO. 15 - 2012
RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY FRIENDS OF HOSPICE BOARD OF DIRECTORS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Charles Fanning as the Board's representative to the Lewis County Friends of Hospice Board of Directors.

Section 2. That the term of said appointment shall be effective from January 1, 2012 through December 31, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 16 - 2012
RESOLUTION APPOINTING MEMBERS TO LEWIS COUNTY GENERAL HOSPITAL BOARD OF MANAGERS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Legislator Michael A. Tabolt to the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence January 1, 2012 and

expire on December 31, 2013.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 17 - 2012
RESOLUTION AMENDING COMPENSATION PLAN LEWIS COUNTY GENERAL HOSPITAL

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County General Hospital, to create the following position:

TITLE	STATUS	SALARY
Certified Nursing Assistant	Full-Time	$11.42-$15.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Boyd.

Legislator Tabolt explained that this position would replace a function currently performed through a contractual agreement, with resulting cost savings of $8,000.00.

The resolution was then adopted.

RESOLUTION NO. 18 - 2012
RESOLUTION TO PROCEED WITH PRIVATIZATION EFFORTS OF MENTAL HEALTH PROGRAM SERVICES

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, in response to the Board of Legislators' Request For Interest, the agencies of North Country Transitional Living Services (TLS), and Northern Regional Center For Independent Living (NRCIL) have submitted proposals to assume the mental health program services provided through the Lewis County Mental Hygiene Department; and

WHEREAS, the Community Services Board recommends to proceed with the

initiative to privatize the mental health program services; and

WHEREAS, the Board of Legislators supports the privatization efforts for mental health program services.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby affirms their support and intent to proceed with the privatization initiative for mental health services provided through the Lewis County Mental Hygiene Department.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 19 - 2012
RESOLUTION AFFIRMING APPOINTMENT OF INTERIM-DIRECTOR OF COMMUNITY SERVICES AND SETTING SALARY

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, the Community Services Board recommends the appointment of Sarah Bullock as the Interim-Director of Community Services effective December 31, 2011; and

WHEREAS, the Community Services Board recommends a salary of $70,000.00 for the Interim-Director; and

WHEREAS, the Board of Legislators wishes to implement said actions.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby affirms the appointment of Sarah Bullock as the Lewis County Interim-Director of Community Services, effective December 31, 2011.

Section 2. That the annual salary of said position shall be $70,000.00

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator Boyd.

Legislator Stanford inquired the reason for the increased salary from that previously set by the Board. Legislator Fanning stated the Board had established a

salary of $62,500. However, he explained, in order to get the Community Services Board to support privatization, they wanted the salary increased and the Corporate Compliance Officer appointed as the Interim-Director, and the Committee supports the concession.

In response to Legislator Hathway's inquiry, Legislator Fanning clarified that the salary would be in effect until the transition to the Northern Transitional Living Services.

The resolution was then adopted

RESOLUTION NO. 20 -2012
RESOLUTION TO TRANSFER FUNDS MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget transfer be approved in the Mental Hygiene Department accounts, to cover the increase for the Interim-Director salary:

From:	To:	Amount
A1990.4999 (Contingency)	A4335.1999 (LGU Pers Serv)	$7,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 21 -2012
RESOLUTION TO APPOINT REPRESENTATIVE TO NYSDEC OPEN SPACE COMMITTEE

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, the New York Open Space Conservation Program began in 1990 pursuant to enacting State Legislation, to ensure citizen input into the land acquisition decisions made by the New York State Department of Environmental Conservation and the State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, each County within Region 6 may appoint two representatives.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Patrick Wallace of 5548 Woodlawn Avenue, Lowville, New York 13367, as their second representative on the New York State Department of Environmental Conservation Region 6 Open Space Committee.

Section 2. That said appointment shall be effective for the period January 1, 2012 through December 31, 2013.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Stanford, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 22 - 2012
RESOLUTION APPOINTING MEMBER TO OFFICE FOR AGING ADVISORY COUNCIL

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Joan Goodfellow of 3772 Hunkins Road, Port Leyden, New York 13433 as a member of the Lewis County Office For Aging Advisory Council.

Section 2. The term of said appointment shall be effective from January 1, 2012 through December 31, 2014.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 23 - 2012
RESOLUTION APPOINTING MEMBERS TO LEWIS COUNTY SOIL AND WATER CONSERVATION BOARD OF DIRECTORS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following

Legislator representatives to the Lewis County Soil and Water Conservation District Board of Directors:

William Burke of 4218 State Route 177, Lowville, New York 13367
Patrick Wallace of 5548 Woodlawn Avenue, Lowville, New York 13367

Section 2. That the term of said appointments shall be effective from January 1, 2012 through December 31,2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 24 - 2012
RESOLUTION TO TRANSFER FUNDS
TREASURER'S OFFICE

Introduced by Legislator William Burke, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers take place in the 2011 Budget for wages paid through Personal Services for the preparation of the Annual Report:

From:	Amount
Al325.4901 (Prof Services)	$13,000.00
A1325.4507(travel)	1,800.00
Al325.4407(supplies)	1,000.00
Al325.8901 (retiree health)	1,000.00
A1325.8999(fringe)	1,634.00
	$18,434.00
To:	
A1325.1999(Pers Serv)	$16,662.00
A1362.1999(Pers Serv)	1,772.00
	$18,434.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 25 - 2012
RESOLUTION APPOINTING LEWIS COUNTY MANAGER AND AUTHORIZING EMPLOYMENT AGREEMENT

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, the County has heretofore established the position of County Manager pursuant to Lewis County Local Law No. 4-1987, whose function is to serve as the chief administrative officer, as well as the budget officer, on behalf of the Board of Legislators; and

WHEREAS, the Board of Legislators wishes to re-appoint David H. Pendergast as County Manager; and

WHEREAS, the parties wish to enter into an Employment Agreement to provide for the terms and conditions of the employment of the County Manager.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints David H. Pendergast to the position of County Manager pursuant to Local Law No. 4-1987, to perform such duties and responsibilities as described therein, and as may be delegated from time to time by the Board of Legislators.

Section 2. That the Lewis County Board of Legislators hereby approves an Employment Agreement by and between the County of Lewis and the County Manager, setting forth the terms and conditions of employment for the County Manager.

Section 3. The term of said Employment Agreement shall be effective from January 1, 2012 through December 31, 2013.

Section 4. That the Chairman, or the Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Employment Agreement upon such form as may be approved by the County Attorney.

Section 5. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

Legislator King was opposed.

RESOLUTION NO. 26 – 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER AND LOCUMTENENS.COM, LLC WITH DR. SIAN ELIZABETH MILLS

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law§ 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has previously reviewed the Agreement for LocumTenens.com, LLC and has determined that this corporation is necessary to meet the needs to provide the services of a qualified physician that is fully licensed and covered by malpractice insurance and that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, LocumTenens.com, LLC has offered to provide Dr. Sian Elizabeth Mills who will work on a part time basis, with a maximum of sixteen (16) hours of service per week to provide psychiatry services to patients at Lewis County Community Mental Health Center ("LCCMHC"); and

WHEREAS, the Community Services Board has heretofore duly met and has resolved to recommend to the Board of Legislators to accept this offer;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for LocumTenens.com, LLC to provide the services of Dr. Sian Elizabeth Mills that will provide psychiatry services to patients at Lewis County Community Mental Health Center for the term beginning January 1, 2012 and ending December 31, 2012 at a cost of $180.00 per hour.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 27 -2012
RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health

Committee.

WHEREAS, the Lewis County Community Mental Health Center has entered into an agreement for the provision of psychiatric services by Ashok Goyal, M.D., but he will be unavailable from mid-January to mid-March, 2012; and

WHEREAS, Anne Bates, Nurse Practitioner, effective January 1, will be employed at 28 hours per week at the Lewis County Community Mental Health Center; and

WHEREAS, the increase of up to 40 hours per week for Anne Bates, NP is necessary to insure the uninterrupted provision of services to patients receiving medication treatment. This increase will be covered by salaries of vacated and unfilled positions in the 2012 adopted county budget. Therefore, no monetary transfers are required for this increase in hours.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. This Board of Legislators hereby authorizes Anne Bates, Nurse Practitioner to temporarily increase her work hours up to 40 hours per week to insure uninterrupted psychiatric services at the Lewis County Community Health Center during the temporary absence of Dr. Goyal.

Section 2. That the temporary increased hours shall be effective for the period from mid-January through mid-March, 2012.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 28 -2012
RESOLUTION APPOINTING MEMBERS TO PLANNING BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, pursuant to the By-Laws of the Lewis County Planning Board, the Legislative Planning Committee Chairman is to be appointed as a voting member of the Planning Board; and

WHEREAS, Legislator Patrick Wallace's term as a Planning Board Member-at-large expired on December 31, 2011.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislative Planning

Committee Chairman Richard Lucas to the Planning Board.

Section 2. That the Board of Legislators hereby appoints Legislator Patrick Wallace as a Member-at-Large to the Planning Board.

Section 3. That the term of said appointments shall be effective from January 1, 2012 through December 31, 2013.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 29 -2012
RESOLUTION APPOINTING PROBATION DIRECTOR

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Board of Legislators has set the salary of the Lewis County Probation Director at $58,000.00, pursuant to adopted Resolution No. 420-2011; and

WHEREAS, following review of all applicants, the Board of Legislators wishes to provisionally appoint MaryJo Burkhard as Probation Director, pending the results of the civil service examination.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby provisionally appoints MaryJo Burkhard of Post Office Box 241, Beaver Falls, New York 13305 as Lewis County Probation Director effective January 1, 2012.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Lucas.

Legislator Boyd stated that the Committee is recommending the provisional appointment of MaryJo Burkhard as Probation Director, pending the results of the civil service examination. MaryJo has been a probation officer for 31 years, during which she has become familiar and experienced in all facets of probation program services. Since 1987 she has served as the Staff Development Officer responsible for assigning staff to appropriate training programs.

The resolution was then adopted.

RESOLUTION NO. 30 - 2012
RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT

Introduced By Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, due to a resignation, the Board wishes to establish a new salary for the position of Public Health Fiscal Manager.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby sets the salary for the Public Health Fiscal Manager position at $48,000.00.

Section 2. That said salary shall be effective January 1, 2012.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 31 -2012
RESOLUTION AMENDING COMPENSATION PLAN TO CREATE WINTER PARKS & RECREATION SHERIFF PATROLS

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Sheriff's Department, to create the following temporary law enforcement patrols for the Winter Parks and Recreation Program:

TITLE	STATUS	SALARY
Deputy Sheriff (6)	Temporary Part-time	Grade 22A
Recreation Aide (4)	Temporary Part-time	Grade 6

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions effective immediately through April 30, 2012.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 32 - 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2012 budget transfer be approved from the Contingency account to the Sheriffs Department account to finance the winter parks and recreational patrols:

From:	Amount:
A1990.4999 (Contingency)	$12,500.00
To:	
A3115.1102 (Temp help)	$12,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 33 - 2012
RESOLUTION TO APPROPRIATE SNOWMOBILE TRAIL PROGRAM
REVENUE 2011-2012 SEASON

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That $306,310.00 be appropriated to Account A7141.4999 for the Snowmobile Trail Program, and be offset by State Aid Account A38202.

Section 2. That the funds will be passed onto the Snowmobile Association upon receipt.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

OTHER BUSINESS:

Legislator Hathway acknowledged that from a field of 65 libraries, the North Country Library System had presented a plaque to Harrisville Free Library Director Nicole Spencer, as 2011 Director-of-the-Year. As a young, aggressive director, he

commended her for outreach into the community to serve children and senior citizens alike, while also astute at researching grant funds to finance upgrades. Chairman Bush asked Legislator Hathway to relay the Board's congratulations, as well.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning at 5:42p.m., seconded by Legislator Stanford and carried.

SPECIAL MEETING
JANUARY 19, 2012

The meeting was called to order at 10:00 a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 8 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend waiving the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: January 19, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Boyd and carried.

PRIVILEGE OF THE FLOOR:

Watertown Daily Times reporter Steven Virkler announced plans to publish a weekly feature on elected officials for public information. He invited Legislators to complete a personal informational questionnaire and submit to the Clerk of the Board, adding that he would follow up for pictures.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Lewis County Democratic Committee Chairwoman Linda Sandri had submitted a letter requesting the Board to appoint Election Specialist Lindsay Burriss as Interim Democratic Commissioner of Elections, pending an investigation of certain allegations against suspended Commissioner Elaine McLear.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Fire Coordinator James Martin submitted the names of his deputy coordinators for 2012: Richard Ross, Randy Roggie, Edwin Sinclair, Joseph Shue and Richard Defone.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Office For Aging Committee Chairman, reported interviewing several candidates before making their recommendation for appointment today, affirming their confidence in her abilities.

Legislator Michael Tabolt reported being invited by Senator Griffo to Governor Cuomo's State-of-the-State Address. When approached by a reporter while exiting, his summation comment was that "It was good entertainment", void of real mandate relief, except to appoint a Committee. The Governor had basically ignored the recommendations from his appointed Mandate Relief Team; and "Counties cannot go on like this, there's no relief in sight", he implored. The Governor has appointed an Executive Committee of the Medicaid Redesign Team to gather public input. However, citing past experience, there is no confidence the Governor would support their recommendations.

Continuing, Legislator Tabolt told of his discussion with Mark LaVigne of NYS, who agreed with his sentiments there is no real mandate relief proposed. He has accepted Mr. LaVigne's invitation to participate in the mandate relief panel discussion scheduled as part of the upcoming NYSAC seminar in Albany.

At his request, this Board's resolution urging NYSAC to devise a specific mandate relief plan is on the agenda for today's meeting of the Inter-County Legislative Committee of the Adirondacks. Legislator Tabolt would be participating with their discussion via teleconference this morning, with the goal of garnering that Committee's support for the initiative.

Legislator Tabolt impressed the urgency for legislative action for the State to avail Affordable Care Act Federal funds of $18 Billion, to assist in taking over Counties' portion of Medicaid Program costs. The Governor had also proposed a retirement pension Tier 6, but savings from that action would not be realized until well into the future. Legislator Tabolt invoked that he is convinced the Governor's imposed cap on County Medicaid contributions does nothing more than create public delusion that the Governor is attempting to help County governments.

In closing, Legislator Tabolt offered to be the Board's representative on the Inter-County Legislative Committee of the Adirondacks.

Chairman Bush thanked him for his time and enthusiasm to promote mandate relief on behalf of this Board and the County as a whole.

Legislator Charles Fanning, Mental Health Committee Chairman, reported the transition to Transitional Living Services (TLS) and Northern Regional Center for Independence Living of programs other than the clinic are tentatively projected to take effect April 2, 2012; with an effective date for clinic operations of June 1, 2012. Also, TLS has interviewed current Mental Health staff for possible hiring.

Legislator Richard Lucas, Economic Development Committee Chairman, relayed that the Village of Lyons Falls was participating in a Reader's Digest contest for a money prize to assist them with a community project, and urged those present to vote for them on-line.

Legislator Lucas reported opening bids in December 2011 for recreational trail equipment to be financed by grant funds. He made a motion to award the bid for purchase of a 2006 John Deere 450J Crawler with 183 hours to Nortrax of Gouverneur, in the amount of $54,750.00. The motion was seconded by Legislator Wallace and carried.

Legislator Lucas made a motion to award the bid for purchase of a 2011 T750 Bobcat Compact Track Loader to Bobcat of Watertown, in the amount of $49,994.00, seconded by Legislator King and carried.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, announced that a Homeland Security representative would be scheduled to appear for discussion on available grant funds for the radio upgrades.

Legislator Jerry King, Taxation Committee Chairman, urged support of his sponsored resolutions, deferring discussion until proposed. He then requested an executive session to discuss a personnel issue.

COUNTY MANAGER REPORT:

Mr. Pendergast reported receipt today of NYSAC's initial analysis of the Governor's 2012-2013 budget with detailed effect upon Counties. A copy will be distributed to each Legislator for review and discussion.

RESOLUTIONS:

RESOLUTION NO. 34 -2012
RESOLUTION OF DEFERRED COMPENSATION COMMITTEE TO AMEND AND RESTATE THE MODEL PLAN

Introduced by Legislator Paul Stanford, Chairman of the County Officers' Committee.

WHEREAS, the New York State Deferred Compensation Board (the *"Board"),*pursuant to Section 5 of the New York State Finance Law *("Section 5")* and the Regulations of the New York State Deferred Compensation Board (the *"Regulations"),* has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the County of Lewis (the *"Model Plan")* and offers the Model Plan for adoption by local employers; and

WHEREAS, the County of Lewis , pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the County of Lewis; and

WHEREAS, effective August 26, 2011 the Board amended the Model Plan to adopt provisions

- Reorganizing and updating sections to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document.

- Including employer elections within the plan document including: suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions
  from small and inactive accounts, loan design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions.

- Clarifying the first date a participant may make deferrals in compliance with Code Section 457(b) and timing requirements for any subsequent changes to deferral rates or allocations between pre-tax and after- tax deferrals.

- Clarifying compensation available for deferral for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.

- Including provisions related to HEART Act of 2008 regarding treatment of differential pay and qualifying distributions for active military service in compliance with the HEART Act, including suspension of deferrals for six months following distribution.

- Making technical recognition of the waiver of RMDs for 2009.

- Clarifying that a beneficiary form must be received in good order to be considered valid.

- Clarifying that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre- tax amounts and amounts may be rolled in by participants, beneficiaries (other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post- tax amounts if the receiving plan separately accounts for them.

- Clarifying that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.

- Including language allowing for future delivery of participant communications through electronic means, where appropriate.

- Codifying that periodic and lump sum payments must be a minimum of $100 per payment, unless the Committee selects a different minimum, and sets a maximum annual number of partial distributions.
- Clarifying that the $50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.

- Providing guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.

- Allowing a surviving spouse beneficiary to name a beneficiary on their account.

- Including the 5 year option for non-spousal beneficiaries to receive distributions and makes distribution rules consistent for pre- and post-age 70 ½ deaths.

- Allowing earlier distributions due to severance of employment as long as a balance of $500 remains in the account for 45 days after a severance from employment.

- Providing that outstanding loans from another New York state 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.

- Removing the Power of Attorney Language since the acceptance of a power of attorney is governed by State law and not required in the Model Plan document.
- Clarifying the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.

- Limiting indemnification to Committee Members only.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, the County of Lewis has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the County of Lewis by adopting the amended Model Plan.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the County of Lewis hereby an1ends the Deferred Compensation Plan for Employees of the County of Lewis by adopting the amended Model Plan effective August 26, 2011, including the optional provisions in Schedule A, in the form attached hereto as Exhibit A.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Stanford, and adopted.

SCHEDULE A

Effective date of last completion or amendment of this Schedule A: June 12, 2012

Instructions

This Schedule A and all later amendments to this Schedule A are part of the Plan document and should remain attached to the Plan document.

Schedule A is used by the Committee (1) TO ACTIVATE or TERMINATE optional Plan provisions described below, (2) TO MODIFY the default provisions of the Plan described below or (3) TO INDICATE that the default provisions described below will continue to apply under the Plan.

Each section of this Schedule A must be completed by the Committee in connection with the adoption of this amendment and restatement of the Plan. All selections made shall remain effective until this Schedule A is later amended by the Committee.

All section references refer to the corresponding sections of the Plan and all defined terms have the meanings ascribed to them in the Plan.

Committee Elections – Optional Plan Provisions

3.1(c) ROTH PROGRAM

Section 3.1(c) of the Plan permits Roth Contributions only if the Committee checks YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that Roth Contributions will not be permitted under the Plan or, at a later time, to clla11ge prospectively (as of a specified effective date) a prior election under this section.

The Plan shall maintain a Roth Program under which Participants may make Roth Contributions to the Plan, which Roth Contributions will be made and separately accounted for in compliance with the relevant provisions of the Plan and the Code.

[X] YES

☐ NO

Effective date: June 12, 2012

8.4(d) IN-PLAN ROLLOVER TO A ROTH ACCOUNT

Section 8.4(d) of the Plan permits Roth Contributions only if the Committee has checked YES above (permitting a Roth Program) and checked YES below allowing amounts that otherwise qualify as Eligible Rollover Distributions not attributable to Roth Contributions to be directly contributed to a Roth Account under the Plan. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that Eligible Rollover Distributions may not be directly rolled over to a Roth Account under the Plan or, at a later time, to change prospectively (as of a specified effective date) a prior election under this section.

To the extent the Committee has resolved to implement and maintain a Roth Program pursuant to Section 3.1(c) of Schedule A, a Participant may elect to have the portion of his or her Eligible Rollover Distribution that is not attributable to Roth Contributions directly rolled over into a Roth Account in the Plan.

☒ YES (do not check YES unless Roth Program is in effect)

☐ NO

Effective date: June 12, 2012

3.1(e) SUSPENSION OF DEFERRALS AND CONTRIBUTIONS FOLLOWING AN UNFORESEEABLE EMERGENCY WITHDRAWAL

Section 3.1(e) of the Plan allows the Employer automatically to suspend deferrals and contributions for six months following the date a Participant receives an Unforeseeable Emergency withdrawal only if the Committee checks YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that a suspension of deferrals and contributions will not be required or, at a later time, to change prospectively (as of a specified effective date) a prior election under this section.

A Participant's deferrals and contributions will be suspended for a period of six months following a distribution due to an Unforeseeable Emergency withdrawal.

☒ YES

☐ NO

Effective date: June 12, 2012

7.2(b) AUTOMATIC DISTRIBUTION OF SMALL ACCOUNTS FOLLOWING A SEVERANCE FROM EMPLOYMENT

Section 7.2(b) of the Plan allows the Employer to automatically distribute certain small account balances following a Severance from Employment only if the Committee has checked YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no automatic distribution will occur following a Severance from Employment or, at a later time, prospectively to change (as of a specified effective date) a prior election under this section.

With respect to a Participant or an Alternate Payee whose Account or Alternate Payee Account does not exceed the amount set forth in Section 7.2(a) of the Plan, the Committee shall direct the automatic distribution of the Participant's Account and Rollover Account or the Alternate Payee's Alternate Payee Account as soon as practicable following the Participant's Severance from Employment.

[X] YES

[ ] NO

Effective date: June 12, 2012

7.2(b) AUTOMATIC DISTRIBUTION OF INACTIVE SMALL ACCOUNTS

Section 7.2(b) of the Plan allows the Employer to automatically distribute certain small account balances in inactive accounts only if the Committee has checked YES below and indicated the small account amount below. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no automatic distribution of inactive small accounts will occur or, at a later time, prospectively to change (as of a specified effective date) a prior election under this section.

7.2(b) Automatic Distributions after a Severance from Employment.

With respect to a Participant or an Alternate Payee whose Account or Alternate Payee Account does not exceed the amount set forth in Section 7.2(a) of the Plan, upon an Account Participant's Plan Benefit falling below $ 100, *[Insert any whole dollar amount up to the dollar limit under Section 411(a)(11)(A) of tile Code]* to the extent that the requirements of Section 7.2(a) of the Plan are met, the Committee shall direct the automatic distribution of the Participant's Account and Rollover Account or the Alternate Payee's Alternate Payee Account in accordance with 7.2(b) of the Plan.

[X] YES (do not check YES unless a permissible amount is specified above)

[ ] NO

Effective date: June 12, 2012

7.3 PLAN LOANS FOR ACTIVE EMPLOYEES

Section 7.3 of the Plan allows active Employees to request a Plan loan only if the Committee has checked YES below. The Committee must also indicate below the

effective date of this election. The Committee should check NO to indicate that no Plan loans will be permitted or, at a later time, prospectively (as of a specified effective date) to change a prior election under this section.

Participants who are active Employees shall be eligible to request a Plan loan and may be granted a loan pursuant to the requirements of Section 7.3 of the Plan.

[X] YES

[ ] NO

Effective date: June 12, 2012

7.3(a) PLAN LOANS FOR PARTICIPANTS ON AN APPROVED LEAVE OF ABSENCE Section 7.3(a) of the Plan allows Participants who are on an approved leave of absence to be eligible to request a Plan loan only if the Committee has checked YES above (permitting Plan loans for active Employees) and checked YES below extending the loan provisions to Participants on an approved leave of absence. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no Plan loans will be permitted for Participants on an approved leave of absence or, at a later time, prospectively to change (as of a specified effective date) a prior election under this section.

Participants who are on an approved leave of absence from their Employer shall be eligible to request a Plan loan and may be granted a loan pursuant to the requirements of Section 7.3 of the Plan.

[ ] YES (do not check YES unless Plan Loans are authorized for active Employees)

[X] NO

Effective date: June 12, 2012

Committee Elections-Modification of Default Plan Provisions

7.3(f) DURATION OF LOAN GRACE PERIOD

Section 7.3 of the Plan allows the Committee to permit Plan loans (see elections above). If the Committee permits Plan loans, the Plan document states that, unless the Committee makes an election below, any such loan will be in default if a Participant fails to make a required loan repayment within 90 days following the due date for such repayment The Plan document refers to this period as the "Loan Grace Period."

Section 7.3(f) of the Plan allows the Committee to specify a shorter Loan Grace Period by indicating a period of fewer than 90 days below and by indicating that such election will apply to Plan loans made after the effective date specified below. The Committee may, at a later time, indicate (as of a specified effective date) a different Loan Grace Period by

making a new election under this section.

The Loan Grace Period for purposes of Section 7.3(f) shall be 30 days *[a number of days greater than 0 but less than 90]* following the due date of a Participant's scheduled loan repayment.

Effective date: June 12, 2012

8.1(c)(i) and (iii) MINIMUM LUMP SUM AMOUNT

Sections 8.1(c)(i) and (iii) of the Plan allow a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in a total or partial lump sum. The Plan document states that, unless the Committee makes an election below, the amount of a partial lump sum distribution cannot be less than $100. The Plan document refers to this amount as the "Minimum Lump Sum Amount."

Sections 8.1(c)(i) and (iii) of the Plan allow the Committee to specify a different Minimum Lump Sum Amount by indicating a dollar amount below and by indicating that such Minimum Lump Sum Amount will apply to distributions made after the effective date specified below. The Committee may also indicate there is no Minimum Lump Sum Amount by inserting the "none" or "0" below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Minimum Lump Sum Amount by making a new election under this section.

The Minimum Lump Sum Amount shall be $ 500 .

Effective date: June 12, 2012

8.1(c)(ii) MINIMUM INSTALLMENT AMOUNT
Section 8.1(c)(ii) of the Plan allows a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in periodic monthly, quarterly, semi-annual or annual installments. The Plan document states that, unless the Committee makes an election below, the amount of an installment distribution cannot be less than $100. The Plan document refers to this amount as the "Minimum Installment Amount."

Section 8.1(c)(ii) of the Plan allows the Committee to specify a different Minimum Installment Amount by indicating a dollar amount below and by indicating that such Minimum Installment Amount will apply to distributions made after the effective date specified below. The Committee may also indicate there is no Minimum Installment Amount by inserting the "none" or "0" below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Minimum Installment Amount by making a new election under this section.

The Minimum Installment Amount shall be $ 100 . Effective date: June 12, 2012

8.1(c)(i) and (iii) MAXIMUM ANNUAL NUMBER OF PARTIAL DISTRIBUTIONS PER PLAN YEAR

Sections 8.1(c)(i)and(iii) of the Plan allow a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in a total or partial lump sum. The Plan document states that, unless the Committee makes an election below, the maximum number of partial lump sum distributions in a Plan Year may not exceed 12. The Plan document refers to this amount as the "Maximum Annual Number of Partial Distributions."

Sections 8.1(c)(i) and (iii) of the Plan allow the Committee to specify a different Maximum Number of Partial Distributions per Plan Year by indicating a different limit below and by indicating that such limit will apply to distributions made after the effective date specified below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Maximum Number of Partial Distributions for a Plan Year by making a new election under this section.

The Maximum Annual Number of Partial Distributions for each Plan Year shall be 12

Effective date: June 12, 2012

8.1(e) DISTRIBUTION WAITING PERIOD

Section 8.1(c) of the Plan allows a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in a total or partial lump sum or in installments. Section 8.1(e) of the Plan document also states that, unless the Committee makes an election below, a distribution will be delayed for 45 days if the distribution would result in the Participant having an account balance of less than $500. The Plan document refers to this period as the "Distribution Waiting Period."

Section 8.1(e) of the Plan allows the Committee to specify a different Distribution Waiting Period by indicating a different limit below and by indicating that such limit will apply to distributions made after the effective date specified below. The Committee may also indicate there is no Distribution Waiting Period by inserting the word "none" below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Distribution Waiting Period for a Plan Year by making a new election under this Schedule A.

The Distribution Waiting Period shall be 10 days.

Effective date: June 12, 2012

RESOLUTION NO. 35 - 2012
RESOLUTION APPOINTING OFFICE FOR AGING DIRECTOR

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints: Brenda Bourgeois of 7616

Park Avenue, Lowville, New York 13367, as the Lewis County Office For Aging Director, effective immediately.

Section 2. That the annual salary is hereby set at $48,000.00.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 36 -2012
RESOLUTION AUTHORIZING AGREEMENT WITH NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND PROBATION DEPARTMENT PRE-TRIAL RELEASE PROGRAM

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the New York State Division of Criminal Justice Services, by and through the Probation Department, for a pre-trial release program whereby Lewis County Jail detainees are interviewed to determine their eligibility for release under supervision or release on recognizance.

Section 2. That said Agreement shall be effective for the period from January 1, 2011 through June 30, 2012, in the total amount of $2,571.00

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 37 -2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2012 budget transfer be approved in the Sheriff's Department accounts to cover on-call time:

From:	To:	Amount:
A3150.1101	A3110.1104	$16,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd , seconded by Legislator Burke , and adopted.

RESOLUTION NO. 38 -2012
RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY SOIL AND WATER CONSERVATION BOARD OF DIRECTORS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints: Gary Rosiczkowski of 5066 Lee Road, Turin, New York 13473, as the Farm Bureau representative, to the Lewis County Soil and Water Conservation District Board of Directors.

Section 2. That the term of said appointment shall be effective from January 1, 2012 through December 31, 2014.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt seconded by Legislator King , and adopted.

RESOLUTION NO. 39 – 2012
RESOLUTION APPOINTING INTERIM LEWIS COUNTY DEMOCRATIC COMMISSIONER OF ELECTIONS

Introduced by Legislator Jerry King, Chairman of Elections Committee

WHEREAS, the Lewis County Democratic Commissioner of Elections has been suspended pending an investigation; and

WHEREAS, there is no deputy Democratic Commissioner of Elections to perform the duties of the Commissioner in her absence; and

WHEREAS, the Board of Legislators has received a request from the Chairwoman of the Democratic Party that an interim Democratic Commissioner of Elections be appointed and has recommended that Lindsay Burriss, the current Democratic Election Specialist be appointed to that position

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby appoints Lindsay Burriss as interim Lewis County Democratic Commissioner of Elections.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 40 – 2012
RESOLUTION AUTHORIZING CORRECTION OF TAX ROLL AND DIRECTING ISSUANCE OF CORRECTED TAX BILLS FOR THE TOWN OF OSCEOLA PURSUANT TO REAL PROPERTY TAX LAW§ 556-b

Introduced by Legislator Jerry King, Chairman of Taxation Committee

WHEREAS, the Lewis County Director of Real Property Tax Services has received an application from the Town Supervisor for the Town of Osceola on behalf of all the property owners in the Town requesting a correction to the tax roll due to a clerical error affecting all the tax parcels located in the Town; and

WHEREAS, the Director of Real Property Tax Services has investigated the circumstances surrounding the claimed clerical and has determined that a clerical error has occurred in relation to special district assessments to the extent that the current tax roll shows total taxes to be collected as $ 758,656.47, however the correct amount of taxes to be collected by the Town of Osceola should be $715,656.54.

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. That upon the report of the Director of Real Property Services, the Board of Legislators hereby authorizes the Director of Real Property Services to correct the tax roll for the Town of Osceola and it is hereby:

ORDERED, that the 2012 tax levy for the Town of Osceola shall be $715,656.54; and it is further

ORDERED, that the tax collector for the Town of Osceola shall refund any excess taxes paid or make a credit against an outstanding tax with respect to said error in accordance with Real Property Tax Law § 556; and it is further

ORDERED, that a copy of this Resolution and Order directing the correction of the tax roll along with a copy of the approved application shall be attached to the tax roll and warrant; and it is further

ORDERED, that tax bills shall be re-calculated in accordance with the corrected tax roll as set forth herein and shall be issued to the property owners.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 41 – 2012
RESOLUTION AUTHORIZING APPROPRIATION TO ALL TOWN AND VILLAGE GOVERNMENTS WITHIN LEWIS COUNTY

Introduced by Legislators Jerry King and Paul Stanford, as members of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an appropriation of $600.00 to each Town and Village government within the County of Lewis, to be utilized for governmental expense at the discretion of their respective governing boards.

Section 2. That any Town Supervisor or Village Mayor within the County of Lewis, by receipt of a certified copy of this Resolution, is hereby directed to inform the Clerk of the Board of Legislators by no later than February 15, 2012, if they choose to decline the County appropriation.

Section 3. That the County Treasurer is hereby directed to process payment, for disbursement on March 6, 2012, to each Town Supervisor and Village Mayor within Lewis County, in the total amount of $600.00, unless otherwise notified.

Section 4. That said appropriations shall be financed through the County Contingency Fund.

Section 5. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Stanford.

Legislator King referenced the proposed financial assistance to the Town of Osceola, explaining that the Town of Lewis expended $7,000 for a study involving apportionment of taxes with the City of Rome; and the Town of Leyden's need to replace a costly welder. He opined that all Towns deserve equal assistance, while adding that previous requests of certain Towns have been voted down.

Legislator Lucas explained that a mistake was made by Osceola officials during their budget preparation, and he didn't feel the financial help would be considered a “gift”.

There was a cooperation effort between the County Treasurer, Real Property Tax Director and the Osceola Town Clerk to correct the tax bills. Legislator Lucas did not

support doling out funds to all Towns because of one Town's request, but asserted that a financial request by any Town would be considered.

Legislator King purported that Legislator Lucas purposely circumvented the Taxation Committee. He explained that Vicki Roy had caught Osceola's like-error last year and made the correction prior to tax bill preparation. Legislator King asserted he is not opposed to assisting Osceola, but truly feels that all Towns would welcome the assistance and would wisely utilize the funds.

Legislator Stanford commented the same mistake was made twice in as many years. He pointed out the perception by someone whose job had been eliminated during County budget deliberations, for the proposed $600 assistance. While querying why the nominal amount would affect a Town's overall budget, he expressed favor for all Towns receiving the same assistance, citing the imposed cuts for all County departments.

In response to Legislator Burke's inquiry, Legislator King clarified that the County was not responsible for the error. Legislator King expressed particular exception to Legislator Lucas's informing he had the votes to approve the Osceola assistance. Citing his dismissed request for an executive session to air his concerns, Legislator King beseeched Chairman Bush to direct Legislator Lucas to respectfully concede issues to committees outside his jurisdictional assignments.

Legislator Lucas then recited chronological events whereby he received the call from the Town of Osceola on Wednesday; he met Osceola Supervisor in the County Treasurer's office to obtain all the facts and determined a viable solution; he then left a phone message for Legislator King to return his call. Due to the need for timely action, Legislator Lucas called and spoke with eight Legislators whom had each expressed their support. When Legislator King returned the call, Legislator Lucas relayed that he had eight supporting votes. However, Legislator King voiced his objection, while relating Legislator Stanford's objection as well.

Legislator Stanford opined that Towns should have reserve funds to utilize for unexpected expenditures, likewise as the County. He reiterated the repeated mistake, querying the Town officials' abilities. Legislator Lucas distinguished the mistake last year was discovered by a long-tenured Treasurer, while rejecting the idea of placing blame on the newly appointed Town Supervisor or Treasurer. Legislator Lucas questioned the wisdom of expending thousands of dollars in the wake of one Towns $600 request. Legislator King reiterated his quest to assist all Towns equally, adding that any Town could discretionally decline the funds.

Legislator Tabolt expressed support for past practice, whereby the Board would consider any municipality's request on a case-by-case basis. He concurred with Legislator Lucas, not to expend non-requested funding. Legislator King clarified the question was whether to re-print the tax bills, not to appropriate $600 to the Town of Osceola. Continuing, he invoked the Town of Lewis could use the assistance, indicating the County would ultimately benefit. Respectively, Legislator Tabolt suggested the Town submit their request.

Legislator Hathway opined the County does not do enough to help the Towns and Villages, adding "the smaller the government the better the money is spent". He feels the $600 would help every Town and Village in distinctive ways, without exception.

Legislator Lucas verified the total Osceola bill was $1,200, agreeing to a 50% portion of $600.

Legislator Burke referenced the resulting benefits for the recent assistance to Croghan for the Dam Study. If we follow that model, Legislator Lucas asked his colleagues whether all Towns should receive $5,000. In response, Legislator King cited his support to assist Croghan, while affirming his quest to assist all Towns and Villages.

Legislator Wallace imparted his support for Towns, but favors considering any request on its merits on a case-by-case basis.

Legislator King cited the County's rejection of a previous request from the Town of Lewis to help defend an assessment reduction from the Dam owners from $12 Million to $3 Million. The only assistance came from the Adirondack Central School District. "I'm sick of it, and I want to be fair", he concluded.

The resolution was defeated by a roll call vote of 5 to 5 as follows:

YEAS: Boyd, Burke, Hathway, King, Stanford
NAYS: Fanning, Lucas, Tabolt, Wallace, Bush

OTHER BUSINESS:

Legislator Wallace made a motion to enter executive session at 10:35 a.m. to discuss litigation, acquisition of real estate whereby disclosure of details may affect the outcome of the transaction; and an update and discussion on union negotiations. The motion was seconded by Legislator Boyd and carried. Chairman Bush requested Industrial Development Agency Executive Director Richard Porter, Economic Development Director Eric Virkler, Recreation Trail Coordinator Bob Diehl and Senior Planner Renee Beyer to join the session.

Legislator Wallace left the session at 11:00 a.m. due to a medical appointment. Chairman Bush called for a 10-minute recess. The session resumed at 11:13 a.m. Genesee Valley Transportation representatives John Herbrand, Peter Gores and Greg Cheshier joined the session.

Legislator Tabolt left the session at 12:02 p.m. for a teleconference with the Inter- County Legislative Committee of the Adirondacks, and returned at 12:25 p.m.

At the conclusion of the executive session, Legislator King moved to re-enter regular session at 1:27 p.m., seconded by Legislator Boyd and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Boyd and carried.

REGULAR MEETING
February 7, 2012

The meeting was called to order at 5:00p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, who called for a moment of silence in memory of Dr. John C. Herrman whom had passed away on January 12, 2012, in remembrance of his tireless acts of kindness and dedication to Lewis County.

Chairman Bush led the Pledge of Allegiance to the flag.

There were 42 persons present.

Chairman Bush announced approval of the January 3rd and 19th, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Ru1es and Legislation Committee had met and recommend immediate action on all pre-filed resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: February 7, 2012

Legislator Tabolt made a motion to approve the report, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Laurie Halladay, representing the Railway Historical Society of NNY, prefaced the importance of preserving the railroad corridor for future generations, citing the hands-on educational advantages for students, and distinguishing it one of the last remaining short lines in the United States. Prospective railway tourists, and many branch-off opportunities would positively effect the local economy. Their 1947 diesel locomotive passenger car is fully refurbished, they have a 1918 steam locomotive engine; and their Rutland Railroad car is 95% restored. The goal is to operate a tourist rail route from the Croghan depot to Lowville, with acquisition of the line and all related buildings along that corridor, which has been designated "historical". In conclusion, she exclaimed, that "Once it is gone, it is gone forever"; while asserting the Society has the knowledge, know-how and equipment, what is needed is support.

Ned Cole, former IDA Executive Director, assured that he was not against the Legislator or the railroad, but supported less government and lower taxes. He assumed

the Legislators had done appropriate research and planning for the proposed railroad acquisition.

In his former position, he was privy to railway information, querying whether the Sheriff, Highway, Hospital and Court personnel had been conferred to assure adequate resources for maintenance. The constant destruction by beavers is commonly known, as well as needs for tree removal, brush cutting, skunks and other rodents along the corridor. He urged consideration for adjacent landowners.

Mr. Cole applauded Legislator Tabolt's well-published efforts in Albany for mandate relief, invoking that residents want lower taxes. He questioned the accuracy of a newspaper article, whereby Chairman Bush stated the trail system would be self-sustaining. He further cautioned for the cost to insure the trail corridor, again, urging thorough research. In conclusion, he stated that "failing to plan, is a plan to fail".

Joanne Dicob, accompanied by her husband Rodney, stated the railroad corridor runs through their property. She questioned presumed secrecy of Board discussions, surprised the railroad acquisition was being reconsidered, while referencing the Board's 2010 defeating vote. She took exception to the disregard for landowners' rights. Mrs. Dicob questioned the validity of the reported environmental review, citing blacktop over the tracks at road intersections and overall track deterioration, moreover, querying how the tracks could sustain constant 24-7 traffic.

Mrs. Dicob asked how long the Railway Society would be afforded to get the track operational, while noting their efforts over the past several years. If they are unsuccessful, would the railway revert to the County? Considering implemented cost saving measures to outsource County services, and the unemployment rate of 8.6%, she questioned the wisdom of acquiring a railroad for trails, further expressing doubt that any ultimate savings from mandate relief would be spent wisely. Fewer State grants for such projects, she proposed, may result in the mandate relief.

Acquisition of railroads is contrary to Carthage officials who have taken issue with railroad owners for $100,000 unpaid taxes. Mrs. Dicob asked for the amount of County expense to-date on trails, disbelieving that no taxpayer funds have, or would be used to acquire or maintain trails. She also wondered if the County would pay taxes to other jurisdictions as the railroad owner?

In closing, Mrs. Dicob urged more research, discussion, and particularly public input, prior to a vote. She made a plea to market the County as more than a destination, with emphasis on job opportunities. Mrs. Dicob then recited a list of questions that she and her husband would like addressed in writing, and then submitted the list to the Board.

Linda Sandri concurred with Mrs. Dicob's disbelief the railroad acquisition would not require taxpayer dollars. She asked for clarification of the County's 2010 proposed figure of $100,000 for ancillary costs compared to today's proposed $30,000;

while wanting verification for supposed in-kind services equal to $112,000. Reiterating the deteriorated condition and the non-use for over 10 years, Ms. Sandri surmised the tracks would need major upgrades, specifically citing the tressels as greater obstacles and associated costs.

Ms. Sandri relayed her understanding of the intent of the grant funding was to enhance the environment, while distinguishing that ATV's are not environmentally friendly. She asked whether the 2011 environmental review considered snowmobiling and/or train travel impacts. Her primary concern is the assumption of substantial liability.

Joseph Onyon, Tug Hill Adirondacks ATV Association President, stated that various recreation trails are being developed throughout New York and across the Country, asserting that railroad beds are most favorable due to their strong base. They are suitable for any type of travel and require the least maintenance. Mr. Onyon affirmed support and urged the Board to take action for the railroad acquisition.

Rodney Dicob took exception to supposed minimal maintenance, purporting the railroad owner's had just let it run down, and it's going to need a lot of work before it is navigable by anyone. He suggests that County personnel should be working on roadways instead of clearing or maintaining what he termed "a playground" for certain people.

Helen Pogge, member of the Adirondack Tourism Council and Railway Historical Society and Village of Croghan resident, relayed the many that have great enthusiasm for the prospective tourist Beaver River rail route to Lowville. Citing the 1948 locomotive that was entirely refurbished by volunteers, that also stand ready to clear the rail corridor, Ms. Pogge urged that in-kind services not be discounted.

Dorothy Duflo referencing a newspaper article, was confused how the Historical Society could pursue if the rails were to be torn up and salvaged by the owners.

Legislator Paul Stanford referred to a 2010 petition of 500 signatures against development of the railway corridor into trails. Admittedly, the future maintenance costs are unknown. Rail banking, he said, is no more than "screwing with someone's privacy". Trail development should start with acquiring permission from property owners for access, not by usurping their rights. He suggests the issue should be the subject of public hearings until all questions are answered, further proposing referendum ballot voting.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk had distributed copies of letters from Harry P. O'Connor, Lewis County Agricultural Society President, Joe Onyon, Tug Hill Adirondacks ATV Association President, Gary Stinson, Lewis County Area Snowmobile Association

President, Patrick Lyng, Long Pond Sno Sled Club President, Lisa and Mike Nortz of Croghan, and Todd Pozefsky of Clinton, CT, all expressing support for the County to acquire the railroad corridor for recreational trail development.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Treasurer and Real Property Tax Director had submitted approved applications for corrected tax rolls for Nicholas Platt, Dale and Donna Moser, and Michael J. Pominville.

Each Legislator received a copy of the January Treasurer's Report, 1/20/12 Solid Waste Audit Report, 1/19/12 Highway Audit Report, 4th Qtr. Sr. Code Enforcement Officer report, and 12/13/11 minutes of the Soil and Water Conservation District Board of Directors' meeting. Copies of the 2011 Annual Reports from Building Codes, Civil Service, County Clerk, County Sealer, Economic Development, Emergency Management/Fire Coordinator, Highway, Solid Waste, Junkyard, Probation, Real Property Tax, Reforestation, Sheriff, Trail Coordinator, Treasurer and Veterans' Departments, were also distributed to Legislators.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services Committee Chairman, reported listening to a presentation by fraud investigators on how they search for and follow-up on prospective fraud cases. He also reported the Department received 22 free computers.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a 2011 loss of $1,214,848 directly attributable to pension costs, doctor personnel costs and an increased number of visits designated as "observation" that are reimbursed at a much lower rate than for an in-patient stay. Increased charity care totaling $1,506,000 was above the $1 Million budget level, which also contributed to the loss. There were 336 new born deliveries in 2011, a number that hasn't been reached in the 1970's. Nursing home employee Melanie Pate was named employee-of-the-month.

As a lasting tribute to Dr. John C. Herrman, the Medical Arts Building conference room will be renamed the "Dr. John Herrman Conference Room.

As the Board's representative on the Mandate Relief Team, Legislator Tabolt asserted that none of the proposed measures would result in additional revenue, but are meant to reign in spending for the 90% County levy that is summoned for State mandated programs. A majority of State Legislative representatives of other districts are not supportive of mandate relief, instead are pursuing school/education priority issues. Pension reform is unattainable due to constitutional law that prohibits decreasing prior committed benefits; and because financial benefits for Tier VI members will not be realized for many years. He had learned that only 10 Counties adopted the "Truth In Taxation" process of informing property taxpayers of categorical

expenditures on their tax bill.

Governor Cuomo vies to infuse $4 Billion to build the Country's largest convention center; $1 Billion to remodel the Jacob Javitts Center; $1 Billion to revitalize Buffalo; while increasing education support and Medicaid each by 4%.

NYSAC officials are optimistic about the progress toward Medicaid Relief, which has not been realized since 1966. Legislator Tabolt emphasized the substantial savings if the State assumes the greater portion of growth of the most costly State program.

Warren County has implemented a web-based contact form to submit directly to State representatives their opinions and/or suggestions for mandate relief.

Legislator Charles Fanning, Public Health Committee Chairman, reported they are awaiting State approval of the Certificate of Need for Hospital administration of the Certified Home Health Agency and Hospice Progran1.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Michael Carpinelli to purchase two new patrol vehicles, seconded by Legislator Hathway and carried.

Legislator Boyd made a motion to authorize Sheriff Carpinelli to fill two (2) part-time Deputy Sheriff positions vacated by himself and Undersheriff Monnat; and one (1) part-time Correction Officer due to a resignation on 12/31/11; and one (1) full-time Correction Officer due to a removal on 10/12/11. The motion was seconded by Legislator Lucas and carried.

Legislator Boyd made a motion to authorize Probation Director MaryJo Burkhard to fill a Senior Probation Officer position, due to her promotion. The motion was seconded by Legislator Burke and carried.

Legislator Richard Lucas, Economic Development Committee Chairman, reported meeting jointly with the Reforestation Committee to discuss the future of recreation on County lands. There is a need for a long-term plan, particularly establishing rules for camping enthusiasts at Singing Waters and other County sites.

Legislator Jerry King, Reforestation Committee Chairman, made a motion to authorize Rodney Buckingham to hire one seasonal laborer from May 1 to October 1, 2012, for up to 16 hours per week at an hourly wage of $11.35. The motion was seconded by Legislator Stanford and carried.

Legislator King then announced a change hereafter for the Taxation/Reforestation Committee meetings will be held on the second Tuesday of each month at 8:30a.m.

Legislator King reiterated the need for a long-term plan for development and utilization of Singing Waters, inferring research for grant funding to finance initiatives.

COUNTY MANAGER REPORT:

Mr. Pendergast prefaced his report by commending Legislator Tabolt for his great representation and diligent pursuit for reform in Albany. There is ongoing debate at the State level to determine whether four (4) separate primaries are to be held, each at a cost of approximately $60,000 for Lewis County. The first primary is scheduled for 4/24/12. Mr. Pendergast also urged earnest attention to the redistricting of the State Senate and Assembly districts. Dependent upon a definitive State ruling, he recommends composing a resolution for action by the Board to accentuate how ludicrous four primaries would be for Lewis County.

Mr. Pendergast then reiterated Legislator Tabolt's announcement of the links that would be placed on the Lewis County website, for direct submission to State representatives about mandate relief.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF
WAYS AND MEANS COMMITTEE ON THE
EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 1,592,088.51 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: February 7, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Lucas, and carried.

RESOLUTION NO. 42 - 2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 1,592,088.51 be and each is hereby audited and allowed for the amounts claimed,

and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Burke, seconded by Legislator King, and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 43 - 2012
RESOLUTION AUTHORIZING SUB-LEASE AGREEMENT BETWEEN MOUNTAIN VIEW PREVENTION SERVICES, INC. AND THE LEWIS COUNTY COMMUNITY RECOVERY CENTER

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Board of Legislators has heretofore authorized a budget of $30,088.00 for the sublease for the Lewis County Recovery Center with approximately 3,072 square feet of office space at the Mountain View Prevention Services building located at 7714 Number Three Road; and

WHEREAS, the Board of Legislators wishes to enter into a sublease agreement;

NOW THEREFORE, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby approves the sublease between the Lewis County Community Recovery Center at the Mountain View Prevention Services building at an annual rental of $30,088.00 commencing January 1, 2012 through December 31,2012, payable in equal monthly installments of $2,507.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon approval by the County Attorney as to form.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 44 - 2012
DESIGNATION OF DEPOSITORIES

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, Subdivision 3 of Section 212 of the County Law provides that the Board of Legislators shall designate one or more depositories for deposit of all monies

received by the County Treasurer, and specify the maximum amount which may be kept on deposit in each depository; and

WHEREAS, in consideration of the recent transfer of public assets by HSBC Bank to First Niagara.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the following named bank, or banking association be additionally designated as a depository for Lewis County monies and for the maximum amount set opposite the name:

First Niagara $20,000,000.00

Section 2. That the Clerk of the Board be and she hereby is authorized and directed to file a certified copy of this resolution in the office of the Lewis County Clerk.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 45 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH NYS OFFICE OF HOMELAND SECURITY EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Emergency Management Office has submitted a grant application to the New York State Office of Homeland Security in the amount of $43,692.00 through the State Homeland Security Program (SHSP), to prevent, respond to, and minimize the danger and recovery from terrorist acts.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Emergency Management Office and the New York State Office of Homeland Security, for the purpose to prevent, respond to and recover from terrorism acts.

Section 2. That said Agreement shall be for the period from September 1, 2011 through August 31, 2014, in the amount of $43,692.00.

Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute, seal and deliver all documents relative to said grant Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 46 - 2012
RESOLUTION APPROVING AMENDED BY-LAWS LEWIS COUNTY EMERGENCY TELECOMMUNICATION ADVISORY BOARD- E-911 OVERSIGHT COMMITTEE

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, the Lewis County Emergency Telecommunications Advisory Board recommends amendments to their By-Laws.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following amendments of the By-Laws for the Lewis County Emergency Telecommunications Advisory Board:

1 – to add the E-911 Director to the voting membership
2 – to add Director of Lewis County Search & Rescue to the voting membership
3 – to amend Article VII, Section I. to read "A quorum shall be a minimum of 7 voting members for any regular or special meeting of the Board".

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 47 - 2012
RESOLUTION APPOINTING MEMBERS TO E-911 OVERSIGHT BOARD

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints the following members to the Lewis County E-911 Oversight Board for a term effective immediately to terminate on December 31, 2012:

Law Enforcement:

State Police:	Sgt. Tim Roberts
Sheriff:	Michael Carpinelli
LVPD:	Eric Fredenburg
NYSDEC:	Joel Nowalk

Fire Service:

Fire/Emergency Mgmt:	James M. Martin
Haz. Mat. Coordinator:	Richard Defone
Fire Advisory Bd:	Ben Buell
Northern Zone:	Gary Ashline
Central Zone:	Tim Bush
Southern Zone:	Daryl Ortlieb

Emergency Medical Services:

EMS Coordinator:	Mark Tuttle
EMS Advisory Bd:	Robert McKenzie
Northern Zone:	Michelle Widrick
Central Zone:	James Deavers
Southern Zone:	Alice Morgan
Search & Rescue:	Douglas Stano

Lewis County General Hospital:	Nick Hanno
	Dale Barker

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 48 -2012
RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY GENERAL HOSPITAL BOARD OF MANAGERS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Thomas J. Spaulding of 3510 Halifax Road, Copenhagen, New York 13626, to the Board of Managers of the Lewis County General Hospital, to fill the unexpired term of Dr. John C. Herrman.

Section 2. That the term of said appointment shall commence February 8, 2012 and expire on December 31, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 49 -2012
RESOLUTION IN SUPPORT OF NYS LEGISLATION TO AMEND SECTION 882 OF GENERAL MUNICIPAL LAW TO PROTECT CONTINUED OPERATIONS OF INDUSTRIAL DEVELOPMENT AGENCIES

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Legislative Board authorized the formation of the Lewis County Industrial Development Agency (IDA); and

WHEREAS, the Lewis County IDA provides important services for industrial and economic development; and

WHEREAS, the Lewis County Board of Legislators believes that the existence of our local organizations should be determined locally, thereby retaining the ultimate authority on the continued operation of the Lewis County IDA;

WHEREAS, the NYS Economic Development Council and others have proposed revisions to General Municipal Law Section 882 whereby an industrial development agency would cease to exist only upon the event that all of the bonds or notes issued by the agency shall have been redeemed or cancelled all straight-lease back transactions have been terminated, and upon resolution by the municipality for whose benefit the agency was formed;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators strongly supports the proposed revision of New York State General Municipal Law Section 882, to insert the following clause immediately following the word "cancelled": "…and all straight-lease transactions have been terminated, and upon resolution by the municipality for whose benefit the agency was formed…"

Section 2. That the Clerk of the Board is hereby directed to forward a certified copy of this resolution to NYS Senators Joseph Griffo and James S. Alesi, Commerce, Economic Development and Small Business Committee Chair; and Assemblymen Kenneth Blankenbush, and Robin Schimminger, Economic Development, Job Creation, Commerce and Industry Committee Chair.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 50 - 2012
RESOLUTION APPOINTING MEMBER TO INTER-COUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Michael A. Tabolt as their representative to the Inter-County Legislative Committee of the Adirondacks.

Section 2. That the term of said appointment shall be effective from January 1, 2012 through December 31, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 51 -2012
RESOLUTION TO AMEND COMPENSATION PLAN WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, the Assistant Controller has taken a leave of absence effective January 6, 2012, and the job duties have been delegated to current Lewis County Community Mental Health Center (LCCMHC) staff; and

WHEREAS, existing staff resources are not sufficient to absorb the reassignment of duties.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Mental Hygiene Department, to authorize the temporary and voluntary increase of up to five (5) hours a week at the current wage rate for three (3) Account Clerks.

Section 2. This increase will not exceed 45 hours per week for any of the three affected employees.

Section 3. The increased hours shall take effect immediately up through June 30, 2012.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 52 - 2012
RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget transfers be approved in the Mental Health Department for the Adjustment for the Oneida-Lewis Chapter, NYSARC Allocation:

From:	
A4310.4301	$1,000.00
A4310.4401	1,000.00
A4310.4405	500.00
A4310.4407	793.00
A4310.4501	1,000.00
A4310.4503	500.00
A4310.4507	791.00
A4310.4703	793.00
A4310.4903	8,750.00
A4310.4907	500.00
A4310.4909	2,500.00
A4330.4903	1,100.00
A4335.4901	4,000.00
A4312.1999	2,200.00
A4312.8999	300.00
A4310.4901	5,000.00
	$30,727.00

To:

A4322.4909 $30,727.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 53 - 2012
RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget transfer be approved in the Mental Health Department to cover line item expenses:

From:	To:	Amount:
A4335.1999	A4310.1999	$7,500.00
A4310.4505	A4335.4505	$1,400.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 54 - 2012
RESOLUTION TO TRANSFER FUNDS
NON-DEPARTMENTAL

Introduced by Legislator William Burke, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved in the 2012 Budget for an increase in the New York State Association of Counties (NYSAC) invoice for membership dues:

From:	To:	Amount:
A1990.4999 (Contingency)	A1920.4999 (Municipal Dues)	$130.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 55 - 2012
RESOLUTION TO ESTABLISH PUBLIC HEALTH SERVICE FEES

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

Whereas, Certified Public Accountant Jack Venesky recommends increasing the fee for Public Health nursing visits to maximize the County's Medicaid reimbursements.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby establishes the following fees for Public Health services:

Skilled Nursing-Increase from $190.00 to $205.00 per visit
Home Health Aide-Increase from $80.00 to $85.00 per visit

Section 2. That the established fees are effective for services provided effective January 1, 2012.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 56 - 2012
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2011 budget appropriation be approved for the contract with NYS Division of Homeland Security and Emergency Services:

Increase Revenue		Amount
A44896	OHS Grant T-839294	$27,778.00
Increase Expense		
A4092.4905	OHS Grant T-839294	27,778.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 57 - 2012
RESOLUTION TO APPROPRIATE FUNDS PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee:

BE IT RESOLVED, as follows:

Section 1. That the following 2012 budget appropriation be approved for the Susan Komen Foundation Grant:

Account	Description	Amount
A27055.5	Contributions – Komen	$20,000.00
A4035.4504	Medical Services – Komen	$20,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 58 - 2012
RESOLUTION REGARDING SEQRA REVIEW OF FUNDING AND ACQUISITION OF RAILROAD CORRIDORS AND DECLARING NO SIGNIFICANT IMPACT

Introduced by Legislator Richard Lucas, Chair, Economic Development Committee.

WHEREAS, MOHAWK, ADIRONDACK & NORTHERN RAILROAD CORPORATION ("MA&NRC") owns the following railroad tracks in Jefferson, Lewis and St. Lawrence Counties, New York, beginning at Adelaide Street in the Village of Carthage, New York:

Lowville Industrial Track (the "LIT") running south from Adelaide St. over the Black River into West Carthage and then southeasterly into Lewis County, terminating in Lowville, New York.

Lowville Beaver River ("L&BR") line running generally northeasterly from the Village of Lowville to the Village of Croghan.

WHEREAS, MA&N has offered to convey to the County of Lewis the real property underlying the railroad corridor consisting of the LIT located within Lewis County, including MA&N buildings and property in the Village of Lowville for a

purchase price of One Dollar ($1) upon certain terms and conditions; and

WHEREAS, MA&N has offered to convey to the County of Lewis the real property underlying the railroad corridor consisting of the L&BR corridor located within Lewis County, including MA&N buildings and property in the Village of Lowville for a purchase price of Four Hundred Twenty Five Thousand Dollars ($425,000) upon certain terms and conditions; and

WHEREAS, the Lewis County Trails Coordinator together with the Economic Development Director have made applications and presentations to various agencies for the purpose of obtaining funding for the acquisition and development of the proposed railway corridors; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation, by letter dated April 21, 2010 has awarded the County of Lewis a grant in the amount of $450,000 from the Environmental Protection Fund for the Railroad Corridor Acquisition project; and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 28, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQR review, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2-2009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 2"); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails including without limitation the conversion of abandoned railroad corridors to recreational trails and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Trails Coordinator has caused a site-specific environmental review of the proposed acquisition sites pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 28, 2009, and requests action thereon;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators has received two reports, dated February

2, 2012 (the "Reports") from Soil and Water Conservation District, the County's environmental consultants for this project, detailing their investigations and findings with respect to the proposed funding and acquisition of the above described railroad corridors, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

Section 2. Based upon its review and analysis of the data contained in the Reports, the Board of Legislators hereby finds and determines that:

a. The Reports adequately set forth the relevant and material facts necessary for the Board of Legislators to make a decision;
b. The Reports adequately describe the consultant's investigations and analysis as to the significant adverse impacts and necessary mitigations for the specific site(s);
c. The consultant's findings set forth in the Reports are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
d. The investigation and analysis of the sites described herein did not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.
e. In the event that the rail corridor known and identified as the L&BR, is ultimately restored to use as a tourist train, that such restoration constitutes either (1) maintenance or repair involving no substantial changes in an existing structure or facility; or (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, that does not exceed any of the thresholds set forth in section 6 NYCRR 617.4 and therefore such restoration constitutes a Type II action and no further environmental review is required.
f. In the event that the rail corridor known and identified as the L&BR, is ultimately converted to a recreational trail, as stated above, the Reports did not reveal any adverse environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds' and declares that the funding and acquisition of the proposed railroad corridors for future development in part as recreational trails and in part as recreational trails and/or tourism train facility will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), neither a supplemental Findings Statement nor a negative declaration need be prepared or filed and no further action need be taken with regard to the County's environmental review of the sites identified herein and therefore the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Wallace.

County Attorney Richard Graham explained the amendment from the original proposed resolution in Section 2, subdivisions e and f; referencing the LB&R the line between Lowville and Croghan. In accordance with State Environmental Quality Review (SEQR) regulations, when you restore the previous use of a structure, it is a Type II action and, thereby, exempt from SEQR review. It is unknown whether the Railway Historical Society will eventually restore railway travel on the LB&R line from Croghan to Lowville, but the Resolution includes that possibility.

He further reported that Lewis County Soil and Water Conservation District staff had traversed the entire rail corridor in the Fall of 2011 to conduct a thorough evaluation, inclusive of endangered species, wetlands or other environmental impact issues, in accordance with the standards set by the original General Environmental Impact Statement (GEIS) for establishing additional trails. Their report is void of any new environmental impact issues along the rail corridor that was not addressed in the initial GEIS.

Atty. Graham clarified that the Board's adoption of the SEQR evaluation report, is a prerequisite to authorizing a grant agreement.

Legislator Stanford made a motion to table the Resolution until the Board's April meeting, seconded by Legislator Hathway. Legislator Stanford wants more time for discussion, review and public input, particularly citing insurance concerns.

Legislator Lucas stated the issue had been thoroughly discussed, suggesting there are answers to all posed questions, while urging timely action on the trail corridor.

Legislator Tabolt suggested scheduling a Committee meeting-of-the-Whole Board to address all concerns, so the issue could be voted on by the Board's March 6th meeting.

Legislator Fanning would like written clarification, possibly from judicial sources, specifically, queries surrounding adjacent landowner rights.

Legislator Lucas invoked that untimely action would jeopardize the respective grant funding.

The motion to table the issue until April was defeated by a vote of 4 to 6, with Legislators Boyd, Burke, Lucas, Tabolt, Wallace and Bush opposed.

Legislator Tabolt then made a motion to table the issue until the March 6th meeting, while asking Chairman Bush to set a Committee Meeting-of-the-Whole on February 13th at 8:30a.m. The motion was seconded by Legislator Hathway and carried.

RESOLUTION NO. 59 - 2012
RESOLUTION TO AUTHORIZE REAL PROPERTY TAX DIRECTOR TO

PROCESS ASSESSMENT ROLLS FOR VILLAGE OF CROGHAN

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, the Village of Croghan has requested the County to process their assessment rolls; and

WHEREAS, the Taxation Committee recommends the County do so for a charge of $1.00 per parcel.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Real Property Tax Director to process the field book, enter any changes, run the Tentative Roll, enter any grievance changes and process the Assessor's Annual Report for the Village of Croghan.

Section 2. That a charge of $1.00 per parcel shall be imposed upon the Village of Croghan, payable to the Lewis County Treasurer, for the aforestated procedures.

Section 3. That said procedures and attendant charges shall become effective on January 1, 2013.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King.

Legislator Tabolt made a motion to table the resolution at the request of the Village of Croghan Board. They want to meet with County officials to discuss their questions and concerns.The motion was seconded by Legislator King and carried.

RESOLUTION NO. 60 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH NYS OFFICE OF HOMELAND SECURITY SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Sheriff's Department has submitted a grant application to the New York State Office of Homeland Security in the amount of $22,308.00 through the Terrorism Prevention Program, for the purpose of enhancing terrorism intelligence capabilities for the prevention of, and response to, terrorism acts.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Sheriff's Department and the New York State Office of Homeland Security, for the purpose to enhance terrorism intelligence capabilities to prevent, detect and respond to terrorism acts.

Section 2. That said Agreement shall be for the period from September 1, 2011 through August 31, 2014, in the amount of $22,308.00.

Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute, seal and deliver all documents relative to said grant Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 61 -2012
AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND NEW YORK STATE HOUSING TRUST FUND CORPORATION

Introduced by Legislator Richard Lucas, Chairman of Economic Development Committee.

WHEREAS, the County of Lewis has applied to New York State Housing Trust Fund Corporation ("Corporation") for Community Development Block Grant ("CDBG") funds to finance the community development activities (Project No. 636HR88-ll); and

WHEREAS, the Corporation has awarded the County of Lewis $428,560.00 in Community Block Grant funds for housing rehabilitation;

NOW, THEREFORE BE IT RESOLVED, that

Section 1. The Board of Legislators hereby approves the Grant Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive $428,560.00 in Community Development Block Grant funds.

Section 2. The Chairman, or Vice Chairman, of the Board of Legislators is and he hereby is authorized to execute, seal and deliver said Grant Agreement and any related and necessary supplemental documents.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 62 - 2012
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE (COUNTY OF LEWIS TO G. DOUGLAS LAMONT A/K/A GERALD D. LAMONT AND RHONDA LAMONT)

Introduced by Jack T. Bush, Chairperson of the Lewis County Board of Legislators.

WHEREAS, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Mortgage to the County of Lewis dated June 24, 1999, and recorded in the Lewis County Clerk's Office on June 24, 1999 in Volume No. 534 and Page 49 to secure payment of a loan in the amount of $26,466.00 administered by the Lewis County Micro-Enterprise and Micro-Loan Program; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforedescribed Mortgage.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 63 - 2012
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE (COUNTY OF LEWIS TO G. DOUGLAS LAMONT A/K/A GERALD D. LAMONT AND RHONDA LAMONT)

Introduced by Jack T. Bush, Chairperson of the Lewis County Board of Legislators.

WHEREAS, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Mortgage to the County of Lewis dated October 1, 1999, and recorded in the Lewis County Clerk's Office on October 1, 1999 in Volume No. 543 and Page 344 to secure payment of a loan in the amount of $13,534.00 administered by the Lewis County Micro-Enterprise and Micro-Loan Program; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforedescribed Mortgage.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 64 – 2012
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE (COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY TO G.DOUGLAS LAMONT A/K/A GERALD D.LAMONT AND RHONDA LAMONT)

Introduced by Jack T. Bush, Chairperson of the Lewis County Board of Legislators.

WHEREAS, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Mortgage to the County of Lewis dated June 24, 1999, and recorded in the Lewis County Clerk's Office on June 24, 1999 in Volume No. 534 and Page 49 to secure payment of a loan in the amount of $ 26,466.00 administered by the Lewis County Micro-Enterprise and Micro-Loan Program; and

WHEREAS, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Mortgage to the County of Lewis dated October 1, 1999, and recorded in the Lewis County Clerk's Office on October 1, 1999 in Volume No. 543 and Page 344 to secure payment of a loan in the amount of $13,534.00 administered by the Lewis County Micro-Enterprise and Micro-Loan Program; and

WHEREAS, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Consolidation Agreement to the County of Lewis Industrial Development Agency dated October 1, 1999, and recorded in the Lewis County Clerk's Office on October 1, 1999 in Volume No. 544 and Page 1 to secure payment of a loan in the amount of $39,790.09 administered by the County of Lewis Industrial Development Agency; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforedescribed Mortgage.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 65 – 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN DEPARTMENT OF SOCIAL SERVICES AND THE CENTER OF LIFELONG EDUCATION AND RECREATION OF SUNY POTSDAM

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with the Center of Lifelong Education and Recreation of SUNY Potsdam to provide professional workshops and training projects for the Department of Social Service employees; and

WHEREAS, the Board of Legislators wishes to accept such services,

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and the Center of Lifelong Education and Recreation of SUNY Potsdam to provide professional workshops and training projects for the Department of Social Service employees.

Section 2. That the term of this Agreement shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed $7,200.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 66 – 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND CORNELL UNIVERSITY COOPERATIVE EXTENSION OF LEWIS COUNTY

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Cornell University Cooperative Extension of Lewis County to receive rehabilitative and supportive services to families whose children have been named in an indicated child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements could be shortened through the provision of such services; and

WHEREAS, these services will be for the period of February 1, 2012 through January 31, 2013 for an amount not to exceed $15,000.00; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Department of Social Services, and Cornell University Cooperative Extension of Lewis County for the purpose of to receiving rehabilitative and supportive services to families whose children have been named in an indicated child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements could be shortened through the provision of such services.

Section 2. That the term of this Agreement shall be from February 1, 2012 through January 31, 2013 for an amount not to exceed $15,000.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said agreement, pending approval by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 67 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN DEPARTMENT OF SOCIAL SERVICES AND DANSER AND KNUDSEN PSYCHOLOGICAL SERVICES, P.C.

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Danser and Knudsen Psychological Services, P.C., to receive psychological services to families whose children have been named in an indicated child abuse and/or maltreatment report; those who have been assessed at risk of foster care placement; or whose placements could be shortened through the provision of such

services; and

WHEREAS, these services will be for the period of January 1, 2012 through December 31, 2012 for an amount not to exceed $70.00 per hour for therapy; $110.00 per hour for psychological evaluations; $65.00 per hour for clients receiving group treatment; and $135.00 per hour for expert court testimony.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Danser and Knudsen Psychological Services, P.C. for the purpose of providing psychological services to families whose children have been named in an indicated child abuse and/or maltreatment report; those who have been assessed at risk of foster care placement; or whose placements could be shortened through the provision of such services.

Section 2. That the term of this Agreement shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed $70.00 per hour for therapy; $110.00 per hour for psychological evaluations; $65.00 per hour for clients receiving group treatment; and $135.00 per hour for expert court testimony.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, pending approval by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 68 - 2012
RESOLUTION ESTABLISHING COUNTY POLICY FOR FOSTER CARE RATES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the NYS Office of Children and Family Services provides to Social Services Districts the Maximum State Aid Rates allowed for Foster Care Programs including Room and Board Rates and Clothing Allowance Rates, the County is responsible to set the rates; and

WHEREAS, the County rates have not been increased since July 1, 2008, therefore, the Lewis County Department of Social Services is requesting a small cost-of-living rate increase of Foster Care Rates for Room and Board and Clothing Grants.

Now, Therefore, BE IT RESOLVED as follows:

ACCORDING TO AGE LOD 1 = NORMAL RATE	MONTHLY RATE	DAY RATE (Current Rate)	DAY RATE Effective 2/8/2012	ALLOWANCE Effectiv
Ages 0 - 5	$383.70 (30 days) 396.49 (31 days)	12.79	13.79	5.50
Ages 6 - 11	448.50 (30 days) 463.45 (31 days)	14.95	15.95	11.00
Ages 12 - 21	481.20 (30 days) 497.24 (31 days)	16.04	17.04	22.00
NY AGE LOD 2=Special Rate		21.47	25.47	According to Age
ANY AGE LOD 3=EXCEPTIONAL			43.10	According to Age
PINS RESPITE		46.20	40.00	

Section 1. The Board of Legislators hereby authorizes an increase for the Foster Care Room and Board rate; and Clothing Grant rates as listed in the charts below to become effective commencing on February 8, 2012:

ROOM AND BOARD RATES
CLOTHING GRANT

AGE	APRIL	AUGUST	DECEMBER	TOTAL/YEAR (Currently)	PER DAY (CURRENT RATE)	PER DAY Effective 2/8/2012
Age 0 - 5	119.33	119.33	119.33	358.00	.98/day	.98/day
Age 6 - 11	166.67	166.67	166.67	500.00	1.37/day	1.37/day
Age 12 - 15	236.00	236.00	236.00	708.00	1.94/day	2.18/day
Age 16+	253.00	253.00	253.00	759.00	2.08/day	2.25/day

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 69 - 2012
RESOLUTION APPROVING TIP FEE SCHEDULE LEWIS COUNTY TRANSFER STATIONS

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following Tip Fee schedule for Lewis County Transfer Stations:

Waste Class	Commercial Hauler Rate/ Resident Rate
Residential MSW	$76.00/ton
Commercial MSW	$76.00/ton
C&D – Lowville	$95.00/ton
C&D – Croghan	$31.00/Cu.Yd.
Bag Price (33gal.)	$4.75
Bag Price (Small)	$2.50
Croghan MSW	$31.00/Cu.Yd.
Barrels	$15.50
Loose Trash	$76.00/ton
Compacted Trash	$76.00/ton
Minimum Fee Over Scales	$31.00
Tires less than 17' No Rim	$3.25
Tires less than 17' With Rim	$6.50
Truck 17' or Larger	$15.50
Off Road, Tractor	$180.00/ton
Bulk Tire Rate	$180.00/ton
White Goods	$7.75
Small Household Appliance	$4.25
Scrap Metals	$36.00/ton
Vehicle Weight Charge	$7.25
Ag Bags	$76.00/ton
Bed Mattresses, Large, Furniture, TV's etc.	$7.75

Section 2. That the above Lewis County Transfer Station Tip Fee Schedule shall take effect April 1 , 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Stanford , seconded by Legislator Fanning , and adopted.

Legislator Wallace made a motion to table the resolution for further discussion, seconded by Legislator King and carried.

RESOLUTION NO. 70 - 2012
RESOLUTION TO TRANSFER FUNDS SOLID WASTE DEPARTMENT

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers be approved in the Solid Waste Department to increase the revenues for the Refuse Collection Invoices and decrease the revenues for Refuse and Garbage Charges :

Increase Revenue	
ES21302	$540,000
Decrease Revenue	
ES21300	$540,000

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 71 - 2012
RESOLUTION TO TRANSFER FUNDS STOP DWI PROGRAM

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer be approved in the STOP DWI accounts to cover the contractual amount owed to Mountain View Prevention Services, to administer the STOP DWI Program:

From:	To:	Amount:
A3315.1999	A3315.4901	$2,400.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 72 - 2012
RESOLUTION TO TRANSFER FUNDS
TREASURER'S OFFICE

Introduced by Legislator William Burke, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved in the 2012 Budget for payment

of a Payroll Management Guide:

From:	Amount:
A1325.4901 (Prof Services)	$700.00
To:	Amount:
A1325.4505 (due/subscriptions)	$700.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

OTHER BUSINESS:

Legislator Stanford referenced a statement on the Black River Valley 4 Wheelers Club website about changes to trail permit fees, relating Clubs' concerns for resulting less funding. Legislator Lucas affirmed the Chamber of Commerce collects County permit fees. The change streamlines the process of verifying club membership, or otherwise opting for Tug Hill Association membership. Executive Director Anne Merrill stated membership entitles the applicant to a discounted permit rate. In response to Legislator King, Fanning and Stanford's queries about funding to clubs, Legislator Lucas asserted the clubs are part of the Association, and that funds are primarily for trail development.

The Clerk announced the Chairman's appointment of Legislator William Burke to the Agriculture and Farmland Protection Board for a 2 year term.

The clerk also announced date and time changes for Legislative Committee meetings: Transportation/Solid Waste on 2/13 at 11:00 a.m.; Taxation/Reforestation Committee on 2/14 at 8:30 a.m.; Social Services Committee on 2/15 at 10:30 a.m. and Office For Aging Committee on 2/15 at 11:30 a.m.

Legislator Wallace made a motion to enter executive session at 6:27p.m. to discuss personnel issues and legal matters. The motion was seconded by Legislator Boyd and carried. Chairman Bush called a short recess. The session commenced at 6:37 p.m. Following the session, Legislator Stanford moved to re-enter regular session at 7:11 p.m., seconded by Legislator Fanning and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried.

SPECIAL MEETING
February 21, 2012

The meeting was called to order at 8:30a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present, except Legislators Tabolt and Hathway whom had each been excused.

The Invocation was offered by Chairman Bush, followed by the Pledge of Allegiance to the Flag.

There were 8 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend waiving the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
William Burke

Dated: February 21, 2012

Legislator Lucas made a motion to waive the rules, seconded by Legislator Boyd and carried.

REPORTS OF STANDING COMMITTEES:

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Michael Carpinelli to refill one part-time Correction Officer position, due to the current employee filling a full-time position. There are budget appropriations to cover the personnel costs. The motion was seconded by Legislator King and carried.

Legislator Charles Fanning, Mental Health Committee Chairman, reported the proposed contract with Transitional Living Services is to timely replace resigning personnel at the clinic to effectuate appropriate client services.

Legislator Richard Lucas, Economic Development Committee Chairman, invited all Legislators to join his Committee's monthly meeting discussions, scheduled at the conclusion of this meeting.

RESOLUTIONS:

RESOLUTION NO. 73 - 2012
RESOLUTION AUTHORIZING AMENDMENT TO
LEWIS COUNTY HEALTH PLAN

Introduced by Richard Lucas, Chairman, Insurance Committee.

WHEREAS, the Insurance Committee recommends that the Lewis County Health Plan be amended to establish a co-pay for durable medical equipment of $25.00 in lieu of a deductible; and

WHEREAS, the Insurance Committee further recommends that the Lewis County Health Plan be amended to provide coverage for a "domestic partner" in the same manner as a spouse.

NOW, THEREFORE, it is hereby resolved as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Plan Administrator to amend the Lewis County Health Plan as follows:

(a) To establish a co-pay for durable medical equipment of $25.00 in lieu of a deductible; and
(b) To provide coverage for a "domestic partner" in the same manner
(c) as a spouse, in accordance with such criteria as may be established by the Plan Administrator in consultation with the County Attorney.

Section 2. That the Board of Legislators directs that such amendments be effective April 1, 2012, or as soon thereafter as administratively feasible.

Section 3. The Plan Administrator be and the same is hereby authorized to execute and deliver such documents, writings or agreements as may be necessary to carry out the terms of this Resolution upon such forms as approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 74 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY MENTAL HYGIENE DEPARTMENT
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, Transitional Living Services Of Northern New York has offered to provide per diem employee services for a variety of disciplines to supplement the staff at Lewis County Community Mental Hygiene Clinic; and

WHEREAS, the Community Services Board has reviewed the contract from Transitional Living Services Of Northern New York and has determined that these services are necessary and appropriate to meet the needs of the community and the costs are reasonable for servicing such needs and recommends to the Board of Legislators to enter into such Contract.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for Transitional Living Services Of Northern New York for the term of beginning February 21, 2012 and ending September 30, 2012 at the per diem rates set forth in the Agreement.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Boyd.

In response to Legislator King, Mr. Pendergast affirmed that TLS appointments would not be County employees; and that a Certificate of Need was unnecessary. He reported meeting with State Office of Mental Health officials in Syracuse on 2/16/12, accompanied by Atty. Graham, Sarah Bullock and Nancy Stone, to discuss the transition of program services to Transitional Living Services (TLS). Considering their relative experience and license, TLS was not required to, yet had presented a complete Prior Approval Review (PAR) report for consideration by State Office of Mental Health officials.

The projected deadlines for TLS to assume community program services on April 2, 2012 and clinic services on June 1, 2012 are deemed feasible by the State Office of Mental Health.

In response to Legislator Stanford, Mr. Pendergast stated that funds are required to remain in the County Local Government Unit (LGU) and would flow through to TLS.

Mr. Pendergast announced a 2/24/12 scheduled meeting with Oneida County

officials to discuss their offer to share the services of a Director of Community Services.

The resolution was then adopted.

RESOLUTION NO. 75 - 2012
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN OFFICE FOR THE AGING AND VOLUNTEER
TRANSPORTATION CENTER OF JEFFERSON COUNTY, INC.

Introduced by Legislator Philip Hathway, Chairman of the Office for the Aging Committee.

WHEREAS, the Office for the Aging wishes to enter into an Agreement with Volunteer Transportation Center of Jefferson County, Inc., a New York Not-for-Profit corporation with a principal place of business located at 203 North Hamilton Street, Suite 200, Watertown, New York 13601, to provide transportation services to certain elderly residents of Lewis County; and

WHEREAS, these services will be for the period of March 1, 2012 through February 28, 2014 for an amount not to exceed $23,000; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, be it resolved as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Office For The Aging and Volunteer Transportation Center of Jefferson County, Inc., to provide transportation services to certain elderly residents of Lewis County for the term commencing March 1, 2012 through February 28, 2014 at a cost not to exceed $23,000.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such from as may be approved by the County Attorney.

Section 3. That the within Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

OTHER BUSINESS:

Legislator Boyd made a motion to enter executive session at 8:47 a.m. to discuss union negotiations, seconded by Legislator Wallace and carried.

Legislator Philip Hathway entered the meeting at 9:00 a.m.

Following the session, Legislator King moved to re-enter regular session at 9:09 a.m., seconded by Legislator Wallace and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried.

REGULAR MEETING
March 6, 2012

The meeting was called to order at 5:00p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 26 persons present.

Chairman Bush announced approval of the February 7th and 21st, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

March 6, 2012

Legislator Tabolt made a motion to approve the report, seconded by Legislator Fanning and carried.

PRIVILEGE OF THE FLOOR:

Robert A. Mackenzie, III, Lewis County EMS Council Chair, urged the Board to timely refill the EMS Coordinator position, due to Mark Tuttle's resignation. The basic and intense life support services provided by the volunteer medical personnel at emergency scenes are imperative life sustaining measures for pre-hospital care. The required certification and re-certification educational courses for advanced technicians are synonymous with nurses and doctors, and is a testament to the commitment of ambulance medical technician volunteers. The EMS Coordinator is an essential recruitment resource. He keeps abreast of training completions as well as ongoing requirements for the various volunteer personnel; to include respective grant funding. This allows the medical technicians to focus on patient treatment. Their completed reports are integral to hospital facility care from those of neonatal age to the elderly.

Moreover, Mr. MacKenzie informed of the movement toward realignment of EMS regional programs. He emphasized that Syracuse may ultimately become the regional office, which essentially silences the voice of the North Country, and intensifies the need for a local EMS Coordinator. Recognizing the financial straits of local governments, he implored not to make cuts at the expense of public safety.

Dr. Raymond Peterson and Joel Lalone of Jefferson Community College (ICC) Center for Community Studies, gave an overview of the 5th annual Lewis County survey results. There were 402 respondents to 35-core questions of the total 69, with the varied remainder centering on pre-determined focus issues. Statistics are considered in future project development and financial planning. 35% indicated they travel outside the County weekly to shop. A first-time survey question focused on primary medical care, to which 40% indicated their provider is outside the County. 69% of respondents indicated they would not use public transportation for a daily Watertown destination and return. There was a ratio of 6 to 1 who feel more assisted living opportunities would enhance quality of life for those over 55 years of age. When asked whether they or their families' financial situation was better off, the same, or worse than the previous year, respondents indicated 12%, 57% and 30% respectively.

An overwhelming 90% indicated support for tourism and recreation related development and marketing, and 79% support development of ATV, snowmobile, pedestrian or walking trails; while 74% indicated support for County government efforts to acquire right of ways to preserve for public use, including railroad corridors.

The response was 87% supportive whom believe that school districts should work together to share similar services, yet only 52% would support consolidation with neighboring school districts.

Mr. Lalone recognized the Herring College Memorial Trust, Northern NY Community Foundation and Jefferson Community College, for financing the study. He reported that 50 students had been trained to assist with the survey, of whom do not receive educational credits, but are awarded limited ancillary benefits. They are delighted to conduct the Lewis County study and look forward to the next.

Legislator Fanning invoked desire to ask survey participants whether they support County funding be utilized to purchase railroad corridors for trail development. Mr. Lalone assured that any question could be encompassed in the survey, if they were timely advised during the survey compilation process.

In closing, Dr. Peterson encouraged attendance at a public forum to be held at JCC on March 8th, relative to the Article X Energy Law, which provides for municipal regulation over-ride with respect to choosing a site for electric generating plants.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

William Betrus has submitted his resignation from the Junkyard Review Board effective February 13, 2012.

U.S. Senator Charles Schumer had submitted a supporting letter to the U.S. Dept. of Commerce, for the Lewis County Development Corporation's application to the Economic Adjustment Assistance program, for funding redevelopment of the former Lyons Falls Pulp and Paper site into a mixed-use development district.

Lyons Falls Fire Department Chief Joseph Shue and Beaver Falls Fire Department Kip Turck each urge the Board to pursue all means of grants and funding to establish a radio system that will best serve the citizens of Lewis County in times of need, and to protect the many emergency responders.

Letters of support urging the County acquisition of the railroads had been received from the Railway Historical Society of Northern New York; Lewis County Historical Society President Hamish Davey; Jefferson County Industrial Development Agency CEO Don Alexander; and Mary Lou DeMinck of Brantinghan1.

Lewis County Farm Bureau President Jennifer Karelus records their support for development of a managed trail system, but had listed their concerns that placement of a trail on the rail corridor would negatively impact private farm property and the families that make their living from the land.

Town of New Bremen taxpayers Gerald and Elizabeth Kuhl, Jeff Roose, John and Judy Hodkinson and Bruce and Nancy Smith penned their objection to County railroad acquisition, suggesting instead the Board focus on necessities for residents instead of recreational activities for those more affluent.

Receipt of resolutions were acknowledged from the Inter-County Legislative Committee of the Adirondacks' resolution calling on all counties to unite to bring about real and meaningful mandate relief in New York State; the Wyoming County Board of Supervisors calling upon NYSAC to prepare and disseminate an action plan to bring mandate relief; and urging passage of proposed State Legislation that would implement a multi-year State takeover of the local share of Medicaid.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Approved applications for corrected 2011 tax rolls had been submitted by the County Treasurer for Harry R. Hill, Jr. and Noreen Hill, Town of West Turin; Mabel M. Hathaway, Town of Turin; and Michael Pominville of Town of Croghan; as well as an approved application for a tax refund for James E. and Anita L. Bray of Town of West Turin.

Minutes of the 12/8/11 Public Health and Hospice EQA Committee meeting, and the Professional Advisory-Health Services Committee of 12/15/11, were received and will be placed on file.

All Legislators received copies of 2011 Annual Reports for All-Terrain Vehicles, Emergency Medical Services; Mental Hygiene, Office For Aging, Public Health and Social Services Departments; as well as the County Treasurer's February monthly report; Highway Audit reports of 2/10/12 and 2/22/12, Solid Waste Audit Report of 2/17/12; and the 1/17/12 minutes of the Soil & Water Conservation District Board of Directors meeting.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services Committee Chairman, reported the number of Social Services employees remains the same as in 2009. Also, a 2011 program comparison reports a 23% increase to 717 Temporary Assistance applications from 2010. During the same time, shelter emergencies doubled. HEAP assistance totaled $2,088,000; Food Stamps escalated from $2.2 Million in 2007 to $4.8 Million in 2011 to 1,725 households. In 2011 over 3,000 residents received Medicaid medical assistance totaling $32 Million; and $4 Million was collected for child support. Legislator Hathway commended the County Law Department for completing an unprecedented 15 adoptions during the past 18 months.

Legislator Hathway also reported that nearly 48,000 meals were served to senior citizens at a cost of $335,000, which was within the budgeted $341,000. Recipients have responded positively to the suggested increased meal donation of $3.50, to effect a 57% increase in January receipts compared to 2011, which will help to defray costs and avoid meal reductions.

Legislator Hathway reported the Youth Bureau Director has identified available grant funds for youth activities; and suggests organizing another "Youth Night" at the fairgrounds.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a January loss of $323,678. Admissions were down 13% equated $120,000. Employee benefits and professional fees accounted for $192,000 above budgeted levels. Observation visits numbered 40, being 12 over the budgeted number. Reimbursement rates for this designation average $4,000 less than for in-patient, even though patients remain in the hospital overnight.

Legislator Hathway relayed delight that his cousin Helen Jenack had been crowned the "Queen" of the second floor nursing home.

As the Mandate Relief Committee designee, Legislator Tabolt reported attending an Inter-County Legislative Committee of the Adirondacks' meeting in Elizabethtown. Their Committee adopted a resolution to urge mandate relief. He plans to attend their next meeting in Saratoga on 3/15/12; while reminding and encouraging all Legislators to attend the April 19th meeting be held in Lewis County.

Legislator Tabolt expressed support of Assemblywoman Addie Russell's State Legislation to authorize NYS registering of Utility Vehicles (UTV's). Legislator Tabolt made a motion to urge adoption of the Assemblywoman Russell's proposed State Legislation, and also submit to the Inter-County Committee of the Adirondacks for support, seconded by Legislator Hathway. Legislator Lucas stated the State Senate had adopted the UTV authorizing legislation for the past four years, and he is hopeful for adoption of the Assembly legislation. He relayed down-State representatives' concerns that the machines would erode the land, while justifying they weigh less than jeeps that are authorized to travel on trails. If adopted, Legislator Lucas feels the legislation could effect a substantial number of UTV purchases, registrations and

travel on the trails. The late resolution was unanimously adopted.

Continuing, Legislator Tabolt relayed NYSAC official's reports there is no Assembly initiative for changes with the Pre-K or Early Intervention programs, because of vast majority support for current programs and policies. The focus will be for Medicaid Reform for a three- year State Takeover rather than the proposed eight years. The Governor's Mandate Relief Council has scheduled meetings throughout the State for local official's input. The Council will be in Watertown on March 8th, at which County Manager David Pendergast will present testimony.

In conclusion, Legislator Tabolt announced a scheduled tour at the Brian Reape farm on the Merz Road in Castorland on March 8th at 11 a.m. All Legislators and County personnel are invited to view flooding effects in the area of the railroad tracks.

Legislator Charles Fanning, Public Health/Mental Health Committee Chairman, reported the transition of the mental health programs to the Transitional Living Services is proceeding.

At the request of Legislator Fanning, Clerk Teresa Clark read a proclamation, whereby the Chairman had declared the month of March 2012 as "Colorectal Cancer Awareness Month" in Lewis County.

Legislator Joho Boyd, Courts and Law Enforcement Committee Chairman, asked Legislators to indicate their support to re-fill the EMS Coordinator position at the current salary. All Legislators indicated their support. Legislator Boyd stated this issue, as well as a request for County appropriations to support the Onondaga Air One helicopter service, will be discussed at the March 8th Committee meeting, for a recommendation to the full Board.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported that FEMA has approved funding for the Herman Road rehabilitation project. Also, an application for Federal funding has been submitted for replacement of the Blue Street Bridge in Glenfield, as an innovative research project.

Legislator Wallace made a motion to award bids for sand, gravel and concrete Highway purchases for the period 4/1/2012 to 3/31/2013, in accordance with the bid sheets on file with the Clerk of the Board. The motion was seconded by Legislator King and carried. Legislator Bush abstained from the vote.

Legislator Wallace made a motion to award the bid to Viking Cives in the amount of $6,200.00 for purchase of a hopper sander, seconded by Legislator Hathway and carried. Legislator Hathway added that the bidding process effectuated approximately a $2,000 savings.

Legislator Wallace then made a motion to remove Resolution No. 69-2012 from the table, and action was taken as recorded on Resolution No. 109-2012.

Legislator Richard Lucas, Economic Development Committee Chairman, reported year-to-date sale of over 250 ATV permits, being 10% of the 2011 total.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported completion of 111 work orders by the maintenance department during February, including generator wiring upgrades and boiler repair at the Highway Garage, and installing outside lights at the Public Safety Building. Also, to avoid flooding issues at the DSS Office building, a second sump pump will be installed.

COUNTY MANAGER REPORT:

Mr. Pendergast reiterated he is scheduled to present testimony on March 8th in Watertown to the Governor's Mandate Relief Team.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 1,010,404.54 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King
Richard C. Lucas

Dated: March 6, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Lucas, and carried.

RESOLUTION NO. 76 -2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke , Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 1,010,404.54 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator King, seconded by Legislator Wallace, and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 77 - 2012
RESOLUTION TO TRANSFER FUNDS BUILDINGS AND GROUNDS

Introduced by Legislator William Burke, Chairman of the Buildings & Grounds Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Buildings & Grounds accounts to transfer employee Bob Schulz from the New Court House to the Sheriff's Department:

From:	To:	Amount:
A1622.1101	A1620.1101	$30,321.00
A1622.8999	A1620.8999	$20,249.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 78 -2012
RESOLUTION AUTHORIZING THE COUNTY OF LEWIS TO ENTER INTO A LEASE RENEWAL AGREEMENT WITH DAY ONE ASSOCIATES

Introduced by Legislator William Burke, Chairman of the Buildings and Ground Committee.

WHEREAS, Lewis County desires to enter into a Lease Renewal Agreement with Day One Associates for the purpose of renewing the lease at the property located at 7049 NYS Route 12S, Lowville, New York 13367; and

NOW THEREFORE, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby approves the lease renewal by and between the County of Lewis and Day One Associates for the rental of property located at 7049 NYS Route 12S, Lowville, New York 13367, for a term commencing on March 6, 2012 through March 5, 2013 at a monthly rental of one-thousand five hundred dollars ($1,500.00).

Section 2. The Chairman of the Board of Legislators be and the same is hereby authorized to execute and deliver such lease upon such form as approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 79 - 2012
RESOLUTION TO APPROPRIATE FUNDS DISTRICT ATTORNEY

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation be approved for Fiscal Year 2011 New York State Division of Criminal Justice Services for the Edward Byrne Memorial Justice Assistant Grant to purchase video recording equipment:

Increase Revenue:		Amount:
A48801	Byrne Justice Assistant Grant	$10,000.00
Increase Expense:		
A1165.4907	Byrne Justice Assistant Grant	$10,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 80 - 2012
RESOLUTION IN SUPPORT OF A 2011-2012 LOCAL GOVERNMENT EFFICIENCY GRANT APPLICATION FOR SHARED GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES

Introduced by Legislator Richard Lucas, Economic Development Committee Chairman.

WHEREAS, funds are available through the New York State Department of State's 2011- 2012 Local Government Efficiency Grant (LGE) Program for planning and/or implementation assistance for consolidations, mergers, dissolutions, cooperative agreements, and shared services between two or more local government entities, and

WHEREAS, the Development Authority of the North Country has proposed to write an application for funding assistance to study the feasibility of shared GIS services, and

WHEREAS, the Development Authority of the North Country has pledged to provide the program's required 10% local cash match of the total project cost,

WHEREAS, Lewis County, Jefferson County, St. Lawrence County, the Development Authority of the North Country, and the City of Watertown would be co-applicants for this project.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators does hereby support an application to the Local Government Efficiency Grant Program for funds to conduct a feasibility study for shared GIS services.

Section 2. That the Board of Legislators will provide such documentation and/or information required as a Co-Applicant for this project.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver any and all documents related to said project.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 81 -2012
RESOLUTION AUTHORIZING LEWIS COUNTY AS CO-APPLICANT TO U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT APPLICATION BY LEWIS COUNTY DEVELOPMENT CORPORATION

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

Whereas, the County of Lewis encourages the redevelopment of the mill site location in the Village of Lyons Falls; and

Whereas, the County of Lewis seeks to create shovel ready development sites in cooperation with the Lewis County Industrial Development Agency and the Lewis County Development Corporation; and

Whereas, the U.S. Department of Commerce, Economic Development Administration, Economic Adjustment Assistance Program, provides funding for public works, economic development and community development projects that support employment and revitalization in economically distressed areas; and

Whereas, the Lewis County Development Corporation owns the former Lyons Falls Pulp and Paper mill site in Lyons Falls, NY and seeks to develop this site for economic purposes; and

Whereas, the County of Lewis' Comprehensive Economic Development Strategy Committee designates this project as a Priority Project; and

Whereas, the Lewis County Development Corporation is a non-profit 501(c)3 corporation that is not affiliated with the County of Lewis.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes Lewis County to apply as a co-applicant of the application by the Lewis County Development Corporation to the U.S. Department of Commerce, Economic Development Administration, Economic Adjustment Assistance Program, for $247,500 in grant funding to perform design and demolition planning at the Lyons Falls mill site.

Section 2. That the County's share as co-applicant will be to provide in-kind services of grant administration, technical assistance, and community outreach for the project in an amount not to exceed $16,000.

Section 3. That the Lewis County Board of Legislators authorizes the Chairman of the Board, or his designee, to sign any necessary application documentation to facilitate this application.

Section 4. That the Chairman of the Board of Legislators is hereby authorized to sign and forward a letter of support to the U.S. Department of Commerce, Economic Development Administration on behalf of the Lewis County Development Corporations project at the Lyons Falls mill site.

Moved by Legislator Wallace, seconded by Legislator Boyd.

In response to Legislator Hathway, Economic Development Director Eric Virkler stated the County share of in-kind services would be up to $16,000.00, but was unaware of the amount of in-kind for the Lewis County Development Corporation (LCDC). However, the LCDC had garnered an additional $330,000 grant, and plan to infuse $50,000 cash into the project.

The resolution was then adopted.

RESOLUTION NO. 82 - 2012
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT TO FUND THE LOCAL SHARE OF FEDERAL-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS, AND APPROPRIATING FUNDS THEREFOR (PIN 775307)

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, a Project for the Bridge Replacement on Salmon River Road over Mad River (PIN 775307; BIN 3340310) (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the PE/Design; Right of Way Incidentals and Construction/CI/CS Phases of the Project;

NOW,THEREFORE, BE IT RESOLVED by the Lewis County Board of Legislators, duly convened, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above- subject Project.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Lewis County Board of Legislators, to pay in the first instance 100% of the federal and non-federal share of the cost of the PE/Design; Right of Way Incidentals and Construction/CI/CS Phases work for the Project or portions thereof.

Section 3. That the sum of $214,000.00 is hereby appropriated from County general funds, and made available to cover the cost of participation in the PE/Design Phase of the Project and the sum of $17,000.00 for the Right of Way Incidentals Phase of the Project and the sum of $1,022,000.00 in the Construction/CI/CS Phase of the Project.

Section 4. That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Lewis County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Chairman of the Board of Legislators, thereof.

Section 5. That the Chairman of the Lewis County Board of Legislators, be and he hereby is authorized to execute all necessary Agreements, on behalf of the Lewis County Board of Legislators, with the New York State Department of Transportation, in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance

funding of the Project costs and permanent funding of the local share of federal-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible.

Section 6. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to execute all necessary consultant agreements, right-of-way certifications, reimbursement requests for Federal Aid on behalf of the Lewis County and any other document, not including the Agreement with NYS DOT, that may be necessary to carry out the terms of this Resolution.

Section 7. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 8. That the within Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 83 -2012
RESOLUTION TO TRANSFER FUNDS HIGHWAY DEPARTMENT

Introduced by Legislator Patrick Wallace, Chairman of the Highway Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Highway Department Accounts to reallocate money for the Sign Shop budget:

From	
D5110.495112 (Sign Shop Budget)	$40,000.00
To	
D5110.49 (Maintenance Materials Budget)	$40,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 84 - 2012
RESOLUTION APPOINTING MEMBER TO NORTH COUNTRY HOME CONSORTIUM BOARD

Introduced by Legislator Richard Lucas, Economic Development Committee

Chairman.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Randall A. Schell of 4594 Arthur Road, Lowville, New York 13367 to the North Country Home Consortium Board, for a three-year term.

Section 2. That the term of said appointment shall be effective from April 7, 2012 through April 6, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 85 -2012
RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN LEWIS COUNTY GENERAL HOSPITAL AND THE LEWIS COUNTY ECONOMIC DEVELOPMENT & PLANNING DEPARTMENT

Introduced by Richard Lucas, Chairman of the Economic Development Committee.

WHEREAS, Lewis County General Hospital ("LCGH") wishes to enter into a Memorandum of Understanding with the Lewis County Economic Development and Planning Department ("Economic Development") to assist in completing grant applications to obtain funding for Lewis County General Hospital's important capital projects and medical programs; and

WHEREAS, the Lewis County Economic Development and Planning Department has expertise in writing grant applications and is willing to assist the staff at Lewis County General Hospital with these functions; and

WHEREAS, the Lewis County General Hospital's staff has completed various grant applications in previous years and has the knowledge regarding key projects and programs for the hospital; and

WHEREAS, these two organizations together can provide a more effective means to successfully obtain state, federal, and private funding for necessary needs at the hospital; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding between the Lewis County General Hospital and Lewis

County Economic Development and Planning Department whereby Economic Development will assist LCGH in writing grant applications for key projects and programs for the hospital.

Section 2. That Economic Development will bill a flat rate of $50.00 per hour for all services provided to LCGH.

Section 3. That Eric Virkler, Director of the Economic Development and Planning Department is hereby authorized to mal(e, execute, seal and deliver such Memorandum of Understanding, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 86 -2012
RESOLUTION TO AMEND COMPENSATION PLAN WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, it has been determined that in order to maintain an adequate staff level for the Local Government Unit, a part-time Keyboard Specialist position must be converted to full-time.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Mental Hygiene Local Government Unit, to increase one Part-time Keyboard Specialist position to Full-time, effective immediately.

Section 2. That Director of Community Services Sarah Bullock is hereby authorized to fill said position.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 87 -2012
RESOLUTION AUTHORIZING AGREEMENT WITH NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND

PROBATION DEPARTMENT -ELIGIBLE DIVERSION PROGRAM

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the New York State Division of Criminal Justice Services, by and through the Probation Department, for a Probation Eligible Diversion Program, whereby Lewis County diverts non-violent, felony probation-eligible offenders from State Prison, while ensuring public safety.

Section 2. That said Agreement shall be effective for the period from January 1, 2012 through March 31,2012, in the total amount of $2,611.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 88 -2012
RESOLUTION AUTHORIZING AGREEMENT WITH NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND PROBATION DEPARTMENT IGNITION INTERLOCK PROGRAM

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the New York State Division of Criminal Justice Services, by and through the Probation Department, for a GTSC Ignition Interlock Device Monitoring Program.

Section 2. That said Agreement shall be effective for the period from October 1, 2011 through September 30, 2012, in the total amount of $3,898.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator Burke, and adopted.

RESOLUTIONNO. 89 -2012
RESOLUTION APPROVING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF LEWIS AND THE LEWIS COUNTY GENERAL HOSPITAL LOCAL OF THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.

Introduced by Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Board of Legislators has heretofore authorized the transfer of the administration of Certified Home Health Agency ("CHHA") and Hospice to Lewis County General Hospital ("LCGH") pursuant to Resolution No. 188-2011; and

WHEREAS, the County of Lewis and the Lewis County General Hospital Local of the Civil Service Employees Association, Inc. wishes to enter into a Memorandum of Agreement to transfer certain Public Health employees to Lewis County General Hospital in order to facilitate such transfer; and

WHEREAS, the Public Health employees shall become part of the collective bargaining agreement between the County of Lewis and the Lewis County General Hospital Local of the Civil Service Employees Association, Inc. for the period January 1, 2008 to December 31,2011 and any successor agreements.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Agreement between the County of Lewis and the Lewis County General Hospital Local of the Civil Service Employees Association, Inc. for the purpose of the Public Health employees to become part of the collective bargaining agreement for the period January 1 , 2008 to December 31, 2011 including any successor agreements.

Section 2. That Timothy J. Ryan, Jr., Director of the Human Resources is hereby authorized to make, execute, seal and deliver such Memorandum of Agreement, subject to approval by the County Attorney as to form.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt , seconded by Legislator Fanning , and adopted.

RESOLUTION NO. 90 -2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH DEPARTMENT AND THE ROWLAND CENTER, INC. FOR THE PRESCHOOL SPECIAL EDUCATION PROGRAM

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency wishes to enter into an agreement with The Rowland Center, Inc. to provide therapy services for the Preschool Special Education Program; and

WHEREAS, the Board of Legislators wishes to accept such services; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Public Health Department and The Rowland Center, Inc. to provide therapy services for the Preschool Special Education Program for the period beginning July 1, 2011 and ending June 30,2012 at a cost in accordance with the rates set forth by the New York State Department of Health.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 91 -2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Public Health accounts:

From:	Amount:
A4035.1999 (Personal Services)	$16,704.00
To:	
A4035.4900 (Outside Contractor)	$16,704.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 92 -2012
RESOLUTION AUTHORIZING THE TOWN OF OSCEOLA TO REIMBURSE THE LEWIS COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES FOR THE REISSUANCE OF CORRECTED TAX BILLS FOR THE TOWN OF OSCEOLA

Introduced by Legislator Jerry King, Chairman of Taxation Committee.

WHEREAS, the Lewis County Director of Real Property Tax Services has corrected the tax roll for the Town of Osceola pursuant to Resolution No. 40-2012 adopted on January 19,2012 pursuant to Real Property Tax Law§ 556-b; and

WHEREAS, the Lewis County Director of Real Property Tax Services has reissued the tax bills in the Town of Osceola.,

NOW THEREFORE, BE IT RESOLVED,

Section 1. That the Board of Legislators hereby directs that the Town of Osceola be issued an invoice for the full cost of printing and mailing the corrected tax bills by the office of Real Property Services.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator King.

Legislator Lucas made a motion to amend Section 1, to direct the Town of Osceola be issued an invoice for 50% of printing and mailing the corrected tax bills, with the County assuming the balance.

The motion was seconded by Legislator Wallace, and carried by a roll call vote of 6 to 4, with Legislators Fanning, Hathway, King and Stanford opposed.

In response to Legislators Fanning, Stanford and Hathway for clarification as to the effect of the resolution if defeated, Atty. Graham clarified that if approved as amended, the Town would be billed for 50%; if defeated, the County would absorb the entire cost.

Legislator Tabolt reiterated his opposition to County appropriations for all Towns, instead favoring to consider Town requests as presented.

Legislator King took exception to the Town of Osceola purporting the mistake was made by County personnel, when, indeed, the error was made at the Town level.

The resolution was then adopted by a unanimous roll call vote.

RESOLUTIONNO. 93 -2012
RESOLUTION TO APPROPRIATE NYS OFFICE OF PARKS,

RECREATION GRANT TRAIL PROGRAM

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That $92,000.00 is hereby appropriated to Account No.A7989.2233 (Equipment), $16,000.00 to Account No. A7989.4605 (Pre/Development), to be financed by Federal Grant Project Contract Number C110111 (CFDA#20.219) Account No. A45891 $108,000.00.

Section 2. That the local share of $27,000 be expended from existing appropriations and in-kind services.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 94 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY SHERIFF'S DEPARTMENT & BLACK CREEK INTEGRATED SYSTEMS CORPORATION

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Sheriff's Department desires to enter into an Agreement with Black Creek Integrated Systems Corporation, ("Black Creek") a corporation located at 2900 Crestwood Boulevard, Irondale, Alabama; and

WHEREAS, Black Creek provides computer software support, specifically for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data for the inmates; and

WHEREAS, the Board of Legislators wishes to accept such services; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and Black Creek Integrated Systems Corporation for the purpose of utilizing Black Creek's computer software support for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data for the inmates.

Section 2. That this is for the term commencing on January 1, 2012 through

January 31,2012 in an amount not to exceed $10,225.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 95 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY SHERIFF'S DEPARTMENT & LANGUAGE SERVICE ASSOCIATES, INC.

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Sheriff's Department desires to enter into an Agreement with Language Services Associates, Inc. ("LSA"), a corporation with headquarters located at 455 Business Center Drive, Suite 100, Horsham, Pennsylvania 19044; and

WHEREAS, LSA shall provide comprehensive language support services to the Lewis County Sheriff's Department, including scheduled and unscheduled telephonic interpretation services for all language pairs involving English in any of the more than 200 languages offered from time to time by LSA; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and Language Services Associates, Inc. for the purpose of providing language support services including scheduled and unscheduled telephonic interpretation services in the amount of $1.60 per minute used for the term commencing on February 1, 2012 through January 31,2015.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Tabolt.

In response to Legislator Hathway, Mr. Pendergast affirmed this was a new contract for special interpreting services to be available as needed.

The resolution was then adopted.

RESOLUTION NO. 96 -2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the to utilize Capital Equipment funds to purchase two new Sheriff's Department patrol vehicles:

Appropriate:	Amount:
A50310 (Inter-fund Transfer)	$60,000.00
A3110.2233 (Vehicles)	$60,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 97 - 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Sheriff'sDepartment accounts to cover personnel expense for a part-time Deputy Sheriff:

From:	To:	Amount:
A3110.8999	A3110.1102	$22,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 98 - 2012
RESOLUTION AUTHORIZING RESOURCE ALLOCATION PLAN WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services/ Youth Bureau Committee.

WHEREAS, execution of the Resource Allocation Plan will qualify the County for State reimbursement in accordance with NYS Office of Children and Family Services' allocation of funds appropriated for counties engaged in comprehensive planning for youth services.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (OFCS) for the 2012 program year, in the amount of
$23,594.00

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Resource Allocation Plan

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Hathway.

Legislator Hathway predicts that the amount of the allocation may ultimately be reduced by as much as 30%, but wants the plan approved so as to facilitate acceptance of proposals for youth services.

The resolution was then adopted.

RESOLUTION NO. 99 - 2012
RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services, to

authorize extending a Temporary Office Specialist position, due to expire on March 16,2012, through May 11, 2012.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 100 - 2012
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND LEWIS COUNTY COMMUNITY RECOVERY CENTER

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis, by and through the Lewis County Department of Social Services ("DSS"), and Lewis County Community Recover Center ("CRC") for the purpose of having CRC provide the services of a drug and alcohol urine screening and breathalyzer tests to individuals and/or families receiving services from DSS.

Section 2. That the term of this Memorandum of Understanding shall be from January 1, 2012 through December 31,2012 at a cost not to exceed $22.50 for in house urine screens and $30.00 for urine screens that require shipment to a professional laboratory.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 101 - 2012
RESOLUTION TO TRANSFER FUNDS TAX SALE

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved for

reimbursement of fuel costs for Personal Service Postings for Tax Sale:

From:	Amount:
A1362.4999 (Misc)	$150.00
To:	
A3620.4703 (Vehicle/gas)	$150.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 102 - 2012
RESOLUTION APPROVING CORRECTION OF TAX BILL

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, pursuant to the franchise agreements between Time Warner Cable, TCI and the Towns of Croghan, Diana, Greig, Lewis, Leyden, Lowville, Martinsburg, New Bremen and Watson which allowed them to deduct from taxes the franchise paid to the Towns.

Section 1. That payment be accepted as follows:

Croghan	#538.00-08-00.000	$ 60.31	Charge Town:	14.54
	#538.00-08-06.000	625.49		115.10
	#538.00-05-06.000	69.50		12.79
Diana	#552.00-05-08.000	201.84		53.46
	#552.00-05-00.000	132.27		44.52
Greig	#542.02-07-09.000	1,403.17		639.29
Lewis	#550.00-10-11.000	407.69		204.19
Leyden	#550.00-07-00.000	72.79		32.34
	#550.00-07-12.000	1,345.85		429.76
	#550.00-10-12.000	662.88		211.67
Lowville	#550.00-05-00.000	492.80		205.89
	#550.00-05-13.000	602.21		173.16
Martinsburg	#542.02-05-15.000	771.64		579.75
New Bremen	#552.00-08-00.000	7.91		4.19
	#542.05-08-05.000	121.86		43.92
	#552.00-08-02.000	1,635.56		583.54
Watson	#542.02-05-21.000	370.73		272.45
	#542.02-07-21.000	380.76		279.82
	#542.02-08-21.000	250.50		184.09
		$9,615.76		$4,084.47

Section 2. That the County Treasurer is hereby directed to adjust, apportion, and charge back such amount in the manner prescribed by law. The amount to charge the Towns is $4,084.47.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 103 - 2012
RESOLUTIONS AUTHORIZING CORRECTION OF TAX ROLL AND DIRECTING ISSUANCE OF CORRECTED TAX BILLS FOR THE TOWN OF MARTINSBURG PURSUANT TO REAL PROPERTY TAX LAW §§ 55(2)(3) AND 556-b

Introduced by Legislator Jerry King, Chairman of Taxation Committee.

WHEREAS, the Lewis County Director of Real Property Tax Services has received an application from Flat Rock Windpower, LLC requesting a correction to the tax roll due to a clerical error affecting the tax parcels located in the Town; and

WHEREAS, the Director of Real Property Tax Services has investigated the circumstances surrounding the claimed clerical error and has determined that a clerical error has occurred in relation to an over billing where the fire district codes FP401 & FP402 were both placed on the parcels and each parcel should only have been charged for the fire district FP402. This error caused an over billing of $60,179.91 for parcels in Phase I and an over billing of $1,083.78 for parcels in Phase II. Therefore, the correct amount of taxes to be collected by the Town of Martinsburg in Phase I should be $46,969.57, not $107,149.48 and the correct amount of taxes to be collected in Phase II should be $1,449.03, not $3,252.81; and

WHEREAS, as a consequence of this clerical error, the tax parcels in the Town of Martinsburg other than those owned by Flat Rock I and II, (FP401) have been under assessed for fire district charges for 2012;

NOW THEREFORE, BE IT RESOLVED, that

Section 1. That upon the report of the Director of Real Property Services, the Board of Legislators hereby authorizes the Director of Real Property Services to correct the tax roll for the Town of Martinsburg and it is hereby:

ORDERED, that the 2011 Town & County Tax roll and bills, due January 1, 2012, for the Town of Martinsburg, in accordance with Real Property Tax Law § 550(2)(3) and § 556-b shall be $46,969.57 for Phase I and $1,449.03 for Phase II; and it is further

ORDERED, that the tax collector for the Town of Martinsburg shall refund any excess taxes paid or make a credit against an outstanding tax with respect to said error in accordance with Real Property Tax Law§ 556; and it is further

ORDERED, that a copy of this Resolution and Order directing the correction of the tax roll along with a copy of the approved application shall be attached to the tax roll and warrant; and it is further

ORDERED, that tax bills shall be re-calculated in accordance with the corrected tax roll as set forth herein and shall be issued to the property owner.

ORDERED, that all tax parcels in the fire protection district known as FP401 shall be notified of the omitted tax that has occurred in 2012 and shall be billed for the omitted tax in 2013 pursuant to Real Property Tax Law 551.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King.

Legislator King stated the mistake was at the County level, involving separation of tax for the windmills.

The resolution was then adopted.

RESOLUTION NO. 104 - 2012
RESOLUTION APPOINTING MEMBER TO
TRAFFIC SAFETY BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Kenneth Bibbins, NYS Department of Transportation Resident Engineer, 5527 Bostwick Street, Lowville, New York 13367, to the Lewis County Traffic Safety Board to fill the un-expired term of Matthew Bush.

Section 2. That the term of said appointment shall be effective March 7, 2012 and terminate on December 31, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 105 - 2012
RESOLUTION APPOINTING MEMBER
TO YOUTH BUREAU ADVISORY BOARD

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints John Exford, of Mountain View Prevention Reality Check Program, as a member of the Lewis County Youth Bureau Advisory Board, to fill the un-expired term of David Bush.

Section 2. That the term of said appointment shall be effective from March 7, 2012 through May 6, 2013.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 106 - 2012
RESOLUTION TO APPROPRIATE FUNDS
YOUTH BUREAU

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Youth Bureau accounts for a donation from the Boys & Girls Club:

Increase Revenue:	
A12300 (Misc)	$67.72
Increase Expense:	
A7311.4505 (Youth County Projects)	$67.72

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 107 -2012
RESOLUTION TO SET A PUBLIC HEARING
TO OBTAIN PUBLIC INPUT WITH REFERENCE TO
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

Whereas, the County of Lewis is eligible to apply to the New York State Small Cities Community Development Block Grant (CDBG) Program; and

Whereas, the Board of Legislators wishes to obtain the views of citizens on community development, housing needs and possible other activities, prior to the preparation of a CDBG application; and

Whereas, citizen's participation requirements of the program require that the County must conduct public hearings for the purpose of obtaining citizens' views and responding to proposals and questions. The hearings must cover community development, housing needs, development of proposed activities and a review of the CDBG program; and

Whereas, the public hearing must be held prior to submission of an application. Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a public hearing to solicit the views of County of Lewis citizens, regarding community development and housing needs, to be held on Tuesday, March 20, 2012 at 8:30a.m. in the chambers on second floor of the Court House at 7660 State Street, Lowville, New York.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least 10 days prior to the hearing date.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 108 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, to create the following position and designate same to the Lewis County Public Health Agency:

Title	Status	Salary
Keyboard Specialist	Full-Time	Grade 9 $12.59-$14.24

Section 2. That Public Health Director Carol Paluck is hereby authorized to fill said position effective immediately.

Section 3. That one Full-time position of Senior Keyboard Specialist at the Public Health Agency is hereby abolished.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 109 - 2012
RESOLUTION APPROVING TIP FEE SCHEDULE
LEWIS COUNTY TRANSFER STATIONS

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following Tip Fee schedule for Lewis County Transfer Stations:

Waste Class	Commercial Hauler Rate/ Resident Rate
Residential MSW	$76.00/ton
Commercial MSW	$76.00/ton
C&D – Lowville	$95.00/ton
C&D – Croghan	$31.00/Cu.Yd.
Bag Price (33gal.)	$4.75
Bag Price (Small)	$2.50
Croghan MSW	$31.00/Cu.Yd.
Barrels	$15.50
Loose Trash	$76.00/ton
Compacted Trash	$76.00/ton
Minimum Fee Over Scales	$31.00
Tires less than 17” No Rim	$3.25
Tires less than 17” With Rim	$6.50
Truck 17” or Larger	$15.50
Off Road, Tractor	$180.00/ton
Bulk Tire Rate	$180.00/ton
White Goods	$7.75

Small Household Appliance	$4.25
Scrap Metals	$36.00/ton
Vehicle Weight Charge	$7.25
Ag Bags	$76.00/ton
Bed Mattresses, Large Furniture, TV's etc.	$7.75

Section 2. That the above Lewis County Transfer Station Tip Fee Schedule shall take effect April 1, 2012.

Legislator Wallace made a motion to remove foregoing Resolution No. 69-2012 from the table, seconded by Legislator Stanford and carried.

Legislator Wallace made a motion to amend Section 2, to establish an effective date of June 1, 2012, seconded by Legislator Fanning and carried.

Legislator Lucas informed of the impending tipping fee increase to be imposed by the Development Authority of the North Country, effective January 1, 2013, suggesting relative discussion during 2013 County budget deliberations.

The resolution was then adopted.

RESOLUTION NO. 110 - 2012
RESOLUTION AMENDING EXEMPTION POLICY FOR CERTAIN REAL PROPERTY OWNED BY THE VILLAGE OF LOWVILLE AND USED FOR PRODUCTION OF VILLAGE WATER

Introduced by Legislator Paul Stanford, Member Taxation Committee,

WHEREAS, Real Property Tax Law § 406(3) provides that municipal property located outside such municipality's boundaries may be deemed partially or wholly exempt from taxation by any municipal corporation wherever located provided that the governing board thereof shall so agree in writing; and

WHEREAS, on February 16, 2011, the Board of Legislators adopted Resolution 47 - 2011 applicable to the tax roll established as of March 1, 2011, whereby the Board authorized a 100% exemption from County real property taxes for facilities used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities were located outside such municipality's boundaries; and

WHEREAS, the Taxation Committee of the Board of Legislators thereafter conducted an extensive review of the tax exemptions granted under the pre-existing policy and determined that it was in the public interest of Lewis County taxpayers that such exemption be phased out over the next four years, and recommended to the Board of Legislators that the exemption policy be modified accordingly; and

WHEREAS, on August 2, 2011, the Board of Legislators adopted Resolution 268-

2011 whereby the Board authorized a reduction in the foregoing tax exemption by 25% per year commencing with the tax roll established as of March 1, 2012, for facilities used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities are located outside such municipality's boundaries; and

WHEREAS, it has recently been brought to the attention of the Taxation Committee that the Board of Legislators had adopted Resolution No. 74-1997 on April 1, 1997 whereby the then Board of Legislators authorized a written agreement declaring Tax Parcel No. 182.00-03-01.12 owned by the Village of Lowville and located in the Town of Watson to be wholly exempt from County taxation for so long as the property is used for a public purpose satisfying the requirements of Real Property Law § 406; and

WHEREAS, thereafter on March 2, 1998, the Chairman of the Board of Legislators entered into a written agreement with the Village of Lowville declaring Tax Parcel No. 182.00-03-01.12 to be wholly exempt from County taxation for so long as the property is used for a public purpose satisfying the requirements of Real Property Law § 406.

NOW, THEREFORE, be it resolved that:

Section 1. The Board of Legislators hereby amends Resolution No. 268 – 2011 in order to add the following subparagraph "E" to Section 1 thereof:

E.

Exception. Notwithstanding the reduction in exemptions set forth above, Tax Parcel No. 182.00-03-01.12 owned by the Village of Lowville and located in the Town of Watson shall be wholly exempt from County taxation for so long as the property is used for a public purpose satisfying the requirements of Real Property Law § 406 or until such time as the Board of Legislators may further modify, amend or rescind this Resolution.

Section 2. That in all other respects Resolution No. 268- 2011 shall remain in full force and effect.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such documents, instruments or writings as may be necessary to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 4. The Real Property Director shall cause a copy of this Resolution to be sent to the effected taxing units as soon as practical.

Section 5. The policy set forth in this Resolution shall be deemed to constitute the "agreement" of this governing board to authorize such exemptions as provided in Real Property Tax Law § 406(3). This Resolution shall remain in full and force and effect unless or until it is amended or rescinded by formal action of the Board of

Legislators.

Section 6. This Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

Legislator Stanford affirmed his respect and honor for prior Board's decisions, just as he would expect future Board's respect of our decisions.

Legislator Hathway reiterated his favor that all municipalities be treated equally, clarifying his objection to an exception for one Village. He has consistently advocated for greater assistance to Towns, but insists on equality.

Attorney Graham clarified that Board decisions are not binding upon succeeding Boards.

While regretting the Lowville Agreement was unknown, Legislator King assured the Committee had conducted due diligence last fall before recommending the Board phase out all relative exemptions. Moreover, he opined that municipalities without water systems should not have to subsidize municipalities that do.

The resolution was then defeated by the following roll call vote of 4 to 6:

YEAS: Boyd, Burke, Stanford, Wallace
NAYS: Fanning, Hathway, King, Lucas, Tabolt, Bush

RESOLUTION NO. 110A –2012
RESOLUTION URGING ADOPTION OF ASSEMBLY BILL NO. 7710: "AN ACT TO AMEND THE VEHICLE AND TRAFFIC LAW, IN RELATION TO THE DEFINITION AND USE OF ALL TERRAIN VEHICLES"

Introduced by Legislator Michael Tabolt.

WHEREAS, Vehicle and Traffic Law Section 2281 currently defines an "all terrain vehicle" or "ATV" as any "self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails or off-highway competitions and only incidentally operated on public highways providing that such vehicle does not exceed seventy inches in width, or one thousand pounds dry weight;" and

WHEREAS, Assemblywoman Addie Russell has introduced Assembly Bill No. 7710, which amends the definition of ATVs by adding a provision to Vehicle and Traffic Law Section 2281 that would allow registration of vehicles that are commonly referred to as "side-by-sides" or "UTV's" having a width not exceeding seventy inches and a dry weight of one thousand five hundred pounds provided the vehicle consists of a side-by-side passenger configuration, is designed for no more

than three passengers and has safety features which include seat belts and roll over bars.; and

WHEREAS, the purpose of Assembly Bill No. 7710 is to update the regulations in New York State to keep pace with changes in technology in the ATV industry and to conform with the regulations of neighboring states that allow registration of such vehicles; and

WHEREAS, "UTVs" or "side-by-sides" are wider and heavier and therefore more stable than traditional ATVs, and also are configured with seat belts and roll over bars, and are thus safer to ride for both operators and passengers; and

WHEREAS, the adoption of Assembly bill No. 7710 will increase revenues to the State through new registration fees as well as increased sales tax; and

WHEREAS, the Board of Legislators wishes to express its support for the immediate adoption of Assembly Bill No. 7710; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators for Lewis County urges the adoption of Assembly Bill No. 7710 at the earliest possible opportunity.

Moved by Legislator Tabolt, seconded by Legislator Hathway, and adopted.

OTHER BUSINESS:

Legislator Lucas made a motion to enter executive session at 6:37p.m. to discuss union negotiations, seconded by Legislator King and carried. Chairman Bush called a short recess. The session commenced at 6:47p.m. Following the session, Legislator King moved to re-enter regular session at 7:21 p.m., seconded by Legislator Stanford and carried.

RESOLUTIONS (Cont'd)

RESOLUTION NO. 111 - 2012
RESOLUTION AUTHORIZING AND RATIFYING CONTRACT BETWEEN THE COUNTY OF LEWIS AND THE SHERIFF EMPLOYEES UNIT OF THE LEWIS COUNTY LOCAL 825 OF THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.

Introduced by Legislator Paul Stanford, Chairman of the County Officers and Employees Committee.

WHEREAS, the existing contract between the County of Lewis and the Sheriff

Employees Unit of Lewis County Local 825 of the Civil Service Employee's Association ("CSEA") expired on December 31, 2010; and

WHEREAS, the negotiating teams representing the County of Lewis and the CSEA, have developed a tentative agreement dated February 15, 2012, which was ratified by the Local CSEA on February 23, 2012 and shall be effective January 1, 2011 and expire on December 31, 2013"

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the agreement as developed by the negotiating teams memorialized as a Tentative Agreement dated February 15,2012 and accepted by the CSEA Local 825.

Section 2. That the Chairman, the Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver a contract between the County of Lewis and the Civil Service Employee's Association for the period January 1, 2010 through December 31,2013 upon such form as may be approved by the County Attorney.

Section 3. That a copy of the final executed agreement be filed in the Office of the Clerk of the Board of Legislators; and that the County shall produce copies of such contract for distribution to employees of the Sheriff Employees Unit of Lewis County Local 825.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Tabolt, and adopted. Legislator Fanning was opposed.

OTHER BUSINESS (Cont'd)

The Clerk read a letter submitted by the Croghan Volunteer Fire Department, urging the Board to act swiftly to refill the EMS Coordinator position upon Mark Tuttle's impending resignation date. They are grateful, however, that Mark will be joining the Lewis County Search & Rescue administration.

The Clerk announced the Chairman's appointments of Town of Lowville Supervisor Randall Schell, Howard G. Sackett Technical Center Principal Paul Mooney and Hospital Chief Executive Officer Eric Burch, to the Comprehensive Economic Development Strategy Committee. The term of said appointments shall be from March 7, 2012 to April 30, 2013.

Legislator Lucas referenced the Resolutions that had been tabled at the February 7, 2012 meeting, namely, Regarding SEQRA Review of Funding and Acquisition of Railroad Corridors and Declaring No Significant Impact; Authorizing Grant Agreement Between NYS Office of Parks, Recreation and Historic Preservation and the County of

Lewis in the Amount of$450,000; and Authorizing Acquisition of Railroad Corridors for Future Development. Legislator Lucas stated they are to be tabled until April3, 2012.

Legislator Hathway made a motion to appoint Thomas E. Valentine to the Lewis County Industrial Development Agency. The motion was seconded by Legislator Lucas and unanimously carried. However, on 3/9/2012, Mr. Valentine regrettably notified Chairman Bush that he would have to decline the appointment, citing various obligations and travel within his construction business.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried at 7:28p.m.

SPECIAL MEETING
March 27, 2012

The meeting was called to order at 9:30 a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present, except Legislator King, whom had been excused.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 6 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend waiving the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: March 27, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Lucas and carried.

REPORTS OF STANDING COMMITTEES:

Legislator Charles Fanning, Mental Health Committee Chairman, made a motion to authorize Director of Community Services Sarah Bullock to enter an Agreement with a professional consultant for the purpose of completing the required Mental Hygiene Comprehensive Financial Report that is due by April 30, 2012. The motion was seconded by Legislator Boyd. After it was determined there were no defined terms or an amount for the Agreement, Legislator Fanning withdrew his motion. Ms. Bullock will research and propose specific terms of Agreement, for action at the April 3, 2012 Board meeting.

Chairman Bush offered his thanks to Legislator Fanning and Sarah Bullock for all their hard work and deliberations during the transition of the mental health services to contractual agencies.

RESOLUTIONS:

RESOLUTION NO. 112 -2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health

Committee.

Whereas, the Controller for the Mental Hygiene Department has submitted her resignation effective April 7, 2012; and

Whereas, the Controller is essential for responsible oversight and fiscal management of the Mental Hygiene Department and contract agencies.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Mental Hygiene Department, to authorize re-filling the following position and setting the salary:

TITLE	STATUS	SALARY RANGE
Controller	Full-time	$45,000.00-$51,000.00

Section 2. That Director of Community Services Sarah Bullock is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 113 - 2012
RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, with the privatization of various programs within the Mental Hygiene Department, transfers are necessary to establish appropriations for the contract agencies for these programs. The request to approve this financial transition plan has been submitted to the NYS Office of Mental Health.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. This Board of Legislators hereby approves the following budget transfers.

From Expense		Amount
A4310.1101	Regular pay-MH	$549,774.00

From Revenue		
A34901	OMH state aid	$549,774.00
To Expense		
A4324.4700	NRCIL advocacy	$ 89,860.00
A4324.4701	NRCIL family support	16,526.00
A4318.4210	TLS SPOA fund A	1,848.00
A4318.4211	TLS SPOA fund B	1,182.00
A4318.4212	TLS Transition mngt services	4,035.00
A4318.4213	TLSMICA	45,180.00
A4318.4214	TLS Crisis Intervention	20,356.00
A4318.4215	TLS Client Transport	23,855.00
A4318.4216	TLS SH Rental Assist fund A	36,592.00
A4318.4217	TLS SH Rental Assist fund B	4,490.00
A4318.4218	TLS SH services fund A	205,160.00
A4318.4219	TLS SH services fund B	7,021.00
A4318.4220	TLS Case mngt non-Medicaid	45,059.00
A4318.4221	TLS Case Mngt Blended- mngr	19,096.00
A4318.4222	TLS Case Mngt blended client serv	14,949.00
A4318.4223	TLS Case Mngt Children's Int-mngr	4,464.00
A4318.4224	TLS Case Mngt Child Int-client serv	10,101.00
To Revenue		
A34903.1	NRCIL state aid	$ 106,386.00
A34915	TLS state aid	443,388.00
		$ 549,774.00

Section 2. That the within resolution shall take effect April 2, 2012.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 114 - 2012
RESOLUTION TO AMEND BUDGET FOR NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING (NRCIL) MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, the Office of Mental Health on state aid letter dated March 16, 2012 has awarded $185,439 for 2012 to NRCIL for the operation of a Peer & Rehab Recovery Center.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. This Board of Legislators hereby approves the following budget

amendment:

Increase	
A34903.1(NRCIL State Aid)	$185,439.00
A4324.4703 (NRCIL Peer Rehab Recovery Center)	$185,439.00

Section 2. That the within resolution shall take effect April 2, 2012.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 115 - 2012
RESOLUTION TO AMEND BUDGET AND CONTRACT MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, with the privatization of various community support programs within the Mental Hygiene Department, funding that was previously received as a Medicaid-add on will be converted to state aid. The request has been submitted to the NYS Office of Mental Health.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. This Board of Legislators hereby approves the following budget appropriations:

Increase Revenue		Amount
A34903.1	NRCIL State Aid	$144,864.00
Increase Expense		
A4324.4700	NRCIL advocacy	$ 16,001.00
A4324.4702	NRCIL Psychosocial Club	28,046.00
A4324.4701	NRCIL Family Support	100,817.00
		$144,864.00

Section 2. That the within resolution shall take effect April 2, 2012.

Moved by Legislator Fanning, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 116 -2012
RESOLUTION APPOINTING LEWIS COUNTY REAL PROPERTY TAX DIRECTOR

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

Whereas, Caryn Kolts has retired as Real Property Tax Director effective February 24, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Linda Gydesen of 1008 Denslow Drive, Boonville, New York 13309, as the Lewis County Real Property Tax Director, to fill the un-expired term of Caryn Kolts.

Section 2. That the term of said appointment shall be effective March 27, 2012 and terminate on September 30, 2013.

Section 3. That the annualized salary shall be $48,000.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Tabolt, and adopted.

Legislator Fanning was opposed.

RESOLUTION NO. 117 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY MENTAL HYGIENE DEPARTMENT AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Lewis County Mental Hygiene Department wishes to enter into an Agreement with Transitional Living Services of Northern New York ("TLS") to perform certain community based programs for the period beginning April 1, 2012 through December 31, 2012 for an amount not to exceed $455,800; such services to include:

Single Point of Access
Transition Management Services
MICA Network Crisis Intervention
Client Transportation
Supported Housing Rental Assistance and Supported Housing Community Services
Case Management-Non Medicaid Care Coordination (child and adult)
Blended Case Management; and

WHEREAS, the Community Services Board has reviewed the contract between Transitional Living Services Of Northern New York and Lewis County Mental Hygiene Department and has determined that these services are necessary and appropriate to meet the needs of the community and the costs are reasonable for servicing such needs and recommends to the Board of Legislators to enter into such Contract.

NOW, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract for Transitional Living Services Of Northern New York for the term beginning April 1, 2012 and ending December 31, 2012 for an amount not to exceed $455,800.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 118 - 2012
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN LEWIS COUNTY MENTAL HYGIENE DEPARTMENT AND NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Lewis County Mental Hygiene Department wishes to enter into Agreements with Northern Regional Center for Independent Living (NRCIL) to privatize mental health programs and these services will be for the period beginning April 1, 2012 through December 31,2012.

WHEREAS, the Community Services Board has reviewed the contracts between Northern Regional Center for Independent Living (NRCIL) and Lewis County Mental Hygiene Department and has determined that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs and recommend to the Board of Legislators to enter into such contracts.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following contracts for the term beginning April 1, 2012 and ending December 31, 2012, at the amounts set opposite to each respectively:

ENTITY	AMOUNT
NRCIL – Mental Health Advocacy and Psychosocial Club	$197,662.00
NRCIL – Family Support Services	$117,343.00

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

OTHER BUSINESS:

Legislator Tabolt urged further discussion about the proposed railroad acquisition. There appears to be many that favor preserving the corridor, but dissension exits for any type of motorized travel. He suggests there may be a palatable compromise, if the Town Boards' rights are retained for determining the kind of traffic going through their jurisdictions.

Legislator Tabolt made a motion to enter executive session at 9:40 a.m. to discuss union negotiations, specific real property acquisition, a general synopsis of the employee opinion survey, employee improper practice charges; and a specific personnel issue. The motion was seconded by Legislator Wallace and carried.

Legislator Lucas left the meeting at 10:36 a.m. for a scheduled obligation. Following a short recess, the session continued at 10:43 a.m.

At the conclusion of the session, Legislator Boyd moved to re-enter regular session at 12:06 p.m., seconded by Legislator Wallace and carried.

Legislator Stanford made a motion to authorize Clerk of the Board Teresa Clark to re-fill the Deputy Clerk position, with the salary contingent upon Board approval. The motion was seconded by Legislator Burke and carried.

There being no other business to come before the Board, the meeting adjourned at 12:07 p.m. on motion by Legislator Fanning, seconded by Legislator Boyd and carried.

REGULAR MEETING
April 3, 2012

The meeting was called to order at 5:00p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 42 persons present.

Chairman Bush announced approval of the March 6th and March 27th, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: April 3, 2012

Legislator Tabolt made a motion to approve the report, seconded by Legislator Burke and carried. Legislator Hathway was opposed.

PRIVILEGE OF THE FLOOR:

Public Health Director Carol Paluck, urged the Board to adopt the proposed Resolution authorizing her to take necessary action to comply with the Order for Summary Action from the NYS Commissioner of Health, to notify individuals who sell or distribute synthetic cannaboids to immediately cease and desist from such activity. There is a problem locally, whereby children and adults are using "synthetic drugs" manufactured and sold as "bath salts" or "potpourri". The drugs cause many affects requiring urgent medical treatment, or may be fatal. She retold a story of the Onondaga County Commissioner of Health's son and friends that ingested brownies intentionally made with marijuana, and within a short time after consumption the boys experienced seizures.

Upon learning of the local problem in the school districts, Mountain View Prevention personnel informed Mrs. Paluck for collaboration to develop an awareness campaign and prevention program. She contacted the Onondaga County Commissioner of Health, who then alerted the State Association of County Health officials. State-wide information was gathered and relayed to the State Health Commissioner, whom on the

29th of March issued the "Order For Summary Action" to ban the sale or distribution of synthetic drugs. Mountain View Prevention staff will promote community awareness and education efforts.

Enforcement will be handled through the Watertown district office, which has notified one Lewis County business known to have been selling the products. The owner was told to remove and return the products to the manufacturer for reimbursement. The "Civil Order" invokes State-wide compliance. Mrs. Paluck had also notified the Oneida County Health Commissioner, who will follow-up with a store in their jurisdiction known to be selling the products.

Mrs. Paluck announced several scheduled activities during "Public Health Week" from April 2-7, 2012, to promote healthy living habits. A walk-run will be held on 4/14/12, immunization program for migrant farm laborers, partnering with North Country Prenatal Perinatal Agency for educational classes focusing on prevention of teen pregnancy; and in- service sessions for employee stress reduction.

Mrs. Paluck also reported County health survey statistics, ranking Lewis 51st Statewide for alcohol, tobacco, obesity and physical inactivity health behaviors, compared to a 23rd ranking a year ago. However, during the same time, Lewis County's health outcomes for morbidity and mortality improved from a 23rd ranking to 18th.

Jennifer Karelus, Lewis County Farm Bureau President, spoke in favor of a County self-sustaining trail system be developed on current public property, while limiting traffic on private lands, particularly agricultural. She suggests all relative expenses be borne by registration fees, vehicle sales tax, or donations. Farm Bureau adamantly urges the least traffic possible crossing agricultural lands, but if necessary, assure minimized damage by erecting proper signs and fences. They also suggest compensating property owners for damage, while calling upon County officials to be mindful of their requests to minimize the negative impacts created by the trail system.

Mike Hurilla, owner of the Edge Hotel and Boondocks Restaurant located in Lyons Falls, strongly supports the County's acceptance from the Iroquois Gas Company, of the old rail bed property running from the Burdick's Crossing Road into Lyons Falls. He prefaced that neither of the businesses would have been built, if not for the recreational industries. The route was formerly used by snowmobilers to access the Brantingham area and is an essential connection to his businesses and the Village of Lyons Falls. The closure of that trail, coupled with seasonally low snowfall, resulted in reduced hotel tax revenue of $6,300 and $7,800 for bed and sales tax respectively. The property taxes are approximately $50,000 and $10,000 for the hotel and restaurant. Since 2005, the hotel has collected and paid County bed tax totaling $270,000; and sales tax collections of $615,000 since its 2002 opening. The restaurant has accumulative

sales tax collections of $150,000.

On average, Mr. Hurilla stated that the hotel sustains 35-40 full and part-time employees year-round; compared to the current 20-25, being a direct result of the Burdick's Crossing trail closure and the low snowfall.

While urging the Board to adopt the proposed Resolution, Mr. Hurilla invoked that the Board's decision whether to accept the offered property and incorporating it into the trail system would either encourage or discourage future economic growth.

Roscoe Fawcett, representing the "Lyons Falls Alive" community group that has invigorated local residents and the economy since forming six years ago. They wholeheartedly support incorporating the Iroquois property into the trail system, terming it essential to keeping their vision alive to provide recreational opportunities. Speaking on behalf of Lyons Falls Mayor Katie Leindecker, Mr. Fawcett imparted her one hundred percent support.

Joanne Dicob, New Bremen resident, submitted a petition of 575 property owner and taxpayer signatures, as a testament of their opposition to the County acquiring the Lowville Beaver River Railroad (L&BR) from Lowville to Croghan and the Lowville Industrial Track (LIT) from Lowville to West Carthage. Also, against any taxpayer money, in the form of grants, reserve fund or "in-kind" services being spent on purchasing, developing or maintaining a multi-use trail system on the GVT railroad beds.

Mark Kovach, Brantingham resident, urged every Legislator to vote for what their constituents want. He urged accepting the property for trails, impressing the importance for badly needed business.

Director of Community Services Sarah Bullock, reported transitioning of some Mental Health programs to Northern Regional Center For Independent Living and Transitional Living Services, which results in a loss of several tenured employees. She recognized and commended each of the following: Jane Baker, R.N. 22 yrs; Anne Bates, Nurse Practitioner & Psychiatry, 2 yrs.; Chip Benzing, Case Manager, 20 yrs.; Brenda Bourgeois, Mental Health Program Assistant, 14 yrs.; Melanie Bush, Licensed Master Social Worker, 3 yrs.; Ann Davis, Licensed Clinical Social Worker, 15 yrs.; Pat Farney, Senior Supportive Case Manager, 25 yrs.; Dr. Steven Fogelman, Psychiatrist, 5 yrs.; Cindy Griswold, Respite Worker, 11 yrs.; Bill Hornig, Respite Worker, 14 yrs.; Marge Hunkins, Respite Worker, 14 yrs.; Paula Kaufmann, Assistant Controller, 14 yrs.; Sue Lyndaker, Senior Account Clerk, 23 yrs.; Michelle Martin, Supportive Case Manager, 4 yrs.; Ann McDow, Children's Intensive Case Manager, 7 yrs.; Dr. Sian Mills, Psychiatrist, 2 yrs.; Diane Mulligan, Respite Worker, 14 yrs.; Larry Palinski, Nurse Practitioner, 5 yrs.; Lisa Peebles, Adult Intensive Case Manager, 8 yrs.; Sherri

Shultz, R.N., 24 yrs.; Nancy Stone, Controller, 24 yrs.; Laurie Strough, Supportive Case Manager, 4 yrs.; Lynn Taubenfeld, Therapist, 14 yrs.; Bea Waldron, Family Support Services, 10 yrs.; and Lynne Wilder, Mental Health Therapy Aide, 14 yrs. Additionally, John Kozik, Supportive Case Manager with 15 yrs., will retire at the end of April. Ms. Bullock expressed thanks for their dedication to serve the mental health needs of thousands of people over the several years.

Neil Pepper, Town of Greig Councilman, was representing four convenient stores, a motel, a bar, three restaurants, and a snowmobile repair shop and rental, within his locale. The Iroquois property would provide vital recreational trail access and enhance these businesses. Mr. Pepper cited the many seasonal tourists that use the snowmobile trails. He reminded that the Brantingham Snowmobile Club conveyed a trail along the railroad bed two years ago to the County, although they and the ATV Club members continue to maintain the trail. The Clubs would likewise maintain the Iroquois trail segment, he concluded.

Don Mooney, Railway Historical Society President, referenced the letter from GVT, as railroad owners, opined that adjacent landowners' rights would be protected only if the County acquires the railroad corridor. Otherwise, the right-of-way may be sold to anyone for their discretionary trail purpose, he said.

Mr. Mooney stated the Society's plans to rehabilitate the railroad line from Lowville to Croghan a couple miles each year, again, citing their trains and engineers are prepared to operate a tourist route.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

James W. Wright, Development Authority of the North Country Executive Director, forwarded a $35,000.00 check to the County, for completion of Recycling Rebate Program requirements; while relating his appreciation for the assistance of County Highway Superintendent Chuck Langs and his solid waste staff.

The Croghan Volunteer Fire Department extended an invitation to the Board to their planned commemoration of the 100th anniversary of the Village of Croghan's 1912 disastrous fire. The events will be held at the Croghan Fire Hall on April 30, 2012.

Peter J. Keys, Town of New Bremen Supervisor, had invited the Board to attend a public meeting for discussion about the Adirondack International Speedway, held on 3/26/12 at the New Bremen Fire Hall.

John S. Herbrand, Secretary and General Counsel of the Genesee Valley Transportation Co., Inc., penned a letter to affirm their intention to file with the Surface Transportation Board for abandonment of their common carrier obligations on both the Lowville Industrial Track (LIT) and the Lowville & Beaver River Railroad Company track (L&BR). They plan to remove the steel from the LIT, except the bridges. There are no reversionary rights for adjacent landowners. If not the County, the owners will

seek a private investor, public utility or snowmobile club for railroad conveyance. Mr. Herbrand encourages the County acquisition to preserve the corridor, reiterating prior public comments, that "Once it's gone, it's gone forever."

Letters of support urging the County acquisition of the railroads had been received from the Village of Croghan Board of Trustees, Black River Valley Riders, Inc., Sharon and Mervyn Robinson of West Clarksville, NY, Lewis County Development Corporation President Larry Dolhof, and the Missing Link Snowmobile Club, Inc.

Opposing letters for the County railroad acquisition were received from G. Wesley Barnard of Lowville, and the Denmark and Turin Town Boards.

Receipt of resolutions were acknowledged from the Cortland County Legislature calling on all counties to unite to bring about real and meaningful mandate relief in New York State; Alleghany County Legislature for proposed State Legislation that would implement a multi-year State takeover of the local share of Medicaid; Delaware County Legislature requesting the State to fulfill its commitment to upstate economic revitalization and the completion of Interstate Highway I-86; Chenango County Legislature calling upon the Governor and State Legislature to maintain the current success of the NYS child support enforcement unit by maintaining a commitment to a strong State-Local partnership; and St. Lawrence County Legislature reinforcing support for the construction of the Interstate 98 Multi-Modal corridor and supporting improvements to US Route 11 and the give priority to the Canton, Potsdam and Gouverneur areas.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Treasurer Patricia O'Brien had submitted approved applications for 2009, 2010, and 2011 tax refunds totaling $515.49 to Wayne and Helen Smiley of the Town of Greig.

All Legislators received copies of the County Treasurer's March monthly report; 3/27/12 Highway Audit report, 3/26/12 Solid Waste Audit Report; and the 3/8/12 minutes of the Junkyard Review Board and 3/5/12 Lewis County Priorities Council meetings.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services Committee Chairman, reported the State is converting their computers to "Windows 7" to which County computers are incompatible. The State had provided 23 computers and the County would purchase 9 more. Information Technology specialist Lisa Hurley estimates 150 County computers would require software conversion at a cost of $900 each. Terming it an "unfunded mandate", Legislator Hathway suggests the computers be purchased through the Social Services Department, equating a County apportionment of 25%.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a February surplus of $89,157 largely attributable to increased acute admissions, emergency room and outpatient visits; as well as funding from the State's Meaningful Use Fund of $270,000. January employee-of-the-month was Sheree Lyndaker, Intensive Care R.N.; February's was Vicki Rounds, Nursing Home nurse manager; and 2011 employee-of-the-year was Licensed Practical Nurse Danielle Cobb.

Legislator Tabolt announced and encouraged attendance at the Lewis County sponsored meeting of the Inter-County Legislative Committee of the Adirondacks on April 19th. They will start with a tour of Qubica/AMF Bowling Plant followed by a luncheon meeting at Ridgeview Inn restaurant.

Legislator Charles Fanning, Public Health Committee Chairman, made a motion to authorize increasing a part-time Public Health file clerk to full-time effective immediately. The additional wages will be covered by Disaster Preparedness grant funds. The motion was seconded by Legislator King and carried.

Legislator Fanning made a motion to authorize a contractual agreement for cancer outreach services that replaces an employee who had resigned. The services will be funded by the NYSDOH cancer grant funds. The motion was seconded by Legislator Burke and carried.

Chairman Jack Bush thanked Legislator Fanning and Sarah Bullock for their diligence throughout the contractual transition of mental health programs.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Michael Carpinelli to travel to Denver, Colorado for the National Sheriff's Association training conference from September 15-22, 2012. Expenses will be borne by the National Sheriffs Institute. The motion was seconded by Legislator Tabolt and carried.

Legislator Boyd referenced proposed Resolution number 152-2012 for creation of a Sheriff's K-9 Unit, stating that the District Attorney has agreed to utilize forfeiture funds for maintenance and incidental K-9 expenses. Undersheriff James Monnat added that the Lowville Elks Lodge has also agreed to donate funds to cover 2012 K-9 expenses; however, future expenses will be borne by County funds, he said.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported that sweeping of County roads has begun. He made a motion to authorize Highway Superintendent to hire three (3) temporary full-time MEO Light workers (Grade 15) from May 1 to October 1, 2012. The wages will be covered through savings realized through substantially decreased winter overtime. The motion was seconded by Legislator Hathway and carried. Legislator Wallace reported that Mr. Langs has conferred with the One Stop Career Center for possible temporary summer laborer hires.

Legislator Wallace acknowledged receipt of the $35,000 rebate check from the

Development Authority of the North Country (DANC) for completion of Recycling Rebate Program requirements. Also, DANC has informed all users of an impending $5.00/Ton tipping fee increase to become effective 1/1/2013, the first since the inception of the landfill.

Legislator Wallace made a motion to authorize Solid Waste Coordinator Langs to fill a part-time laborer (Grade 1 - 4 hrs/week) at the Croghan Transfer Station, due to a retirement, effective immediately. The motion was seconded by Legislator Tabolt and carried.

Legislator Richard Lucas sorrowfully relayed that the first ever Town Consolidated Justice (Harrisburg/Montague/Pinckney) John Woods had passed away on April 2, 2012. He had spearheaded the lengthy process that resulted in the State Legislature's enactment of the pioneering Jaw that authorized court for all three towns by one justice and within one building location.

Legislator Lucas, Economic Development/Insurance Committee Chairman, made a motion to authorize renewal of all County liability insurance policies with Rose & Kiernan, Inc. pursuant to their proposal presented to the Committee on 3/20/12, in the total amount of $236,240.19. The premium reflects a 13% reduction, primarily attributable to the contractual transition of mental health programs. The motion was seconded by Legislator Tabolt and carried.

Legislator Lucas then read a prepared statement in regard to the prospective economic impact of the railroad corridor. For the past six years the Board has researched for opportunities to enhance the local economy. The Board commissioned a consultant to assist with development of a Comprehensive Plan, which was accomplished over a two year period, and ultimately adopted by this Board. The Plan documented overwhelming support for snowmobile and ATV trails. Accordingly, the Board created a Recreational Trail Department and appointed a Coordinator to oversee trail system development; thereafter creating the ATV Trail System.

The Herzig Group conducted a tourism study, citing missed tourism opportunities for expansion of motorized recreational trail opportunities, identifying 150 local businesses that are economically impacted. The five annual Jefferson Community College Center for Community Studies' surveys, have each reported considerable support for snowmobile and ATV trails, including along railroad corridors. Legislator Lucas referred to persons who think the survey inquiries should specifically address County expenditures for trails, arguing that residents would assume there are attendant costs.

Legislator Lucas stated "I am a Legislator that works for the good of the County as a whole, and am a small business owner in Lewis County". Hence, his knowledge of the effects on small businesses is likewise that of a Farmer Legislator's knowledge of agricultural impacts. He submits that the 150 businesses conservatively support 600 employees, each respectively important.

In conclusion, Legislator Lucas invoked the need to acquire the railroad tracts for development of multi-use recreational trails, suggesting compromise to achieve a mutually acceptable trail system for all involved parties. Referencing those favoring non-motorized trails, Legislator Lucas distinguished that ATV permit revenue is for trail maintenance for those users; asserting a similar permit system for non-motorized enthusiasts to maintain their trails. He declared completion of adequate studies and opportunities for public input, appealing to the Board to enact railroad acquisition in response to the majority support therefor.

Legislator Jerry King, Reforestation Committee Chairman, announced that a tour of Singing Waters will be scheduled in the near future.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported completion of 70 work orders by the maintenance department during March, including sweeping of parking lots, and several sewer and plumbing repairs at the Public Safety Building

COUNTY MANAGER REPORT:

Mr. Pendergast reported several meetings with Sheriff and Emergency Management personnel and the Courts and Law Enforcement Committee about the radio upgrades project. They had met with Homeland Security officials at the Public Safety Building to learn the process, and discerned the probability of a successful grant application for radio upgrades, which may be accomplished in phases. The State officials viewed the dispatch center and the encompassed 20-25 year old equipment, querying how long parts may be available for repairs.

There are $36 Million available for Interoperability Equipment purchases; and $9 Million for 911 Dispatch Center improvements. The competitive grant applications are due by 4/30/12, with a 45-day turn-around. The Courts & Law Enforcement Committee will meet with a prospective consultant for completion of the enormous and complex grant application.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF THE WAYS AND MEANS COMMITTEE ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 1,024,244.94 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: April 3, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Burke.

Legislator Hathway inquired about voucher number 178370 under the District Attorney for video recording equipment. Mr. Pendergast stated the interviewing equipment was mandated and financed through a State grant. The systems are located at the Village of Lowville Police Department and the Public Safety Building.

Legislator Hathway then inquired for clarification about the leased space at the Lowville Commons. Mr. Pendergast stated that Transitional Living Services are negotiating with the owners for their desired space. The County's rental agreement is on a month-to-month basis, and will be adjusted according to our needs.

The committee's recommendation to allow the amounts claimed, was then unanimously approved.

RESOLUTIONS:

RESOLUTION NO. 119 - 2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 1,024,244.94 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 120 - 2012
RESOLUTION URGING ADOPTION OF ASSEMBLY BILL NO.7743: "AN ACT TO AMEND THE VEHICLE AND TRAFFIC LAW, IN RELATION TO THE DEFINITION OF ALL TERRAIN VEHICLES"

Introduced by Legislator Michael Tabolt.

WHEREAS, Vehicle and Traffic Law Section 2281 currently defines an "all terrain vehicle" or "ATV" as any "self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails or off-highway competitions and only incidentally operated on public highways providing that such vehicle does not exceed seventy inches in width, or one thousand pounds dry weight;" and

WHEREAS, Assembly Bill No. 7743 has been introduced by Assemblyman MaGee and Co-sponsored by Assemblymen Blankenbush, Barclay, Tenney, and Gunther; and

WHEREAS, Assembly Bill No. 7743 amends the definition of ATVs by adding a provision to Vehicle and Traffic Law Section 2281 that would increase the allowable weight of an ATV to one thousand five hundred pounds; and

WHEREAS, upon adoption, Assembly Bill No. 7743 would allow the registration of vehicles that are commonly referred to as "side-by-sides" or "UTV's" which generally consist of side-by-side passenger configurations and have additional safety features including seat belts and roll over bars.; and

WHEREAS, the purpose of Assembly Bill No. 7743 is to update the regulations in New York State to keep pace with changes in technology in the ATV industry and to conform with the regulations of neighboring states that allow registration of such vehicles; and

WHEREAS, "UTV*s*" or "side-by-sides" are wider and heavier and therefore more stable than traditional ATVs, and also are configured with seat belts and roll over bars, which make the vehicles safer to ride for both operators and passengers; and

WHEREAS, the adoption of Assembly Bill No. 7743 will increase revenues to the State through new registration fees as well as increased sales tax; and

WHEREAS, a companion bill in the Senate (S3318) was adopted by the Senate on February 29, 2012; and

WHEREAS, the Inter-County Legislative Committee of the Adirondacks wishes to express its support for the immediate adoption of Assembly Bill No. 7743;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators urges the adoption of Assembly Bill No. 7743 at the earliest possible opportunity.

Section 2. That the Secretary for the Committee is hereby directed to forward a certified copy of this resolution to New York Governor Andrew M. Cuomo, New York State Senators Joseph Griffo; Assemblyman William MaGee, Assemblyman Kenneth Blankenbush, Assemblyman William A. Barclay, Assemblywoman Aileen M. Gunther, and Assemblywoman Claudia Tenney; and Assemblyman David F. Gantt, Chairman of the Transportation Committee.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Wallace.

Referencing his previous motion to urge passage of Assemblywoman Addie Russell's proposed Bill related to UTV's, Legislator Tabolt clarified his support for Assemblymen Magee and Blankenbush's version that was synonymous with the Senate version.

Legislator Tabolt apologized for any misinterpretation, while stating that the Inter-County Legislative Committee of the Adirondacks did not officially act to support the Legislation. He then made a motion to eliminate the referenced paragraph, seconded by Legislator King and carried.

The resolution was then adopted.

RESOLUTIONNO. 121 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY DISTRICT ATTORNEY AND JOHN A.CIRANDO, ESQ.

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with John A. Cirando, Esq. for the purpose of providing appellate work; and

WHEREAS, this agreement is for the period beginning January 1, 2012 and ending December 31, 2012;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and John A. Cirando, Esq. for the purpose of providing appellate work for the period of January 1, 2012 through December 31, 2012 at a cost not to exceed $80.00 an hour;

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 122 - 2012
RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF LEWIS

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, pursuant to Transportation Law Sections 14(14) and 14(15) and Section 99- 4 of the General Municipal Law, the New York State Department of Transportation ("NYSDOT") and the County of Lewis ("County") wish to join to share certain materials and services; and

WHEREAS, the sharing of such materials and services shall promote and assist the maintenance of NYSDOT and County roads and highways and provide a cost savings by maximizing the effective utilization of both parties resources;

NOW, THEREFORE, BE IT RESOLVED by the Lewis County Board of Legislators, duly convened, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the Shared Services Agreement between the New York State Department of Transportation and the ·County of Lewis to share certain materials and services whereby the sharing of such materials and services shall promote and assist the maintenance of NYSDOT and the County of Lewis roads and highways and provide a cost savings by maximizing the effective utilization of both parties resources.

Section 2. That this Shared Services Agreement is for the period beginning September 1, 2011 and ending August 31,2012, with the County amount being $74,800.

Section 3. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 123 - 2012
RESOLUTION TO APPROPRIATE & TRANSFER FUNDS
TRANSPORTATION DEPARTMENT

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget transfer is hereby approved in the Highway Department Machinery Account, for the purchase of a 9' Sander Hopper funded through (HAD9901.9) Capital Equipment:

Appropriate:	Amount:
DM50310 (Inter-fund Transfers)	$6,200.00
DM5130.2233 (vehicles/related equip)	$6,200.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 124 - 2012
RESOLUTION TO APPROPRIATE FUNDS
BRIDGE OVER SALMON RIVER ROAD /MAD RIVER

Introduced by Legislator William Burke, Chairman of Ways and Means Committee of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That an additional $14,000 shall be appropriated in the Capital Bridge Program to facilitate the Professional Engineering/Design and Right-of-Way Incidentals Phases, for the Bridge over Salmon River Road/Mad River.

Section 2. The following revenue accounts shall be recognized to facilitate the funding of this project:

HAH45910	FEDERAL	$11,200.00
HAH50310	LOCAL	$ 2,800.00

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 125 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH LEWIS COUNTY GENERAL HOSPITAL FOR RE-PAYMENT OF INDEBTEDNESS

Introduced by Legislator Jack T. Bush, Chairman of the Board.

WHEREAS, the County of Lewis (the "County") has heretofore made cash transfers from the Lewis County General Fund to Lewis County General Hospital ("the Hospital") for the purpose of providing operational support to the Hospital in the following amounts:

Health Insurance:	$1,193,571.30
Dental Insurance:	$ 83,425.38
Unemployment	$ 64,516.58
Capital Equipment Loan	$ 118,593.36
Retiree Health Payback	$ 400,000.00
Workers Compensation	$ 529,573.00
Total:	$2,389,679.62

WHEREAS, the Board of Legislators, by Resolution No. 461- 2011, has heretofore acknowledged indebtedness owning to the County in the amount of $2,871,253.01 to assist the Hospital in meeting its obligation to the NYS Retirement System for calendar year 2011; and

WHEREAS, the total amount of payments made by the County on behalf the Hospital as of the date of this Resolution is $5,260,932.63, and the Hospital is justly indebted to the County in such amount (the "Indebtedness"); and

WHEREAS, the Hospital, through its Board of Managers, has acknowledged the operational support provided by the County, and has further acknowledged the Hospital's financial ability to commence repayment of the Indebtedness and, therefore, wishes to commence such payment for the purpose of retiring the Indebtedness; and

WHEREAS, the County is willing to accept payments by the Hospital to the Lewis County in such amounts and with such frequency as the Hospital's budget will allow so as to retire and satisfy said Indebtedness plus accrued interest in full on or before December 31,2012.

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby approves the agreement between the Hospital and the County whereby the Hospital promises and agrees to pay the Indebtedness to the County, together with interest in the in the amount of four per cent (4%) per annum, in such amounts and with such frequency as the Hospital's budget will allow so as to retire and satisfy said Indebtedness plus accrued interest in full on or before December 31, 2012. Such payments shall be applied first to the payment of interest and the remainder, if any, to the payment of principal. Further, upon payment by the Hospital to the County in the total sum of $ 5,260,932.63 together with accrued interest, said Indebtedness shall be satisfied in full, and the Hospital shall have no further obligations with respect to same.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement upon such form as may be approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 126 - 2012
RESOLUTION TO TRANSFER FUNDS
HUMAN RESOURCES

Introduced by Legislator Paul Stanford, Chairman of the Civil Service Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved to fund the telephone account associated with the Human Resources Department:

From:	To:	Amount:
A1431.4999	A1431.4301	$2,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 127 - 2012
RESOLUTION APPOINTING MEMBER TO
JUNKYARD REVIEW BOARD

Introduced by Legislator Paul Stanford, Chairman of the Junkyard Committee.

Whereas, William Betrus had resigned from the Junkyard Review Board effective February 13, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Titus Witmer of 5977 Swackhammer Road, Turin, New York 13473, to the Lewis County Junkyard Review Board to fill the un-expired term of William Betrus.

Section 2. That the term of said appointment shall be effective from April 4, 2012 through December 31,2012.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 128 - 2012
RESOLUTION AUTHORIZING AGREEMENT

WITH LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY MICRO-ENTERPRISE REVOLVING LOAN FUND

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, Lewis County has received certain funds pursuant to Small Cities Community Development Block Grants for the purpose of developing and administering a Micro-enterprise Revolving Loan Program; and

WHEREAS, Lewis County wishes to contract for administration of the Micro-Enterprise Revolving Loan Fund Program.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. That this Board of Legislators hereby authorizes a Micro-Enterprise Revolving Loan Fund Program Service Agreement between the County of Lewis and Lewis County Industrial Development Agency pursuant to which Lewis County Industrial Development Agency shall provide administrative and consulting services to administer the existing outstanding loans, develop strategies as appropriate for marketing the Program to Lewis County businesses, and seeking additional sources for grants or other assistance, to refund the Program consistent with Program goals and objectives.

Section 2. That the Chairman, or Vice Chairman, of the Board of Legislators is and he hereby is authorized to execute, seal and deliver said Service Agreement and any related and necessary document or instrument, as the same may be approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt, and adopted.

RESOLUTIONNO. 129 - 2012
RESOLUTION APPROVING ADDENDUM TO AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND SPECIAL PROGRAMS, INC., DBA: LITTLE LUKES FOR EARLY INTERVENTION PROGRAM

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency entered into an Agreement with Special Programs, Inc., DBA: Little Lukes ("Contractor") on March 18, 2010, which provides evaluations and also home and community therapy visits for the Early Intervention Program for the term beginning July 1, 2010 through June 30, 2012; and

WHEREAS, the County and Contractor wish to amend Exhibit "D" in the Description of Services for Contractor to provide service coordination services upon request, all other terms and conditions of this Agreement to remain the same; and

WHEREAS, the Board of Legislators wishes to accept such amendment.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the Agreement between the County of Lewis by and through the Lewis County Public Health Agency and Special Programs, Inc., DBA: Little Lukes to amend Exhibit "D" in the Description of Services to provide service coordination upon request.

Section 2. That all other terms and conditions of said Agreement will remain the same.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 130 - 2012
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE COUNTY OF LEWIS AND NYS DEPARTMENT OF HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the New York State Department of Health wishes to enter into an agreement with Lewis County Public Health for the purpose of providing integrated cancer services for the period of April1, 2012 through March 31, 2013; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators hereby authorizes an agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and the New York State Department of Health to provide integrated cancer services for the

period of April 1, 2012 through March 31, 2013 in the amount of $227,925.00.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 131 -2012
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE COUNTY OF LEWIS AND NYS DEPARTMENT OF HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award from the New York State Department of Health in the amount of $21,623.00 for the purpose of childhood lead poisoning prevention activities for the period of October 1, 2011 through September 30, 2012; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a grant agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and the New York State Department of Health to provide childhood lead poisoning prevention activities for the period of October 1, 2011 through September 30, 2012 in the amount of $21,623.00.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 132 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AND NYS OFFICE OF HOMELAND SECURITY

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, Lewis County Public Health has received a grant award from the New York State Office of Homeland Security in the amount of $27,778.00 to support health emergency preparedness planning efforts to prepare for and respond to a health emergency and to enhance a sustainable Homeland Security Planning Program; and

WHEREAS, the Board of Legislators wishes to accept such grant; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with the New York State Office of Homeland Security for Lewis County Public Health to support health emergency preparedness planning efforts to prepare for and respond to a health emergency and to enhance a sustainable Homeland Security Planning Program.

Section 2. That the term of said contract shall be from August 10, 2009 through July 31,2012.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 133 - 2012
RESOLUTION APPROVING PROPOSAL BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE COUNTY OF LEWIS AND TREX PLANNING ASSOCIATES

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a proposal from TREX Planning Associates to review the current Mass Fatalities Plan for Lewis County and suggest changes that might be necessary in order to make the plan operational and conduct a stakeholder workshop; and

WHEREAS, the Board of Legislators wishes to accept such proposal;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators hereby authorizes this proposal between the County of Lewis, acting by and through the Lewis County Public Health Agency and the TREX Planning Associates to review the current Mass Fatalities Plan for Lewis County and suggest changes that might be necessary in order to make the plan operational and conduct a stakeholder workshop at a cost of $7,500.00.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Proposal.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 134 - 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED**,** as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health and Hospice accounts, to cover a laptop computer purchase, travel and printing expenses:

From:	To:	Amount:
A4010.4909 (Miscellaneous)	A4010.2217 (Computer-Equipment)	$1,000.00
A4035.4701 (Vehicle Repairs)	A4035.4507 (Travel)	100.00
A4091.4450 (Copier)	A4091.4403 (Printing)	100.00

Section 2. That the within resolutions shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Burke and adopted.

RESOLUTION NO. 135 - 2012
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved by utilizing 2011/2012 Cost Of Living Adjustment (COLA) funds to support multiple programs:

Account:	Description:	Amount:
A34461	COLA	$26,197.00
A4020.4909	COLA	$26,197.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 136 – 2012
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved using donations from a patients family to support the Public Health program:

Account:	Description:	Amount:
A16100	Home Nursing Charges	$2,000.31
A4010.2217	Equipment-Computers	2,000.31

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 137 - 2012
RESOLUTION TO TRANSFER FUNDS
REAL PROPERTY TAX DEPARTMENT

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer is hereby approved in the Real Property Tax Department to pay for advertising expense for Director position:

From:	To:	Amount:
A1355.4909 (Misc Exp)	A1355.4907 (Advertising)	$461.83

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 138 - 2012
AUTHORIZING OPENING OF CERTAIN PORTIONS OF COUNTY ROADS FOR ATV SPECIAL EVENT

Introduced by Legislator William Burke, Member of the Economic Development Committee

WHEREAS, Barnes Corners Sno-Pals Snowmobile Club has requested that the Board of Legislators open:

- *CR 18 Cronk Road; from County Property east to where Cronk Road in the Town of Pinckney begins;*
- *CR 29 West Road from Gardner Road to NYS Route 12;*
- *CR 38 Turin Road, all of;*
- *CR 43 East Road; from CR 38 Turin Road intersection to intersection of CR 38East Main Street;*
- *CR 38 East & West Main Streets in Village of Turin;*
- *CR 51 West Road; from CR 38 West Main Street south to Gomer Hill Road;*
- *CR 45 Mackay Road;*
- *CR 48 Highmarket Road from CR 45 Mackay Road to North Road;*
- *Houseville Road from NYS 26 to East Road;*
- *Lee Road from East Road to Milkhouse Road;*
- *Milkhouse Road all of;*
- *Burdick's Crossing all of;*
- *CR 39 Greig Road from Burdick's Crossing Road to Sweeney Road;*

for a one day all terrain vehicle (ATV) rally event ("SNIRT") to be held on April 14, 2012; and

WHEREAS, Vehicle and Traffic Law § 2408 authorizes a governmental agency to review and approve requests for holding special events that involve the operation of ATV's; and

WHEREAS, this action is a "Type 11" action for purposes of the State Environmental Quality Review Act, and the regulations promulgated thereunder, more particularly, 6 NYCRR § 617.5(15) which provides that "minor temporary uses of land having negligible or no permanent impact on the environment" do not require

further environmental review; and

WHEREAS, Barnes Corners Sno-Pals Snowmobile Club, as a sponsor of the event, has agreed to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any claim, liability, damage or cost of any nature whatsoever, including reasonable attorney fees incurred by reason of the conduct of the event or use of those portions of County Roads;

NOW, THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby authorizes the operation of ATV's on:

- *CR 18 Cronk Road; from County Property east to where Cronk Road in the Town of Pinckney begins;*
- *CR 29 West Road from Gardner Road to NYS Route 12;*
- *CR 38 Turin Road, all of;*
- *CR 43 East Road, from CR 38 Turin Road intersection to intersection of CR 38 East Main Street;*
- *CR 38 East & West Main Streets in Village of Turin;*
- *CR 51 West Road; from CR 38 West Main Street south to Gomer Hill Road;*
- *CR 45 Mackay Road;*
- *CR 48 Highmarket Road from CR 45 Mackay Road to North Road;*
- *Houseville Road from NYS 26 to East Road;*
- *Lee Road from East Road to Milkhouse Road;Milkhouse Road all of*
- *Burdick's Crossing all of*
- *CR 39 Greig Road from Burdick's Crossing Road to Sweeney Road;*

for a one day *all* terrain vehicle (ATV) rally event to be held on April 14, 2012.

Section 2. That the permission granted herein is specifically conditioned upon Barnes Comers Sno-Pals Snowmobile Club entering into a written agreement with the County of Lewis whereby:

1. Barnes Comers Sno-Pals Snowmobile Club agrees to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any loss, claim, liability, lawsuit, damage, cost or expense including reasonable attorney fees incurred by reason of injury to person(s) or property, including death arising out of or in any way connected with the conduct of the event or the use of those portions of County Roads for such event;
2. Barnes Comers Sno-Pals Snowmobile Club agrees to provide proof that it has
   obtained general liability insurance insuring such event in an amount not less than $1,000,000 for injuries including wrongful death to any one person and in an amount not less than $2,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and
3. Such other terms as the Chairman of the Board of Legislators with the

consultation of County Attorney may deem acceptable.

Section 3. That the Chairman of the Board of Legislators, or in his absence, the Vice-chairman, be and the same is hereby authorized to execute and deliver such written agreements or other documents as may be necessary to carry out the terms of this Resolution.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 139 - 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following budget transfers are hereby approved to correct Resolution #32-2012 involving Sheriff Department personnel:

From:	Amount:
A3115.1102	$12,500.00
To:	
A3112.1102	$12,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 140 - 2012
RESOLUTION AUTHORIZING SUB-RECIPIENT AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND SNOW BELT HOUSING, INC.

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes Sub-Recipient Agreement between the County of Lewis and the Snow Belt Housing Company, Inc. for the purpose of administration services and program delivery for the approved Community Development Block Grant (No. 636HR88-ll) for implementation of housing rehabilitation assistance to income eligible homeowners in the County of Lewis for an

amount of $65,560.

Section 2. That the Sub-Recipient Agreement shall be in effect throughout the period of the Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation through the Governor's Office for Small Cities.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute, seal and deliver such Sub-Recipient Agreement.

Moved by Legislator Lucas, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 141 - 2012
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND LEWIS COUNTY GENERAL HOSPITAL FOR REHABILITATION SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, in accordance with the policies and procedures of DSS and in compliance with New York State and federal welfare reform legislation regulations, to aid in determining employability, the Lewis County Department of Social Services ("DSS") wishes to enter into a Memorandum of Understanding with the Lewis County General Hospital ("LCGH") for rehabilitation services; and

WHEREAS, these services from LCGH will provide DSS with physical and mental impairment examinations for Lewis County Social Services claimants who apply for Temporary Assistance to determine employability; and

WHEREAS, DSS will refer to LCGH Temporary Assistance Claimants for Physical and Medical Examinations for Employability Assessment, Disability Screening, and Alcoholism/Drug Addiction Determination; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis, by and through the Lewis County Department of Social Services ("DSS"), and Lewis County General Hospital ("LCGH") for rehabilitation services to perform physical and mental impairment examinations for Lewis County Social Services Claimants who apply for Temporary Assistance to determine employability.

Section 2. That the term of this Memorandum of Understanding shall be from April 1, 2012 through December 31,2012 at a cost of $125.00 for each initial Functional Evaluation performed; $225.00 per Physical (as needed); and $118.00 per unit (billable up to 6 units for testing totaling $708.00) to perform a Functional Capacity Examination.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 142 - 2012
RESOLUTION TO TRANSFER FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget transfer is hereby approved for the Department of Social Services to pay Snowbelt Housing for services rendered, pursuant to Resolution No. 497-2011 to enhance rapid re-housing for the homeless:

From:	Amount:
A6109.4999 (TANF)	$9,165.00
To:	
A6109.4909 (TANF Services Plan)	$9,165.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 143 - 2012
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY SOLID WASTE DEPARTMENT AND SUNNKING, INC.

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

WHEREAS, the Lewis County Solid Waste Department desires to enter into an

Agreement with Sunnking, Inc., with offices located at 4 Owens Road, Brockport, New York 14420, that provide the removal and recycling services for end of life electronics and equipment with regard to the 2011 NYS Electronic Equipment Recycling and Reuse Act; and

WHEREAS, the Board of Legislators wishes to accept such services; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Solid Waste Department and Sunnking, Inc. to participate in the services that provide the removal and recycling for end of life electronics and equipment with regard to the 2011 NYS Electronic Equipment Recycling and Reuse Act.

Section 2. That said Agreement shall be for the period beginning February 13, 2012 through February 13, 2015 and Sunnking, Inc. shall provide payment/rebate to the County based on the volume of collected covered electronics equipment ("CEE") on a quarterly basis in the amount of $.04 per pound.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 144 – 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND BIRNIE BUS SERVICE, INC.
FOR NON-EMERGENCY MEDICAID TRANSPORTATION (PHASE II)

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, the State of New York has enacted Transportation Law, Section 18-b which provides for the New York State Mass Transportation Operating Assistance Program ("STOA"); and

WHEREAS, Section 119-r of the General Municipal Law of the State of New York authorizes a county to enter into a contract with a privately owned or operated mass transportation facility for mass transportation services to be rendered to the people of Lewis County; and

WHEREAS, the County has adopted Local Law No. 4 – 2009, entitled, "A LOCAL LAW AUTHORIZING PUBLIC TRANSPORTATION SYSTEM WITHIN LEWIS COUNTY," whereby the County of Lewis has authorized the Board of Legislators to enter into a contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately-owned or operated mass transportation facility; and

WHEREAS, the BIRNIE BUS SERVICE, INC. (herein, the "CARRIER" represents that it is such a privately owned or operated mass transportation facility described in Section 119-r of the General Municipal Law and that it holds certificates of public convenience and necessity issued by the New York State Department of Transportation necessary and appropriate for the rendition of the services to be performed by it hereunder; and

WHEREAS, the County seeks management, operation and maintenance services for the public transportation system and for the coordination of and providing of transportation services in Lewis County; and

WHEREAS, the County has previously entered into an agreement with the CARRIER, to provide public transportation to Lewis County residents at fair and reasonable rates and to provide public assistance to the CARRIER under the provisions of the Transportation Law, Section 18-b, being Chapter 56 of the Laws of 1975 as amended; and

WHEREAS, the County wishes to engage the CARRIER to expand the public transportation services so as to engage the CARRIER to coordinate and provide all non-emergency Medicaid transportation services required by Lewis County Medicaid recipients, and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract between the COUNTY OF LEWIS and BIRNIE BUS SERVICE, INC. to provide public transportation management, operation and maintenance services pursuant to Section 119-r of the General Municipal Law and Section 18-b of the Transportation Law to coordinate and provide all non-emergency Medicaid transportation services required by Lewis County Medicaid recipients.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon approval by the County Attorney as to form.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 145 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY, BIRNIE BUS SERVICE, INC. AND NYSARC, INC. (ONEIDA-LEWIS CHAPTER)

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

WHEREAS, Section 119-r of the General Municipal Law of the State of New York authorizes a county to enter into a contract with a privately owned or operated mass transportation facility for mass transportation services to be rendered to the people of Lewis County; and

WHEREAS, the County has adopted Local Law No. 4 – 2009, entitled, "A LOCAL LAW AUTHORIZING PUBLIC TRANSPORTATION SYSTEM WITHIN LEWIS COUNTY," whereby the County of Lewis has authorized the Board of Legislators to enter into a contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately-owned or operated mass transportation facility; and

WHEREAS, the BIRNIE BUS SERVICE, INC. (herein, the "CARRIER") represents that it is such a privately owned or operated mass transportation facility described in Section 119-r of the General Municipal Law and that it holds certificates of public convenience and necessity issued by the New York State Department of Transportation necessary and appropriate for the rendition of the services to be performed by it hereunder; and

WHEREAS, the County seeks management, operation and maintenance services for the public transportation system and for the coordination of and providing of transportation services for in Lewis County; and

WHEREAS, the CARRIER is presently under contract with ARC to provide transportation services to ARC's clientele within the County of Lewis and the CARRIER wishes to coordinate those services and to expand those services to make them available to the general public; and

WHEREAS, the County wishes to enter into an agreement intended and designed to provide public transportation to Lewis County residents at fair and reasonable rates and to provide public assistance to the CARRIER under the provisions of the NYS Transportation Law, Section 18-b, being Chapter 56 of the Laws of 1975 as amended; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with BIRNIE BUS SERVICE, INC. and NYSARC, Inc. (Oneida-Lewis Chapter) to provide public transportation management, operation and maintenance services pursuant to Section 119-r of the General Municipal Law and Section 18-B of the Transportation Law

to commence effective April 1, 2012 and continue through December 31, 2012.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon approval by the County Attorney as to form.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 146 - 2012
RESOLUTION TO TRANSFER FUNDS
WEIGHTS AND MEASURES DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Weights & Measures Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget transfers are hereby approved in the Weights & Measures Department, for the purchase of a 2012 van, by utilizing funds from Capital Equipment Account (HAD9901.9):

Appropriate:	Amount:
A50310 (Inter-fund Transfer)	$25,007.67
A6610.2233 (Vehicles)	$25,007.67

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 147 - 2012
RESOLUTION TO DEOBLIGATE FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following funds be de-obligated for the Summer Youth Express Program - Summer 2011:

Summer Jobs Express 2011	
CD6294.1999	$16,783.60
CD6294.4909	$ 1,103.77
CD6294.8999	$ 4,887.55
	$22,774.92
WIA Revenue	
CD47910	$22,774.92

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 148 - 2012
RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following changes be approved for Program Year 2011 funding for Adult and Dislocated Worker Funds for the period 7/1/11-6/30/13 for the Employment and Training budget:

Adult		
CD6292.4909	-$5,000.00	Contractual
CD6292.4999	$5,000.00	WIA Adult CRT/JRT
Dislocated Worker		
CD6291.4909	-$18,000.00	Contractual
CD6291.4999	$18,000.00	WIA DW CRT/JRT

There are no changes to revenue.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 149 - 2012
RESOLUTION APPOINTING MEMBERS TO
YOUTH BUREAU ADVISORYBOARD

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals as members of the Lewis County Youth Bureau Advisory Board:

Michele Ledoux, Cooperative Extension Executive Director,
Outer Stowe Street, Lowville, New York 13367

Penny Rowsam, Cooperative Extension, 4-H Youth Educator,
Outer Stowe Street, Lowville, New York 13367

Ward Dailey of 2416 River Road, Port Leyden, New York 13433

Marcia Samsa of Yancey Road, Lowville, New York 13367

Section 2. That the term of said appointments shall be effective from May 2, 2012 through May 14,2014.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 150 – 2012
RESOLUTION ACCEPTING CONVEYANCE OF REAL PROPERTY AND AUTHORIZING INCORPORATING THE SAME INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

Introduced by Legislator Jack T. Bush, Chairman, Board of Legislators.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA"); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on

January 28, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2- 2009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 2"); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the ATV Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments and additions; and

WHEREAS, IROQUOIS GAS TRANSMISSION SYSTEM, L.P., a Delaware limited partnership, with principle offices at One Corporate Drive, Suite 600, Shelton, CT ("Iroquois") has offered to grant, quitclaim and release unto Lewis County, its successors and assigns forever, ALL of Iroquois' right, title and interest in and to all that certain tract or parcel of land located in the Town of Turin, County of Lewis and State of New York and being the same premises conveyed to Iroquois by deed dated May 22, 1991 and recorded on July 30, 1991 in Liber 538, page 320 in the Lewis County Clerk's Office (herein, the "Property"); and

WHEREAS, the Trails Coordinator has requested that upon receipt of title to the Property that the same be incorporated into the Lewis County ATV Trail System; and

WHEREAS, the Trails Coordinator has heretofore caused a site-specific environmental review of the Property be performed, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 28, 2009; and

WHEREAS, the Board of Legislators by Resolution No. 8-2011 acknowledged receipt of a Full Environmental Assessment Form, dated December 16, 2010 2009 (the "Report") from Soil And Water Conservation District, the County's environmental consultants, detailing their investigations and findings with respect to the proposed trails identified therein including the Property and with the assistance from County staff and counsel, had reviewed the same and compared it with the GEIS and the Statement of Findings.

WHEREAS, based upon its review and analysis of the data contained in the Report, the Board of Legislators found and determined that:

a. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
b. The Report adequately describes the consultant's investigations and analysis

as to the significant adverse impacts and necessary mitigations for the specific site(s);

c. The consultant's findings set forth in the Report are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;

d. The investigation and analysis of the sites described in Exhibit "A" did not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings; and

WHEREAS, as a consequence of these determinations, the Board of Legislators found and declared that the addition of the sites identified therein including without limitation, the Property, to the Lewis County Trail System will not result in a significant environmental impact; and

WHEREAS, the Board of Legislators further found and declared that pursuant to 6 NYCRR Part 617.10(d), neither a supplemental Findings Statement nor a negative declaration need be prepared or filed and no further action need be taken with regard to the County's environmental review of the sites identified therein including without limitation, the Property, and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to such sites.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators, upon approval by the County Attorney that there are no encumbrances to title that would interfere with the County's occupancy and use of the Property, and to the form of the deed, hereby agrees to accept title to ALL of Iroquois' right, title and interest in and to all that certain tract or parcel of land located in the Town of Turin, County of Lewis and State of New York and being the same premises conveyed to Iroquois by deed dated May 22, 1991 and recorded on July 30, 1991 in Liber 538, page 320 in the Lewis County Clerk's Office.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such agreement(s) as may be necessary to carry out the terms of this Resolution, upon such forms as may be approved by the County Attorney.

Section 3. That the Lewis County Trails Coordinator is hereby authorized and directed to:

(1) Incorporate the trails located on the Property described herein above into the Lewis County Trail System;
(2) Place signs where necessary and appropriate to notify the public that such trails are open for use;
(3) Amend the maps of the Lewis County ATV Trail System as the same are published on the Lewis County website and elsewhere; and
(4) Take such other and further actions to administer and maintain such trails consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Wallace.

Legislator Fanning had toured the referenced property this morning. If accepted, he questioned the amount of property tax distribution to the Town and School District; how a supposed Quit-Claim Deed would split the property from the Iroquois Gas Company; and the assessed value amount of the accepted property. He also wanted legal clarification on the issue of the gas line crossing the abandoned railroad line.

Legislator Farming made a motion to table the Resolution for one month so he could confer with County Attorney Graham for answers. The motion was seconded by Legislator Boyd.

Mr. Pendergast verified the property acquisition would be by Quit-Claim Deed, explaining that Atty. Graham has been negotiating with property owners, and awaits approval by NYSDEC for desired incorporated language.

He suggests that an easement could be granted for the section of gas line that goes under the old railroad bed, similar to standard easement throughout the County.

Mr. Pendergast illustrated the mapped parcels, reporting all inclusive property taxes of$595.37 for all taxing jurisdictions. The utility tax is separately billed. Legislator Lucas affirmed the County Recreation Trail budget would assume the taxes.

In response to Legislator Hathway, Legislator Lucas stated the culvert/bridge would be repaired by the Recreational Trail Coordinator and Club volunteers, upon property acquisition.

In response to Legislator Stanford, Legislator Lucas clarified that his quoted 2012 Town of Turin and school taxes of $69,341.26 and $138,000 were utility taxes that would continue without interruption. Legislator Stanford was cautious about accepting property that may have negative impacts.

Mr. Neil Pepper was given the floor, affirming the Iroquois Gas Company never wanted the property in question. Their original agreement was to return the property to the NYSDEC upon completion of the pipeline. However, the Iroquois Company could not convey the property until resolving all issues with the NYSDEC, which have since been accomplished through the State Attorney General. Mr. Pepper stated the property would be conveyed to the County at no cost, while asserting its benefits to the Village of Lyons Falls and Town of Greig businesses.

Legislator Stanford cited one owner's concern with debris on his property. Mr. Pepper cited stringent NYSDEC regulations upon corporations to clean up gravel/dirt from any site. However, the rules are much less stringent upon municipalities. He

assured the Snowmobile and ATV Clubs' intent to assist with the clean up upon the County acquiring the property. Chairman Jack Bush charged Trail Coordinator Bob Diehl to oversee the process to remove all debris to the landowner's satisfaction.

Referencing his tabling motion, Legislator Fanning stated he wanted an opportunity to speak with Attorney Graham before voting on the issue. The motion to table was defeated by a vote of 5 to 5, with Legislators Lucas, Burke, Wallace, Tabolt and Bush opposed.

The resolution was then adopted by the following roll call vote:

YEAS: Burke, Fanning, Hathway, King, Lucas, Tabolt, Wallace, Bush
NAYS: Boyd, Stanford
ABSENT: None

RESOLUTION NO. 151 - 2012
RESOLUTION AUTHORIZING CREATION OF "K-9" UNIT WITHIN THE SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of Courts and Law Committee

WHEREAS, the Lewis County Sheriff has requested permission to create and maintain a K-9 unit within the Sheriff's Department and that the K-9 for such unit would be a dual purpose dog for both patrols and narcotics; and

WHEREAS, the Lowville NY BPO Elks Lodge #1605 has offered to fund the initial purchase of the K-9 and other incidental costs in the maintaining of the dog; and

WHEREAS, the Sheriff has indicated it would not be necessary to create a new position as they currently have a Deputy who could be assigned as the handler of the K-9;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes the creation of a K-9 Unit under the supervision of the Lewis County Sheriff, provided that the funding of the initial cost of purchasing an appropriately trained dog is obtained from community sources.

Section 2. That the Lewis County Sheriff, the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such documents, agreements, writings or instruments as may be necessary to effectuate the purpose of this Resolution upon such form(s) as approved by the County Attorney.

Section 3. That the within Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 152 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY MENTAL HYGIENE DEPARTMENT AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, Transitional Living Services Of Northern New York has offered to provide qualified staff to cover the Lewis County Mental Health Clinic's Crisis Hotline on a contractual basis; and

WHEREAS, the Community Services Board has reviewed the contract from Transitional Living Services Of Northern New York and has determined that these services are necessary and appropriate to meet the needs of the community and the costs are reasonable for servicing such needs and recommends to the Board of Legislators to enter into such Contract; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for Transitional Living Services Of Northern New York to provide qualified staff to cover the Lewis County Mental Health Clinic's Crisis Hotline for the term beginning April 1, 2012 and ending May 31, 2012 at the rate of $100.00 per day (8:30AM to 4:30PM-Monday through Friday) and a rate of $125.00 for the weekends and holidays.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. The within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 153 – 2012
RESOLUTION AUTHORIZING LEWIS COUNTY PUBLIC HEALTH TO COMPLY WITH ORDER FOR SUMMARY ACTION WITH NYS COMMISSIONER OF HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, Lewis County Public Health has received notice of an Order For Summary Action from the NYS Commissioner of Health dated March 27, 2012, declaring that the sale or distribution of products containing synthetic cannaboids constitute a danger to the health, safety and welfare of the people of the State of New York; and

WHEREAS, the Commissioner of Health further ordered that any individual who is engaged in the sale or distribution of synthetic cannaboids and receives notice of such Order immediately cease and desist from such activity; and

WHEREAS, the Commissioner of Health further ordered that the presiding officer of each local health unit or local board of health to convene and take such action as is necessary to disseminate the Order and to ensure compliance therewith;

WHEREAS, the Board of Legislators in its capacity as the Board of Health for Lewis County wishes to comply with said Order:

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby acknowledges receipt of the Order for Summary Action dated March 27, 2012 (see, attached) and hereby directs the Director of the Lewis County Public Health Agency to take such actions within his or her jurisdiction as deemed necessary to comply with said Order.

Section 2. That the Director of Public Health is hereby authorized to make, execute, seal and deliver such documents, writings, instruments, orders as may be necessary to comply with the said Order.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 154 -2012
RESOLUTION TO AMEND COMPENSATION PLAN WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT/COMMUNITY RECOVERY CENTER

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, the New York State Office of Alcohol and Substance Abuse Services (OASAS) regulations states the Lewis County Community Recovery Center must have

a full-time Qualified Health Professional (QHP) in a discipline other than alcoholism and substance abuse counseling; and

Whereas, due to the resignation of Jennifer Earl in December 2011, the Lewis County Community Recovery Center currently does not have a QHP that meets the requirements of OASAS and is considered in non-compliance with OASAS regulation; and

Whereas, the Lewis County Community Recovery Center seeks to be in compliance with OASAS regulations.

Now, Therefore, BE IT RESOLVED AS FOLLOWS:

Section 1. This Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Mental Hygiene Department, to create ONE of the following positions:

TITLE	STATUS	SALARY-W/FRINGE
Licensed Clinical Social Worker, or	Full-Time	$43,600-$77,353.40
Licensed Master Social Worker, or	Full-Time	$43,600-$77,353.40
Licensed Mental Health Counselor	Full-Time	$51,532-$89,314.42

Section 2. That Director of Community Services Sarah Bullock is hereby authorized to fill ONE of the above titled positions, dependent upon recruitment ability, effective immediately.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 155 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following titles at the Mental Hygiene Department have been abolished effective March 31, 2012, due to transitioning of the Mental Health programs pursuant to contractual agreements:

Supportive Case Manager (2) Mental Health Assistant (5) Intensive Case Manager (1)

Section 2. That one Senior Supportive Case Manager position is hereby abolished

due to a retirement.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Lucas, and adopted.

The following resolution had been tabled at the February 7, 2012 meeting for thirty days, and again tabled on March 6, 2012 until today's meeting.

RESOLUTION NO. 156 - 2012
RESOLUTION AUTHORIZING GRANT AGREEMENT BETWEEN NYS OFFICE OF PARKS, RECREATION, AND IDSTORIC PRESERVATION AND THE COUNTY OF LEWIS IN THE AMOUNT OF $450,000

Introduced by Legislator Richard Lucas, Chairman Economic Development Committee.

WHEREAS, NYS Office of Parks, Recreation and Historic Preservation has awarded the County of Lewis with a grant in the amount of $450,000 for the purpose of assisting with the acquisition and related costs associated with acquiring the railroad corridor more commonly known as the Lowville Beaver River ("LBR") line (from the Village of Lowville to Croghan) and the railroad corridor more commonly known as the Lowville Industrial Track ("LIT") line (from the Village of Lowville to Carthage); and

WHEREAS, the funding amount for the initial contract period of March 30, 2010 to March 31, 2013 is $450.000;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Grant Agreement between the County of Lewis, acting by and through the Lewis County Department of Economic Development and Planning, and NYS Office of Parks, Recreation and Historic Preservation for assistance with the acquisition and related costs associated with acquiring the railroad corridors known as the LIT and L&BR.

Section 2. That this Grant Agreement is for the period beginning March 30, 2010 and ending March 31.2013, in the amount of $450,000.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement upon such form as may be approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Lucas.

Legislator Tabolt stated that if the grant is obtained, he would like more input from the Town Boards, as well as the communities-at-large, to determine the ultimate use of the corridor. A Local Law could be formulated to comprise terms to protect the Towns' interests, but would preserve the corridor and give the Railway Historical Society an opportunity to pursue their initiatives.

Citing Atty. Graham's assurance that the Board would have the right to accept or reject the grant, if approved, Legislator Hathway relayed support for the grant application.

Legislator Hathway took exception to Legislator Lucas's earlier comments that the majority of County residents support the proposed trail project. He cited that each of the Town Boards encompassing a portion of the railroad has indicated opposing views; and also feels that the majority of the adjacent landowners object to the proposal. The JCC Community Study reported that 79% of polled residents favored walking trails, with only 15% opposed. Referencing comments at the public forum, he relayed the opposing views focused on the unknown amount of taxpayer funding. Legislator Hathway imparted his support to preserve the corridor, favoring a multi-use trail system to include all non-motorized recreation, as well as ATV's and snowmobiles. Moreover, he suggests the relative taxes should be paid by the ATV/snowmobile permit revenues; and urges negotiation with railroad owners to remove railroad ties from certain sections that pose safety issues.

Legislator Lucas distinguished that ATV permit fee revenue is to maintain designated trails for those users, while suggesting a similar permit fee system could be developed to create and maintain trails for non-motorized recreation users. Upon questioning, however, he confirmed that ATV permit revenue was utilized to purchase the Ski Trail Groomer, terming it a nice gesture. Legislator Hathway asked for the same leniency to assume paying relative taxes.

Legislator Stanford urged settling union contract negotiations that have been ongoing since 2010, before considering the rails-to-trails project, for which the State grant funding is unknown. Legislator Hathway spoke in favor of approving the grant application to facilitate the State's determination.

Legislator Tabolt made a motion to remove the Resolution from the table, seconded by Legislator Wallace and unanimously carried.

Legislator Tabolt reiterated that if the grant is obtained, he would like to see compromise as a whole Board to preserve the corridor for future generations.

The resolution was then adopted by the following roll call vote:

YEAS: Boyd, Burke, Hathway, Lucas, Stanford, Tabolt, Wallace, Bush
NAYS: Fanning, King
ABSENT: None

RESOLUTION NO. 157 - 2012
RESOLUTION TO TRANSFER FUNDS
COUNTY CLERK-RECORDS STORAGE

Introduced by Legislator William Burke, Chairman of the County Clerk's Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the County Clerk's Department, for the creation and funding of the Record Storage account:

Transfer from:	
A1990.4999(Contingency)	$1,000.00
Transfer to:	
A1410.491O(Record Storage)	$1,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 158 -2012
RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, the Mental Hygiene Controller has resigned; and

Whereas, the annual Mental Hygiene Comprehensive Financial Report must be completed and filed with the State by April 30, 2012; and

Whereas, former Assistant Controller Paula Kaufmann has offered to complete the report by the due date.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That former Assistant Controller Paula Kaufmann, who is currently the Public Health Fiscal Manager, is hereby authorized to complete the Mental Hygiene Comprehensive Financial Report, for a period not to exceed 140 hours, based on the annualized rate of $56,813.00, which is the retiring Controller salary.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 159 - 2012
RESOLUTION TO APPROPRIATE FUNDS
FIRE AND EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee:

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place for FY 10 HazMat Decon Grant:

A43052.1	FY10 HazMat CFDA #97.067	$40,999.50
A3416.4909	FY10 HazMat	$40,999.50

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

OTHER BUSINESS:

The Clerk of the Board read a proclamation signed earlier by Chairman Bush declaring April, 2012 as "Fair Housing Month".

She also announced the following appointments to the Comprehensive Economic Development Strategy Committee for the period 5/1/12 to 4/30/14:

Anne Merrill, Chamber of Commerce Executive Director
Carl S. Golas, Adirondack North Country Association Wood Products Specialist
Michele Ledoux, Cooperative Extension Executive Director
Glen Gagnier, Village of Croghan resident

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Tabolt and carried at 6:46 p.m.

SPECIAL MEETING
April 25, 2012

The meeting was called to order at 2:00p.m. by Vice-Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislators Bush and Hathway, whom had been excused.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 15 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend waiving the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: April 25, 2012

Legislator Lucas made a motion to waive the rules, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Sheriff Michael Carpinelli urged the Board's approval for the proposed agreement for a grant writer to enhance progression of the radio upgrade project, which is greatly needed for public safety.

COUNTY MANAGER REPORT:

Mr. Pendergast reported that yesterday's presidential primary election cost Lewis County taxpayers $50,000. Of the approximately 8,700 registered Republicans, 409 or less than 5% voted, which equates to $122.25 per vote.

Legislator Lucas reminded the Presidential primary is held every four years; while noting there would be an additional June Congressional primary and the regular primary election in September. The June primary will invoke another $50,000 cost.

In response to Legislator Stanford, Mr. Pendergast clarified the costs were budgeted in accordance with the election calendar as known last Fall. This Board urged State representatives to combine all the primaries in an effort to save $100,000, but to no avail.

RESOLUTIONS:

RESOLUTION NO. 160 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AND WLADIS LAW FIRM FOR PROFESSIONAL GRANT WRITING SERVICES

Introduced by Legislator Richard Lucas, Chairman of Economic Development Committee.

WHEREAS, Lewis County has received a proposal dated April 19, 2012 from the Wladis Law Firm, of 6312 Fly Road, East Syracuse, NY 13057, to provide professional grant writing services to assist in identifying funding resources at the state and federal level in order to apply for and obtain grants in support of local County projects; and

WHEREAS, the Board of Legislators wishes to retain their services for the period beginning May 1, 2012 and ending December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between Lewis County and the Wladis Law Firm, of 6312 Fly Road, East Syracuse, NY 13057 for the purpose of providing professional grant writing services on an "as needed" basis at an hourly rate of $195 for attorneys and $100 for paralegals.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas.

Mr. Pendergast reported discussion with the Courts and Law Enforcement Committee on how to progress the radio upgrade project, according to the study report by Federal Engineering. There are grant funds of $36 Million available through Homeland Security to assist Counties with radio upgrades. The recommendation is to retain the Wladis Firm based on their Homeland Security grant writing experience that secured $4.4 Million for Cortland and over $2 Million for Madison Counties last year. The complex radio project and grant process necessitates expertise beyond local personnel capability. The State has indicated release of the grant applications within the next 10 days.

In response to Legislator Fanning, Mr. Pendergast estimated the consultant cost between $15,000-$20,000, which the grant would cover. A "Request For Proposals"

would be issued thereafter for a project manager, which would also be covered by the grant. The project includes current tower locations, and up to an additional four tower sites, with the goal of 97% County geographic coverage 97% of the time, which has been achieved for other counties. We are proceeding according to Federal Engineering's evaluation and report. The ultimate chosen vendor will conduct their own analysis and make procedural recommendations, concluded Mr. Pendergast.

The resolution was then adopted.

UNFINISHED BUSINESS:

Vice-Chairman Tabolt asked for discussion on the "Draft" Local Law To Regulate Use of Certain Real Property Acquired Pursuant to Rail Banking Agreement, and whether the Board would like to set a public hearing to be held at the June 5th Board meeting.

Legislator Tabolt took exception to Section 7, Subsection 3 a. prohibiting County tax dollars for trail development, other than personnel salaries, even though grant funding is available for reimbursement. He also deems it would be reasonable to allow use of County equipment. It was clarified that pursuant to the grant agreement, the County must upfront expenses that would be reimbursed through grant funds.

In response to Legislator Tabolt, Atty. Graham reiterated the Local Law was formulated for discussion purposes, and affirmed the Board could make any discretionary language amendments prior to its official presentation.

In response to Legislator Stanford's inquiry, Atty. Graham clarified that Section 8 allows for special events, but said events must be within the uses authorized by Section 6.

In response to Legislator King's concern that Town Boards be involved in the process, Legislator Tabolt stated his intent to provide a copy of the proposed Local Law to Town Boards for their review, citing an opportunity for their input at the public hearing.

Legislator Stanford doesn't feel this Board should vote against the wishes of a Town Board, to which Legislator Tabolt stated that all comments would be considered, but each Legislator would have a vote.

Legislator Fanning relayed his understanding that any related expense for events would be borne by the sponsoring Club, not by the Township.

Legislator Stanford expressed doubt about the ultimate receipt of the grant funding. Legislator Fanning expressed the grant funds should be secured before proceeding with the project.

Legislator Tabolt recited Section 7, Subsection 3 a. in part "costs shall be

derived from grants, donations or from sources other than the Lewis County tax base". He then asked for any further comments, reiterating the intent to propose the Local Law at the May 1, 2012 Board meeting and set a public hearing for June 5, 2012.

Legislator King made a motion to forward a copy of the proposed Local Law to each Town Board within the County, seconded by Legislator Fanning and carried.

RESOLUTIONS (Cont'd)

RESOLUTION NO. 161 - 2012
RESOLUTION AUTHORIZING AND RATIFYING CONTRACT BETWEEN THE COUNTY OF LEWIS AND LOCAL 825 OF THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.

Introduced by Legislator Paul Stanford, Chairman of the County Officers and Employees Committee.

WHEREAS, the existing contract between the County of Lewis and Local 825 of the Civil Service Employee's Association ("CSEA") expired on December 31, 2009; and

WHEREAS, the negotiating teams representing the County of Lewis and the CSEA, have developed a tentative agreement dated March 19, 2012, which was ratified by the Local CSEA on April 13, 2012 and shall be effective for the period beginning January 1, 2010 and expire on December 31, 2013;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the agreement as developed by the negotiating teams memorialized as a Tentative Agreement dated March 19, 2012 and accepted by the CSEA Local 825.

Section 2. That the Chairman, the Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver a contract between the County of Lewis and the Civil Service Employee's Association for the period January 1, 2010 through December 31, 2013 upon such form as may be approved by the County Attorney.

Section 3. That a copy of the final executed agreement be filed in the Office of the Clerk of the Board of Legislators; and that the County shall produce copies of such contract for distribution to employees of the CSEA Local 825.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford.

Legislator King made a motion to enter executive session to discuss ratification of

the union contract, and ongoing litigation and legal matters. The motion was seconded by Legislator Stanford and carried at 2:30p.m.

At 3:11 p.m. Legislator Fanning moved to re-enter regular session, seconded by Legislator Stanford and carried.

The resolution was then adopted by a vote of 7 to 1. Legislator Fanning was opposed.

Chairman Bush and Legislator Hathway were absent.

OTHER BUSINESS:

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried.

REGULAR MEETING
May 1, 2012

The meeting was called to order at 5:00p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 20 persons present.

Chairman Bush announced approval of the April 3rd and April 25th, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: May 1, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Steven C. McHarg, Eagle Scout candidate, had distributed a copy of his proposed project to each Legislator, to build a storage shed adjacent to the fire training tower in Martinsburg. He will then transfer all products and equipment currently housed in the fire tower, which firefighters must remove prior to each use of the tower. The project will also encompass building and installation of three forced-entry doors; and cleaning out the combustible materials pond. Mr. McHarg submits that the project will enhance training efforts for firefighters throughout the County.

He plans to forward letters to Lewis County business owners, the Maple Ridge Farm and Iroquois Gas Transmission to solicit funds for the project. If need be, he'll request funding from Fire Departments. Mr. McHarg will solicit assistance from firefighters with construction experience and power tools needed to build the shed.

In response to Legislator Hathway, Mr. McHarg estimated project costs at $3,000 to purchase a shed kit, wood and food, announcing the project would commence in August. Legislator Stanford offered to donate 200 chicken halves during construction.

Legislator Hathway made a motion to approve Mr. McHarg's proposed project, seconded by Legislator Boyd and carried unanimously.

Chairman Bush and Legislators expressed their pride for Mr. McHarg's commendable project.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Allen Wahl has submitted his resignation from the Junkyard Review Board effective June 30, 2012.

Bryan C. Monnat has submitted his resignation from the Junkyard Review Board effective April 16, 2012.

Town of Lowville Supervisor Randall A. Schell re-affirmed his Board's initial August 27, 2009 Resolution of support for the "Rails to Trails" project. The Lowville Board feels that a viable tourist rail line would benefit all communities in the County, while preserving the corridor for future infrastructure needs.

Donald and Susan Wimmer, owners of property in the Town of Greig, penned their support for the "Rails to Trails" project, citing the recreation trails as their reason for purchasing local property.

The Warren County Board of Supervisors' forwarded a copy of their resolution "Confirming and restating their opposition to the fee purchase of the former Finch and Follensby Pond Lands by the State of New York", predicting resulting economic devastation and significant job loss opportunities.

The Fulton County Board of Supervisors forwarded a copy of their resolution "Urging the United States Congress to repeal a portion of the Universal Service Fund surcharge that provides free cellular telephone service to "Income-eligible" individuals; citing that expenditures therefore have increased by 86% over the last decade.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

County Sealer Barbara Cooper has submitted her March/April 2012 report, to be placed on file.

All Legislators received copies of the 4/19/12 Updated Comprehensive Economic Development Strategy Committee Report; the County Treasurer's April monthly report; the 4/25/12 Highway Audit report; the 4/24/12 Solid Waste Audit Report; the 3/27/12 minutes of the Soil & Water Conservation District Board of Directors meeting; the 4/12/12 minutes of the Junkyard Review Board meeting; and the following Apportionment of Mortgage Tax Report for the period from October 1 , 2011 to March 31, 2012:

APPORTIONMENT OF MORTGAGE TAX
October 1, 2011 through March 31, 2012

	Key	Valuation	Amount
Town of Croghan		191,343,972	$18,426.51
Village of Croghan	.023559504	9,015,938	444.59
			$18,871.10
Town of Denmark		133,994,283	$13,019.68
Village of Castorland	.037660902	10,092,691	563.83
Village of Copenhagen	.092685025	24,838,527	1,387.60
			$14,971.11
Town of Diana		146,939,764	$ 8,477.41
Village of Harrisville	.054165192	15,918,041	485.48
			$ 8,962.89
Town of Greig		201,363,130	$14,624.95
Town of Harrisburg		31,635,800	$ 2,164.82
Town of Lewis		56,790,505	$ 5,184.78
Town of Leyden		77,755,006	$ 8,859.85
Village of Port Leyden	.060053175	9,338,870	566.06
			$ 9,425.91
Town of Lowville		213,121,764	$24,929.16
Village of Lowville	.323428108	137,859,138	11,917.13
			$36,846.29
Town of Lyonsdale		79,619,651	$ 5,828.72
Village of Lyons Falls	.016500675	2,627,556	100.59
Village of Port Leyden	.027331500	4,352,249	166.61
			$ 6,095.92
Town of Martinsburg		61,673,441	$ 4,629.80
Town of Montague		34,167,920	$ 1,035.06
Town of New Bremen		140,436,225	$16,624.52
Village of Croghan	.033600711	9,437,514	578.02
			$17,202.54
Town of Osceola		40,226,020	$ 1,477.39
Town of Pinckney		33,601,414	$ 2,905.95

Town of Turin		52,108,680	$ 2,378.19
Village of Turin	.075911681	7,911,315	195.36
			$ 2,573.55
Town of Watson		166,695,502	$ 13,432.48
Town of West Turin		124,863,931	$ 6,179.07
Village of Constableville	.044069256	11,005,321	319.35
Village of Lyons Falls	.103248467	25,784,019	748.20
			$ 7,246.62
		GRAND TOTAL:	$167,651.16

To County of Lewis $ 83,821.78

Jerry King, Chairman
Patrick Wallace
Paul Stanford
Taxation Committee

Dated: May 1, 2012

WARRANT

TO: The Treasurer of the County of Lewis

You are hereby notified by the Board of Legislators of Lewis County that the sum of $167,651.16 from the tax on mortgages from October 1, 2011 through March 31, 2012 has been apportioned to the Tax Districts entitled to same and, you are hereby directed to pay the respective Supervisors the amount due to the towns, to their Village Treasurers the amount due the villages, and to the County of Lewis the amount stated, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

Given under the hands of the Chairman and the Clerk of the Board of Legislators of Lewis County and the seal of the Board of Legislators being hereto affixed the 1st day of May 2012.

Jack T. Bush, Chairman
Teresa K. Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging Committee Chairman, urged support for his sponsored resolution authorizing funds to purchase a freezer. The purchase would possibly be offset by impending grant funds.

Year-to-date meal donation receipts are $8,300 above the budgeted level, representing 1,100 meals; and ongoing review will determine whether meal adjustments are necessary. The annual Senior Picnic will be held on June 22, 2012.

Legislator Hathway reported a $140,000 deficit on the $12 Million 2011 Social Services budget, which is ultimately projected at $35,000, upon receipt of all revenue. HEAP expenditures of $1.9 Million assisted 2,500 households; and staff is diligently working to resolve chronic care program issues.

Employment and Training personnel are researching for possible laborers to assist the Highway Department through the Summer Youth Employment Program.

Legislator Hathway further reported the Youth Bureau had awarded funding to five agencies for summer youth programs. Youth Advisory Board member Sylvia Woodhouse was recognized for her 16 years of dedicated service. He also commended Copenhagen Central School Youth Board student representative Luke Evans, for being chosen for "Boy's State"; and his coordinating efforts witl1 Sheriff Carpinelli for the scheduled "National Night Out" event.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a March loss of $159,764, equating a year-to-date loss of $394,285. March acute admissions were 14% below budgeted levels translating to $157,000.

Hospital employee-of-the-month was Registered Nurse Tina Bates, with 8 years of service in the Intensive Care Unit.

Legislator Tabolt announced a Board of Managers' vacancy, inviting anyone to submit names to the Hospital Administration office by May 14, 2012. Also, the retirement of orthopedic surgeon Dwight Campbell, M.D. will be effective 5/4/12; and interim surgeon Vivian Chang, M.D. will commence practice thereafter.

As the Board's Mandate Relief Committee representative, Legislator Tabolt reported that several Legislators participated in the locally-sponsored 4/19/12 Inter-County Legislative Committee of the Adirondacks meeting. The day started with a tour of the Qubica-AMF Bowling Plant. He commended Carl Carpenter and other staff for the very informative and interesting tour.

The group of 25 Regional County representatives then viewed UTV's and ATV's outside the Ridgeview Inn restaurant. Legislator Tabolt had proposed a resolution to the Inter- County Committee urging adoption of State Law to allow registering of the heavier UTV's. The viewing and explanations from Sheriff Carpinelli

and Trail Coordinator Bob Diehl provided several officials with a hands-on opportunity to distinguish between the two machines and better understand Lewis County's initiative. He thanked Clerk of the Board Teresa Clark for organizing the tour and luncheon meeting.

Legislator Tabolt further cited the State's presumptive mandate relief measures that will provide meager assistance for the gargantuan financial challenges faced by Counties across the State. At the recommendation of NYSAC, he urges support of his sponsored resolution to set a "Mayday", whereby local officials will broadcast and distribute brochures about the need for greater State mandate relief. The State Mandate Relief Council is expected to make recommendations to the Governor.

In conclusion, Legislator Tabolt announced that a Community Health Awareness Day will be held at the Hospital on May 12, 2012 with over 40 participating health-related vendors. The Dialysis Unit ground-breaking will be held that day at 9:30 a.m.

Legislator Charles Fanning, Public Health/Mental Health Committee Chairman, reported concern due to two confirmed rabid raccoons, one each in Lowville and Denmark. Public Health officials urge dog, cat and ferret owners to get their animals vaccinated at one of the seven scheduled May clinics at locations around the County.

Legislator Fanning commended the Northern Regional Center For Independent Living (NRCIL) and Transitional Living Services personnel, for the ongoing favorable transition of the mental health programs.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Carpinelli to travel to Washington, D.C. for the National Police Memorial Week from May 11-13, 2012. The State Association will cover the costs. The motion was seconded by Legislator Stanford and carried.

Legislator Boyd made a motion to authorize Sheriff Carpinelli to refill a Correction
Officer-Sgt. position, effective immediately, seconded by Legislator Lucas and carried.

Legislator Boyd made a motion to authorize Sheriff Carpinelli to refill (2) part-time Correction Officer positions, if said part-time employees are assigned to fill the new full-time Correction Officer positions, pending approval of the respective proposed resolution. The motion was seconded by Legislator Tabolt. County Manager David Pendergast explained that after their survey, the Commission of Corrections directed hiring four additional personnel. However, Sheriff Carpinelli convinced them that two would be sufficient. The motion was then carried.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported that hot asphalt bids would be opened on 5/15/12; and the Committee had approved a revised paving schedule.

Legislator Wallace made a motion to authorize the Highway Superintendent to

hire a temporary full-time (35 hrs./week) Clerk for the period from May 1 through October 31, 2012. The motion was seconded by Legislator Hathway. Mr. Pendergast stated the position would be, in part, financed by savings from reduced winter overtime. The motion was carried.

Legislator Wallace reported the Solid Waste Department will implement single-source recycling by shipping them out, rather than sorting recyclables at the transfer station.

Legislator Paul Stanford, Junkyard Committee Chairman, relayed that more people are interested in metal sales due to the good market, which creates higher instances of salvaging by those without permits. He urged support for the appointment of Harrisville resident Chad LaPlatney, whom has indicated interest to serve on the Junkyard Review Board, and will assist with enforcement issues in the northern County area.

Legislator Richard Lucas, Economic Development Committee Chairman, deferred discussion until presentation of his proposed resolution to approve the updated CEDS Plan.

Legislator Jerry King, Reforestation Committee Chairman, suggested a guided tour of County forestry lands with Rodney Buckingham. After discussion, the tour date was set for May 10, 2012 to begin at 1:00 p.m.

Legislator William Burke, County Clerk/Buildings and Grounds Committee Chairman, made a motion to authorize County Clerk Douglas Hanno to hire a temporary Motor Vehicle Application Examiner for the period from June 1 to August 31, 2012, to fill in for vacationing employees. The motion was seconded by Legislator Boyd and carried.

Legislator Burke reported completion of 85 work orders by the maintenance department during April, including fire alarm and sprinkler tests at the Public Safety building, Social Services Building and the New and Old Court House buildings. Also, annual generator tests were completed by Kinsley Power at all buildings and all tower sites.

COUNTY MANAGER REPORT:

Mr. Pendergast reported meeting with Mr. Wladis for discussion about available grants; and will meet with Hospital Administrator Eric Burch and research for possible grant funding for the Dialysis Unit and other Hospital projects.

Mr. Pendergast reported interviewing three marketing firms for the Public Transportation System. At the request of the Youth Advisory Board, discussions are ongoing with Mobility Manager Leah Schneider and Economic Development Director Eric Virkler on the feasibility of a daily summer bus route from Lewis County to Old Forge. The Enchanted Forest/Water Safari managers, as well as area

hotel/motel/restaurant owners, are very supportive of a bus route to their locale. The County's reimbursement is based on the number of riders, and therefore, may result in negligible cost. Mr. Pendergast asked for the Board's approval to continue working toward establishing the bus route to Old Forge. Legislator Hathway made an authorizing motion, seconded by Legislator Boyd and carried.

COUNTY TREASURER REPORT:

Patricia O'Brien reported that the 2011 Annual Financial Report had been filed with the State Comptroller, with a fund balance of $13.2 Million, reflecting a $1.1 Million increase from 2010.

Legislator Burke made a motion to enter executive session at 5:36 p.m. to discuss the Deputy Clerk of the Board position, seconded by Legislator Boyd and carried. Following the session, Legislator Fanning moved to re-enter regular session at 5:52 p.m., seconded by Legislator Stanford and carried.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 1,034,908.74 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: May 1, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Burke, and carried.

RESOLUTION NO. 162 - 2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 1,034,908.74 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Burke, seconded by Legislator Tabolt and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 163 - 2012
RESOLUTION TO TRANSFER FUNDS
BUILDINGS AND GROUNDS

Introduced by Legislator William Burke, Chairman of the Buildings & Grounds Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Buildings & Grounds accounts:

From:	To:	Amount:
A1620.4407 (Supplies)	A1620.4909 (Misc)	$345.56
A1622.4407 (Supplies)	A1622.4909 (Misc)	$195.85

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator King, and adopted.

RESOLUTION NO. 164 -2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY DISTRICT ATTORNEY AND KEVIN EDMONDS AS A CONFIDENTIAL DISTRICT ATTORNEY INVESTIGATOR

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with Kevin Edmonds for the purpose of receiving confidential criminal investigator services for the Lewis County District Attorney's Office on an "as needed" basis by performing the duties of locating and interviewing witnesses for trials; serving subpoenas; securing and obtaining current and additional evidence for misdemeanor and felony trials; case reviews and preparation of witnesses for Grand Jury and/or trials; and

WHEREAS, this agreement is for the period beginning May 1, 2012 and ending December 31, 2012;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and Kevin Edmonds for the purpose of receiving confidential criminal investigator services for the Lewis County District Attorney's Office on an "as needed" basis.

Section 2. That this is for the period of May 1, 2012 through December 31, 2012 at the sum of $15.00 per hour on an "as needed" basis, which also includes reasonable fees for mileage and parking.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 165 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE LEWIS COUNTY DISTRICT ATTORNEY'S OFFICE AND SAMUEL A. LIVINGSTONE, M.D.

Introduced by Legislator John Boyd, Chairperson of the Courts & Law Committee.

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with Samuel A. Livingstone, M.D., an experienced forensic pathologist, to perform forensic autopsies as required; assist with death scene investigations and the manner and causes of death; provide expert forensic pathologist consultation services and testify in court as required under the direction of the Lewis County District Attorney; and

WHEREAS, the County of Lewis is in need of the specialized services that Dr. Samuel A. Livingstone can provide; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and Samuel A. Livingstone, M.D. to perform forensic autopsies and related services for the County of Lewis.

Section 2. That this is for the term commencing on January 1, 2012 through December 31, 2013 at a cost of $1,250.00 per quarter and an additional $1,100.00 per autopsy performed on behalf of the County of Lewis together with the costs and related expenses for conferences or training seminars in the spring and fall for the New York State County Coroners and Medical Examiners Association.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 166 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY DISTRICT ATTORNEY/CORONER'S OFFICE AND MARK A. TUTTLE

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney/Coroner's Office wishes to enter into an agreement with Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an "as needed" and "on call" basis when the Lewis County Coroner is unavailable or out of town by performing the duties of photographing death scenes; documenting death scenes; obtaining medical and family death information; obtaining police documentation and corroborative medical histories; coordinating and collaborating with medical professionals, police agencies, funeral homes and medical examiner's offices; follow up paperwork with required agencies and filing of necessary documents; and

WHEREAS, this agreement is for the period beginning May 1, 2012 and ending December 31, 2012;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney/Coroner's Office and Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an "as needed" and "on call" basis when the Lewis County Coroner is unavailable or out of town for the period of May 1, 2012 through December 31,2012 at a cost not to exceed $5,000.00 annually.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford, and adopted.

Legislator King opposed.

RESOLUTION NO. 167 - 2012
RESOLUTION WITH REFERENCE TO ENDORSEMENT OF LEWIS COUNTY COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, it is the goal of Lewis County to provide a mechanism for guiding and coordinating the efforts of persons and organizations concerned with economic development to preserve and create jobs, raise income levels, foster a more stable and diversified economy, and improve living conditions; and

WHEREAS, the Lewis County Board of Legislators created and continues to support the Lewis County Comprehensive Economic Development Strategy Committee (CEDS Committee); the County has kept an active Comprehensive Economic Development Strategy (CEDS plan) with the most recent plan dated September 5, 2006 and the CEDS committee has met regularly and continues to review the existing plan; and

WHEREAS, the CEDS Plan makes Lewis County eligible for designation as an Economic Development District through the United States Department of Commerce Economic Development Administration; and

WHEREAS, designation as an Economic Development District allows the County to seek funding for economic development projects through the United States Department of Commerce; and

WHEREAS, such CEDS Committee has prepared another five-year update of the Comprehensive Economic Development Strategy Plan and has submitted such CEDS to the Board for endorsement; and

WHEREAS, such CEDS is a "living document", which will be further developed, revised, amended, and modified on a continuous basis as part of the implementation process.

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby conveys support and endorsement of the updated Lewis County Comprehensive Economic Development Strategy.

Section 2. That the Chairman, or the Vice-Chairman, of this Board be and hereby is authorized to make, execute, seal and deliver, any and all documents necessary to further implementation of the Comprehensive Economic Development Program.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt.

Legislator King asked if the CEDS Plan could be forwarded to all Town and Village Boards for review and input, while suggesting that action be deferred until the next Board meeting to allow additional review time.

Legislator Lucas informed of the impending application for the Lyons Falls project, with a June deadline. Following Board approval, the Plan must be submitted to the State for review and approval, prior to grant application submission. The CEDS Plan similarly reflects the Lewis County Overall Comprehensive Plan, whereby the 16-member CEDS Committee outlined priority projects. Town and Village stakeholder representatives took part in the 2-year development process of the Comprehensive Plan.

Legislator King reiterated his desire to forward the Plan to the municipalities with a deadline for their response. Legislators Hathway took exception that there is no representative from his district on the CEDS Committee. Legislator Lucas responded that the Committee does not include representatives from the Towns of Osceola, Montague, Pinckney, Denmark, Harrisburg.

Legislator Burke expressed his opposition to jeopardizing the impending grant application.

In response to Legislator Hathway, Legislator Lucas clarified that the CEDS Committee had completed their review and put forth their recommendations. The Plan s updated every five years. CEDS appointments are made by the Board of Legislators, he said, with unlimited membership, adding that any Legislator may propose individuals for appointment.

Economic Development Director Eric Virkler explained the CEDS Plan is a result of a separate and detailed review by the Strategy Committee during the past year, as required by the Federal government prior to grant submission to the U.S. Department of Commerce.

Chairman Bush directed that a copy of the CEDS Plan be forwarded to each Town and Village Board in Lewis County.

The resolution was then adopted by a vote of 7 to 3. Legislators King, Fanning and Stanford were opposed.

RESOLUTION NO. 168 - 2012
RESOLUTION APPROVING PROPOSAL BETWEEN
LE SCOUNTYEMERGENCYMANAGEMENTDEPARTMENT ON BEHALF
OF THE COUNTY OF LEWIS AND TREX PLANNING ASSOCIATES, INC.

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

WHEREAS, the Lewis County Management Department has received a proposal from TREX Planning Associates, Inc. to review the Comprehensive Emergency Management Plan for Lewis County and make revisions where necessary according to outdated material and New York State updates and also provide refresher sessions on the basics of the Incident Command System; and

WHEREAS, the Board of Legislators wishes to accept such proposal;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators hereby approves this proposal between the County of Lewis, acting by and through the Lewis County Emergency Management Department and the TREX Planning Associates, Inc. to review the Comprehensive Emergency Management Plan for Lewis County and make revisions where necessary according to outdated material and New York State updates and also provide refresher sessions on the basics of the Incident Command System at a cost of $7,800.00.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Proposal.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 169 - 2012
RESOLUTION TO APPROPRIATE FUNDS
FIRE AND EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for Fiscal Year 2010 HazMat Decontamination Grant:

A43052.1	FYIO HazMat CFDA#97.067	$40,999.50
A3416.4909	FYIO HazMat	$40,999.50

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 170 - 2012
RESOLUTION AUTHORIZING PLACEMENT OF "NO STOPPING" SIGNS ON THE WEST ROAD IN THE TOWN OF MARTINSBURG

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, the Highway Committee has reviewed with the Highway Superintendent certain proposed changes to the orientation of road signs on the West Road in the Town of Martinsburg; and

WHEREAS, a "No Stopping" sign needs to be permanently placed approximately 200 feet north of the intersection NY 26 on the west side of the West Road; and

WHEREAS, a "No Stopping" sign needs to be permanently placed at four consecutive intervals of approximately 165 feet; and

WHEREAS, a "No Stopping" sign needs to be permanently placed approximately 200 feet north of the intersection NY 26 on the east side of the West Road; and

WHEREAS, a "No Stopping" sign needs to be permanently placed at three consecutive intervals of approximately 200 feet;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and directs the placement of the following signs on the West Road (CR-29) within the Town of Martinsburg: a "No Stopping" sign approximately 200 feet north of the intersection NY 26 on the west side of the West Road; a "No Stopping" sign needs to be permanently placed at four consecutive intervals of approximately 165 feet; a "No Stopping" sign needs to be permanently placed approximately 200 feet north of the intersection NY 26 on the east side of the West Road and a "No Stopping" sign needs to be permanently placed at three consecutive intervals of approximately 200 feet.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 171 - 2012
RESOLUTION AUTHORIZING PLACEMENT OF A STOP SIGN AT THE INTERSECTION OF RUDD ROAD AND PINE GROVE ROAD AND REMOVAL OF A YIELD SIGN FROM THIS INTERSECTION IN THE TOWN OF GREIG

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, the Highway Committee has reviewed with the Highway Superintendent certain proposed changes to the orientation of road signs at the intersection of Rudd Road and Pine Grove Road in the Town of Greig; and

WHEREAS, a stop sign needs to be permanently placed on Rudd Road that intersecting with Pine Grove Road; and

WHEREAS, a yield sign needs to be removed from this intersection; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and directs the placement of the following sign on the Pine Grove Road (CR-39) within the Town of Greig: a "Stop" sign on the intersection of Rudd Road and Pine Grove Road; and the removal of a "Yield" sign from this intersection.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 172 – 2012
RESOLUTION APPOINTING MEMBER
TO JUNKYARD REVIEW BOARD

Introduced by Legislator Paul Stanford, Chairman of the Junkyard Committee.

Whereas, Bryan Monnat has resigned from the Junkyard Review Board effective April 16, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Chad LaPlatney of 8277 Locust Street, P.O. Box 372, Harrisville, New York 13648, to the Lewis County Junkyard Review Board, to fill the un-expired term of Bryan Monnat.

Section 2. That the term of said appointment shall be effective from May 2, 2012 through December 31, 2016.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 173 - 2012
RESOLUTIONAUTHORUITNGAGREEMENTSBETWEEN LEWIS COUNTY MENTAL HYGIENE DEPARTMENT AND NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING FOR PEER RECOVERY SERVICES

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Lewis County Mental Hygiene Department wishes to enter into Agreements with Northern Regional Center for Independent Living (NRCIL) to receive peer recovery services that integrate people with mental health illness into the community through social interaction and nurturing the person's interests and this will be for the period beginning April 1, 2012 through December 31, 2012.

WHEREAS, the Community Services Board has reviewed the contract between Northern Regional Center for Independent Living (NRCIL) and Lewis County Mental Hygiene Department and has determined that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs and recommend to the Board of Legislators to enter into such contract;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract between the Lewis County Mental Hygiene Department and Northern Regional Center for Independent Living for the purpose of receiving peer recovery services for the term beginning April 1, 2012 and ending December 31, 2012 at a cost not to exceed $185,439.00

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 174 - 2012
RESOLUTION TO TRANSFER FUNDS
OFFICE FOR AGING

Introduced by Legislator Philip Hathway, Chairman of the Office For the

Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer of funds is hereby approved in the Office for the Aging accounts to cover the increase in cost for former Director David Bush to complete the annual reporting:

From:	To:	Amount:
A6772.1999	A6772.4901	$3,075.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION N0. 175 - 2012
RESOLUTION TO TRANSFER FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer take place in the Office for the Aging accounts for appropriate accounting of Bus Operations for the Annual Report:

Decrease Revenue:	
A28011 (Inter-fund revenue)	$31,007.00
Increase Revenue:	
A17500 (Mobility Management)	$31,007.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 176 - 2012
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Office for the Aging accounts, for a donation from Walmart to be used for the Senior Picnic and Oktoberfest :

Increase Revenues	
A27051 (Contrib-OFA)	$500.00
Increase Expense	
A6772.4919 (Other)	$500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 177 - 2012
RESOLUTION TO TRANSFER FUNDS
OFFICE FOR AGING

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Office For the Aging Department for the purchase of a freezer, by utilizing Capital Equipment funds (HAD9901.9). The balance of Capital Equipment $260,104:

Appropriate:	Amount:
AS0310 (Inter-fund Transfer)	$4,999.00
A6772.2909 (Misc Equip)	$4,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 178 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PROBATION DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of

the County of Lewis, with reference to the Probation Department to create the following position:

TITLE	STATUS	SALARY
Account Clerk	Full-time	Grade 13 $13.72-$15.67

Section 2. That Director MaryJo Burkhard is hereby authorized to fill said position effective immediately.

Section 3. That the Temporary Account Clerk in the Probation Department shall remain on the payroll for training purposes through June 30, 2012.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 179 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of - the County of Lewis, to increase a part-time Clerk (Grade 7) at the Public Health Agency to· a full-time position, effective immediately.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 180 - 2012
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved using

Community donations to support special events promotion:

Account	Description	Amount
A27055.6	Public Health Contributions	$1,500.00
A4085.4408	Supplies-Events/Promotional	$1,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 181 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Sheriff's Department, to create the following Positions:

TITLE	STATUS	SALARY
Correction Officer (2)	Full-time	Grade B23 $21.10/hr.

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions effective immediately.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 182 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
TO CREATE SUMMER PARKS & RECREATION SHERIFF PATROLS

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the

County of Lewis, with reference to the Sheriff's Department, to create the following temporary law enforcement patrols for the summer Parks and Recreation Program:

TITLE	STATUS	SALARY
Deputy Sheriff (7)	Temporary Part-time	Grade22A
Recreation Aide (3)	Temporary Part-time	Grade 6

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions for the period from May 1, 2012 through September 30, 2012.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 183 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Department of Social Services, to create the following position:

TITLE	STATUS	SALARY
Social Welfare Examiner	Full-Time	Grade B 20

Section 2. That Commissioner Stacy Alvord is authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 184 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Department of Social Services, to authorize extending a Temporary Office Specialist position due to expire on May 11, 2012, to August 31, 2012.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd.

Legislator Hathway made a motion to amend Section 1 to authorize extending the position through June 29, 2012, seconded by Legislator Boyd, and carried.

The resolution was then adopted.

RESOLUTION NO. 185 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN DEPARTMENT OF SOCIAL SERVICES AND CRESTWOOD CHILDREN'S CENTER

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, Crestwood Children's Center ("Agency") is a foster care agency authorized by the New York State Office of Children and Family Services to provide foster care services; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with this Agency to utilize their services of foster care; and

WHEREAS, these services will be for the period of January 1, 2012 through December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Crestwood Children's Center for the provision of foster care services, at per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health.

Section 2. That the term of this agreement shall be from January 1, 2012 through December 31,2012.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 186 - 2012
RESOLUTION TO ADJUST FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer of funds is hereby approved in the Social Services account to cover a computer purchase:

Decrease Expense:	
A6010.4409 (Data Processing)	$677.00
Increase Expense:	
A6010.2217 (Computers)	$677.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 187 - 2012
RESOLUTION TO TRANSFER FUNDS STOP DWI

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Stop DWI accounts:

From:	Amount:
A3315.8999 Fringe	$8279.00
To:	
A3315.4901 Prof. Serv	$4,000.00
A4252.4909 Misc	$4,279.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 188 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO TRAIL PROGRAM

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Trail Program, to create the following seasonal positions to assist with trail development:

TITLE	STATUS	SALARY
Laborer (3)	Temporary Part-time	Grade B4

Section 2. That the Trail Coordinator Bob Diehl is hereby authorized to fill said Positions, for the period effective May 1, 2012 through November 23, 2012.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt, and adopted.

These personnel costs will be borne entirely by ATV permit revenues.

RESOLUTION NO. 189 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 1 - 2012), COUNTY OF LEWIS

Introduced by Legislator Philip Hathway.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on May 1, 2012, a proposed Local Law entitled "A LOCAL LAW TO REGULATE USE OF CERTAIN REAL PROPERTY ACQUIRED PURSUANT TO RAIL BANKING AGREEMENT".

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on June 5, 2012 from 5:00p.m. to 5:30 p.m., on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York, to hear all persons for or against said local law.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the County Court House, Lowville, New York, and by publishing such notice at least once in the official newspapers of the County.

Moved by Legislator Tabolt, seconded by Legislator Fanning.

Legislator Hathway reported receipt of 67 similar letters to the one he read from the Long Pond Snowsled Club. The author encouraged the Board to adopt a "Rails to Trails" program encompassing all unused railroad tracks in Lewis County for development of snowmobile trails, while rejecting any permit fee for snowmobiles.

Legislator Burke queried whether this Board would ever allow ATV's on the railroad corridor. Legislator Hathway affirmed his opposition, citing prohibition by the proposed Local Law.

Legislator Lucas exclaimed that trail maintenance costs would be unsustainable, if motorized traffic, including ATV's, were prohibited.

Legislator Stanford indicated the discussion would be held at the public hearing.

In response to Legislator Hathway, Legislator Burke reiterated his support to preserve the railroad corridor, while insisting the need to financially support it.

Legislator Lucas opined that Legislators had thoroughly reviewed and discussed the issues, including several public forums and comments. Unless there is support to amend the Local Law to allow motorized traffic, he urged a vote.

The resolution was then defeated by the following roll call vote:

YEAS: Boyd, Fanning, Hathway, Stanford, Tabolt
NAYS: Burke, King, Lucas, Wallace, Bush
ABSENT: None

RESOLUTION NO. 190 - 2012
RESOLUTION AMENDING COMPENSATION PLAN OF THE COUNTY OF LEWIS WITH REFERENCE TO CLERK OF THE BOARD

Introduced by Legislator Jack T. Bush Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Clerk of the Board budget, to set the annual salary of the Deputy Clerk of the Board at $32,000.00.

Section 2. That Clerk of the Board Teresa Clark is hereby authorized to fill the Deputy Clerk of the Board position, effective May 15, 2012.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 191 - 2012
RESOLUTION DECLARING MAY 16,2012 TO BE "MAYDAY FOR MANDATE RELIEF" AND URGING THE MANDATE RELIEF COUNCIL TO TAKE SWIFT ACTION IN SUB:MITTING A PACKAGE OF MANDATE RELIEF PROPOSALS TO GOVERNOR CUOMO AND THE STATE LEGISLATURE TO BE VOTED ON THIS SESSION

Introduced by Legislator Michael A. Tabolt, Vice-Chairman of the Lewis County Board of Legislators.

WHEREAS, the State of New York mandates (requires) the delivery of State programs using local resources, causing some counties to dedicate more than 80 percent of their entire budget toward the funding of State mandated programs and fixed costs; and

WHEREAS, the New York State Association of Counties has identified just 9 state mandates that equal 90 percent of all county property taxes levied in 2010 (outside of New York City), consuming $4 billion of $4.4 billion in county property taxes levied. These mandates include: Medicaid, TANF/Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions; and

WHEREAS, these State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services; and

WHEREAS, these State imposed mandates continue to contribute to New York's highest in the nation local tax burden for residents and businesses, severely damaging New York's ability to attract, create and maintain good paying jobs, as well as contributing to population losses to other states; and

WHEREAS, when the State enacted a property tax cap in 2011, a Mandate Relief Council was established to review specific mandates and advance legislative proposals to reduce the statutory and regulatory burden on municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the Lewis County Board of Legislators hereby declares May 16, 2012 to be "Mayday for Mandate Relief"to demonstrate that the decisions made in Albany have a direct impact on the property tax levy and local community services here in Lewis County; and

BE IT FURTHER RESOLVED, that the Lewis County Board of Legislators hereby calls on the Mandate Relief Council to take swift action in submitting a package of Mandate Relief proposals to Governor Cuomo and the State Legislature, to be voted on by our State Representatives during the 2012 State Legislative Session; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, members of the New York State Legislature and all those deemed necessary and proper.

Moved by Legislator Tabolt, seconded by Legislator Fanning.

Legislator Tabolt made a motion to amend the date to May 23, 2012, seconded by Legislator Hathway and carried.

The resolution was then adopted.

OTHER BUSINESS:

Legislator Lucas made a motion to forward a letter to the State thanking them for the approved grant of $450,000, while at the same time advising that the County is declining the grant. If the County is not going to utilize the grant funds, then it's appropriate to inform the State, he said. The motion was seconded by Legislator Stanford. The motion was carried by a vote of 8 to 2, with Legislators Tabolt and Fanning opposed.

Chairman Bush announced he had scheduled a meeting of the Reapportionment Committee to be held on May 10, 2012 at 10:00 a.m. The Committee is comprised of himself, Legislators Tabolt and Boyd, and Election Commissioners Ann Nortz and Lindsay Burriss. The Commissioners will reach out to State representatives to analyze the census numbers for determination on whether district amendments would be necessary. The Committee will submit their recommendation to the Board.

Clerk of the Board Teresa Clark read proclamations previously signed by Chairman Bush as follows:

Commendation for Brainard Blundon, Harrisville Firefighter
Commendation for Lloyd Dashnaw, Harrisville Firefighter
Police Appreciation Week, May 13-19, 2012
May as Foster Parent Recognition Month
National Senior Health & Fitness Day, May 30,2012
May as Mental Health Month
National Hospital Week 2012
National Nursing Home Week, May 14-18, 2012

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried at 6:33 p.m.

SPECIAL MEETING
May 14, 2012

The meeting was called to order at 8:30a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present, except Legislators Fanning and Tabolt, whom had been excused.

The Invocation was offered by Chairman Bush, followed by the Pledge of Allegiance to the Flag.

There were 2 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend waiving the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: May 14, 2012

Legislator Burke made a motion to waive the rules, seconded by Legislator Boyd and carried.

REPORTS OF STANDING COMMITTEES:

Legislator Jerry King, Member of the Mental Health/Public Health Committee, made a motion to authorize Public Health Director Carol Paluck to hire per diem registered nurses or licensed practical nurses, as need for the operation of the Certified Home Health Agency and the Certified Hospice Program. The motion was seconded by Legislator Stanford and carried.

Legislator King reported that County employees are required to pay health insurance premiums in advance for subsequent month coverage. Therefore, Legislator King made a motion to allow all Mental Health employees who have made May premium payments to remain on the County's health insurance plan through June 30, 2012. The motion was seconded by Legislator Stanford and carried.

Legislator King relayed that certain Mental Health employees had asked if they could remain on the payroll to further their County service until their personal leave and vacation credits had been exhausted. This would be a departure from previous practice. After discussion, the Board declined to extend this offer. Therefore, upon termination, employees would receive lump sum payment for their personal leave and vacation credits.

COUNTY MANAGER REPORT:

David Pendergast relayed that the Emergency Management office had worked for the past 3-4 years on development of the Lewis County Animal Disaster Plan. A copy of the 100-page document is available in the Clerk's office. The plan is distinguished because it encompasses a process for care of not only small, but larger animals; and has been approved by the NYS Department of Agriculture and Markets and the NYS Emergency Management Office.

RESOLUTIONS:

RESOLUTION NO. 192 -2012
RESOLUTION AUTHORIZING REMOVAL OF CERTAIN TAX PARCELS FROM THE TAX AUCTION FOR 2009 TAX LIENS

Introduced by Legislator Jerry King, Chairman, Taxation Committee

WHEREAS, Lewis County has duly conducted a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law ("RPTL") and Local Law No. 6 – 2004, upon all parcels of real property affected by delinquent tax liens held or owned by the County of Lewis as of January 1, 2010 (tax year 2009) and as a result, has obtained title to the following properties (among others):

(a) Property known as E. Side North-South Road, Town of Greig, and having a Tax Map No. of 291.00-02-19.000 (44.40 acres);

(b) Property known as North of County Route 46, Town of Osceola, and having a Tax Map No. of 315.00-01-04.000 (275.20 acres); and

(c) Property known as East and West Side of Fowlerville Road, Town of Lyonsdale, and having a Tax Map No. of 324.00-01-28.100 (1,244.20 acres); and

WHEREAS, pursuant to Section 3 of Local No. 6 of 2004, upon taking title to real property through tax lien foreclosure, "The County may hold such parcel for itself or sell or release such parcel as set forth herein;" and

WHEREAS, the Real Property Advisory Board, consisting of the County Treasurer, the Director of Real Property Tax Services and the County Attorney have met with the Taxation Committee and have recommended that the above referenced parcels be removed from the tax auction scheduled for May 23, 2012 and should be held by the County;

NOW, THEREFORE, be it resolved that:

Section 1. The Board of Legislators hereby authorizes and approves the removal of the following tax parcels from the tax auction scheduled for May 23, 2012:

(a) Property known as E. Side North-South Road, Town of Greig, and having a Tax Map No. of 291.00-02-19.000 (44.40 acres);

(b) Property known as North of County Route 46, Town of Osceola, and having a Tax Map No. of 315.00-01-04.000 (275.20 acres); and

(c) Property known as East and West Side of Fowlerville Road, Town of Lyonsdale, and having a Tax Map No. of 324.00-01-28.100 (1,244.20 acres); and

Section 2.

(a) That the Board of Legislators hereby permits the Reforestation Foremen to harvest timber from the parcels identified in subparagraphs "a" and "b" of Section 1 above, provided that such harvesting is consistent with the long term forest management practices utilized on other County forest properties; and provided further that the revenue derived from such harvesting activities shall be applied first to reimburse the Treasurer for any and all unpaid taxes, penalties and interest due on such properties as of the date of this Resolution. The Reforestation Foreman is further authorized to apply such revenues as may be derived from other reforestation activities conducted throughout the County toward any such taxes, penalties and interest until the balance is paid in full.

(b) That the Board of Legislators hereby authorizes the Trails Coordinator to review the parcels identified in subparagraphs "a" and "b" of Section 1 above for potential inclusion in the Lewis County ATV Trails System, and if deemed appropriate, to commence a site specific evaluation pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA") and in accordance with the procedures outlined in the Final GEIS (collectively the "GEIS") dated December 18, 2008, and Statement of Findings issued on January 28, 2009.

(c) The property identified in subparagraph "c" of Section 1 above, shall be held by the County pending further action of the Board of Legislators.

(d) Nothing herein shall be construed as a determination by the Board of Legislators that any of the properties identified in this Resolution shall be deemed Reforestation Lands under County Law§ 219. In the event that the Board of Legislators makes such a determination at some point in the future, it shall do so by further action of the Legislature.

(e) Furthermore, all of the properties identified in this Resolution are subject to

rights of the previous owner of record or other party with a legal interest in the property, to purchase the parcel through a release of the County's interest up to five (5) business days prior to the public auction (May 18, 2012).

Section 3. This Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King.

Legislator King relayed County Forester Rodney Buckingham recommends reinstating the Town of Osceola parcel described in Section 1 (b) above. The parcel is "landlocked" and it took Mr. Buckingham several hours to travel to that location.

County Attorney Graham recommended corrective language in the first "Whereas" clause of the resolution, to reflect that the County obtained title to the Town of Greig property described in Section 1 (a) pursuant to foreclosure upon delinquent tax liens as of January 1, 2007 (tax year 2006).

Legislator King made a motion to reinstate the Town of Osceola parcel described in Section 1 (b) for the upcoming Delinquent Tax Auction; and to correct the language in the first paragraph of the resolution as captioned above by Attorney Graham, seconded by Legislator Lucas.

Legislator Hathway asked for clarification about the Town of Lyonsdale property described in Section 1 (c) above. County Attorney Graham reported the owner as National Grid and involves legal issues. Legislator King made a motion to enter executive session at 8:39 a.m. to discuss respective legal issues, seconded by Legislator Stanford and carried. Following the session, Legislator King moved to re-enter regular session at 8:44a.m., seconded by Legislator Boyd and carried.

The amending motion to reinstate the parcel described in Section 1 (b) for auction was carried.

The Resolution was then adopted.

RESOLUTION NO. 193 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Department of Social Services, to re-create

the following position:

TITLE	STATUS	SALARY
Secretary to DSS Commissioner	Full-time	$33,791.00

Section 2. That Commissioner Stacy Alvord is authorized to fill said position effective May 15, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 194 - 2012
RESOLUTION TO TRANSFER FUNDS
BUILDINGS & GROUNDS

Introduced by Legislator William Burke, Chairman of the Buildings & Grounds Committee:

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget changes take place in the Buildings & Grounds accounts for various expenses at the Highway Dept, funds to come from Capital Bldg Repairs(HAC5130.4), HAC balance $489,587.00:

Increase Revenue:	
A50310 (interfund transfers}	$10,000.00
Increase Expense:	
Al620.4606 (Repairs & Maint Highway)	$10,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

OTHER BUSINESS:

Legislator Hathway inquired whether the Building Codes Committee had discussed the Holland property located on the Woods Road in the Town of Diana. The building was razed by the Harrisville Fire Department through a control-burn exercise, after which the owner erected a 4-foot fence at the perimeter. Legislator Hathway suggested the County issue a written directive to the owner for site clean up by a certain date. If he does not comply, the Town of Diana has agreed to clean up the site, and invoice the County.

Legislator Lucas queried about the several similar properties throughout the

County. However, Legislator Hathway distinguished this as the only property directed by the County for demolition and removal.

Atty. Graham confirmed that removal costs would be placed as a lien on the property. Legislator Hathway made a motion to authorize County personnel to move forward with the building removal process as he had outlined, seconded by Legislator Burke and carried.

Legislator Boyd made a motion to enter executive session at 8:51 a.m. to discuss the union contract, seconded by Legislator Wallace and carried. At the conclusion of the session, Legislator King moved to re-enter regular session at 9:06 a.m., seconded by Legislator Boyd and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Wallace, seconded by Legislator Stanford and carried.

REGULAR MEETING
June 5, 2012

The meeting was called to order at 5:00p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present, except Legislator Fanning, whom had been excused.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 18 persons present.

Chairman Bush announced approval of the May 1st and 14th, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: June 5, 2012

Legislator Tabolt made a motion to approve the report, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Director of Community Services Sarah Bullock reported transitioning of the clinical Mental Health programs to Transitional Living Services effective June 1, 2012, which results in a loss of several tenured employees. She recognized and commended each of the following for their dedicated assistance, therapy and program administration to thousands of Lewis County residents. Keyboard Specialist Angie Bauer, 12 yrs.; Account Clerk/Typist Cathy Lee, 21 yrs.; Licensed Clinical Social Worker Debra Bosco, 3 yrs.; Ashok Goyal, M.D., 2 yrs.; Licensed Master Social Worker Lori Tiffany, 2 yrs.; Licensed Mental Health Counselor Matt Kirkwood, II yrs.; Licensed Mental Health Counselor Nicole Schermerhorn, 5 yrs.; Masters Licensed Social Worker Pamela Brower, 5 yrs.; Keyboard Specialist Linda Hirschey, 12 yrs.; and retiring on 6/30/12 Keyboard Specialist Linda Hornig, 18 yrs.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

On behalf of the Village of Lyons Falls Board of Trustees, Mayor Catherine Liendecker forwarded a certified copy of their enacted Resolution of Gratitude for the Board of Legislators. They express thanks for the Legislature's interest, cooperation and assistance for several projects, most notably their being awarded a $99,000 USDA

Rural Development grant. The cooperative efforts have resulted in Village savings of $77,677.37.

The Town of Croghan Board forwarded a copy of their enacted Resolution "Reinforcing Support for the Construction of the Interstate 98 Multi-Modal Corridor and Supporting Improvements to US Route 11 and to Give Priority to the Canton, Potsdam and Gouverneur Areas".

The Fulton County Board of Supervisors submitted a copy of their enacted Resolution "Calling upon the Governor's Mandate Relief Council to submit a package of mandate relief proposals to State Legislators".

The Black River-St. Lawrence Resource Conservation & Development Council, Inc. forwarded their written support of the purchase of the "Rails to Trails" parcels, specifically the development of the Croghan scenic railroad corridor. The project aligns with their mission to work with partners to provide local leadership and coordination for projects devoted to environmental conservation, community improvement, economic development and wise use of natural resources.

Robert Doney, Brantingham Coach Light Inn owner, penned a letter of appreciation for the opened roads that allowed participants of the ATV SNIRT RUN event to travel to their area without having to truck their machines. He was grateful for the patrons, terming it a "shot in the arm" on the heels of a terrible business winter due to the lack of snow.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators received copies of the County Treasurer's May monthly report; 5/24/12 Highway Audit report, 5/23/12 Solid Waste Audit Report; and 4/25/12 meeting minutes of the Youth Bureau Advisory Board.

Minutes of the 2/9/12 Public Health and Hospice EQA Committee and the 2/16/12 Professional Advisory-Health Services Committee meetings; as well as the County Sealer's May activity report, were received and will be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services Committee Chairman, reported that of the 32 outstanding chronic care cases as of December 2011, only five (5) remain unresolved, representing approximately $88,000.

The Youth Bureau has contributed $2,200 to offset bus transportation costs for the 78 youths hired by Enchanted Forest in Old Forge. They will have access to bus transportation from Lewis County for the daily cost of $1.00. Legislator Boyd added that a bus driver had also been hired.

Legislator Hathway reported that Office For the Aging had received an

additional $3,000 for senior meals. Meal donations have substantially increased, although the number of meals have also increased. The Committee continues to analyze budgetary expenditures to determine the feasibility for increased meals.

The annual Senior Picnic will be held on June 22, 2012 at the Fairgrounds, at which the Senior Citizen of the Year will be recognized and honored.

Legislator Michael Tabolt, Hospital Committee Chairman, reported an April surplus of $5,098.00 attributable to meaningful use funds and IGT revenue. There were 34 less admissions than budgeted. The 42 observation admissions equated a $96,000.00 revenue loss, had they alternatively been categorized as regular admissions. Radiology technologist Leah Widrick was recognized as the employee-of-the-month.

Legislator Tabolt reported that State Department of Health plans to review the Certificates of Need (CON) for the Certified Home Health Aide (CHHA) and Hospice program services on 6/6/12. The State has approved the CON for the Harrisville Clinic operations. Research and exploration continues for State grant funds for assistance with development of clinic operations in the Copenhagen Central School and construction of the dialysis unit at the Hospital facility site.

As the Mandate Relief Committee designee, Legislator Tabolt reported the Mandate Relief Day was held on 5/23/12 in Lewis County; but queried whether the State is serious about mandate relief. He reminded and encouraged Legislators' attendance at the September NYSAC conference to be held in Syracuse.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, reported that the Police Appreciation night was held on 5/18/12 with approximately 150 attendees.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported that all road re-profiling has been completed. Paving of the Hermitage Road is completed; and the Rogers Crossing Road is in progress. It is necessary to replace a decayed culvert on the Whitesville Road. The Herman Bush Road Bridge will be taken out, but not replaced.

Legislator Wallace made a motion to award bituminous/hot mix bids to Paverite, Hanson Aggregates New York, LLC and Barrett Paving Materials, Inc. for the period 4/1/12 to 3/31/13, pursuant to the tabulation bid sheet dated 5/15/12 on file with the Clerk of the Board. The motion was seconded by Legislator Hathway and carried.

Legislator Wallace made a motion to authorize Interim-Solid Waste Coordinator David Becker to temporarily fill a part-time Solid Waster Laborer position, during a medical leave of the regular employee, up to a period of six (6) months. The motion was seconded by Legislator Hathway and carried.

Legislator Paul Stanford commended all the participants of the "Relay For Life" event held over the past weekend. The volunteers prevailed despite the inclement

weather.

Legislator Richard Lucas, Economic Development Committee Chairman, reported continued progress of the Lyons Falls project through cooperative assistance of the Economic Development personnel and the Local Development Corporation. Grant funds will finance a hired firm to oversee the construction project. The Lyons Falls Hydro owners have initiated building demolition to progress their hydro project.

Legislator Lucas reported year-to-date ATV trail permit sales of 1,500, respectively representing an increase of I 00 over last year. He then read a letter received by the Lewis County ATV Association, whereby the writer penned their appreciation and pride for the opportunity to join the local club. As the owner of multiple ATV's, the writer cited utilizing trail systems in several States, while declaring "he had never seen trails so groomed and trash- free" as those in Lewis County.

Legislator Lucas further reported the intent by each, the Village of Constableville and Town of West Turin Boards, to authorize opening of portions of streets and/or roads, to connect off-road trails. Likewise, the County will be requested to open portions of roads in that area. The Town of Osceola Board has also inquired about trail development.

Legislator Jerry King, Taxation/Elections/Reforestation Committee Chairman, informed that the regular committee meeting was changed to June 13, 2012 at 8:00a.m.

At the request of Legislator King, Treasurer Patricia O'Brien reported the sale of 32 parcels during the recent Delinquent Property Tax Auction, with net proceeds of $314,745. The sole exception was a small parcel in the Town of West Turin, for which the buyer reneged on the purchase after the sale thereof.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported completion of 87 work orders by the maintenance department during May, which included substantial plumbing repairs, as well as lock repairs at the Public Safety Building. They had also completed grounds work at the Outer Stowe Street office building and Court House; and cleared trees at the Social Services cemetery.

COUNTY MANAGER REPORT:

Mr. Pendergast had spoken with a Birnie Bus representative, whom relayed fielding many calls from interested youths for bus transportation to Old Forge.

He reported that he, Sheriff Carpinelli, Fire and Emergency Management Director James Martin and Dispatch Supervisor Cheryl LaLonde had devoted a great deal of time to further the radio communications project. Chairman Bush and he had toured the Onondaga Dispatch Center and met with their Commissioner of Emergency Communications. Their very impressive operations encompass 6,300 fire, ambulance and law enforcement subscribers.

Mr. Pendergast reported attendance at two Consortium meetings. While the County is a member of the Northern New York Interoperable Communication Consortium, he urged adoption of the proposed resolution for the County to become a member of the Central New York Interoperable Communication Consortium. Membership is an eligibility requirement for Homeland Security grant funding. The Consortiums each comprise several Counties, with a common goal for creation of a central communications network.

He further recommended approval of the contract with C & S Engineers for the purpose of determining the cost of the radio communications upgrade project.

Mr. Pendergast admirably recognized Director of Community Services Sarah Bullock for accomplishing what he termed a "yeoman's job" to transition the mental health program services to contractors. He bestowed great regard and deemed her constant composure and professional conduct deserving of our respect and appreciation. The Legislators and all those in attendance applauded Mrs. Bullock's accomplishments.

REPORT OF THEWAYS AND MEANS COMMITTEE:

REPORT OF WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 776,780.68 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: June 5, 2012

Approved on motion by Legislator Stanford, seconded by Legislator Burke, and carried.

RESOLUTION NO. 195 - 2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $776,780.68 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Lucas, seconded by Legislator Tabolt and adopted by roll call vote:

All voted YEA.
Legislator Fanning was absent.

RESOLUTION NO. 196 - 2012
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND EBS-RMSCO, INC.

Introduced by Legislator Richard Lucas, Chairman of the Insurance Committee.

WHEREAS, the term of the County's current third-party administrator for the County's self-insured workers' compensation plan is due to expire June 30 , 2012; and

WHEREAS, the Board of Legislators wishes to enter into an agreement with a third-party administrator for the County's self-insured workers' compensation plan in a manner that will facilitate the transition of claims files to the new administrator; and

WHEREAS, the Clerk of the Board, in her capacity as the Plan Administrator, has solicited and received proposals from three different vendors and upon review of the same recommends that the County retain the services of EBS-RMSCO, Inc. to act as third-party administrator.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Agreement between the County of Lewis and EBS-RMSCO, Inc. as a third-party administrator for the County's self-insured workers' compensation plan in accordance with their proposal dated May 22,2012 and as negotiated.

Section 2. That the term of this Agreement shall be from July 1, 2012 through December 31, 2015 at a cost not to exceed $8,400 for 2012; $14,500 for 2013; $15,000 for 2014 and $15,000 for 2015. There is an additional cost for 2012 of $2,500 to incorporate every claimant into pharmacy system or an additional $4,000 to handle all existing and new medical only claims.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver said Agreement, upon such form as may be approved by the County Attorney.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 197 - 2012
RESOLUTION AMENDING COMPENSATION PLAN OF THE COUNTY OF LEWIS ESTABLISHING SALARIES OF CERTAIN NON-UNION EMPLOYEES OF LEWIS COUNTY

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, it has heretofore been the policy of the County of Lewis that the Compensation Plan for the County for department heads and other non-union employees, (except hospital employees) to provide for an increase in compensation for such employees at the same percentage rates and to take effect at the same time as similar increases are provided to union employees pursuant to their collective bargaining agreement; and

WHEREAS, the Board of Legislators has recently concluded its negotiations with the collective bargaining unit for County employees and executed a collective bargaining agreement effective January 1, 2010 through December 31,2013.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Compensation Plan of the County of Lewis for the period of January 1, 2010 through and including December 31, 2013 is hereby amended to reflect a change in salary schedule for department heads and other non-union employees of the County of Lewis (except hospital employees), to provide for increases in compensation including one-time payments and salary increases at the same percentage rate and to take effect at the same time as such payments and percentage increases have been granted in connection with the collective bargaining agreement entered into for the period of January 1, 2010 through December 31, 2013.

Section 2. That this resolution shall not include those employees or officers of the County of Lewis serving an elected or appointed term of office, whose salaries may not be adjusted mid-term except by local law, to-wit: the Clerk of the Board, Superintendent of Highways, Commissioner of Social Services, Real Property Tax Director, County Manager, County Attorney, Commissioners of Election, District Attorney, County Clerk, County Treasurer and County Sheriff.

Section 3. That the Compensation Plan as to such department heads and non-union employees set forth herein may be further amended or modified in whole or in part by resolution of the Board of Legislators at any time.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 198 - 2012
RESOLUTION TO TRANSFER FUNDS

BUILDING AND GROUNDS

Introduced by Legislator William Burke, Chairman of the Buildings & Grounds Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Buildings & Grounds accounts, for expenses to the telephone account:

Transfer From:	Transfer To:	Amount:
A1620.4304 (Natural Gas)	A1620.4301 (Telephone)	$700.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 199 - 2012
RESOLUTION TO APPROPRIATE FUNDS
DISTRICT ATTORNEY

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the office of the District Attorney to use forfeiture funds:

Increase Revenues	
A26260 (Forfeiture Proceeds)	$380.00
Increase Expense	
A1165.4906 (Prosecution Fund)	$380.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 200 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN WITH REFERENCE TO THE LEWIS COUNTY DISTRICT ATTORNEY'S OFFICE

Introduced by Legislator John Boyd, Chairman of the Courts and Law Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County District Attorney's Office, to create one (1) temporary full-time Confidential Secretary position.

Section 2. That this is for the period commencing in July to mid November 2012, to fill in during the maternity leave of the regular employee for 35 hours per week at a pay range of $16.26 to $19.11 per hour.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 201 - 2012
RESOLUTION AMENDING COMPENSATION PLAN OF THE COUNTY OF LEWIS -- LEWIS COUNTY DISTRICT ATTORNEY

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, pursuant to Judiciary Law § 183-a, a full time district attorney shall receive an annual salary equivalent to that of the county court judge in the county in which the district attorney is elected; and

WHEREAS, the New York Court of Appeals has affirmed the authority of the State of New York to establish the salary of a district attorney in the case of *Matter of Kelley v. McGee,* 57 N.Y.2d 522, 443 N.E.2d 908, and held that this includes the authority of the State to increase the salary of county judges and by derivation district attorneys mid-term; and

WHEREAS, pursuant to Chapter 567 of the 2010 Laws of New York, the State Legislature created a Special Commission on Judicial Compensation to make recommendations as to appropriate and fair salaries for the judges of this state, and

WHEREAS, the law creating the Commission provided that the recommendations of the Commission would automatically go into effect as law as of April 1, 2012, unless the State Legislature voted otherwise, and

WHEREAS, pursuant to the recommendations of the Commission, the salaries of New York State judges are scheduled to be increased incrementally over a three year period, and

WHEREAS, the Commission recommended that the twelve month salary paid to a County Judge in Lewis County be increased to $140,300 for the period April 1, 2012

through March 31, 2013, and

WHEREAS, because the New York State Legislature did not amend or otherwise annul the recommendations of the Commission, those recommendations became effective as the law of this state on April 1, 2012, and

WHEREAS, the salary of the Lewis County Court judge was raised to $140,300 effective April 1, 2012 and therefore the salary of the Lewis County District Attorney also increases to $140, 300 as of that date, and

WHEREAS, this Board needs to amend its salary plan governing the District Attorney to reflect the new salary as of April 1, 2012 and make the appropriate adjustments to the budget;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the compensation plan for Lewis County to indicate that for a twelve month period, commencing April 1, 2012 and ending March 31, 2013, the base salary of the Lewis County District Attorney shall be $140,300.

Section 2. This resolution shall take effect retroactive to April 1, 2012.

Moved by Legislator Stanford, seconded by Legislator Boyd.

In response to Legislator King's inquiry, Mr. Pendergast clarified the salary increase was pursuant to State Legislation that ties the County District Attorney's salary to that of County and Supreme Court Judges.

The increased portion of the 2012 salary will be 100% borne by the State. However, it is unknown whether the State will reimburse or finance any portion of the salary for successive years. Moreover, County Attorney Graham informed that the enacted Legislation imposes progressive annual salary increases for 2013 and beyond.

The resolution was then adopted.

RESOLUTION NO. 202 -2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND C&S COMPANIES FOR THE EMERGENCY COMMUNICATIONS PROJECT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the County of Lewis desires to enter into an Agreement with C&S

Companies to provide Program Management & Engineering Services for the Pre-Design Services for the Lewis County Emergency Communications Project; and

WHEREAS, this agreement is for the period beginning June 1, 2012 and ending December 31, 2012 at a cost not to exceed $40,000.00; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis and C&S Companies to provide Program Management & Engineering Services for the Pre-Design Phase Services for the Lewis County Emergency Communications Project for the term commencing June 1, 2012 through December 31, 2012 at a cost not to exceed $40,000.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators IS hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney as to form.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 203 - 2012
RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY GENERAL HOSPITAL BOARD OF MANAGERS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Edward J. Knapp of P.O. Box 62, Lowville, New York 13367, to the Board of Managers of the Lewis County General Hospital, to fill the unexpired term of John Woods.

Section 2. That the term of said appointment shall commence June 5, 2012 and expire on December 31, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 204 -2012
RESOLUTION AUTHORIZING REFUNDING OF PAYMENTS TO LEWIS COUNTY GENERAL HOSPITAL FROM THE LEWIS COUNTY HEALTH PLAN

Introduced by Legislator Jack T. Bush, Chairman of the Board.

WHEREAS, by Resolution No. 428 – 2010 the Board of Legislators acknowledged certain payments made from the Lewis County General Fund to Lewis County General Hospital ("the Hospital") in the amount of $2,832,263 for the purpose of providing operational support to the Hospital in the form of health insurance costs for Hospital retirees and recognized such payments as a debt owing from the Hospital to the County in such amount (the "Indebtedness"); and

WHEREAS, the Hospital, through its Board of Managers, acknowledged the Indebtedness as owing to the County and agreed to re-pay the same, together with interest in the amount of four per cent (4%) per annum, in equal monthly installments of $100,000 per month commencing in October, 2010 to be paid into the Lewis County Health Plan (self-insurance reserve); and

WHEREAS, in light of the Hospital's continuing need for further payments to be made on its behalf by the County for additional operational support, the Board of Legislators finds and determines that it is in the best interest of the Hospital and County finances to forgive the Indebtedness in its entirety (including interest) and to refund any and all payments made in repayment of such Indebtedness to date by or on behalf of the Hospital.

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby rescinds Resolution No. 428-2010 and forgives in its entirety the Indebtedness described therein in the amount of $2,832,263 together with accrued interest thereon and hereby authorizes a refund from the Lewis County Health Plan of any and all payments made to date by or on behalf of the Hospital towards such Indebtedness. The Hospital shall have no further obligations with respect to same.

Section 2. That the Plan Administrator and Treasurer be and the same are hereby authorized to execute and deliver such refunds to effectuate the purpose of this Resolution.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 205 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH

THE PAIGE GROUP FOR MARKETING SERVICES FOR THE LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

WHEREAS, Lewis County has received a proposal from The Paige Group with offices located at 258 Genesee Street, Suite 204, Utica, New York 13502 to provide a marketing plan to help increase usage of the transportation system and increase consumer understanding of the various bus runs offered for Lewis County; and

WHEREAS, the term of this agreement will be for the period of June 1, 2012 through December 31, 2012 at a cost not to exceed $25,000.00; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Agreement between the County of Lewis and The Paige Group to provide a marketing plan to help increase usage of the transportation system and increase consumer understanding of the various bus runs offered for Lewis County for the period beginning June 1, 2012 through December 31, 2012 at a cost not to exceed $25,000.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Contract, subject to the approval of the County Attorney as to form.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 206 - 2012
RESOLUTION TO TRANSFER FUNDS
FIRE AND EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Fire & Emergency Management Department accounts to reimburse for Portable Radios not reimbursed from grants, money to come from Capital Radio Account HA3310.4 balance of $84,092:

From:	Amount:
HA3310.4	$8,459.02
To:	
A3412.2909 (FY09)	$2,195.00
A3414.2909 (FY10)	$6,264.02

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke.

Mr. Pendergast informed the State had denied reimbursement for the radios, citing non-compliance with the 2009 Homeland Security grant agreement criteria. Therefore, the purchases will be made with Capital radio appropriations.

The resolution was then adopted.

RESOLUTION NO. 207 - 2012
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID-ELIGIDLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT TO FUND THE LOCAL SHARE OF FEDERAL-AID ELIGIDLE AND INELIGIDLE PROJECT COSTS, AND APPROPRIATING FUNDS THEREFOR (PIN 775297)

Introduced by Legislator Patrick Wallace, Chairperson of the Transportation Committee.

WHEREAS, a Project for Highway Rehabilitation of 2.8 miles on County Road 29 (PIN 775297) (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Construction/Construction Inspection Phase/Construction Support Phase of the Project;

NOW, THEREFORE, BE IT RESOLVED by the Lewis County Board of Legislators, duly convened, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above- subject Project.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Lewis County Board of Legislators, to pay in the first instance 100% of the federal and non-federal share of the cost of Construction/Construction Inspection Phase/Construction Support Phase work for the Project or portions thereof.

Section 3. That the sum of $1,017,208.60 is hereby appropriated from County general funds, and made available to cover the cost of participation in the Construction/Construction Inspection Phase/Construction Support Phase of the Project.

Section 4. That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Lewis County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Chairman of the Board of Legislators, thereof.

Section 5. That the Chairman of the Lewis County Board of Legislators, be and he hereby is authorized to execute all necessary Agreements, on behalf of the Lewis County Board of Legislators, with the New York State Department of Transportation, in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of the Project costs and permanent funding of the local share of federal-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible.

Section 6. That the Lewis County Highway Superintendent, or in his or her absence the deputy superintendent, be and the same is hereby authorized to execute all necessary consultant agreements, right-of-way certifications, reimbursement requests for Federal Aid on behalf of the Lewis County and any other document, not including the Agreement with NYS DOT, that may be necessary to carry out the terms of this Resolution.

Section 7. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 8. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 208 -2012
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR AGING

Introduced by Legislator Philip Hathway, Chairman of the Office for the Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place in the Office for the Aging accounts for the increase in Nutrition Services Incentive Program allocation:

Increase Revenue:	
A47770 OFA USDA	$4,095.00
Increase Expense:	
A6772.4911 Prof Svc Nutrition	$4,095.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 209 - 2012
RESOLUTION TO CREATE PETTY CASH ACCOUNT
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Treasurer to create a Petty Cash account for the Office For the Aging Department, in the amount of $300.00.

Section 2. That a policy be established for the administration and tracking of the Petty Cash funds.

Section 3. That said policy shall be filed with the County Treasurer and Clerk of the Board of Legislators.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 210 - 2012
RESOLUTION AMENDING RESOLUTION N0.178-2012
COMPENSATION PLAN AMENDMENT PROBATION DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, the Board of Legislators had adopted Resolution number 178-2012 amending the Compensation Plan with reference to the Probation Department by creating an Account Clerk position; and

Whereas, the salary of said position was incorrectly designated as Grade 13.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby establishes the salary for the Account Clerk position in the Probation Department at Grade A13.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 211 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN WITH REFERENCE TO THE MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

BE IT RESOLVED as follows:

Section 1. That the following titles at the Mental Hygiene Department have been abolished effective May 31, 2012, due to transitioning of the Mental Health programs pursuant to contractual agreements:

Account Clerk (2)
Mental Health Counselor (3)
Licensed Master Social Worker (1)
Licensed Clinical Social Worker (1)
Mental Health Intake Specialist (1)
Compliance Officer (1)
Intensive Case Manager (1)
Cleaner (1)

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 212 - 2012
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN ISLAND PEER REVIEW ORGANIZATION, INC.(IPRO) AND LEWIS COUNTY PUBLIC HEALTH CERTIFIED HOME HEALTH AGENCIES (CHHA)

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health wishes to enter into a

Memorandum of Agreement with Island Peer Review Organization, Inc. (IPRO) for the purpose of having IPRO provide reviews and evaluations of the Certified Home Health Agencies (CHHA) that implement federal requirements of the Medicare program, provide requested medical records for their review and acknowledge IPRO's attestation that they area bound by HIPAA regulations; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Agreement to have Island Peer Review Organization, Inc. review and evaluate the Certified Home Health Agencies of Lewis County.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 213 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND UNIVERSITY PATHOLOGIST LABORATORIES, LLP

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Public Health Agency, and University Pathologist Laboratories, LLP, pursuant to which University Pathologist Laboratories, LLP thereby accept the New York State rate for provision of laboratory services for women served by the Cancer Services Program.

Section 2. That this Agreement shall be effective from April 1, 2012 through March 31,2013.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver such Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 214 – 2012
RESOLUTION APPROVING AGREEMENTS BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND VARIOUS PROVIDERS FOR PRESCHOOL SPECIAL EDUCATION PROGRAM

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contracts related to the following agencies that provide services to the Preschool Special Education Program for children with special education and health care needs for the period beginning July 1, 2012 and ending June 30, 2013 at a cost in accordance with the rates set forth by the State Education Department.

AGENCY	TERM
Special Programs, Inc. (d/b/a Little Luke's)	07/01/12-06/30/13
Milestones Children's Center	07/01/12-06/30/13
The Rowland Center, Inc.	07/01/12-06/30/13
Upstate Cerebral Palsy	07/01/12-06/30/13
Madison-Oneida BOCES	07/01/12-06/30/13
Central Association for the Blind and Visually Impaired	07/01/12-06/30/13
Jefferson Rehabilitation Center	07/01/12-06/30/13
Margaret L. Williams Developmental Evaluation Center	07/01/12-06/30/13
Lewis County General Hospital	07/01/12-06/30/13
St. Lawrence-Lewis BOCES	07/01/12-06/30/13

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTIONNO. 215 -2012
RESOLUTION APPROVING AGREEMENTS BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND VARIOUS PROVIDERS FOR EARLY INTERVENTION PROGRAM

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contracts related to the following agencies that provide services to the Early Intervention Program for children with special education and health care needs for the period beginning July 1, 2012 and ending December 31, 2012 at a cost in accordance with the rates set forth by the New York State Department of Health.

AGENCY	TERM
Special Programs, Inc. (d/b/a Little Lukes)	07/01/12-12/31/12
The Rowland Center, Inc.	07/01/12-12/31112
Central Association for the Blind and Visually Impaired	07/01/12-12/31/12
Jefferson Rehabilitation Center	07/01/12-12/31/12
The ARC, Oneida-Lewis Chapter	07/01/12-12/31/12
Sandra Beasock, PT	07/01/12-12/31/12
Mary K. Greene, SLP	07/01/12-12/31/12
Christine Lee, OT	07/01/12-12/31/12

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 216 - 2012
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriations are hereby approved using the 2012/2013 KOMEN funds:

Increase:

Account	Description	Amount
A34461	Komen Breast Cancer Foundation	$20,000.00
A4034.2909	Equipment	$ 1,500.00
A4034.4403	Printing	$ 1,000.00
A4034.4407	Supplies	$ 1,000.00
A4034.4441	Medical Services	$ 6,500.00
A4034.4501	Education/Training	$ 2,500.00
A4034.4503	Education Materials	$ 2,000.00
A4034.4507	Travel	$ 2,500.00
A4034.4901	Professional Services	$11,000.00
A4034.4907	Legal Notices/Adv.	$ 2,000.00

Decrease:

Account	Description	Amount
A4035.4504	Ed-Breast Cancer	$10,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 217 - 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Public Health accounts:

From:	Account:	Amount:
A4089.4367	Vaccines/Pharmaceutical	$500.00
To:		
A4089.4909	Miscellaneous Expense	$500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 218 - 2012
RESOLUTION ESTABLISHING FEE SCHEDULE FOR DOCUMENTS, RECORDS AND INFORMATION PRODUCED BY REAL PROPERTY TAX DEPARTMENT

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, Resolution No. 267-2009 previously established a fee schedule for documents, records and information produced by the Real Property Tax Department.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby establishes the fee schedule, attached hereto, for all documents, records and information produced by the Real Property Tax Department.

Section 2. That the attached fee schedule shall be effective June 6, 2012.

Section 3. That the Real Property Tax Director is hereby authorized to make, publish and enforce such fee schedule, and to establish such rules and regulations as may be necessary to implement the same.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Lucas.

In response to Legislator Hathway, Legislator King stated the fee reductions for some documents are recommended, as posed by Real Property Tax Director Linda Gydesen, following her in-depth review.

The resolution was then adopted.

TAX MAP FEE SCHEDULE-A26560
Lewis County Real Property Tax Service
Effective June 6, 2012

Satellite (Ortho) Maps (Color)	Tax Map (B&W)	DWG Copy of Maps (CD or Email)
11x17 = $6.00/map	11x17 or smaller = no charge	Per Village = $25.00
17x22 = $8.00/map	17x22 = $3.00/map	Per Town = $50.00
30x42 = $12.00/map	30x42 = $5.00/map	County Wide=$500.00

PDF Copy of Maps (CD or Email)	Shapefiles (CD or Email)	Custom Mapping
One Size = $3.00/map	Per Village = $25.00	$25.00 Min. Charge
Per Village = $20.00	Per Town = $50.00	
Per Town = $40.00	County Wide = $500.00	
County Wide = $400.00	Misc. Shape Files = $25.00/ea-(Wetlands, Adirondack Park, State & County Lands)	

RPS FEES-A26563

X-ref/1 Liner: (Alpha or Numeric)	_____	$ 5.00/town	Entire County:	_____	$ 95.00
CD of Assessment or Tax Roll: (150P1)	_____	$100.00/town	Entire County:	_____	$1,000.00
CD of database & log file: (scrubbed)	_____	$100.00/town	Entire County:	_____	$1,000.00
Tax Extract files-160D1:(agreements only)	_____	$100.00/town	Entire County:	_____	$1,500.00
Sales Report:	_____	$ 10.00/month		_____	$120.00/Year

Labels:
Name & Address: (Min. $25.00) _____ $.05/parcel Municipal chg: (Min.$10.00) _____$.02/parcel

List:
Name & Address: (Min. $25.00) _____ $.03/parcel Municipal chg: (Min.$10.00) _____$.01/parcel

RPS Custom reports: _____ $35.00+$.05/parcel Municipal chg: _____$20.00+$.03/parcel
(Per Directors approval of categories available, CD or paper)
(Tax Map #/Owner/School/R/S/Land & Total AV/Acres, etc.)

Copies:	_____	$.65/copy	Municipal chg:	_____ $.35/copy
Faxes:	_____	$.65/pg (N/C cover pg)	Municipal chg:	_____N/C
Email:	_____	$.65		

RESOLUTION NO. 219 -2012
RESOLUTION TO TRANSFER FUNDS
REAL PROPERTY

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved in the Real Property Tax accounts for the decrease in salary of the new Director and the increase in fringe from individual coverage to family coverage for the Director:

From:	To:	Amount:
A1355.1999 (Per Serv)	A1355.8999 (Fringe)	$7,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 220 -2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to replace personal floatation devices, utilizing donations from Lyonsdale Associates:

Increase Revenue	Amount:
A27061 (Contributions – Sheriff)	$500.00
Increase Expense:	Amount:
A3112.4999 (Sheriff-Parks & Rec.)	$500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 221 - 2012
RESOLUTION AUTHORIZING GRANT AND MORTGAGE SUBORDINATION (COUNTY OF LEWIS TO STEVEN AND BOBBI MARRA)

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Steven F. and Bobbi J. Marra (the "Borrower") were granted a Mortgage to the County of Lewis dated March 10, 2009, and recorded in the Lewis County Clerk's Office on May 21, 2009, in 2009 of Mortgages, at Page 002485 to secure payment of a loan in the amount of $27,703.11, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, the Borrower is about to execute and deliver to Community Bank, N. A. a new note and mortgage in the amount of $62,500.00 with interest and the Lender has refused to accept the new note and mortgage unless mortgage held by the County of Lewis be subordinated to such mortgage not to exceed $62,500.00.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Mortgage Subordination for the aforedescribed Mortgage, upon such terms as may be acceptable to the County Attorney.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 222 - 2012
RESOLUTION AUTHORIZING GRANT AND MORTGAGE SUBORDINATION (COUNTY OF LEWIS TO ZACHARY S. WILTON)

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Zachary S. Wilton (the "Borrower") was granted a Mortgage to the County of Lewis dated October 16,2009, and recorded in the Lewis County Clerk's Office on December 18, 2009 in 2009 of Mortgages, at Page 006425 to secure payment of a loan in the amount of $32,456.10, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, the Borrower is about to execute and deliver to Community Bank, N. A. a new note and mortgage in the amount of $40,000.00 with interest and the Lender has refused to accept the new note and mortgage unless mortgage held by the County of Lewis be subordinated to such mortgage not to exceed $40,000.00.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Mortgage Subordination for the aforedescribed Mortgage, upon such terms as may be acceptable to the County Attorney.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Lucas, and adopted.

RESOLUTION N0. 223 - 2012
RESOLUTION TO APPROPRIATE FUNDS FOR SOCIAL SERVICES

Introduced by Legislator Phil Hathway, Chairman of the Social Services Committee.

Whereas, DSS has received an allocation in the amount of $48,246.00 to support 2012 Summer Youth Employment (SYEP):

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved for 2012 TANF Summer Youth Employment Program (SYEP):

Increase Revenues:

A36090	STATE TANF	$48,246.00

Increase Expenses:		
A6109.1999	Pay – TANF SYEP	$44,468.00
A6109.8999	Fringes – TANF SYEP	3,778.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 224 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO THE DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Department of Social Services, to create one (1) full-time permanent Caseworker position at Grade 26, to replace a resignation effective May 23, 2012.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 225 -2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO THE DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Department of Social Services, to create two (2) Student Worker positions for the Summer PINS Program.

Section 2. That this is for the period commencing June 25, 2012 to August 24, 2012 for 300 hours at $7.25 per hour.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 226 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO THE DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Department of Social Services, to create three (3) Student Worker positions for the Summer Youth Program to be assigned to the Lewis County Highway Department.

Section 2. That this is for the period commencing July 2, 2012 to August 17, 2012 for 40 hours per week at $8.67 per hour.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 227 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO THE DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Department of Social Services, to create thirty-seven (37) temporary full-time Student Worker positions for the Summer Youth Program.

Section 2. That this is for the period commencing July 2, 2012 to August 17, 2012 for 35 hours per week at $7.25 per hour.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 228 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO THE DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Department of Social Services, to create one (1) temporary part-time Summer Youth Employment Counselor position for Employment and Training.

Section 2. That this is for the period commencing June 4, 2012 to July 27, 2012 for 23 hours per week at $15.00 per hour.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 229 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO THE DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Department of Social Services, to create two (2) temporary full-time Summer Youth Employment Counselor positions for Employment and Training.

Section 2. That this is for the period commencing June 25, 2012 to August 24, 2012 for 40 hours per week at $15.00 per hour.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded byLegislator Tabolt, and adopted.

RESOLUTION NO. 230 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN

WITH REFERENCE TO THE DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Department of Social Services, to create one (1) temporary part-time Job Readiness Training Instructor position for Employment and Training.

Section 2. That this is for the period commencing July 9, 2012 to October 5, 2012, to fill in during maternity leave of regular employee for 17.5 hours per week at $19.09 per hour.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 231 - 2012
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee:

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget changes take place in the Highway Dept Account for Liberty Rd surface treatment and a Culvert on the Whitesville Rd:

Increase Revenue:	
D50310(Transfer from General)	$161,610.00
Increase Expense:	
D5110.49(Maint Materials)	$ 30,000.00
D5150.499(Paving Materials)	$131,610.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd.

Legislator King invoked that the Liberty Road was not on the approved 2012 road project list, taking exception to impulsively increasing appropriations mid-year. Accordingly, he would like the relative appropriation transfer revoked. If there are funds

left at the end of the year, 2013 appropriations could be earmarked for the project. "The culvert should be fixed", he said, "but not the road project".

Legislator King further rejected Legislator Hathway's suggestion to repair a portion of the 4.1 mile Liberty Road.

Legislator Tabolt made a motion to reduce the revenue and expense appropriations by $131,610.00, seconded by Legislator Boyd and carried.

The resolution was then adopted.

RESOLUTION NO. 232 - 2012
RESOLUTION TO TRANSFER FUNDS
INTER FUND TRANSFERS

Introduced by Legislator William Burke, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers take place in the 2012 Budget For the Double Surface Treatment for 4.1 miles of the Liberty Rd at $131,610 and a Culvert on the Whitesville Rd at $30,000:

From:	Amount:
A9950.9921(To Bldg Project)	$161,610.00
To:	
A9901.9912(To County Rd)	$161,610.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Hathway.

In accordance with the Board's action pursuant to Resolution No. 231-2012, Legislator Hathway made a motion to reduce the transfer by $131,610.00, for a total of $30,000.00. The motion was seconded by Legislator Tabolt and carried.

The resolution was then adopted.

RESOLUTION N0. 233 - 2012
RESOLUTIONAUTHORIZIN AGREEMENT BETWEEN LEWIS COUNTY TREASURER'S OFFICE AND HARBRIDGE CONSULTING GROUP, LLC

Introduced by Legislator William Burke, Chairman of the Ways and Means

Committee.

WHEREAS, the Harbridge Consulting Group, LLC wishes to enter into an agreement with the Lewis County Treasurer's Office for the purpose of providing actuarial valuation of postretirement health care benefits for fiscal years 2012 through 2015 under Governmental Accounting Standards Board (GASB) Statement No. 45, Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pension; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Harbridge Consulting Group, LLC to provide actuarial valuation of postretirement health care benefits for fiscal years 2012 through 2015 under Governmental Accounting Standards Board (GASB) Statement No. 45, Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pension at a cost not to exceed $6,800.00 for 2012, $2,000.00 for 2013, $7,000.00 for 2014 and $2,000.00 for 2015.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 234 - 2012
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows: NOA#PY12-0l

Section 1. That the following funds be appropriated for Program Year 2012 for the period April1, 2012 and June 30,2014 for Youth per the Notice of Obligational Authority (NOA), #PY12-0l, dated May 15,2012, through the New York State Department of Labor, in the amount of $57,455.19.

Youth	
CD6290.1999	$49,663.03
CD6290.8999	$ 7,792.16

WIA Revenue
CD47910 $57,455.19

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator King, and adopted.

RESOLUTION NO. 235 - 2012
RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hatbway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following changes are hereby approved for Program Year 2011 funding for the Employment and Training Administration budget for the period 7/1/10-6/30/12:

From:		
CD6295.4909	$1,135.62	Contractual
CD6295.4909	$ 626.77	Contractual
To:		
CD6295.1999	$1,135.62	Wages
CD6295.8999	$ 626.77	Fringes

No changes to revenue.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 236 - 2012
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows: NOA#PY11-6

Section 1. In accordance with Workforce Investment Board of Jefferson County request pursuant to Section 667.140 of the Workforce Investment Act, the

following transfer of funds has been approved for transfer from Dislocated Worker to Adult:

From:	
Dislocated Worker	
CD6291.4999	$ 12,562.00
To:	
Adult	
CD6292.4999	$ 12,562.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 237 - 2012
RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment & Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Employment & Training Department to transfer funds between WIA Administration accounts:

From:	Amount:
CD6295.4909	$1,336.91
To:	
CD6295.1999	$ 893.60
CD6295.8999	443.31
	$1,336.91

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 238 - 2012
RESOLUTION APPOINTING MEMBERS TO YOUTH BUREAU ADVISORY BOARD

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau

Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals as members of the Lewis County Youth Bureau Advisory Board:

John Monnat of 5635 Division Street, Lowville, NY 13367
Daniel Myers of 5358 Waters Terrace, Lowville, NY 13367
Mickey Dietrich of7289 Rice Road, Lowville, NY 13367

Section 2. That the term of said appointments shall be effective from June 6, 2012 through June 6, 2014.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 239 - 2012
RESOLUTION AMENDING COMPENSATION PLAN

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

WHEREAS, the Board of Legislators wishes to set the salaries for the positions of confidential secretary to the County Attorney and the paralegal to the County Attorney;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis for the County Attorneys Office as follows:

Title	Status	Salary
Confidential Secretary	Salaried	$33,142
Paralegal	Salaried	$36,869

Section 2. That the above salaries shall be deemed effective as of April 25, 2012.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 240 - 2012
RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING FOR THE CREATION OF THE CENTRAL NEW YORK INTEROPERABLE COMMUNICATION CONSORTIUM (CNYICC)

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there is a need to cooperate and establish an Interoperable Communications network to serve the Central New York Region; and

WHEREAS, this need has been expressed in the National SAFECOM program, is encouraged by the Federal Government though a number of federal grant programs and is well recognized as the future for planning Interoperable Communications Systems; and

WHEREAS, in order to seek federal funding for such initiatives of the Cayuga, Cortland, Oswego, Onondaga and Madison Counties (hereinafter "the Counties") have agreed to form a consortium for the purpose of applying for federal grants to establish a regional Interoperable Communications Network; and

WHEREAS, the Consortium has been officially endorsed by the Counties committed to working on a joint Interoperable Communications Network that would serve all first responders in the five county region as well as interface with the State Wide Wireless Network and other public service agencies and that would study and establish a process for sharing costs and assets that would be of mutual benefit to all parties; and

WHEREAS, the Consortium will apply for grants under federal and state programs that encourage regional projects and will comply with federal and state guidelines for funding; and

WHEREAS, the Consortium will implement any projects in accordance with 28 CFR Part 66, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; and

WHEREAS, each participating member county will report all findings and projected costs to its respective legislative and executive bodies before any funds can be obligated; and

WHEREAS, the Board of Legislators believes it is in the public interest to join the Consortium.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding to join the Central New York Interoperable Communication Consortium (CNYICC).

Section 2. That Jack T. Bush, Chairman of the Board of Legislators is hereby

authorized to make, execute, seal and deliver such Memorandum of Understanding, subject to approval by the County Attorney as to form.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

OTHER BUSINESS:

In response to Legislator Hathway, Patricia O'Brien suggested the non-appropriated portion of delinquent tax sale proceeds be utilized for negotiated salary increases.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Burke, seconded by Legislator Stanford and carried at 5:57p.m.

SPECIAL MEETING
June 20, 2012

The meeting was called to order at 3:30p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 2 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend waiving the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: June 20, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Lucas and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Assemblyman Ken Blankenbush acknowledged receipt of Chairman Bush's letter, which asked for support of Assembly Bill No. A.6575/Senate Bill No. S.5629 allowing counties the authority to control their local sales tax rate up to 4%. Mr. Blankenbush penned his intent to keep pushing for adoption of said legislation.

The Tioga County Board of Supervisors, additionally, had forwarded a copy of their Resolution affirming their respective support of the sales tax State Legislation.

The Fulton County Board of Supervisors forwarded a copy of their Resolution to support revision of the sharing formula for wireless E911 surcharge monies, to enhance greater allocations for the intended purpose of assisting counties to defray costs of operating and maintaining 911 centers.

The Seneca County Board of Supervisors forwarded a copy of their Resolution calling upon the Governor and State Legislature to recognize the importance of local government involvement in the New Article X Power Plant Site process. Their Board submits that the newly created NYS Board on Electrical Generation Siting and the Environment, in essence, usurps the local government's ability to decide whether such development would be in their residents' best interest.

REPORTS OF STANDING COMMITTEES:

Legislator Michael Tabolt informed that the Quibica-AMF Plant was featured on the cover of the NYSAC News booklet that is distributed to officials throughout the State. The picture had been taken during the 4/19/12 plant tour provided to the Inter-County Legislative Committee of the Adirondacks.

Legislator Charles Fanning, Public Health Committee Chairman, made a motion to authorize Director Carol Paluck to fill one full-time Public Health Nurse position, effective immediately, seconded by Legislator Stanford and carried.

Legislator Richard Lucas, Economic Development Committee Chairman, made a motion to authorize the Chairman to provide a supporting letter to Snow Belt Housing for a $300,000 grant application to the New York State Affordable Housing Corporation, for a county-wide owner-occupied home improvement program. The motion was seconded by Legislator Hathway and carried.

COUNTY MANAGER REPORT:

Mr. Pendergast informed that today was the conclusion of the State Legislative session, during which there had been nothing on mandate relief.

RESOLUTIONS:

RESOLUTION NO. 241 - 2012
RESOLUTION TO APPOINT AND SET SALARY
SUPERINTENDENT OF HIGHWAYS

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, Joseph C. Langs resigned from the position of Lewis County Superintendent of Highways/Solid Waste Coordinator position effective May 3, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints David L. Becker of 4572 Flatrock Road, Lowville, New York 13367, as the Lewis County Superintendent of Highways, to fill the un-expired term of Joseph C. Langs.

Section 2. That the term of said appointment shall commence immediately and terminate on December 31, 2013.

Section 3. That the 2012 annualized salary for said position shall be

$60,000.00.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas.

Legislator Hathway made a motion to amend the salary to $59,000.00, seconded by Legislator Fanning. The motion to amend was defeated by a vote of 4 to 6, with Legislators Bush, Boyd, Burke, Lucas, Stanford and Wallace opposed.

The resolution was then adopted by a vote of 6 to 4, with Legislators Fanning, Hathway, King and Tabolt opposed.

Legislator Stanford opined the salary was reasonable considering Mr. Becker's experience.

RESOLUTION NO. 242 - 2012
RESOLUTION TO AUTHORIZE CLOSING PORTION OF WEST ROAD IN TURIN DURING CONCERT EVENT

Introduced by Legislator William Burke, District No. 7 Representative for the Town of Turin.

Whereas, the owners of Snow Ridge Ski Resort will sponsor the moe.down concert event, which attracts thousands of tourists; and

Whereas, closure of a portion of the West Road would greatly enhance the safety of pedestrians, as well as ensure an open pathway for emergency and law enforcement vehicles.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the closure of the West Road in the Town of Turin from the intersection of West Main Street northerly to the intersection of Route 26.

Section 2. That the West Road closure will be in effect from 10 a.m. on August 10, 2012 through 10 a.m. on August 13, 2012.

Section 3. That said road closure is contingent upon Snow Ridge Ski Resort, as the event sponsor, entering into an agreement with the County of Lewis to indemnify and hold the County harmless from all claims liability, damages and costs (including attorney fees) that may arise by reason of injury to person or property and arising out of the "moe.down" event.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Lucas.

Legislator King inquired whether the event sponsors would cover Highway Department expenses for road clean-up after the event.

Legislator Burke reported the annual event has been held at a different venue for the past couple of years, and the Snow Ridge owners are attempting to regain the event at their site.

Legislator Stanford inquired if there were Sheriff Department allocations to cover the additional law enforcement patrols during the event.

Mr. Pendergast affirmed there had been no relative discussion or budgetary appropriations for law enforcement or other expenses. The last moe.down event cost the County an estimated $75,000-$80,000 for law enforcement, District Attorney, Jail and Highway equipment and personnel. Other than the road closure, the County has no control over the organized event. However, the New York State Department of Health, as the mass gathering permit issuing agency, has invited County officials to a July meeting with the promoters and property owners, to discern details.

Legislator Burke reminded the event would be held in early August, as opposed to the former Labor Day weekend. Due to unknown attendance and related County expenses, he suggests tracking expenditures and address budgetary issues, if necessary, following the event.

The resolution was then unanimously adopted.

RESOLUTION NO. 243 - 2012
RESOLUTION APPOINTING MEMBER TO
JUNKYARD REVIEW BOARD

Introduced by Legislator Paul Stanford, Chairman of the Junkyard Committee.

Whereas, Jerome LaBarge has resigned from the Junkyard Review Board effective May 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints John G. Jones of Post Office Box 57, Beaver Falls, New York 13305, to the Lewis County Junkyard Review Board, to fill the un-expired term of Jerome LaBarge.

Section 2. That the term of said appointment shall be effective from June 6, 2012 through December 31,2014.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt, and adopted.

RESOLUTIONNO. 244 - 2012
RESOLUTION AMENDING AND RE-STATING RESOLUTION NO. 211-2012 WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, Resolution No. 211-2012 abolished several titles at the Mental Hygiene Department effective May 31,2012 due to transitioning of programs to contractual agreements; and

Whereas, said Resolution inadvertently included two Account Clerk positions, which had been reviewed and recommended by the Committee for retention of same through August 31, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That Resolution No. 211-2012 is hereby amended, to effect ongoing employment of two (2) Account Clerk positions within the Mental Hygiene Department retroactive to June 1, 2012 through August 31,2012.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Stanford and adopted.

RESOLUTION NO. 245 – 2012
RESOLUTION AUTHORIZING AMENDMENT TO FINANCIAL TERMS OF PAYMENT IN LIEU OF TAXES AGREEMENT ROARING BROOK WIND POWER PROJECT

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, Iberdrola Renewables, Inc. (the "Company") has proposed to construct a large scale wind powered electric generating facility with a potential generation capacity of 78 Mega Watts to be located within the Town of Martinsburg, County of Lewis, and within the Lowville Academy Central School District;

and

WHEREAS, the Board of Legislators has heretofore adopted Resolution No.172-2010 thereby authorizing to enter into a Payment In Lieu of Taxes ("PILOT") agreement with the Lewis County Industrial Development Agency upon certain Terms and Conditions as described in a Financial Term Sheet dated April 5, 2010; and

WHEREAS, the Company has proposed certain modifications to the Term Sheet and the terms of the PILOT Agreement due to changes that have occurred in the marketplace; and

WHEREAS, the Board of Legislators continue to find that the proposed project advances the County's desire for the environmentally sound production of low cost electrical power.

NOW THEREFORE, be it resolved as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the following modifications to the Term Sheet and PILOT Agreement:

(a) Delete all references that state in words or substance that the financial terms as agreed were conditioned upon "the Commercial Operation Date occurring not later than December 31, 2013";

(b) Inserting where appropriate the following: "Due to energy market conditions, among other reasons, the Company is not able to make any representations regarding when the Project will be constructed and therefore when PILOT Payments would actually commence; and

(c) Inserting provisions that would permit the Company to obtain mortgage tax exemption for the Project (through the IDA).

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver a PILOT Agreement containing the financial terms as set forth in the Financial Terms Sheet, and as revised herein, upon such form as may be approved by the County Attorney.

Section 3. That the within Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas.

In response to Legislator Hathway, Company representative Jennifer Briot, restated their request for an undefined PILOT ending date, but that payments would continue to escalate by 2.5% annually since 2010. Due to current low power prices,

the windmill construction date is unknown, but anticipated within the next year. The company is assuming the risk, she stated, but anticipates Federal power production tax credit renewal prior to the impending expiration date at the end of 2012. The company has reserved its construction rights through a 10-year agreement for landowner lease/rental fees. The fees would increase during construction, and again, when operational.

In response to Legislator Fanning, Ms. Briot explained that the company does not plan to borrow monies for the project, but would like to have that option available. If necessary, they request the County waive the mortgage tax recording fees, which would be based on the mortgage amount.

Mr. Pendergast relayed that both, the Lowville Academy Central School District and Town of Martinsburg Boards have approved the PILOT agreement.

The resolution was then adopted. Legislators Bush and Burke each abstained.

RESOLUTION NO. 246 - 2012
RESOLUTION SUPPORTING NEW YORK STATE LEGISLATION S.5509B/A.8489A TO REVISE THE SHARING FORMULA FOR WIRELESS E911 SURCHARGE MONIES

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, in 1991, the NYS Legislature enacted a statute to impose a monthly surcharge of $.70 per cell phone bill, thereafter increasing the surcharge to $1.20 per cell phone in 2002; and

Whereas, the allocation of said wireless surcharge monies collected by the State were intended to defray the costs of operating and maintaining County 911 centers, and to address serious communication failures of systems used by first responders, that were exposed by the September 11, 2001 attacks; and

Whereas, the people of New York State were told that this surcharge would be dedicated to rebuilding emergency communications systems throughout the State; and

Whereas, of the respective State 2011 collections of over $192 Million, only $2 Million was allocated to support 911 centers, with the balance diverted to other State purposes; and

Whereas, S.5509-B/A.8489A, as proposed, would require that 58.3% of E911 wireless surcharge funds must be used for grants or reimbursements to Counties for

the development, consolidation, or operation of public safety communications systems or networks designed to support interoperable communications for first responders, including Next Generation 911 systems; and

Whereas, if enacted, State Legislative Bill No. S.5509-B/A.8489A would provide significant funding resources for local agencies to begin to rebuild and upgrade communications systems.

Now, Therefore, BE IT RESOLVED,

Section 1. That the Lewis County Board of Legislators hereby urges the State Legislature and Governor Cuomo to enact S.5509-B/A.8489-A that would revise the sharing formula for wireless E911 surcharges to ensure that local governments receive necessary funds to upgrade 911 call centers and maintain emergency dispatch operations to enhance public safety.

Section 2. That the Clerk is hereby directed to forward certified copies of this Resolution to Governor Andrew Cuomo, Senator Joseph Griffo, Assemblyman Ken Blankenbush, and the New York State Association of Counties.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

OTHER BUSINESS:

There being no other business to come before the Board, the meeting adjourned at 3:54p.m. on motion by Legislator Fanning, seconded by Legislator Stanford and carried.

REGULAR MEETING
July 3, 2012

The meeting was called to order at 5:00p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 6 persons present.

Chairman Bush announced approval of the June 5th and June 20th meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: July 3, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Sheriff Michael Carpinelli reported that if the Board enacted the proposed Resolution for appropriations, he would be able to assign boat patrols for the 4th of July holiday and thereafter. The funds would be sufficient to cover required boat and jet-ski safety courses.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

NYSAC Executive Director Steven J. Acquario acknowledged receipt of the Board's resolution in support of State Legislation to revise the sharing formula for wireless E-911 surcharge monies.

The Wyoming County Board of Supervisors forwarded their Resolutions in support of NYS pension reform; and amending the authority of the Wyoming County Community Health System's Board of Managers, to require Supervisors' prior approval for any contract in excess of $50,000, or with a physician having privileges to practice at their Health System.

The Delaware County Board of Supervisors forwarded their Resolution in

support of State Legislation that would have authorized Counties to impose up to a four percent rate of sales and compensating use tax.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators received copies of the Treasurer's June monthly report and the 12/31/2011 departmental report; the 6/22/12 Solid Waste audit report; the 6/27/12 Highway Audit report; and the 2nd quarterly report of Sr. Code Enforcement Officer Ward Dailey.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging Committee Chairman, reported that a Social Services software program could reduce duplicated services and save an estimated 450 hours annually, with the process of making payments on behalf of persons who are not able to do so. Budgetary funds are available, and Departmental and Treasurer discussion would assure proper internal controls.

Legislator Hathway made a motion to authorize extending a full-time temporary Social Welfare Examiner from August 4, 2012 to February 1, 2013. The individual provides assistance that enables another employee to focus on chronic care cases. Due to State chargeback formulas, the additional personnel would effect overall savings of $3,200. The motion was seconded by Legislator Stanford and carried.

Legislator Hathway reported planned Committee discussion on the senior meals program and would be making their recommendation at the August meeting.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a May net loss of $270,382, excluding the County's debt forgiveness. Year-to-date acute admissions of 830 is actually greater than 815 the previous year, however, are negatively impacted by the greater number being categorized as "observation" at lower reimbursement rates. Charity care of $134,445, substantially exceeded the budget level of$91,000. Recruiting efforts continue to replace Orthopedic surgeon Dr. Campbell. Custodial worker Ginny Stogsdill was named May employee-of-the-month. Dr. David Rosner was elected Medical Staff President effective 7/1/12; and Dr. Wasso has signed a contract to oversee the Dialysis Unit. The NYS Department of Health (NYSDOH) has approved the Certificate of Need for the Hospital to administer the Certified Home Health Agency and Hospice Programs. Some deficiencies have been identified at the Harrisville Clinic by the NYSDOH, most notably lead-base paint, which will delay opening.

Legislator Tabolt relayed the Board of Managers' request to meet jointly with the Board of Legislators on 7/13/12 at 10 a.m. to discuss financial issues.

As the Board's representative, Legislator Tabolt reported attending a recent meeting of the Inter-County Legislative Committee of the Adirondacks, relating

NYSAC Executive Director Stephen Acquario's statements that the Governor's Mandate Relief Team has not met since March, nor had they taken any action on pension reform.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, urged support of his sponsored resolution to authorize Sheriff Carpinelli to purchase a taser to assist with response to "bath salts" and substance abuse offenders.

Legislator Patrick Wallace, Transportation Committee Chairman, reported culvert replacement and paving of Washington Street in Copenhagen; the bid opening scheduled on 7/19/12 for the Deer River Road project; and that shoulders are being completed for all the paved roads. FEMA funding will be used for the Herman Bush Road project. Remaining FEMA earmarked funds may be utilized for other Lewis County Highway projects, subject to application and FEMA approval.

Legislator Richard Lucas, Economic Development Committee Chairman, reported year-to-date ATV trail permit sales of 1,750, representing an increase of 150 at the same time last year.

Legislator Lucas made a motion to authorize Chairman Bush to provide a supporting letter for the Lewis County Development Corporations' grant application to the New York State Department of Agriculture and Markets, on behalf of Tug Hill Vineyard for an eligible grape expansion project. The motion was seconded by Legislator Tabolt and carried.

Legislator Jerry King, Taxation Committee Chairman, made a motion to remove Resolution No. 59-2012 from the table. Real Property Tax Director Linda Gydesen has satisfactorily explained to Croghan Deputy Mayor Dan Nuffer, the reason for charging the Village $1.00 per parcel for procedures performed by County Real Property Tax personnel. The motion was seconded by Legislator Wallace and carried.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported completion of 72 work orders by the maintenance department during June. He read an auctioned list of 9 County vehicles and other equipment resulting in proceeds of $9,358.00, which will be deposited into the Capital Equipment account.

Personnel installed a new cooler at the Maple Ridge meal site; repaired a sink and patched the parking lot that is due for replacement at the Social Services building, replaced ballasts in the new Court House, repaired door locks and plumbing repairs at the Public Safety Building; and Highway Department fuel tank levels are being checked and reported on Fridays.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS

July 3, 2012

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 897,249.44 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: July 3, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Stanford, and carried.

RESOLUTION NO. 247 - 2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 897,249.44 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Burke, seconded by Legislator Lucas, and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 248 - 2012
RESOLUTION TO TRANSFER FUNDS
BOARD OF LEGISLATORS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the encumbrance of the Board of Legislator's printing account balance as of December 31, 2011 of $1,043.54, was inadvertently not filed with the Treasurer; and, therefore, was rolled over into the Contingency Fund in 2012; and

WHEREAS, those funds were appropriated for the cost of printing the Journal of Proceedings.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the following fund transfer is hereby approved in the Board of Legislators account to cover the cost of printing the 2011 Journal of Proceedings:

From	To	Amount
A1990.4999 (Contingency)	A1010.4403 (Printing)	$1,043.54

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 249 - 2012
BUILDINGS AND GROUNDS DEPARTMENT

Introduced by Legislator William Burke, Chairman of the Buildings & Grounds Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Buildings and Grounds Department for shortfalls in various accounts:

Transfer from:	
A1990.4999 (Contingency)	$19,500.00
Transfer to:	
A1620.4703 (Vehicles Exp)	$ 3,000.00
A1624.4407 (Supplies)	$ 4,000.00
A1624.4603 (Repairs Maint)	$10,000.00
A1624.4604 (Rprs Main/Garbage)	$ 2,500.00
	$19,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

RESOLUTION 250 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
COUNTY OF LEWIS AND CSEA EMPLOYEE BENEFIT FUND

Introduced by Legislator Paul Stanford, Chairman of the County Officers Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a

Renewal Agreement between the County of Lewis and the CSEA Employee Benefit Fund, pursuant to which all employees are provided benefits under the Sunrise Dental Plan for the period commencing January 1, 2010 through December 31, 2013.

Section 2. That David Pendergast, the County Manager, is hereby authorized to execute and deliver said Renewal Agreement upon such forms as approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 251 - 2012
AUTHORIZING APPLICATION FOR 2012 NYS EMPIRE STATE DEVELOPMENT DIRECT ASSISTANCE TO BUSINESS FUNDS

Introduced by Legislator Lucas, Chairman of the Economic Development Committee.

WHEREAS, the Board of Legislators of Lewis County understands the requirements of the Empire State Development funding program and believes this funding will be important to the success of a new dialysis center for Lewis County General Hospital; and

WHEREAS, Lewis County General Hospital is a county-owned and operated facility and the dialysis center has become a critical need for the community and the Board of Legislators fully supports construction of this facility; and

WHEREAS, the $1.5 million dollar project will include a county/hospital contribution of approximately $500,000 and the County will request an amount up to $1,000,000 from the New York State Empire State Development program.

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. The Board of Lewis County hereby authorizes the filing of a 2012 NYS Empire State Development Direct Assistance to Business Program through the Consolidate Funding Application to secure funding to construct a new dialysis center for Lewis County General Hospital.

Section 2. That the Chairman of the Lewis County Board of Legislature, be and the same is hereby is authorized to make, execute, seal and deliver such applications, documents or writing as may be necessary to carry out the terms of this Resolution.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION 252 - 2012
RESOLUTION TO APPROPRIATE FUNDS
CR 29 WEST ROAD

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That an additional $1,017,208.60 shall be appropriated in the Capital Program to facilitate the Construction/Construction Inspection Phase 321 and 322 on CR 29 West Road.

Section 2. The following revenue accounts shall be recognized to facilitate the funding of this project:

HX45911	FEDERAL ARRA	$ 990,038.00
HX45910	FEDERAL	$ 27,170.60
HX5197.4	Construction & Misc	$1,017,208.60

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTIONNO. 253 -2012
RESOLUTION APPOINTING MEMBERS TO LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

Introduced by Legislator Jack T. Bush, Chairman of the Lewis County Board of Legislators.

Whereas, pursuant to Section 856 of the General Municipal Law, an Industrial Development Agency shall be a corporate government agency, constituting a public benefit corporation; and

Whereas, the Agency shall consist of not less than three nor more than seven members, who shall be appointed by the governing Board of Legislators; and

Whereas, said members shall serve at the pleasure of the Board.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints the following

individuals to the Lewis County Industrial Development Agency to serve at the pleasure of the Board:

Gerald Haenlin of 5539 Trinity Avenue, Lowville, New York 13367
Stevie Smith of 13167 McCoy Road, Natural Bridge, New York 13665

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION 254 - 2012
RESOLUTION IN RECOGNITION OF ALLAN WAHL
FOR JUNKYARD REVIEW BOARD TENURE

Introduced by Legislator Paul Stanford, Chairman of the Junkyard Committee.

WHEREAS, Allan Wahl was initially appointed to the Lewis County Junkyard Review Board on August 3, 1992, and served continually through the date of his resignation on June 30, 2012; and

WHEREAS, during his long tenure, Mr. Wahl's commitment and knowledgeable input enhanced the Review Board's undertakings for management of junkyards throughout Lewis County; and

WHEREAS, this Board of Legislators wishes to recognize Allan Wahl for his voluntary dedicated service.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That as an enduring mark of respect for the sincere and honorable service rendered by Allan Wahl throughout his tenure on the Junkyard Review Board, this resolution shall be printed in the official Journal of Proceedings of the Lewis County Board of Legislators, and a certified copy thereof be forwarded to Allan Wahl.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 255 - 2012
RESOLUTION TO TRANSFER FUNDS LAW DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Law Department account to cover increased travel costs:

Transfer from:	
A1990.4999 (Contingency)	$2,500.00
Transfer to:	
A1420.4507 (Travel)	$2,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 256 - 2012
RESOLUTION TO TRANSFER FUNDS CORONER

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Coroner's accounts for payments related to the agreement with Mark Tuttle:

From:	To:	Amount:
A1185.8900 (Fringe)	A1185.4901 (Prof Serv)	$5,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 257 - 2012
RESOLUTION TO CREATE AND APPROPRIATE FUNDS
FOR STUDENT WORKER PROGRAM

Introduced by Jack Bush, Chairman of the Board of Legislators.

Whereas, the Pratt-Northam Foundation is providing funds to establish a Student Worker Program for college eligible or in-college students during the summer of 2012, at the minimum hourly rate of $7.25; and

Whereas, the cost to the County of Lewis would be only for fringe benefits, other than Social Security.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That upon approval by the Pratt-Northam Foundation, the following amounts will be appropriated to expense account #'s. A.6380.1999 $13,050.00 and A.6380.8999 $1,002.00 and revenue account No. A27052 $14,052.00.

Section 2. That the employed students shall be assigned to County Departments as approved by the Foundation.

Section 3. That in conjunction with this program, the title of Student Worker is hereby created and the number of positions with this title will be dependent on the amount of the grant awarded by the Foundation.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 258 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Public Health Department, to create the following position:

TITLE	STATUS	SALARY
Early Intervention Service Coordinator	Part-time	Grade 24

Section 2. That Public Health Director Carol Paluck is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Stanford.

Legislator King made a motion to defer authorization to fill said position until the County Manager receives the executed C.S.E.A. Agreement from union representatives, as ratified by the Board of Legislators. The motion was seconded by Legislator Tabolt and carried.

The resolution was then adopted.

RESOLUTION NO. 259 - 2012
RESOLUTION TO TRANSFER FUNDS PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts to cover line item expenses:

From:	Amount
A4017.4901 (Professional Services)	$ 20.00
A4035.4900 (Outside Contractor)	250.00
A4087.4909 (Misc. Exp)	50.00
A4088.4909 (Misc. Exp)	20.00
A4089.4909 (Misc. Exp)	250.00
	$590.00
To:	
A4017.4401 (Postage)	$ 10.00
A4017.4405 (Copier)	10.00
A4035.4409 (Misc. Exp)	250.00
A4087.4405 (Copier/Reproduction)	50.00
A4088.4401 (Postage)	10.00
A4088.4405 (Copier)	10.00
A4089.4503 (Education Material)	250.00
	$590.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 260 - 2012
RESOLUTION TO TRANSFER FUNDS PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts to cover line item expenses:

From:	Amount
A4035.4507 Travel	$ 100.00

A4035.4705	Vehicle Ins/Reg	50.00
A4035.4907	Legal Notices/Adv	2,400.00
		$ 2,550.00
To:		
A4035.4237	Meeting Supplies	$ 234.00
A4035.4401	Postage	500.00
A4035.4403	Printing	400.00
A4035.4409	Data Processing Costs	187.00
A4035.4503	Educational Material	50.00
A4035.4701	Vehicle Repairs	579.00
A4035.4703	Vehicle Exp.-Gas/Oil	600.00
		$ 2,550.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 261 - 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee:

BE IT RESOLVED, as follows:

Section 1. That the following 2012 budget transfers take place in the Sheriff's Department accounts from Contingency:

From:	Amount:
A1990.4999 (contingency)	$4,500.00
To:	
A3112.1102 (Temp help)	$3,500.00
A3112.4999 (Misc Exp)	$1,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 262 - 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law

Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Sheriff's Department for the purchase of a taser, utilizing Capital Equipment funds, leaving a balance of $255,218:

Appropriate:	Amount:
A50310 (Inter-fund Transfer)	$945.00
A3110.4800 (Law Enforcement)	$945.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford.

At the request of Legislator Lucas, Sheriff Carpinelli explained the need for law enforcement tasers are for response to increasing bath salts and substance abuse offenders. Persons who use these drugs claim to see more than one person chasing or watching them, and often become disoriented and combative. The tasers, he stated, would effect the least amount of force for compliance, while enhancing officer safety. Sheriff Carpinelli affirmed that officers would be trained, assuring that he would be "taking a taser hit" himself, prior to official use. Officer testing would be voluntary.

Sheriff Carpinelli stated that the bath salts enter the County through outside sources. He commended the commitment and cooperation from all local store owners that do not sell any of the products. He reiterated the vital importance of the equipment to effect offender compliance by minimal force.

Mr. Pendergast reported that one of the tasers would be financed through the District Attorney's forfeiture funds.

The resolution was then adopted.

RESOLUTION NO. 263 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN DEPARTMENT OF SOCIAL SERVICES AND LABORATORY CORPORATION OF AMERICA HOLDINGS

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, Laboratory Corporation of America Holdings ("Agency") provides testing services which supply information about the identity of a human being and the potential that a human being is the parent of another human being; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with this Agency to utilize their paternity testing services; and

WHEREAS, these services will be for the period of January 1, 2012 through December 31,2013.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Laboratory Corporation of America Holdings for the provision of paternity testing services in the Support Unit, at a cost of $31.50 per sample and not to exceed an annual cost of $10,000.

Section 2. That the term of this agreement shall be from January 1, 2012 through December 31, 2013.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, pending approval by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 264 - 2012
RESOLUTION TO TRANSFER FUNDS
WEIGHTS AND MEASURES

Introduced by Legislator John Boyd, Chairman of the Weights & Measures Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Weights & Measures Department accounts for the purchase of dividers for the new 2012 van, utilizing Capital Equipment funds (HAD9901.9), leaving a balance of $250,443:

Appropriate:	Amount:
A50310 (Inter-fund Transfer)	$2,800.00
A6610.2233 (Vehicles & Related Equip)	$2,800.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 265 - 2012
RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer of funds is hereby approved in the Workforce Investment Act accounts:

From:	To:	Amount:
CD6291.4909 (Contractual)	CD6295.4909 (Contractual)	$500.00

No changes to revenue.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 266 - 2012
RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following changes be approved for Program Year 2011 funding for Administration for the period 7/1/10-6/30/12 for the Employment and Training budget:

From:	To:	Amount:
CD6295.4909 (Contractual)	CD6295.1999 (Wages)	$660.11
CD6295.4909 (Contractual	CD6295.899 (Fringes)	$284.42

No changes to revenue.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 267 - 2012
RESOLUTION APPOINTING MEMBERS
TO YOUTH BUREAU ADVISORY BOARD

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals as members of the Lewis County Youth Bureau Advisory Board:

Jesse Campbell of Post Office Box 9, Harrisville, NY 13648
Jake Ledoux of 7141 Old State Road, Croghan, NY 13327

Section 2. That the term of said appointments shall be effective from July 4, 2012 and shall terminate either on the date of their high school graduation, or they cease to be full-time High School students.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 268 - 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers be approved in the Sheriff's Department to cover purchase of law books for inmates:

From:	Amount:
A3150.4508 (Inmate Board)	$3,000.00
To:	
A3150.4914 (Books for Inmate Law Library)	$3,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

OTHER BUSINESS:

Chairman Bush asked whether the Board wanted to take action to authorize a similar salary increase for termed Department Heads as had been approved for others. He reiterated understanding that approved salaries of elected officials would remain throughout their terms. Atty. Graham affirmed that salary increases of termed officials would be subject to Local Law procedures. Legislator Hathway suggested the issue be discussed during budget deliberations. Legislator Tabolt suggested the Board defer discussion until receipt of Human Resource Director Timothy Ryan's salary analysis later this fall. Legislator Fanning felt Mr. Ryan's report would enhance deliberations. Legislator Lucas distinguished between Mr. Ryan's overall salary analysis, indicating his support for a 1% pay increase, as approved for union and other employees. Legislator Wallace concurred, adding that modifications could be made based on the analysis. Legislator Hathway stated that regardless of approval date, any raise could be retroactive. In response to Legislator Fanning, Chairman Bush informed he would provide the total figure, equating respective salary increases, at the July 17th meeting.

In response to Legislators Hathway and Fanning's concern for the possible multi- million dollar project, Attorney Graham stated the mortgage tax rate was between three- quarters and one percent, further explaining that as an Industrial Development Agency sponsored project, the PILOT agreement for the Martinsburg windmill project was exempt from sales tax, real property and mortgage taxes. Regardless, the company wanted assurance that the mortgage tax waiver was encompassed in the PILOT agreement. The goal during negotiations, he stated, was to garner the greatest possible amount of revenue from the project, in the best interest of the County.

Legislator Tabolt made a motion to enter executive session at 5:50p.m. for an update by Atty. Graham on pending litigation. The motion was seconded by Legislator King and carried. Following the session, Legislator Fanning moved to re-enter regular session at 6:37p.m., seconded by Legislator King and carried.

Chairman Bush announced scheduling a Special Meeting of the Board to be held on Tuesday, July 17, 2012 at 8:30a.m.

Legislator Burke made a motion to begin the August 7, 2012 Board meeting at 9:00 a.m. to accommodate the annual golf outing at Cedar's Golf Course. The motion was seconded by Legislator King and carried.

The Clerk of the Board announced that effective immediately, Chairman Bush had appointed Stevie Smith to the Comprehensive Economic Development Strategy Committee, whose term shall expire on April 30, 2014.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Stanford, seconded by Legislator Tabolt and carried at 6:39p.m.

SPECIAL MEETING
July 17, 2012

The meeting was called to order at 8:30.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 18 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend waiving the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke, Committee
Patrick Wallace, Committee

Dated: July 17, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Karen Schue-Baruth took exception to the Schue Family Farm property being listed on the proposed Resolution as an authorizing owner for ATV operation. Neither she, nor her sisters had been contacted, declaring that such a use would never be authorized. Mrs. Baruth took grave exception for having to take time from her work to address this issue. She suggested that signed owner Agreements should be required attachments to future authorizing resolutions for ATV operation by private landowners. She thanked the Board for their time and attention.

Cliff White, Highmarket Wheeler's ATV Association Vice-President, relayed starting the process of acquiring landowner approvals last winter, apologetically stating that Mrs. Baruth's name was inadvertently put on the map. The 28 owners of all of the listed 36 parcels have signed a County contract, seven of which are dairy or Christmas tree farmers. The Village of Constableville has opened some streets for authorized ATV operation for access to the Nice-N-Easy store on Route 26. The businesses are realizing improved economics, attributable to planned and coordinated trail expansion. Mr. White urged the Board's approval to open the road portions for required ATV access, predicting a major economic boost when the trails are actually opened.

REPORTS OF STANDING COMMITTEES:

Legislator Charles Fanning, as a member of the Transportation Committee, reported the Committee's recommendation to take out the Herman Bush Road Bridge, to be financed by approximately $100,000 of FEMA funding. The balance of $200,000 FEMA funding would finance paving projects. Legislator Fanning made a motion to authorize Highway Superintendent David Becker to take out the Herman Bush Road Bridge, seconded by Legislator Hathway.

Legislator Tabolt inquired whether any of the residents near the bridge object to taking it out. Legislator Fanning stated there is one seasonal property, while terming the road a "cow path", declaring no known use for the bridge. In response to Legislator Lucas, Chairman Bush stated that residents in close proximity of the bridge had been contacted by Mr. Becker, with no reported objections. Legislator Hathway suggested the road be explored for possible trail use. The motion was unanimously carried.

RESOLUTIONS:

Mr. Pendergast explained that proposed Resolution numbers 269 and 270 relative to creating and filling a Director of Solid Waste Management position, were withdrawn at the request of C.S.E.A. union President Calvin Farney. Upon his release from the hospital, a meeting will be scheduled for further discussion.

RESOLUTION NO. 269-2012
RESOLUTION ESTABLISHING A POLICY FOR COUNTY PARTICIPATION IN LEGAL CHALLENGES TO REAL PROPERTY TAX ASSESSMENTS

Introduced by Legislator Jerry King, Chair, Taxation Committee

WHEREAS, real property taxes provide the single most important source of revenue to deliver the services of value to the residents and businesses of Lewis County; and

WHEREAS, the County has an interest on behalf of all of its taxpayers to ensure the fair and equitable imposition of real property taxes and the collection of those taxes; and

WHEREAS, legal challenges to real property tax assessments are of significant interest to the County and all of its taxpayers because of the potential impact of such challenges upon the imposition and collection of real property taxes; and

WHEREAS, the County can play an important role in defending against legal challenges to valid real property tax assessments through participation in the defense of valid assessments;

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby establishes and declares that it is

the policy for Lewis County to participate in the defense of challenges to real property tax assessments under the following conditions:

1. The legal challenge is made to an assessment for a tax parcel or combination of tax parcels with an aggregate full market value of $1,000,000 or more;
2. Taxing jurisdictions other than the County with interests in the challenged assessment participate meaningfully in the legal defense of the assessment;
3. The County's participation does not exceed an amount or to an extent that represents its proportional interest as reflected by the full value tax rate; and
4. The Legislature determines that participation is in the best interests of the County and affirmatively acts by resolution to participate.

Section 2. That the forgoing policy shall be filed with the Clerk of the Board as a permanent policy of this Board, and may be amended or modified at any time in the future. In particular, the forgoing policy shall not prevent the Board of Legislators from adopting or approving participating in the legal defense of a tax assessment challenge upon other or further terms and conditions as the Board may deem appropriate on a case by case basis.

Section 3. That the within Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd and adopted.

RESOLUTION NO. 270 - 2012
RESOLUTION AUTHORIZING REAL PROPERTY TAX DIRECTOR TO PROCESS ASSESSMENT ROLLS FOR VILLAGE OF CROGHAN

Introduced by Legislator Jerry King, Chairman of the Taxation Committee. Whereas, Resolution No. 59-2012 was initially tabled on February 7, 2012; and Whereas, after Real Property Tax Director Linda Gydesen had satisfactorily explained to Croghan Deputy Mayor Dan Nuffer, the reason for charging the Village $1.00 per parcel for procedures performed by County personnel, Resolution No. 59-2012 was removed from the table by motion of the Board of Legislators on July 3, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Real Property Tax Director to process the field book, enter any changes, run the Tentative Roll, enter any grievance changes and process the Assessor's Annual Report for the Village of Croghan.

Section 2. That a charge of $1.00 per parcel shall be imposed upon the Village of Croghan, payable to the Lewis County Treasurer, for the aforestated procedures.

Section 3. That said procedures and attendant charges shall become effective on January 1, 2013.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 271 - 2012
RESOLUTION TO TRANSFER FUNDS
LAW DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Law Department, for shortfalls in various accounts. The balance of the contingency account prior to this transfer was $98,826.46:

Transfer From:	Amount
A1990.4999 (Contingency)	$75,000.00
Transfer To:	
A1420.4505 (dues, subscr & books)	$ 2,200.00
A1420.4902 (legal serv)	65,000.00
A1420.4401 (postage)	7,500.00
A1420.4407 (supplies)	300.00
	$75,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas.

In response to Legislator Hathway, Attorney Graham explained that $18,000 of the budgeted $20,000 has been expended for self-insured legal services for outside claims, and the transfer is an estimate to cover claim expenses through the end of the year.

The resolution was then adopted.

RESOLUTION NO. 272 - 2012
RESOLUTION TO TRANSFER F U NDS
EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Emergency Management account for card reader supplies and maintenance, utilizing Capital Equipment funds (HAD9901.9), leaving a balance of $255,218:

Appropriate:	Amount:
A50310 (Inter-fund Transfers)	$2,000.00
A3410.4909 (Misc)	$2,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas and adopted.

RESOLUTION NO. 273 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 2 - 2012), COUNTY OF LEWIS

Introduced by Legislator Jerry King, Chairman of the Reforestation Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 17, 2012, a proposed Local Law entitled "A LOCAL LAW TO REGULATE CAMPING ON COUNTY PROPERTY".

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on August 7, 2012, from 9:00 a.m. to 9:30 a.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Tabolt, seconded by Legislator Lucas.

Legislator King relayed the Committee recommends starting with primitive

camping on reforestation properties designated by the Conservation Foreman, that could be expanded at the discretion of the whole Board. The law also allows the Board to establish permit fees.

The resolution was then adopted.

RESOLUTION NO. 274 - 2012
RESOLUTION REGARDING SEQRA REVIEW TO ADD PROPOSED NEW TRAILS AND INTERCONNECTING ROAD SEGMENTS TO THE LEWIS COUNTY ATV TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT

Introduced by Legislator Rick Lucas, Chairman, Economic Development Committee.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA"); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 28, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQR review, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2 -2009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 2"); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Trails Coordinator has presented the Board of Legislators with a written request to add certain off-road trails and interconnecting road segments to the Trail System (see, Exhibit "A") and has caused a site-specific environmental review of the proposed trails and road segments, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 28, 2009, and requests action thereon;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators has received a report, dated July 12, 2012 (the "Report") from the Soil and Water Conservation District, detailing their investigations and findings with respect to the proposed new trails and interconnecting road segments identified in Exhibit "A", and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

Section 2. Based upon its review and analysis of the data contained in the Report, the Board of Legislators hereby finds and determines that:

a. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;

b. The Report adequately describes the consultant's investigations and analysis as to the significant adverse impacts and necessary mitigations for the specific sites;

c. The consultant's findings set forth in the Report are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;

d. The investigation and analysis of the sites described in Exhibit "A" did not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the proposed trails and interconnecting road segments described in Exhibit "A" to the Lewis County Trail System will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6NYCRR Part 617.10(d), neither a supplemental Findings Statement nor a negative declaration need be prepared or filed and no further action need be taken with regard to the County's environmental review of the sites identified in Exhibit "A," and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Wallace.

Atty. Graham stated that the Karen Schue-Baruth property would be removed from the list on the SEQR Report.

The resolution was then adopted.

"EXHIBIT A"

Two recreational trails are being proposed by Lewis County to allow for a contiguous trail system in southern Lewis County. The first proposed trail will extend from the Burdicks Crossing Road in the Town of Turin to Cherry Street and McAlpine Street in the Village of Lyons Falls for a total of 25,741 feet. The Burdicks Crossing to Lyons Falls project will involve very little construction because it will follow the existing railroad bed currently used as a snowmobile trail. Minor drainage improvement will occur to restore a hydrologic connection and keep the trail dry for its users.

The second proposed trail will connect the Burdicks Crossing Road in the Town of Greig to the Fish Creek Road, for a total of 3,500 feet, excluding road connections. This project will extend over property owned by private landowners, the Iroquois Gas Transmission Systems, and the Lewis County Industrial Development Agency.

Both trails proposed will be no wider than 10 feet to allow for the passing of two ATVs and limit the environmental disturbance.

RESOLUTION NO. 275 - 2012
RESOLUTION TO INCORPORATE NEW TRAILS INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

Introduced by Legislator Richard Lucas, Chairman, Economic Development Committee.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA"); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 28, 2009, the Board of Legislators issued a written Statement of Findings setting

forth the Board's conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2 – 2009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 2"); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the ATV Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments and additions; and

WHEREAS, the Trails Coordinator has presented the Board of Legislators with a written request to add certain off-road trails to the ATV Trail System (see, Exhibit "A") and has caused a site-specific environmental review of the proposed trails and road segments, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 28, 2009, and requests action thereon; and

WHEREAS, the Board of Legislators has contemporaneously herewith completed its review under SEQRA with respect to the trails identified in Exhibit "A" attached hereto, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and determined that adding these trails to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owners of the property where these trails are located have offered to enter into an Access Agreement that will permit the County to enter upon their property for the purpose of constructing and maintaining ATV trails that will be open to the public;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves entering into an Access Agreement with each of the following property owners:

1. Sportsmen's Club Trail	(1.4 miles)
2. Barrow's Performance (Dolan Rd)	(1.0 miles)
3. Highmarket Inn	(0.2 miles)
4. Tug Hill/Hideaway	(1.3 miles)
5. Whiskey Jacks	(0.1 miles)
6. Nice-N-Easy	(.35 miles) + (0.6 miles Village Road)
7. High Street to Crofoot Hill off-road	(.07 miles)

Al.John Casullo	(0.3 miles)
A2.Gerald Morczek	(0.7 miles)
A3.Charles Mann and Tyrone Constantino	(0.3 miles)
A4.Schue-Baruth Karen R	(0.1 miles)
B1.Stanley Hutchins	(0.3 miles)
B2. Royal Kraeger	(0.1 miles)
Cl.Terrance Miller	(0.2miles)
C2. Terrance Miller	(0.2 miles)
Dl. Nowwhac LLC	(0.4 miles)
D1 a. David Descoteau	(0.2 miles)
D2.Michael Ricci	(0.6 miles)

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Access Agreement(s), upon approval by the County Attorney as to form.

Section 3. That the Lewis County Trails Coordinator is hereby authorized and directed to:

(1) Incorporate the trails located on the above referenced properties into the Lewis County Trail System;

(2) Place signs where necessary and appropriate to notify the public that such trails are open for use;

(3) Amend the maps of the Lewis County ATV Trail System as the same are published on the Lewis County website and elsewhere; and

(4) Take such other and further actions to administer and maintain such trails consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Lucas.

Legislator King relayed his understanding that the Town of West Turin is considering opening some of their roads that will then be incorporated into the County trail system.

Legislator Lucas clarified that the ATV Clubs had developed the list of off-road parcels and then had obtained the respective landowner approvals, which need to initially be incorporated into the trail system. The Town and Village approved road portions would thereafter be incorporated to connect the off-road parcels.

Legislator Hathway expressed concern that the proposal is to connect roads to other roads. He referenced an Attorney Generals' opinion paraphrasing 'you cannot open a road to connect a road', adding that Judge McGuire had concurred.

Legislator Lucas asserted the resolution involved private landowner parcels, not

roads. However, Legislator Hathway construed that all the resolutions were integral to the trail system, inferring it would be meaningless to incorporate parcels without connecting road access.

Legislator Stanford referenced the error with the Schue-Baruth property and asked to see the owner Agreements for all listed parcels. He expressed concern for impending lawsuits, citing the legal opinions in response to previous lawsuits, validating that roads cannot be opened to connect other roads. He then made a motion to require the Recreation Department be accountable and responsible for all legal expenses relative to lawsuits for opening trails and connecting roads, seconded by Legislator King. There was no action taken on this motion.

Legislator Lucas verified there were signed contracts with all landowners.

In consideration that the property of Karen Schue-Baruth was incorrectly and inadvertently entered on the list of authorizing landowners, Legislator Tabolt made a motion to amend the Resolution to remove her name from the list. The motion was seconded by Legislator Lucas and carried.

Legislator Tabolt wanted assurance that all Agreements were on file and had been signed by each and every landowner. Recreation Trail Coordinator Bob Diehl took full responsibility for the error of the incorrect landowner being listed, which is an adjacent property of the correct owner whose name is Jason Smith. He relayed that he had called and talked to Joseph Baruth yesterday, but regrettably had been unable to reach Mrs. Baruth to personally apologize for the error.

Legislator Tabolt made a motion to amend the Resolution to add Jason Smith's name to the authorizing landowner list, seconded by Legislator Burke and carried.

Bob Diehl affirmed that he was in possession of all landowner signed Agreements, that were prepared for Chairman Bush's signature upon the Board's approval and authorization.

Legislator Hathway reiterated that without the access roads it is meaningless to open the private landowner trail parcels, affirming his opposing vote.

The resolution was defeated by the following roll call vote:

YEAS: Burke, Lucas, Tabolt, Wallace, Bush
NAYS: Boyd, Fanning, Hathway, King, Stanford
ABSENT: None

RESOLUTION NO. 276 -2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO.3 - 2012), COUNTY OF LEWIS

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 17, 2012, a proposed Local Law entitled "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 0.30 MILES OF MACKAY ROAD (CR 45) ."

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on August 7, 2012, from 9:00 a.m. to 9:30 a.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Lucas, seconded by Legislator Boyd.

In response to Legislator King, Legislator Lucas urged the public hearing be scheduled to hear public comments.

Legislator Hathway cited defeat of the resolution to incorporate the private property parcels into the trail system, querying the wisdom to consider any of the connecting roads, terming it a moot issue. He, again, cited the Attorney General and Judge McGuire's opinions that deemed it illegal to open roads to connect roads, which in his opinion, in large part, sums up the Introductory Local Laws.

Legislator King does not want to perpetuate court actions on the same issue. He declared his opposition to taxpayer-financed lawsuits, but indicated he would support the proposal if the Recreation Department assumes all associated legal costs. He frustratingly expressed that the additional road miles are the exact opposite of his understanding that the goal for trail expansion was to reduce road miles, while increasing off-road property.

At the request of Legislator Lucas, Cliff White responded to Legislator Fanning's inquiry whether the Town of West Turin had approved opening their roads. Mr. White stated the Town Board is scheduled to meet and consider the issue on July 24, 2012, adding their Board wanted to defer their vote until the County Board had approved opening roads. The trails need connecting road access, he concluded.

Legislator Stanford exclaimed the County is prohibited by the court opinion that roads cannot be opened to connect roads for trail use.

Mr. White reported the Highmarket Wheelers ATV Club had expended $11,000 for trail development over the past four months, partially funded through a Yamaha grant, in

an attempt to boost the local economy. The Mackay Road, he said, is bordered on both sides by State-owned land, which prohibits ATV access. Legislator King conceded that if there is no other conceivable route, it would constitute a legitimate road opening. However, he remains opposed to opening trails encompassing more roads than off-road property.

Legislator Hathway made a motion to table the resolution, seconded by Legislator Stanford and carried by a vote of 7 to 3. Legislators Tabolt, Fanning and Lucas were opposed.

RESOLUTION NO. 277 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY LOCAL LAW NO. 4- 2012), COUNTY OF LEWIS

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 17, 2012, a proposed Local Law entitled "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.75 MILES OF MACKAY ROAD (CR 45) ."

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on August 7, 2012, from 9:00a.m. to 9:30 a.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Lucas , seconded by Legislator Tabolt , and adopted by a vote of 6 to 4. Legislators Boyd, Hathway, King and Stanford were opposed.

RESOLUTION NO. 278 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY LOCAL LAW NO. 5- 2012), COUNTY OF LEWIS

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 17, 2012, a proposed Local Law entitled "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 0.79

MILES OF MACKAY ROAD (CR 45) ."

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on August 7, 2012, from 9:00a.m. to 9:30 a.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Lucas , seconded by Legislator Burke , and adopted by a vote of 6 to 4. Legislators Boyd, Hathway, King and Stanford were opposed.

RESOLUTION NO. 279 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY LOCAL LAW NO. 6 - 2012), COUNTY OF LEWIS

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 17, 2012, a proposed Local Law entitled "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 0.55 MILES OF HIGHMARKET ROAD (CR 48) TO INTERSECTION OF MICHIGAN MILLS ROAD AND BYRONS CORNERS ROAD (CR 49)."

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on August 7, 2012, from 9:00 a.m. to 9:30 a.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Tabolt , seconded by Legislator Lucas , and defeated by a vote of 5 to 5. Legislators Boyd, Hathway, Fanning, King and Stanford opposed.

RESOLUTION NO. 280 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY LOCAL LAW NO. 7– 2012), COUNTY OF LEWIS

Introduced by Legislator Rick Lucas, Chairman, Economic Development Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 17, 2012, a proposed Local Law entitled "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.41 MILES OF BYRONS CORNERS ROAD (CR 49) TO INTERSECTION OF SWEENEY ROAD AND ATV TRAIL OF PROPERTY OWNER MANN TO THE INTERSECTION OF FISH CREEK ROAD."

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on August 7, 2012, from 9:00a.m. to 9:30 a.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Tabolt, seconded by Legislator Burke, and defeated by a vote of 5 to 5. Legislators Boyd, Hathway, Fanning, King and Stanford were opposed.

RESOLUTION NO. 281 - 2012
RESOLUTION ESTABLISHING A POLICY FOR THE COLLECTION OF PENALTIES FOR LATE PAYMENT OF TAXES

Introduced by Legislator Jerry King, Chair, Taxation Committee

WHEREAS, local tax collectors return their tax warrants and tax collections to the Lewis County Treasurer on or about October 31 of each year; and

WHEREAS, the Treasurer has heretofore had a policy of continuing to accept late payment of taxes from the date of the tax return until the day before Thanksgiving; and

WHEREAS, the receipt and processing of the tax payments as well as the adjustments necessary to the tax rolls all require additional personnel time and expense for the Treasurer's office; and

WHEREAS, the Board of Legislators finds that it is in the public interest to charge a penalty to the delinquent tax payers who chose to pay during that period of time;

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby establishes and declares that it is the policy for the Lewis County Treasurer, in addition to any accrued interest or penalties, shall charge and collect a penalty of two per cent (2%) for any tax payments received on or after the 31" day of October and the day before Thanksgiving. Such penalty to be in addition to any interest or penalties that have accrued to such date. Such penalty shall also be added to any delinquent payment made thereafter.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King.

Legislator King relayed the County Treasurer reported that some property owners are delaying payment of school taxes until late November when payments are made directly to the County Treasurer. A penalty of 2% is imposed for payment to School District Clerks between October 1st and October 31st The County keeps the school districts whole, while the late payments impose extra work essentially during a grace period. Mrs. O'Brien recommends imposing an additional penalty for unpaid school taxes after October 31st.

Speaking on behalf of taxpayers, Legislator Hathway feels they would pay if they were able, cautioning that imposing an additional penalty would compound the problem.

The resolution was then adopted by the following roll call vote:
YEAS: Boyd, Burke, Fanning, King, Lucas, Stanford, Wallace, Bush
NAYS: Tabolt and Hathway
ABSENT: None

RESOLUTION NO. 282 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 8 - 2012), COUNTY OF LEWIS

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 17, 2012, a proposed Local Law entitled "LOCAL LAW TO BAN THE POSSESSION OR SALE OF CERTAIN CHEMICAL SUBSTANCES OR COMPOUNDS THAT ARE COMMONLY REFERRED TO AS SYNTHETIC COCAINE OR SYNTHETIC MARIJUANA AND ARE MARKETED AS "BATH SALTS."

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on August 7, 2012, from 9:00 a.m. to 9:30 a.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Fanning, seconded by Legislator Hathway.

Sheriff Carpinelli urges the Local Law as a start, to provide an ordinance of legal authority for arresting "bath salts" offenders. The proposed Federal Law, he said, is weak as far as law enforcement authority.

The resolution was then adopted.

RESOLUTION NO. 283 -2012
RESOLUTION TO SCHEDULE A PUBLIC HEARING TO CONSIDER THE PROPOSED TRANSFER OF CERTAIN REALTY TO A LOCAL DEVELOPMENT CORPORATION

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

WHEREAS, the County of Lewis (the "County") owns and operates the Lewis County General Hospital and the Lewis County Residential Health Care Facility, a 150-bed nursing facility located in the Village of Lowville, County of Lewis, State of New York (collectively, the "Facility"); and

WHEREAS, in order to continue operating the Facility, the County now desires to transfer its interest in the land, buildings, equipment and assets of the Facility to a newly created local development corporation (the "Corporation"), subject to a retained interest by the County (the "Transfer"), pursuant to Section 14ll(d) of Not-for-Profit Corporation Law ("N-PCL") and the Corporation would simultaneously contract with the County for the continued operation of the Facility by the County; and

WHEREAS, pursuant to and in accordance with Section 14ll(d) of the Not-for-Profit Corporation Law ("N-PCL"), and in furtherance of the County's intention of having the Corporation look into financing alternatives and any and all operational structures which will minimize the operating deficits and annual costs to the County, the County desires to schedule a public hearing pursuant to N-PCL Section 14ll(d) to solicit comments from the public regarding the proposed Transfer.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That pursuant to Not-for-Profit Corporation Law Section 1411(d)(3), the Lewis County Board of Legislators will conduct a Public Hearing at 9:00 A.M. or as soon as such hearing may be called thereafter, on the 7th day of August 2012, in the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to consider the proposed Transfer of the Facility to the Corporation.

Section 2. That pursuant to Not-for-Profit Corporation Law Section 1411(d)(4), the Clerk of this Board is hereby directed to publish a notice of public hearing at least ten (10) days in advance of the public hearing by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Hathway, seconded by Legislator King.

Legislator Tabolt relayed three options that had been discussed to address the hospital's financial issues: to issue a revenue anticipation note (RAN), which does not appear feasible due to unknown revenue; increase the property tax rate by as much as 30% if the IGT revenues are not received by late fall; or create a Local Development Corporation (LDC) that could independently borrow required operating funds.

Legislator Hathway expressed optimism that the changes proposed by the Hospital Administrator looked favorable for substantial long-term savings; while asserting that current financial issues must be addressed.

Atty. Graham acknowledged Atty. Timothy A. Frateschi of the Harris Beach Law Firm was present to answer questions relative to formation of an LDC.

Legislator King stated the LDC could borrow money and amortize payments over a longer period of time, which the County is unable to do.

In response to Legislator Tabolt, Atty. Frateschi stated that a bank, underwriter or other investor would determine the bond rate, estimated between 4 to 6%, based on projected profitability.

Atty. Frateschi explained that if the Board chose to create an LDC after hearing public comments, they would then appoint a minimum of three (3), but not more than seven (7) LDC members, authorizing them to conduct tax-exempt bonding. The LDC would make decisions autonomously from the County, thereby, shielding the County from liability. An agreement between the County and LDC would be executed for continuing hospital operations. If the Board acts immediately, it is possible the LDC could have approved bonding by the end of the year. The finance underwriting process would take the most time to complete.

In response to Legislator Hathway, Atty. Frateschi estimated $5,000 for LDC formation. However, certified bond counsel costs, as well as negotiating the articles of agreement for hospital operations would be more substantial. He agreed to provide a cost estimate for LDC formation to the Board by August 7, 2012. Also, Atty. Frateschi stated that although it is not illegal, he would recommend distinct and separate LDC counsel from the County Attorney, terming it best practice for County protection from liability.

Atty. Frateschi stated that legal costs would be minimal after completion of the bonding. The counsel representative would be responsible to assure LDC regular meetings are held, and to file appropriate and timely financial reports with regulatory agencies.

In accordance with the Public Authority's Accountability Act, LDC members may be a mix of local citizens and outside representatives, generally having no association with County government.

William Wormuth, Hospital Board of Managers Vice-President, asked what impact, if any, an LDC would have upon employees. Atty. Frateschi referenced discussions to-date with County representatives indicates the LDC operating agreement would not impact upon employees.

In response to Hospital Administrator Eric Burch, Atty. Frateschi assured there would be no impact on either the Hospital's operating license, or IGT revenues.

Hospital Board of Managers member Attorney Michael F. Young asked for Atty. Frateschi's comments on the NYS Comptroller's critical opinion relative to formation of LDC's for County-owned hospital operations, as a way for Counties to avoid their financial responsibilities. Atty. Frateschi referenced a recent Comptroller's report that was somewhat critical of LDC's, because they are not required to pay the bond issuance charge, which results in less State revenue. The LDC option is an asset to local governments to assist with financial obligations, he concluded.

In response to Legislator Fanning, Atty. Frateschi affirmed that several Counties have formed LDC's for various reasons and purposes. Since 2008, Industrial Development Agencies no longer have the Civic Development Corporation Bonding authority to bond for not-for-profit projects. Subsequently, several LDC's have been formed and bonded for hospital operations, as a more economical and efficient option than the State Dormitory Authority.

The resolution was then unanimously adopted.

OTHER BUSINESS:

There being no other business to come before the Board, the meeting adjourned at 9:35 a.m. on motion by Legislator Fanning, seconded by Legislator Stanford and carried.

REGULAR MEETING
August 7, 2012

The meeting was called to order at 9:00 a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 65 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: August 7, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Lucas and carried.

Chairman Bush opened the public hearing for comments on Local Law Introductory No. 2-2012 'To Regulate Camping on County Property"; No. 4-2012 "Permitting All-Terrain Vehicle Operation on1.75 Miles of Mackay Road (CR 45); No. 5-2012 "Permitting All-Terrain Vehicle Operation on 0.79 Miles of Mackay Road (CR 45); No. 8-2012 "To Ban the Possession, Sale or Use of Certain Chemical Substances or Compounds that are Commonly Referred to as Synthetic Cocaine or Synthetic Marijuana"; and the proposed establishment of a Local Development Corporation (LDC) and the Lewis County Residential Health Care Facility Transfer.

PRIVILEGE OF THE FLOOR:

Mountain View Prevention Services Director Arlene Hall read a prepared statement citing the State-wide prevention education efforts to combat the sale and use of chemical compounds marketed as "bath salts". The local forum held yesterday encompassed 115 representatives of various local agencies, County Departments and law enforcement entities. The use of the chemical substances and compounds have resulted in deaths in other areas of the State, and she commended the Board for taking action to help prevent a similar fate locally.

Cliff White, Vice-President of the Highmarket Wheeler's ATV Club, reported previously meeting with some Legislators to discuss the proposed roads for ATV access, while expressing appreciation for all the Board has done to-date. He relayed meeting with Legislator King this morning to discuss the areas in question, as well as

relating other property owners that are willing to authorize ATV access. Mr. White cited the many business owners in attendance today, indicating their support for opening the proposed road sections.

Sue Ross, 27-year Lewis County General Hospital employee, expressed disappointment with the Board for setting an inconvenient hearing time during the workday. She expressed grave concern for the proposed establishment of an LDC, relating that several different stories abound. While asking for assurance that the action was not a move toward privatization, she questioned whether forming an LDC was a procedural loophole to accomplish that end. Ms. Ross likened the Hospitals' situation to the Titanic after the boat hit the iceberg and now the life boats were being lowered. She asserted that creation of an LDC was of great concern to the employees and the community-at-large, while asking the Board to define the goals.

Ms. Ross cited the State Comptroller's opinion that LDC formation is legal, but may not be ethical. The employees, she stated, may have input to help "right the ship". Her offer, however, is predicated on trust, communication and leadership to retain the hospital as a viable functioning facility. She inferred that many employees would not speak publicly for fear of repercussion. "There is discord between administration and employees", she said, opining that the previous "open door policy" no longer exists. In conclusion, Ms. Ross reiterated her query of the Board to define their goals and reasons for forming an LDC.

Legislator Stanford declared his support for the hospital and its employees, invoking there were no known intentions to privatize. He submits the LDC is an option to assist through the financial hard times, while referencing State mandates and delayed revenues that all hospitals are grappling with. He urged enhanced communication with employees from the Hospital Administration and the Board of Managers to lessen misunderstanding or fears.

Jenny Jones, Director of Social Services, advocated for adoption of the ban for possession, sale or use of chemical compounds, impressing the dangers confronted by caseworkers who are sent into homes to remove children from parents whom are experiencing abnormal effects. In most instances, it is difficult or impossible to interview people under the influence, many of which become combative. Ms. Jones credited law enforcement officials who accompany caseworkers to enhance the safety of the children and themselves. All Departmental and agency representatives are collaborating to combat these problems, she concluded.

Alan Scouten, Village of Port Leyden Mayor, prefaced his comments by chiding the Board for setting the inconvenient hearing time during the workday for such an important subject. Public hearings for lesser important issues, in his mind, were held at alternate venues and times to accommodate public attendance.

The Hospital belongs to the people of Lewis County, he stated; purporting the Hospital's financial plight did not occur in a short term. While holding the Hospital Administrator and the Board of Managers accountable, Mr. Scouten submits that the

Legislators are the taxpayers' representatives. He termed the earlier reference to the "Titanic" that went down by its head, as dramatic, but urged Legislators to keep their heads up and act prudently.

Mindful that everyone favors lesser taxes, Mr. Scouten submits that rather than an LDC, taxpayers may be willing to pay a little more to keep the local hospital, while simultaneously urging overall operational changes tl1at would enhance its financial status. Moreover, he opined that the employees would have been better served if they had received an informational letter personally from the Hospital Administrator, rather than by mail. As a life-long resident, he hopes the hospital remains County-owned forever.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Village of Lowville Mayor Donna M. Smith penned a letter in support of the proposed Local Law to regulate synthetic drugs.

The Broome County Board of Legislators forwarded their Resolution in support of proposed State Legislation which would prohibit public assistance funds from being used to purchase tobacco, alcohol and lottery tickets, and prohibit cash withdrawals from being made in adult entertainment and gambling facilities.

The Ontario County Board of Supervisors forwarded their Resolution urging the Governor's disapproval of the "Uniform Notice of Claim Act", which would permit the filing of a notice of claim against local governments with the Secretary of State, instead of with the local government itself; essentially making it easier to commence litigation against local governments.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators received copies of the County Treasurer's July monthly report; the 7/26/12 Highway Audit report; the 7/24/12 Solid Waste Audit Report; and the 7/25/12 minutes of the Youth Bureau Advisory Board meeting.

The Treasurer had submitted approved applications for refund of real property taxes for year 2009,2010 and 2011 to Wallace Lambie for amounts of $169.24, $166.82 and $169.73 respectively; to Timothy V. Levan for 2011 in the amount of $447.90; and to Lloyd Liscum for 2011 in the amount of $117.66; as well as an approved 2011 corrected tax roll for Duane Brouty.

Chairman Bush announced there would be a meeting of the Board as a Committee- of-the-Whole on August 14, 2012 at 9:30a.m. to hear a presentation from the Bonadio Group relative to hospital operations. The Hospital Board of Managers has been invited to join us, and will thereafter provide an update on their corrective efforts. He further announced withdrawing a proposed resolution that would authorize a review of hospital finances, until after the 8/14 meeting.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging/Youth Bureau Committee Chairman, reported a decision to implement a soup and sandwich meal one day per month in September, October and December, in response to a budgetary shortfall for the home-delivered and congregate senior meals program. Participants have generously responded to a request for greater meal donations, especially Osceola seniors, which lessened the program impact.

Legislator Hathway reported authorizing Social Services to purchase computer software that reduces redundancy for a program that processes 700 monthly checks to pay certain bills for approximately 85 people.

Referencing the Chairman's signed proclamation to commemorate Lewis County's participation in the 29th annual "National Night Out", to promote crime prevention efforts, Legislator Hathway urged attendance at the event this evening to be held at the fairgrounds.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a June Loss of $135,116. Hospital employee-of-the-month was Melissa Bush, a food service helper. Recruitment efforts continue for an orthopedic surgeon.

Legislator Tabolt reported the Legislators and Board of Managers had explored issuing a Revenue Anticipation Note (RAN). However, Finance Laws require the municipal bond to be repaid within the next budget year; and due to unknown timing of Federal and State Inter-Governmental Transfer (IGT) revenues, this option could increase the tax levy by as much as 30%. Therefore, the LDC option was explored as a viable temporary financing solution. The Board cannot guarantee that privatization would not ultimately be discussed, but he clarified there was no predetermination or intent to privatize.

Legislator Tabolt reiterated the Chairman's earlier announcement that the Boards will meet jointly next week to listen to a professional consultant group, in an effort to determine if there are specific corrective measures that could be implemented. Also, local officials are scheduled to meet with NYS Department of Health representatives in Albany on 8/17112, to discern availability of assisting funds.

Legislator Charles Fanning, Public Health Committee Chairman, urged support of his sponsored resolutions.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion for a late resolution to authorize an agreement with Federal Engineering for an an1ount not to exceed $6,905.00, for the purpose of researching available public safety radio frequencies for the new system. The motion was seconded by Legislator Stanford. In response to Legislator King, Mr. Pendergast stated that frequencies had been identified, but we now need to determine which ones to acquire, because we are located above the "A" line, which requires coordinating efforts with the Canadian

government. The motion was then carried.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported scheduled paving on Washington Street and the Number Three Road, as well as pavement markings. The Herman Bush Road Bridge had been removed; and Mr. Becker has made a request to FEMA officials for approval of alternate highway and/or parking lot projects, to utilize the balance of the FEMA funds. A construction meeting is scheduled on 8/8/12 for the Deer River Road Project.

Legislator Wallace made a motion to award the bid to Barrett's paving for the Deer River road project for the base bid amount of $878,398.00, plus Alternate amount of $41,452.50, for a total of $919,850.50. The motion was seconded by Legislator Fanning and carried. Legislators Hathway and Bush abstained.

Legislator Richard Lucas, Economic Development Committee Chairman, reported year-to-date ATV permit sales of 2,005, representing a substantial increase from the previous year. The numbers affirm there are more ATV's in the County, and he urged Legislators to work with the clubs and the trail coordinator to open new trails and roads. Legislator Lucas commended Cliff White and his crew for all their work and efforts to open trails for recreation. "It's revenue and it's jobs", he concluded.

Legislator Jerry King, Reforestation Committee Chairman, deferred discussion until the resolution to adopt the Local Law that would regulate camping on County property.

Legislator William Burke, Ways and Means/Buildings and Grounds Committee Chairman, reported completion of 79 work orders by the maintenance department during July, including curbing repair of the Old Court House ramp; and storm drain repair at the new Court House. Halls have been stripped and waxed at the DSS building. Comparative quotes are being obtained for resurfacing or repaving the Outer Stowe Street parking lot. Lights and electric door locks have been repaired at the public safety building. The maintenance staff is also checking the fuel tanks at the Highway Garage on Fridays and reporting the results. Mr. Archer relays thanks to Highway personnel for their assistance on various projects.

COUNTY MANAGER REPORT:

Mr. Pendergast cited the abnormally dry weather has caused several residents to run low on water. The municipal system has not been threatened; however, those with wells and many farmers are being forced to draw water. In 2007, the Village of Lowville implemented a water policy for those individuals at a cost of about $.01/gallon. After meeting with Cooperative Extension officials, Village officials are offering to, again, implement the policy at this time. They are considering 2 to 3 days per week, assisted by two new temporary part-time hires, at the same time requesting the County subsidize any resulting deficit, which equated about $300 in 2007.

Chairman Bush expressed that assisting the Village in this instance would

promote good relations and help out residents with essential needs. Legislator King made a motion to authorize the County to cover any deficit resulting from the Village of Lowville assisting individuals required to draw water from their resources during the effective period of their water policy as stated above. The motion was seconded by Legislators Boyd and Stanford, and unanimously carried.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 882,796.45 and recommend that they be audited for the amounts claimed.

William Burke , Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: August 7, 2012

Approved on motion by Legislator Tabolt , seconded by Legislator Burke .

After clarifying a typographical error on the list of claims for Legislator Hathway, the motion was carried.

After assuring that no one else wished to comment, Chairman Bush closed the public hearing at 9:49 a.m.

RESOLUTIONS:

RESOLUTION NO. 284 - 2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 882,796.45 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator King , seconded by Legislator Lucas , and adopted by roll call vote:

All voted yea.

LOCAL LAW (INTRODUCTORY NO. 2 - 2012) COUNTY OF LEWIS
"A LOCAL LAW TO REGULATE CAMPING ON COUNTY PROPERTY"

Introduced by Legislator Jerry King, Chairman of the Reforestation Committee.

BE IT ENACTED by the Board of Legislators of the County of Lewis, as follows:

SECTION 1. TITLE.

This Local Law shall be known as "A LOCAL LAW TO REGULATE CAMPING ON COUNTY PROPERTY"

SECTION 2. LEGISLATIVE FINDINGS AND PURPOSE:

1. The Board of Legislators finds that the County of Lewis (the "County") presently owns several parcels of land which is dedicated to reforestation pursuant to County Law§ 219.

2. The Board of Legislators further finds that County Law § 219(1) authorizes a county to utilize reforestation properties "for recreation and kindred purposes."

3. The Board further finds that to allow recreational uses on such properties, such use should be regulated so that it is consistent with forest and wildlife conservation and watershed protection. (Compare, Op. Atty. Gen. No. 2002-1).

4. It has been reported to the Board of Legislators that members of the public have used certain County owned reforestation lands for overnight camping and that the County has not heretofore established rules or regulations for camping on County reforestation lands.

5. The Board of Legislators wishes to establish regulations for public camping on its reforestation lands.

SECTION 3. STATUTORY AUTHORITY:

This local law is enacted pursuant to the following authority:

1. Municipal Home Rule Law ("MHL") § 10(l)(i) provides that a county may adopt local laws relating to its property, affairs or government provided it is not inconsistent with the provisions of the constitution or any general law.

2. County Law § 219(1) provides that a county may utilize its reforestation properties "for recreation and kindred purposes." The Attorney General has opined that such recreational use must be consistent with forest and wildlife conservation and watershed protection. Op. Atty. Gen. No.

2002-1.

SECTION 4. DEFINITIONS:

As used in this Local Law:

1. **All-Terrain Vehicles (ATV's):** Shall have the same meaning as set forth in § 2281 of the Vehicle & Traffic Law.

2. **Camp or camping:** For purposed of this local law, shall mean a temporary shelter, including but not limited to a tent or lean-to, BUT SHALL SPECIFICALLY EXCLUDE: camping trailer, "fifth wheel" camper, motor home travel trailer, mobile home, "pop-up" trailer, recreational vehicle or "RV", or the use of any vehicle for shelter or sleeping.

3. **Conservation Foreman:** Shall refer to the individual who holds the position of Lewis County Conservation Foreman.

4. **County:** Shall mean the County of Lewis.

5. **County Reforestation Lands:** Lands purchased, acquired, or accepted by gift by the County of Lewis for purposes of reforestation under the authority of County Law§ 219.

SECTION 5. GENERAL REGULATIONS

The following regulations apply to all County owned reforestation lands. The following activities are prohibited:

a. Use of a camping trailer, "fifth wheel" camper, motor home travel trailer, mobile home, "pop-up" trailer, recreational vehicle or "RV", or any vehicle for shelter or sleeping.
b. Parking a motor vehicle in other than designated locations.
c. Operating a motor vehicle in excess of fifteen (15) miles per hour or in any manner contrary to posted regulations
d. Operating a motor vehicle on other than the designated roads.
e. Operating a snowmobile except upon designated trails.
f. Operating an ATV except upon designated trails and in compliance with the Lewis County ATV Code (Local Law No. 3 – 2009).
g. Horseback riding on other than designated trails.
h. Allowing dogs to run unleashed.
i. Entering or using the reforestation lands during other than the designated hours posted by the Conservation Foreman.
j. Operating or parking a motorcycle, mini-bike or other form of recreational motor vehicle except on designated roads.
k. Overnight parking of motor vehicles

l. The use of or being under the influence of any illegal drug or substance in any County property.

m. Possess or use firearms, bow and arrow or other dangerous weapons within the County reforestation lands, unless authorized by law.

n. Disturb the peace and good order in the reforestation lands by fighting or arguing in loud voices or threaten violence to any person or the property of others.

o. The possession of fireworks of any nature on County property is prohibited.

p. No person shall fail to comply with a lawful instruction of an employee of the County.

q. Beg, hawk, peddle or solicit within the County reforestation lands except as authorized by the Board of Legislators.

r. Remove, deface, alter or otherwise damage signage, warning devices or other safety devices placed and maintained by the County.

s. Injure, deface, destroy, disturb, or remove any County property.

t. Litter or leave behind refuse and garbage except in receptacles provided for such purpose.

u. Start a fire except in grills, fireplaces or designated areas.

v. Fail to extinguish before leaving the park all fires started or used. The dumping of ashes or fire onto the ground is absolutely prohibited.

SECTION 6. CAMPING REGULATIONS

a. No overnight camping shall be allowed on any County reforestation land except as specifically authorized under this local law.

b. The Conservation Foreman is hereby authorized to designate certain County reforestation parcels or portions thereof where overnight camping may be permitted, consistent with the Conservation Foreman's forest management practices, wildlife conservation practices and watershed protection measures.

c. The Conservation Foreman is hereby authorized to issue permits upon such form(s) as may be approved by the County Attorney, for the purpose of permitting overnight camping in those areas within County reforestation lands where such camping may be permitted. Purchase of such permits may be made at the Lewis County Treasurer's Office during regular business hours.

d. The Board of Legislators is hereby authorized to establish from time to time by resolution such fees as it may deem necessary and appropriate for the privilege of camping overnight within such County reforestation lands.

SECTION 7. HOURS OF CLOSING

a. Except where designated for overnight camping, no person shall be permitted

to remain, stop or park within the confines of any County Reforestation land between the hours of 9:00 p.m. and 7:00 a.m. prevailing local time except in emergencies or with special permit from the Conservation Foreman. In case of an emergency or when in the judgment of the Conservation Foreman the public interest demands it, any portion of the County Reforestation land may be closed to the public or to designated persons until permission is given to reopen.

b. Notwithstanding the hours of closing stated herein, the Conservation Foreman may establish closing hours for designated park facilities.

SECTION 8. PENALTIES FOR OFFENSES: ENFORCEMENT

a. A violation of this local law shall constitute an offense punishable by a fine not to exceed fifty dollars ($50.00) for each and every such offense.
b. Any state police officer, County Sheriff or police officer of Lewis County or any of its municipal subdivisions may, without a warrant, arrest any offender whom he may detect in the violation of any of the provisions of the above sections, and take the persons so arrested forthwith before a Magistrate having competent jurisdiction.

SECTION 9. SEVERABILITY

In the event that any part or provision of this Local Law or the application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances. Moreover, the Board of Legislators of the County of Lewis hereby declares its intent that it would have passed this Local Law or the remainder thereof had such invalid provision or invalid application been apparent.

SECTION 10. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 285 - 2012
RESOLUTION ADOPTING AND OTHERWISE TREATING LOCAL LAW NO. 1 -2012, COUNTY OF LEWIS

Introduced by Legislator Jerry King, Chairman of the Reforestation Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on July 17, 2012, directing that a public hearing be held by said Board on August 7, 2012, from 9:00 a.m. to 9:30 a.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law

entitled, "A LOCAL LAW TO REGULATE CAMPING ON COUNTY PROPERTY"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times,* the official newspaper designated by the County, on August 2, 2012, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, there is a need for regulation of County reforestation lands for the current season and therefore the Chairman of the Board of Legislators has certified as to the necessity for its immediate passage of the within Local Law despite certain amendments to the final version thereof, including amending the speed limit on County reforestation lands to 25 mph to coincide with the current ATV Code and stating that the Conservation Foreman's designation of future County properties to be opened for camping is subject to the approval of the Board of Legislators; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

NOW THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 2 – 2012), County of Lewis, being "A LOCAL LAW TO REGULATE CAMPING ON COUNTY PROPERTY", be and the same hereby is designated as Local Law No. 1 -2012, County of Lewis.

Section 2. That Local Law No. 1 – 2012, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Stanford, seconded by Legislator Tabolt, and adopted.

YEAS: Boyd, Burke, Fanning, Hathway, King, Lucas, Stanford, Tabolt, Wallace, Bush
NAYS: None
ABSENT: None

LOCAL LAW (INTRODUCTORY NO.4 – 2012)
COUNTY OF LEWIS

A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.75 MILES OF MACKAY ROAD (CR 45)

Introduced by Legislator Richard Lucas, Chairman, Economic Development Committee.

BE IT ENACTED by the Board of Legislators of the County of Lewis, as follows:

SECTION I. TITLE.

This Local Law shall be known as "A Local Law Permitting All-Terrain Vehicle Operation on 1.75 miles of Mackay Road (CR 45)".

SECTION II. PURPOSE.

The purpose of this Local Law is to amend the designation of certain highways or portions thereof within the County Highway system as being open for travel by all-terrain vehicles pursuant to the authority granted in Section 2405 of the Vehicle and Traffic Law of the State of New York.

SECTION III. DEFINITIONS.

For purposes of this Local Law, the terms hereinafter identified shall have the meanings indicated:

(a) The term "County" shall refer to the County of Lewis.

(b) The term "ATV" shall refer to an "all-terrain vehicle" as defined in Section 2281(1) of the Vehicle and Traffic Law of the State of New York.

(c) The term "Trail System" shall refer to the Lewis County Trail System, as adopted and administered pursuant to Local Law No. 2 – 2009, entitled, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM," and as the same may be amended from time to time.

(d) The term "ATV Code" shall refer to the Lewis County ATV Code which sets forth the local rules and regulations pertaining to the operation of ATV's on public property pursuant to Local Law No. 3 – 2009, entitled "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY ATV CODE," and as the same may be amended from time to time.

(e) The term "CR" shall mean County Route, and is used to describe or designate certain highways as owned by the County of Lewis and maintained by the Lewis County Highway Department.

SECTION IV. LEGISLATIVE FINDINGS

The Board of Legislators hereby makes the following findings:

1. That Board of Legislators has carefully reviewed a Memorandum from the County Attorney detailing the legal obligations of the Board when considering opening a County highway or portion thereof to ATV use.

2. The Board of Legislators has also reviewed a report from the Trails Coordinator entitled, "Description of Amended Designation of ATV Trails and Interconnecting County Roads for Use by ATV's- 2012", dated July 13, 2012, which has been submitted to the Board of Legislators identifying each road segment that is proposed to be opened to ATV traffic and providing a description of the trail or area that is adjacent to such road and the justification for same as required by Vehicle & Traffic Law§ 2405.

3. The Board of Legislators has conducted a review of the potential adverse impacts the opening of the proposed interconnecting County Roads consistent with Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA") and after an investigation and analysis conducted by the Board's environmental consultants, has found and determined that adding these trails to the Lewis County Trail ATV System will not result in a significant environmental impact.

4. The Board of Legislators has also reviewed the annual ATV Activity Report as compiled by the Lewis County Sheriffs Department.

5. The County Highway Superintendent has reviewed the roads or portions thereof that are proposed to be opened to ATV traffic, and has provided the Board with his written opinion that such roads or portions thereof are presently opened to all classes of motor vehicle traffic and that opening said roads or portions thereof to ATV traffic will not significantly impact traffic safety at those localities.

6. In light of all the information submitted, reviewed and/or received during the public hearing, the Board of Legislators hereby determines and finds that with respect to certain portion of Mackay Road (CR 45) set forth in Local Law Introductory No.4-2012, and is proposed to be opened to ATV traffic, that it is otherwise impossible for ATV's to gain access to areas or trails adjacent to such road or portion thereof

SECTION V. DESIGNATION OF HIGHWAYS.

The following County highway, or portions thereof, is hereby designated as OPEN to travel by ATV's:

- That certain portion of **Mackay Road (CR 45): 1.75 miles,** beginning at the trail located on the property of landowner Mauro; thence SW 1.75 miles to ATV trail on the property of landowners Buczek and Kotary that is open to the public and incorporated into the Lewis County Trail System pursuant to Resolution No._- 2012.

SECTION VI. CONDITIONS AND RESTRICTIONS.

A. All of the conditions, restrictions, rules and regulations contained in or adopted pursuant to Article 48-C of the Vehicle and Traffic Law of the State of New York shall apply with respect to the operation of ATV's within the areas designated in the preceding Section V.

B. The road segments set forth above shall be deemed incorporated into the Lewis County ATV Trail System and subject to the conditions, restrictions, rules and regulations set forth in Local Law No. 2 – 2009, entitled, **"A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM"** as well as Local Law No. 3 – 2009, entitled, **"THE LEWIS COUNTY ATV CODE"** as the same may be amended from time to time.

SECTION VII. SAVINGS CLAUSE

Except as specifically amended and modified herein, Local Law No. 5 – 2009 shall in all respects remain in full force and effect.

SECTION VIII. SEPARABILITY.

In the event that any part or provision of this Local Law or the application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances. Moreover, the Board of Legislators of the County of Lewis hereby declares its intent that it would have passed this Local Law or the remainder thereof had such invalid provision or invalid application been apparent.

EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 286 - 2012
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2-2012, COUNTY OF LEWIS

Introduced by Legislator Patrick Wallace, Member Economic Development Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on July 17, 2012, directing that a public hearing be held by said Board on August 7, 2012, from 9:00 a.m. to 9:30 a.m., at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.75 MILES OF MACKAY ROAD (CR 45)"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times,* the official newspaper designated by the County, on August 2, 2012, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 4 -2012), County of Lewis, being "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.75 MILES OF MACKAY ROAD (CR 45)", be and the same hereby is designated as Local Law No. 2-2012, County of Lewis.

Section 2. That Local Law No. 2 – 2012, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Tabolt, seconded by Legislator Burke.

Legislator Hathway made a motion to table the resolution, seconded by Legislator Stanford and carried by a vote of 7 to 3. Legislators Lucas, Wallace and Bush were opposed.

LOCAL LAW (INTRODUCTORY NO.5 – 2012) COUNTY OF LEWIS

A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 0.79 MILES OF MACKAY ROAD (CR 45)

Introduced by Legislator Richard Lucas, Chairman, Economic Development Committee.

BE IT ENACTED by the Board of Legislators of the County of Lewis, as follows:

SECTION I. TITLE.

This Local Law shall be known as "A Local Law Permitting All-Terrain Vehicle Operation on 0.79 miles of Mackay Road (CR 45)".

SECTION II. PURPOSE.

The purpose of this Local Law is to amend the designation of certain highways or portions thereof within the County Highway system as being open for travel by all-terrain vehicles pursuant to the authority granted in Section 2405 of the Vehicle and Traffic Law of the State of New York.

SECTION III. DEFINITIONS.

For purposes of this Local Law, the terms hereinafter identified shall have the meanings indicated:

(a) The term "County" shall refer to the County of Lewis.

(b) The term "ATV" shall refer to an "all-terrain vehicle" as defined in Section 2281(1) of the Vehicle and Traffic Law of the State of New York.

(c) The term "Trail System" shall refer to the Lewis County Trail System, as adopted and administered pursuant to Local Law No. 2 – 2009, entitled, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM," and as the same may be amended from time to time.

(d) The term "ATV Code" shall refer to the Lewis County ATV Code which sets forth the local rules and regulations pertaining to the operation of ATV's on public property pursuant to Local Law No. 3 – 2009, entitled "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY ATV CODE," and as the same may be amended from time to time.

(e) The term "CR" shall mean County Route, and is used to describe or designate certain highways as owned by the County of Lewis and maintained by the Lewis County Highway Department.

SECTION IV. LEGISLATIVE FINDINGS

The Board of Legislators hereby makes the following findings:

1. That Board of Legislators has carefully reviewed a Memorandum from the County Attorney detailing the legal obligations of the Board when considering opening a County highway or portion thereof to ATV use.

2. The Board of Legislators has also reviewed a report from the Trails Coordinator entitled, "Description of Amended Designation of ATV Trails and Interconnecting County Roads for Use by ATV's- 2012", dated July 13, 2012, which has been submitted to the Board of Legislators identifying each road segment that is proposed to be opened to ATV traffic and providing a description of the trail or area that is adjacent to such road and the justification for same as required by Vehicle & Traffic Law§ 2405.

3. The Board of Legislators has conducted a review of the potential adverse impacts the opening of the proposed interconnecting County Roads consistent with Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA") and after an investigation and analysis conducted by the Board's environmental consultants, has found and determined that adding these trails to the Lewis County Trail ATV System will not result in a significant environmental impact.

4. The Board of Legislators has also reviewed the annual ATV Activity Report as compiled by the Lewis County Sheriff's Department.

5. The County Highway Superintendent has reviewed the roads or portions thereof that are proposed to be opened to ATV traffic, and has provided the Board with his written opinion that such roads or portions thereof are presently opened to all classes of motor vehicle traffic and that opening said roads or portions thereof to ATV traffic will not significantly impact traffic safety at those localities.

6. In light of all the information submitted, reviewed and/or received during the public hearing, the Board of Legislators hereby determines and finds that with respect to certain portion of Mackay Road (CR 45) set forth in Local Law Introductory No.5-2012, and is proposed to be opened to ATV traffic, that it is otherwise impossible for ATV's to gain access to areas or trails adjacent to such road or portion thereof.

SECTIONV. DESIGNATION OF HIGHWAYS.

The following County highway, or portions thereof, is hereby designated as OPEN to travel by ATV's:

- That certain portion of Mackay Road (CR 45): 0.79 miles, beginning at trail located on

the property of landowner Kotary; thence 0.79 miles to ATV trail on the property of landowner Ernst that is open to the public and incorporated into the Lewis County Trail System pursuant to Resolution No._- 2012 to Highmarket Road (CR 48).

SECTION VI. CONDITIONS AND RESTRICTIONS.

A. All of the conditions, restrictions, rules and regulations contained in or adopted pursuant to Article 48-C of the Vehicle and Traffic Law of the State of New York shall apply with respect to the operation of ATV's within the areas designated in the preceding Section IV.

B. The road segments set forth above shall be deemed incorporated into the Lewis County ATV Trail System and subject to the conditions, restrictions, rules and regulations set forth in Local Law No. 2 – 2009, entitled, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" as well as Local Law No. 3 – 2009, entitled, "THE LEWIS COUNTY ATV CODE" as the same may be amended from time to time.

SECTION VII. SAVINGS CLAUSE

Except as specifically amended and modified herein, Local Law No. *5* – 2009 shall in all respects remain in full force and effect.

SECTION VIII. SEPARABILITY.

In the event that any part or provision of this Local Law or the application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances. Moreover, the Board of Legislators of the County of Lewis hereby declares its intent that it would have passed this Local Law or the remainder thereof had such invalid provision or invalid application been apparent.

EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 287 - 2012
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3-2012, COUNTY OF LEWIS

Introduced by Legislator Patrick Wallace, Member Economic Development Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on July

17, 2012, directing that a public hearing be held by said Board on August 7, 2012, from 9:00a.m. to 9:30 a.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 0.79 MILES OF MACKAY ROAD (CR 45)"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times,* the official newspaper designated by the County, on August 2, 2012, and posted on the bulletin board of the Lewis County Courthouse,7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5 – 2012), County of Lewis, being "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 0.79 MILES OF MACKAY ROAD (CR 45)", be and the same hereby is designated as Local Law No.3- 2012, County of Lewis.

Section 2. That Local Law No. 3 – 2012, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Tabolt, seconded by Legislator Burke.

Legislator Hathway made a motion to table the resolution, seconded by Legislator Stanford and carried by a vote of 7 to 3. Legislators Lucas, Wallace and Bush were opposed.

LOCAL LAW (INTRODUCTORY NO. 8 - 2012) COUNTY OF LEWIS

A LOCAL LAW TO BAN THE POSSESSION, SALE OR USE OF CERTAIN CHEMUCALSUBSTANCESORCOMPOUNDSTHATARECO ONLY REFERRED TO AS SYNTHETIC COCAINE OR SYNTHETIC MARIJUANA

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

SECTION 1 TITLE.

This Local Law shall be known as "A LOCAL LAW TO BAN THE POSSESSION, SALE OR USE OF CERTAIN CHEMICAL SUBSTANCES OR COMPOUNDS THAT ARE COMMONLY REFERRED TO AS SYNTHETIC COCAINE OR SYNTHETIC MARIJUANA."

SECTION 2. LEGISLATIVE FINDINGS.

A. As to synthetic cocaine, sometimes referred to as substituted cathinones:

The Board of Legislators hereby finds and determines that a new type of product has recently become widely available in the United States which is being marketed as "bath salts."

The Board of Legislators finds and determines that these "bath salts" are actually powdered synthetic cocaine intended for ingestion as a hallucinogen but are marketed specifically to avoid federal regulations.

The Board of Legislators determines that in addition to being marketed as "bath salts", these chemicals are being marketed as plant food, glass cleaner, insect repellant, and stain remover.

The Board of Legislators finds that these products are readily available throughout storefront retailers, online retailers, and indirectly through other individuals.

The Board of Legislators also finds and determines that these "bath salts" contain certain chemical compounds that are structurally similar to the controlled substance cathinone, and produce effects similar to those caused by cocaine and amphetamines.

The Board of Legislators further finds and determines that substituted cathinones, also commonly referred to as "bath salts" contain one or more of the following synthetic chemicals or a combination thereof:

i. 3-Methylenedioxymethcathinone, commonly known as Methylone
ii. 4-Methylenedioxymethcathinone, commonly known as Methylone;
iii. 3- Methylenedioxypyrovalerone, commonly known as MDPV
iv. 4-Methylenedioxypyrovalerone, commonly known as MDPV;
v. 4- Methylmethcathinone, commonly known as Mephedrone;
vi. 3-Methoxymethcathinone;
vii. 3- Fluoromethcathinone; and
viii. 4-Fluoromethcathinone.

The Board of Legislators also finds that human consumption of "bath salts" and similar

products containing these chemicals can cause hallucinations, psychosis, increased heart rate, chest pain, agitation, anxiety, extreme paranoia, delusions, suicidal thoughts, violent behavior, nausea and vomiting.

The Board of Legislators also determines that the State of Louisiana and Florida, as well as many counties, towns and local municipalities across the United States have banned the sale of these chemicals. Several other states are considering similar action.

The Board of Legislators also finds that a Federal bath salts ban was signed into law in July of 2012.

The Board of Legislators further determines that Lewis County should ban the sale of these chemical and any products containing these chemicals to protect the health, safety and welfare of County Residents.

B. As to synthetic marijuana, sometimes referred to as synthetic cannabinoids:

The Board of Legislators finds and determines that a series of products have become available in the United States and in Lewis County that contain chemicals, called synthetic cannabinoids, that produce effects similar to marijuana when ingested or inhaled.

The Board of Legislators further finds that products containing synthetic cannabinoids are particularly attractive to teenagers and young adults. In addition, the Federal Drug Enforcement Administration has determined that the consumption of synthetic cannabinoids can have or contribute to adverse health effects such as extreme agitation, anxiety, nausea, vomiting, tachycardia, elevated blood pressure, tremors, seizures, hallucinations, paranoid behavior and loss of consciousness. Studies have also indicated that individuals using synthetic cannabinoids may develop chemical dependencies, demonstrate addictive behavior and suffer withdrawal symptoms when they stop using these chemicals. Due to the imminent threat the use of such synthetic marijuana or synthetic cannabinoids has to public safety, the Federal Drug Enforcement

Administration employed its emergency powers in March of 2011 to render five of these substances illegal for sale by designating them as Schedule I controlled substances. This action was for one year, with an extension until August 29, 2012.
Accordingly, the Board of Legislators finds and determines that for the protection of the safety, health, comfort, and general welfare of Lewis County citizens, the protection of their property, the preservation of peace and good order, and suppression of vice, the County must take action to respond to this threat in the absence of any permanent laws or regulations enacted by the State of New York and/or the United States government.

SECTION 3. ENACTMENT AUTHORITY

This Local Law is adopted pursuant to authority provided in section 10 of the Municipal Home Rule Law of the State of New York.

SECTION 4. DEFINITIONS.

1. "Sell" means to sell, exchange, give, or dispose of to another or offer or agree to do the same by electronic means or otherwise.

2."Synthetic Cannabinoids"-

A. Have common street names including, but not limited to, Blaze, Blueberry Haze, Dank, Demon Passion Smoke, Genie, Hawaiian Hybrid, K2, Magma, Ninja, Nitro, Ono Budz, Panama Red Ball, Posh, Puff, Sativah Herbal Smoke, Skunk, Spice, Ultra Chronic and Voodoo Spice.

These products are a mixture of herbal/spice plant products sprayed with potent psychotropic drugs, often contaminated with unidentified toxic substances which contribute to various adverse health effects, as well as causing hallucinogenic effects similar to the effects of PCP, and

B. Means any chemical compound this is chemically synthesized, such as a substance that is a cannabinoid receptor type 1 (CBl receptor) agonist as demonstrated by binding studies and functional assays within the following structural classes:

i. 2-(3-hydroxycyclohexyl) phenol with substitution at the 5- position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent.
ii. 3-(1-naphthoyl)indole or 3-(1-naphthyl)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent.
iii. 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the naphthoyl ring to any extent.
iv. 1-(1-naphthylmethyl) indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring.
v. 3-phenylacetylindole or 3-benzoylindole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent.; and

includes—

i. 5-(1, 1-dimethylheptyl)-2-[(lR, 3S)-3-hydroxycyclohexyl]-phenol (CP-47,497);
ii. 5-(1, 1-dimethyloctyl)-2-[(1R, 3S)-3-hydroxycyclohexyl]-

phenol (cannabicyclohexanol or CP-47,497 C8-homo1og);

iii. 1-pentyl-3-(1-naphthoyl) indole (JWH-018 and AM678);
iv. 1-butyl-3-(1-naphthoyl) indole (JWH-073);
v. 1-hexyl-3-(1-naphthoyl) indole (JWH-019);
vi. 1-[2-(4-morpho1inyl) ethyl]-3-(1-naphthoyl) indole (JWH-200);
vii. 1-pentyl-3-(2-methoxyphenylacetyl) indole (JWH-250);
viii. 1-pentyl-3-[1-(4-methoxynaphthoyl)] indole (JWH-081);
ix. 1-pentyl-3-(4-methyl-1-naphthoyl) indole (JWH-122);
x. 1-pentyl-3-(4-chloro-1-naphthoyl) indole (JWH-398);
xi. 1-(5-fluoropentyl)-3-(1-naphthoy1) indole (AM2201);
xii. 1-(5-fluoropentyl)-3-(2-iodobenzoyl) indole (AM694);
xiii. 1-pentyl-3-[(4-methoxy-benzoyl] indole (SR-19 and RCS-4);
xiv. 1-cyclohexylethyl-3-(2-methoxyphenylacetyl) indole (SR-18 and RCS-8); and
xv. 1-pentyl-3-(2-chlorophenylacetyl) indole (JWH-203), or

Is a chemical isomer, salt, or salt of an isomer of a compound that has been demonstrated to have binding activity at one or more cannabinoid receptors.

3. "Person" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association or other entity or business organization of any kind.

4. "Loose Leaf Incense" includes loose potpourri, loose herbal incense, herbal smoking blends, or similarly dried or compacted, leafy substances sold or marketed, directly or indirectly, as a relaxation, smoking, or herbal enhancement product. Herbal dietary supplements or remedies and United States Food and Drug Administration approved herbal teas or products are not included as loose leaf incense under this section.

SECTION 5. PROHIBITIONS.

A. No person shall sell, offer for sale, deliver, knowingly possess, smoke, inhale, ingest, consume or be under the influence of any product containing any material, compound, mixture, or preparation which contains any quantity of synthetic cannabinoids as that term is defined herein within the County of Lewis.

B. No person shall sell, offer for sale, deliver, knowingly possess, smoke, inhale, ingest, consume or be under the influence of any product containing any material, compound, mixture, or preparation which contains any quantity of the following chemicals or any combination or re- combination thereof within the County of Lewis:

i. 3, 4-Methylenedioxymethcathinone, commonly known as Methylone;

ii. 3, 4-Methylenedioxypyrovalerone, commonly known as MDPV;
iii. 4-Methylmethcathinone, commonly known as Mephedrone;
iv. 3-Methoxymethcathinone;
v. 3-Fluoromethcathinone; or
vi. 4-Fiuoromethcathinone.

C. No person shall sell or offer for sale loose leaf incense, as that term is defined herein, in the County of Lewis except as follows:

i. Every package of loose leaf incense sold shall contain the warning label that reads as follows: "This product is not meant to be inhaled or ingested. The side effects of ingestion or inhalation are unknown."
ii. All packages of loose leaf incense shall be labeled with each ingredient present in the product, including but not limited to all chemicals and additives contained therein.

SECTION 6. EXCEPTIONS.

The provisions of this law shall not apply to nonprescription over-the-counter drugs approved or regulated by the Federal Food and Drug Administration.

SECTION 7. PENALTIES.

Any person who knowingly violates the provisions of this article shall be guilty of an unclassified misdemeanor punishable by a fine of up to $1,000 and/or up to one year's imprisonment.

SECTION 8. APPLICABILITY.

This law shall apply to all action occurring on or after the effective date of this law.

SECTION 9. REVERSE PREEMPTION.

This law shall be null and void on the date that statewide or federal legislation goes into effect incorporating either the same or substantially similar provision as are contained in this article, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Lewis. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide or federal legislation has been enacted for the purposes of triggering the provisions of this section.

SECTION 10. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or

circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual corporation; firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 11. EFFECTIVE DATE.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

RESOLUTIONNO. 288 - 2012
RESOLUTION ADOPTING AND OTHERWISE TREATING LOCAL LAW NO. 2 - 2012, COUNTY OF LEWIS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on July 17, 2012, directing that a public hearing be held by said Board on August 7, 2012, from 9:00a.m. to 9:30 a.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "LOCAL LAW TO BAN THE POSSESSION OR SALE OF CERTAIN CHEMICAL SUBSTANCES OR COMPOUNDS THAT ARE COMMONLY REFERRED TO AS SYNTHETIC COCAINE OR SYNTHETIC MARIJUANA"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times,* the official newspaper designated by the County, on August 2, 2012, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, due to the need for local regulation of the substances described in the within Local Law, and the impact upon public safety, health and welfare, the Chairman of the Board of Legislators has certified to the need for immediate passage of the within Local Law despite the final version thereof not being on the desk of the Legislators seven days prior to the adoption thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 8 – 2012), County of Lewis, being "LOCAL LAW TO BAN THE POSSESSION OR SALE OF CERTAIN CHEMICAL SUBSTANCES OR COMPOUNDS THAT ARE COMMONLY REFERRED TO AS SYNTHETIC COCAINE OR SYNTHETIC MARIJUANA AND ARE MARKETED AS "BATH SALTS.", be and the same hereby is designated as Local Law No. 2-2012, County of Lewis.

Section 2. That Local Law No, 2 – 2012, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

YEAS: Boyd, Burke, Fanning, Hathway, King, Lucas, Stanford, Tabolt, Wallace and Bush
NAYS: None
ABSENT: None

RESOLUTION NO. 289 - 2012
RESOLUTION TO TRANSFER FUNDS
BUILDING CODES DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Building Codes Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Building Codes accounts to cover various repairs to vehicles, utilizing Capital Equipment funds (HAD9901.9), leaving a balance of $257,218:

Appropriate:	Amount:
A50310 (Inter-fund Transfers)	$500.00
A3620.4701 (vehicle repairs)	$500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 290 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH NYS DIVISION OF CRIMINAL JUSTICE SERVICES DISTRICT ATTORNEY AID-TO-PROSECUTION

Introduced by Legislator John Boyd, Chairman of the Courts and Law

Enforcement Committee.

Whereas, the NYS Division of Criminal Justice Services has approved a grant application for Aid-to-Prosecution funds, which will enhance the prosecution of repeat violent and serious felony offenders by maintaining experienced personnel who will seek to minimize the plea-bargaining options and impose the maximum sentence for such defendants.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the County of Lewis, by and through the District Attorney, and the New York State Division of Criminal Justice Services, for Aid-to-Prosecution funds to enhance retention of experienced prosecution personnel.

Section 2. The term of said Agreement is from April 1, 2012 through March 31, 2013, in the amount of $29,200.00

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute said Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 291 - 2012
RESOLUTION TO APPROPRIATE FUNDS
EMPLOYMENT AND TRAINING

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved in the Employment & Training accounts for adjustments to the opening balances in the payroll and fringe pass through accounts:

Decrease Revenue:	Amount:
CD47910 (revenue)	$17,499.25
Decrease Expense:	
CD6293.1999 (personnel)	$16,524.42
CD6293.8999 (fringe)	974.83

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King.

Legislator King made a motion to change the wording to "un-appropriate" funds, seconded by Legislator Stanford and carried.

The resolution was then adopted.

RESOLUTION NO. 292 - 2012
RESOLUTION ADOPTING LEWIS COUNTY
ANIMAL RESPONSE TEAM PLAN

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, a Lewis County Animal Response Team (CART) Plan has been devised in accordance with Article 26-B of the New York State Agriculture and Markets Law, to include the utilization and coordination of programs to assist individuals with household pets and service animals following a disaster, with particular attention to means of evacuation, shelter and transportation options; and

Whereas, the Board of Legislators wishes to adopt said Plan and incorporate it into the Lewis County Emergency Management Plan.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby adopts the Lewis County Animal Response Team Plan, and hereby authorizes same to be incorporated into the Lewis County Emergency Management Plan, effective immediately.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

Chairman Bush commended the team that devised the Plan.

RESOLUTION NO. 293 - 2012
RESOLUTION ADOPTING
LEWIS COUNTY ARSON CONTROL PLAN

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, the Lewis County Arson Control Plan was recently revised and submitted to the New York State Office of Fire Prevention and Control; and

Whereas, the New York State Office of Fire Prevention and Control has informed that following their review, the Lewis County Arson Control Plan has been found to fulfill the requirements under General Municipal Law 204-C as it provides for the coordination of responsible agencies and investigation of suspicious and incendiary fires within Lewis County.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby adopts the Lewis County Arson Control Plan as revised and approved by the New York State Office of Fire and Control, pursuant to their letter dated July 23, 2012.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 294 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF HIGHWAYS

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan with reference to the Department of Highways, to create the following positions:

TITLE	STATUS	SALARY
Automotive Mechanic-Welder	Full-time	Grade 21
Automotive Mechanic	Full-Time	Grade 19
Motor Equipment Operator (Medium)	Full-Time	Grade 18
Motor Equipment Operator (Light)	Full-Time	Grade 15

Section 2. That Highway Superintendent David Becker is hereby authorized to fill the new positions in accordance with Civil Service regulations, effective immediately.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Tabolt.

Legislator Lucas understood that the positions were to replace retiring employees, but suggested a more in-depth review to determine necessity or potential savings, asking whether Highway operations would suffer if the positions were not immediately filled. Legislator Hathway responded that the Committee had cautioned the Highway

Superintendent that some of the new hires may be employed for a short time, possibly only through the end of the year. Considering the significant seasonal road work, Legislator Hathway stated the Department would be stressed without the new hires.

The resolution was then adopted.

RESOLUTION NO. 295 - 2012
RESOLUTION TO ESTABLISH CAPITAL
COUNTY ROAD STRIPING ACCOUNT

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the Capital County Road Striping Account is hereby established and the following budget transfer/appropriation is approved:

From:	Amount:
D5111.4999 (County Rd Striping)	$55,000.00
To:	
A9950.9926 (Capital Hwy)	$55,000.00

And Transferred To:

Capital County Road Striping Account:
HAI5150.4 County Road Striping Account
HAI50310 Transfer from General Fund

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 296 - 2012
RESOLUTION TO APPROPRIATE FUNDS
CR55 (Deer River Road) SAFETY IMPROVEMENTS

Introduced by Legislator William Burke, Chairman of Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That funds shall be appropriated in the Capital Program to facilitate additional expense to the Deer River Road Project, utilizing funds from the Capital Building Project account, with a balance of $1,741,000:

HAG50310	LOCAL	$70,000.00
HAG5197.4	CONTRACTUAL	$70,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

Legislators Hathway and Bush abstained.

RESOLUTION NO. 297 - 2012
RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A LOCAL DEVELOPMENT CORPORATION AND THE LEWIS COUNTY RESIDENTIAL HEALTH CARE FACILITY TRANSFER

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, the County of Lewis (the "County") owns and operates two licensed health care facilities - Lewis County General Hospital (NYSDOH Operating certificate #2424000H for 54 acute care beds, hereinafter the "County Hospital") and the Lewis County Residential Health Care Facility (NYSDOH Certificate No. 2424000N for a 160-bed residential health care facility, hereinafter the "County Nursing Home" and together with the County Hospital, the "Facility") located in the Village of Lowville, County of Lewis, State of New York; and

WHEREAS, the County has examined the operations at the Facility and desires to set a period through December 31, 2013 for the Board of Managers of the Facility to cause the Facility to be operated within a continued acceptable standard of care, that provides compassionate care to the patients of the Facility as a priority, but also improves the financial performance of the Facility such that all revenues and expenses including debt service calculated on a cash and accrual basis are within acceptable standards as established by the Board of Legislators by separate resolution ("Financial Review Criteria") in order to determine the feasibility of continuing the Facility operations as a County owned and operated facility including but not limited to further examination of business impediments unique to municipalities such as rising municipal labor and employee benefit costs, the unreliability of continued intergovernmental transfer payments and the cost of providing for major infrastructure improvements and/or reconstruction, among other impediments within the fiscal constraints of the County; and

WHEREAS, Section 1411 of the Not-For-Profit Corporation Law of the State of New York (the "LDC Act") authorizes not-for-profit local development corporations operated exclusively for charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, carrying on scientific

research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, an industry in the community or area, and lessening the burdens of government and acting in the public interest, and

WHEREAS, the LDC Act authorizes the legislative body of the County, by resolution, to determine that certain real property of the County not required for use by the County may be sold or leased to a not-for-profit local development corporation, lessening the burdens of government and acting in the public interest, and

WHEREAS, Section 1411(d) of the LDC Act further provides that the sale or lease may be on such terms as may be agreed upon by the County and the local development corporation, without appraisal or public bidding, and

WHEREAS, in furtherance of the public purposes set forth above, the County proposes to transfer its interest in the land, buildings, equipment and assets of the Facility from the County to a newly created local development corporation under the name "Lewis County Health Facility Corporation (the "Corporation") formed pursuant to Section 1411(a) of the LDC Act, subject to the County retaining an interest in the Facility sufficient to permit uninterrupted and continuing operations of the Facility by the County as the County operator through the Financial Review period; and

WHEREAS, the sale of the Facility to the Corporation shall be by deed or by ninety-nine year lease with option to purchase from the County to the Corporation subject to subdivision and the Financial Review and the County and the Corporation shall enter into a leaseback with respect to the retained rights of the County to occupy and operate the Facility through 2013 and thereafter subject to the Financial Review; and

WHEREAS, during the term of the County's leasehold interest under the leaseback, the employees of the Facility will continue as county employees with all County rights and benefits associated therewith, and

WHEREAS, in order to facilitate such transfer and pursuant to Section 1411(d) of Not- For-Profit Corporation Law of the State of New York, the County Legislature shall authorize the issuance of tax exempt bonds by the Corporation on behalf of the County, the net proceeds of which would be paid to the County by the Corporation as a portion of the total purchase price of the Facility, and the County agrees to pay all debt service and reserves of the Corporation required from time to time by holders of said bonds and operational costs of the Corporation including accounting, audit, legal and compliance costs and third party professional charges, and

WHEREAS, pursuant to Section 1411(d) of the LDC Act, a public hearing on ten days' notice is required to be conducted by the Lewis County Legislature prior to the adoption of a resolution authorizing any such sale or lease, including the transfer of the Facility, to the local development corporation, which hearing was held on or prior to the date hereof.

NOW THEREFORE, BE IT RESOLVED, the County Legislature hereby takes the following actions:

Section 1. The Board of Legislators, on behalf of the County, being an involved agency under the State Environmental Quality Review Act (SEQRA), hereby finds and determines that this resolution constitutes a Type II Action and no further findings with regard to SEQRA are required.

Section 2. That the County Legislature hereby authorizes the following:

2.1. The Board of Legislators has examined Section 1411(d) of Not-For-Profit Corporation Law of the State of New York and has determined that the interest in the Facility to be transferred is not required for use by the County; and

2.2. Pursuant to Section 1411 of Not-For-Profit Corporation Law of the State of New York, the County of Lewis hereby authorizes the establishment of the Corporation and approves of the Certificate of Incorporation and By-Laws presented at this meeting; and

2.3. The Chairperson of the County Legislature shall be the sole member of the Corporation, sitting ex officio; and

2.4. Pursuant to Section 1411(d) of Not-For-Profit Corporation Law of the State of New York the Board of Legislators hereby authorizes the transfer of the real property of the Facility together with appurtenant rights, fixtures, and any equipment and furnishings to the Corporation for the sum of up to $14,000,000 (this amount covers existing County obligations of approximately $6mm and said proceeds will be used to satisfy the County obligations related thereto (Hospital Bond for $3,650,000, Hospital BAN for $1,600,000 and Hospital Capital Equipment Loan in the amount of $661,601) and provides an additional $8mm for current County purposes) by deed or ninety-nine year lease with option to purchase once a subdivision has been completed (the "Transfer to the Corporation"), which shall be funded by the net proceeds of a bond to be issued by the Corporation of up to $14,000,000 plus costs of issuance and reserves required by the bondholders and start-up costs of the Corporation with the actual initial payment determined by the amount that a bondholder is willing to advance to the Corporation under this structure; provided, however, that the Transfer to the Corporation shall be subject to the retained rights of the County to continue to use the Facility, with said rights sufficient to permit the County to continue to operate the Facility under its existing licenses through the December 31, 2013 and thereafter provided that the Board of Managers has met the Financial Review Criteria, else through the date that the Corporation terminates the leasehold interest and acquires the balance of the County's interest in the Facility for the net proceeds of any sale or disposition of the Facility (after satisfaction of amounts due under the above described bonds). The terms of said retained rights shall be pursuant to a leaseback agreement whereby the County continues to be responsible for all operational costs and pays rent equal to actual costs of the Corporation and any debt service or

reserves required by the bondholders of the Corporation (the "Leaseback to the County"), and

2.5. Pursuant to Section 141l(c) and 1411(d) of Not-for Profit Law of the State of New York and simultaneously with the Transfer to the Corporation of the interest in the Facility, the County Legislators hereby authorizes entering into the Transfer to the Corporation and the Leaseback to the County, such Transfer to the Corporation and the Leaseback to the County to be in a forms acceptable to the County Attorney; and

2.6. The Corporation is hereby designated as an on behalf of issuer of the County for the purposes of issuing bonds, notes and other instruments with authority to exercise on the County's behalf all lawful powers as may be deemed necessary to accomplish its public purposes including to enhance, create and preserve employment opportunities for residents of the County, such purposes and powers to include, but not be limited to, those powers contained within the LDC Act and the purposes and powers of the Corporation, with the power to issue tax exempt and taxable bonds, notes, or other instruments on behalf of the County in furtherance of its purposes, provided however that any obligations issued by the Corporation shall never be a debt of the State of New York, the County or any political subdivision thereof (other than Corporation) and neither the State of New York, the County or any political subdivision thereof (other than Corporation) shall be liable thereon.

2.7. The Chairman or Vice Chairman of the board of Legislators is hereby authorized to executed any and all documents related to the Transfer to the Corporation and the Leaseback to the County, and all other documents, instruments and agreements or applications necessary or ancillary to the foregoing; and

2.8. The employees of the Facility will remain employees of the County until such time as the leasehold interest under the Leaseback to the County is terminated or modified and/or the local development corporation sells the Facility, and such employment shall continue to be subject to Civil Service law and regulations and applicable collective bargaining agreements during the period the County leasehold interest under the terms of the Leaseback to the County.

2.9. The County Attorney is authorized to act as corporate counsel to the Corporation and Harris Beach PLLC, as the bond counsel to the County, is authorized to act as transaction counsel to the County in this matter and shall be authorized to act as bond counsel to the Corporation in this matter.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Hathway.

Legislator Hathway referenced section 2.9, asking whether special counsel could be hired if deemed necessary. County Attorney Graham answered affirmatively. In consideration of related expenses, Legislator Hathway felt it prudent to appropriate funds for same. Atty. Graham stated that all legal expenses would be under his

purview, stating that he would prepare an appropriating resolution for the next meeting.

Legislator Hathway then queried whether the By-laws were absolute. Harris Beach Attorney Shawn Griffin stated the "draft" document was distributed to Legislators as a courtesy, potentially subject to change at the Legislators' discretion through their Local Development Corporation (LDC) representative Chairman Jack Bush. Upon appointment, the LDC Directors would thoroughly review the By-laws prior to adoption.

Legislator King responded to earlier public comments, opining that the LDC presents an option for long-term borrowing that neither the County nor hospital has. The intent is to afford some time for corrective measures, not to privatize the hospital. He invoked, however, that "The Hospital will not take the County down, the County comes first!" We will consider every option, he said, while encouraging input from employees, inferring their knowledgeable thoughts and ideas would be helpful.

The resolution was then unanimously adopted.

RESOLUTION NO. 298 - 2012
AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH JEFFERSON AND ST.LAWRENCE COUNTIES FOR THE ADMINISTRATIVE ORGANIZATION AND OPERATIONAL PLAN FOR THE NORTH COUNTRY HOME CONSORTIUM (NCHC)

Introduced by Legislator Richard C. Lucas, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 60-2011 on March 1, 2011 which reauthorized participation in the North Country HOME Consortium with the Counties of Jefferson and St. Lawrence for the purpose of obtaining Home Investment Partnership Program funds, established Jefferson County as Lead County and authorized a Cooperation Agreement with Jefferson and St. Lawrence Counties, and

WHEREAS, Pursuant to the three-County Cooperation Agreement executed on June 21, 2011 the Counties agreed to develop a Memorandum of Understanding with terms and conditions for the administrative organization and operations of the NCHC, and

WHEREAS, The NCHC's Administrative Board has developed terms and conditions of a Memorandum of Understanding outlining the manner in which the Consortium will be administered in order to carry out the intent of said Cooperation Agreement.

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. The County of Lewis hereby agrees to enter into a Memorandum of Understanding with Jefferson and St. Lawrence Counties in relation to the administration of the North Country Home Consortium.

Section 2. The Chairman, or the Vice-Chairman, of the Board of Legislators is hereby authorized to execute such Memorandum of Understanding. on behalf of Lewis County.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 299 -2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND JOHN INGHAM FOR THE PROVISION OF ARBOVIRAL SURVEILLANCE SERVICES

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, mosquitoes are a known carrier of contagious disease and therefore create a significant risk to public health; and

WHEREAS, arboviral surveillance services enable the Lewis County Public Health Agency to monitor mosquito populations, identify species and report its findings to the State Department of Health; and

WHEREAS, Lewis County Public Health Agency wishes to enter into a contract to provide arboviral surveillance services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Lewis County Public Health Agency and John Ingham to provide arboviral surveillance services on an "as needed" basis at a rate of $25 per hour which includes time, travel and mileage.

Section 2. That said Agreement shall be for the period of August 1, 2012 through July 31, 2013.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 300 - 2012
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY HOSPICE AND KINNEY DRUGS, INC. FOR PHARMACEUTICAL PRODUCTS AND PHARMACY SERVICES

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, Lewis County Hospice is licensed by the New York State Department of Health and is certified to participate in the Medicare and Medicaid programs; and

WHEREAS, Hospice primarily provides palliative and supportive services through an interdisciplinary group to terminally ill Hospice patients who have elected Hospice care, and their primary caregiver and families; and

WHEREAS, Kinney Drugs, Inc. ("Pharmacy") is licensed by the State of New York and is engaged in the business of providing pharmaceutical products and pharmacy consulting services as an independent contractor for health care providers, including Hospices; and

WHEREAS, Lewis County Hospice and Kinney Drugs, Inc. desire to enter into an Agreement wherein the Pharmacy will provide pharmaceutical products and pharmacy services to Hospice patients; and

WHEREAS, the Board of Legislators wishes to accept such services; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Lewis County Hospice and Kinney Drugs, Inc. to provide pharmaceutical products and pharmacy services to Hospice patients.

Section 2. That said Agreement shall be for the period of May 1, 2012 through May 1, 2013 and the pricing schedule is attached to Agreement and marked as "Appendix B".

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 301 - 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts to cover line item expenditures:

From:	Account	Amount
A4010.1999	Personal Svs-PHN	$151,000.00
A4035.1999	Personal Svs-CSP	100.00
A4042.1999	Personal Svs-Rabies	3,000.00
A4085.1999	Personal Svs-Family Hlth	8,000.00
A4086.1999	Personal Svs-Disease Con	22,000.00
A4087.1999	Personal Svs-Hith Ed	46,000.00
A4091.1999	Personal Svs-Hospice	116,000.00
		$ 346,100.00
To:		
A401 0.1101	Regular Pay-CHHA	$ 100,000.00
A401 0.1102	Temp Help-CHHA	40,000.00
A4010.1103	Overtime-CHHA	8,000.00
A4010.1104	Contracted-CHHA	3,000.00
A4035.1103	Overtime-CSP	100.00
A4042.4900	Outside Contractor	3,000.00
A4068.4900	Outside Contractor	3,000.00
A4090.1999	Pers Svc-Tobacco	2,000.00
A4091.1101	Regular Pay-Hospice	100,000.00
A4091.1102	Temp Help-Hospice	10,000.00
A4091.1103	Overtime-Hospice	2,000.00
A4091.1104	Contracted-Hospice	4,000.00
A4093.1999	Personal Svs-Diabetes	5,000.00
A4096.1999	Personal Svs-PH Admin	46,000.00
A4097.1999	Personal Svs-FH/DC Admin	20,000.00
		$ 346,100.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 302 - 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts to cover line item expenditures:

From:	Account:	Amount:
A4010.4407	Supplies	$ 500.00
A4010.4409	Data Processing	2,500.00
A4010.4405	Copier/Reprod/Etc.	500.00
A4012.4503	Education Material	10.00
A4014.4301	Telephone	500.00
A4015.4301	Telephone	750.00
A4015.4703	Vehicle Exp-Gas/Oil	150.00
A4015.4909	Miscellaneous	100.00
A4016.4907	Legal Notices/Adv	200.00
A4017.4901	Professional Services	240.00
A4035.4900	Outside Contractor	500.00
A4085.4401	Postage	50.00
A4085.4501	Education/Training	300.00
A4086.4909	Misc. Exp	100.00
A4087.4403	Printing	20.00
A4087.4909	Misc. Exp	75.00
A4088.4909	Misc. Exp	40.00
A4089.4367	Vaccines/Pharmaceutic	200.00
A4089.4405	Copier/Reproduction	150.00
A4091.4507	Travel	500.00
A4091.4804	Nursing Home Rm&Bd	4,000.00
A4092.4909	Misc. Exp	50.00
		$ 11,435.00
To:		
A4010.4701	Vehicle Repairs	$ 1,000.00
A4012.4401	Postage	10.00
A4014.4701	Vehicle Repairs	500.00
A4015.4407	Supplies	750.00
A4015.4701	Vehicle Repairs	150.00
A4015.4907	Legal Notices/Adv	300.00
A4017.4401	Postage	20.00
A4017.4405	Copier	20.00

A4017.4407	Supplies	200.00
A4035.4409	Misc. Exp.	500.00
A4085.4407	Supplies	300.00
A4085.4409	Data Processing	2,500.00
A4086.4405	Copier/Reproduction	100.00
A4087.4401	Postage	20.00
A4087.4405	Copier/Reproduction	75.00
A4088.4401	Postage	20.00
A4088.4405	Copier	20.00
A4089.4503	Education Material	200.00
A4089.4909	Misc. Exp.	150.00
A4091.4407	Supplies	2,500.00
A4091.4505	Dues/Subs/Sup/Bks	500.00
A4091.4701	Vehicle Repairs	500.00
A4091.4703	Vehicle Exp-Gas/Oil	1,000.00
A4092.4405	Copier/Reproduction	50.00
A4098.4401	Postage	50.00
		$ 11,435.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 303 - 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget changes are hereby approved in the Public Health accounts to cover line item expenditures:

From:	Account	Amount
A4010.4900	Outside Therapy Svs	$ 16,000.00
A4034.4441	Medical Supplies	6,500.00
A4034.4901	Professional Services	4,500.00
A4091.4406	Medical Supplies-Billable	750.00
A4091.4804	Nursing Home Rm&Bd	10,000.00
		$37,750.00
To:		
A4010.4505	Dues/Subs/Sup/Bks	$ 1,000.00
A4010.4901	Professional Services	15,000.00

A4034.4900	Outside Contractor	11,000.00
A4091.4408	Nursing Sups/Equip	750.00
A4091.4801	Equipment Rentals	10,000.00
		$ 37,750.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 304 - 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Public Health accounts:

From:	Amount
A34461 (COLA-PH)	$20,000.00
To:	
A27055.5 (Komen Breast Cancer Foundation)	$20,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 305 -2012
AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT

Introduced by Legislator Patrick Wallace, member of the Economic Development Committee.

WHEREAS, Highmarket Wheelers ATV Club has requested that the Board of Legislators open:

All of Mackay Road (CR45) from the Turin town line to the intersection of Highmarket Road;

Highmarket Road (CR 48) from the intersection of Mackay Road (CR 45) to the intersection of Michigan Mills Road;

All of Byron Corners Road (CR 49) from the intersection of Byrons Corners Town of West Turin Road and Byrons Corners Road (CR 49) County Road to the intersection of Fish Creek Road;

Saturday August 11, 2012 for a trail benefit ride; and

WHEREAS, Vehicle and Traffic Law§ 2408 authorizes a governmental agency to review and approve requests for holding special events that involve the operation of ATV's; and

WHEREAS, Highmarket Wheelers ATV Club, as a sponsor of the event, has agreed to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any claim, liability, damage or cost of any nature whatsoever, including reasonable attorney fees incurred by reason of the conduct of the event or use of those portions of County Roads.

NOW, THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby authorizes the operation of ATV's on All of Mackay Road (CR45) from the Turin town line to the intersection of Highmarket Road;

Highmarket Road (CR 48) from the intersection of Mackay Road (CR 45) to the intersection of Michigan Mills Road;

All of Byron Corners Road (CR 49) from the intersection of Byrons Comers Town of West Turin Road and Byrons Corners Road (CR 49) County Road to the intersection of Fish Creek Road;

on Saturday August 11, 2012 for a trail benefit ride.

Section 2. That the permission granted herein is specifically conditioned upon Highmarket Wheelers ATV Club entering into a written agreement with the County of Lewis whereby:

1. *Highmarket Wheelers ATV Club* agrees to indemnity and hold the County of Lewis, its officers, agents and employees harmless from any loss, claim, liability, lawsuit, damage, cost or expense including reasonable attorney fees incurred by reason of injury to person(s) or property, including death arising out of or in any way connected with the conduct of the event or the use of those portions of County Roads for such event;

2. *Highmarket Wheelers ATV Club* agrees to provide proof that it has obtained general liability insurance insuring such event in an amount not less than $1,000,000 for injuries including wrongful death to any one person and in an amount not less than $2,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and

3. Such other terms as the Chairman of the Board of Legislators with the consultation of County Attorney may deem acceptable.

Section 3. That the Chairman of the Board of Legislators, or in his absence, the Vice-chairman, be and the same is hereby authorized to execute and deliver such written agreements or other documents as may be necessary to carry out the terms of this Resolution.

Section4. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTIONNO. 306 -2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY SHERIFF'S OFFICE & KEEFE COMMISSARY NETWORK, LLC

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Sheriffs Office ("Correctional Facility") desires to enter into an Agreement with Keefe Commissary Network, LLC, an affiliate of The Keefe Group, ("Keefe") a corporation in which the headquarters are located at 10880 Linpage Place, Saint Louis, MO 63132-1008; and

WHEREAS, Keefe supplies food and other related products to inmate commissary departments of correctional facilities throughout the United States, including the correctional facility at the Lewis County Sheriff's Office; and

WHEREAS, the parties wish to enter into a Commissary Agreement to facilitate the ordering of commissary supplies by inmates and the payment thereof; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriffs Office and Keefe Commissary Network, LLC, an affiliate of The Keefe Group, for the purpose of facilitating the ordering of commissary supplies by inmates and the payment thereof.

Section 2. That this is for the term commencing on July 3, 2012 through July 2, 2015 in the amount of $3,400 but "Keefe" agrees to delay payment of purchase as long as the Correctional Facility is utilizing the equipment and in the event that the Correctional Facility terminates the Agreement, shall promptly pay the purchase price or return the equipment to Keefe.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

Prior to vote, Sheriff Carpinelli reported that it's not a renewal, but the company is a better fit and will save money.

RESOLUTION NO. 307 - 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation of funds is hereby approved in the Sheriff's Parks & Recreation accounts:

Increase Revenue:	
A2706l(Sheriff's Contribution)	$5,000.00
Increase Expense:	
A3112.1102(Temp help)	$5,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 308 - 2012
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO LACEY E. NORTHRUP)

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Lacey E. Northrup was granted a Mortgage to the County of Lewis dated July 2, 2009, and recorded in the Lewis County Clerk's Office on September 11, 2009, as Instrument Number 2009-004562 to secure payment of a loan in the amount of $22,750.77, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now

warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforedescribed Mortgage.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 309 - 2012
RESOLUTION TO AMEND THE COMPENSATION PLAN FOR THE COUNTY OF LEWIS TO ESTABLISH A NEW DEPARTMENT AND TO CREATE THE POSITION OF DIRECTOR OF SOLID WASTE MANAGEMENT

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

WHEREAS, the Board of Legislators finds that managing the safe and proper disposal of the solid wastes generated by the people of the County of Lewis has been and remains a matter of serious public concern; and

WHEREAS, the Board of Legislators further finds that the administration of the County's solid waste management system has heretofore been provided by the Lewis County Solid Waste Management and Recycling Department which was headed by the Solid Waste Coordinator; and

WHEREAS, the Board of Legislators further finds that in the past, the Lewis County Highway Superintendent served as both Highway Superintendent and Solid Waste Coordinator; and

WHEREAS, the Board of Legislators further finds that it has previously placed the Solid Waste Management and Recycling Department under an enterprise fund thereby requiring that the department function in a manner that is cost neutral to the taxpayers of Lewis County; and

WHEREAS, the Board of Legislators finds that it is in the public interest to formally set the Solid Waste Management and Recycling Department as its own department separate from the Highway Department and to create the position of Director of Solid Waste Management as its department head;

WHEREAS, this is a managerial and policy making position with responsibilities for the structure, operations, and performance of a county department; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the establishment of the Solid Waste Management and Recycling Department as a stand alone department of the County.

Section 2. That the Board of Legislators hereby authorizes the amendment of the County's Compensation Plan by the creation of a new position entitled "Director of Solid Waste Management" who shall be responsible as the department head for the Solid Waste Management and Recycling Department in accordance with the attached job description. As a department head, the Director of Solid Waste Management shall be an appointee of the Board of Legislators.

Section 3. That any references to "Solid Waste Coordinator" as found in Local Law No. 8 – 2008, entitled: "A LOCAL LAW TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES AND TO AMEND AND RESTATE LOCAL LAW #5 FOR THE YEAR 1992" shall hereafter be deemed to refer to the Director of Solid Waste Management.

Section 4. That the annual salary for such new position is hereby established at $52,112.

Section 5. That this Resolution shall take effect immediately.

Legislator Lucas invoked his objection to creating a new department, citing the Board's consolidation focus and efforts over the past two years. Legislator Fanning responded that the Solid Waste Department operates as an "enterprise fund", currently without local tax support. The action separates the Solid Waste function from the Highway Superintendent's duties, thereby requiring appointment of a Director. Legislator Stanford voiced his support, stating the savings for the comparative lower salary of the new, to the recently retired Highway Superintendent, offsets the small salary increase for the Solid Waste Director.

Legislator Lucas asserted that the Hospital also operates as an enterprise fund.

The resolution was then adopted. Legislator Lucas was opposed.

RESOLUTION NO. 310 - 2012
RESOLUTION APPOINTING DIRECTOR TO LEWIS COUNTY SOLID WASTE MANAGEMENT

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

WHEREAS, the Board of Legislators has heretofore created the position of

Director of Solid Waste Management as the head of the Solid Waste Management and Recycling Department; and

WHEREAS, the Board of Legislators wishes to make an appointment to that position

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Peter Wood as Director of Solid Waste Management with an annual salary of $52,112.

Section 2. That the term of said appointment shall commence immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

Legislator Lucas opposed.

RESOLUTION NO. 311 - 2012
RESOLUTION TO UN-APPROPRIATE FUNDS
YOUTH BUREAU

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriations be reduced due to a reduction in State revenue:

Decrease Revenue:		Amount
A38201	State Aid	-$1,208.00
Decrease Expense:		
A7311.4901	SDPP	-$ 189.00
A7311.4909	Initiatives	-$1,019.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 312 -2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN

THE COUNTY OF LEWIS AND FEDERAL ENGINEERING, INC.

Introduced by Legislator John Boyd, Chairman of the Courts and Law Committee.

WHEREAS, the County of Lewis wishes to enter into an agreement with Federal Engineering, Inc. for the purpose of researching public safety radio frequencies available for the new radio system; and

WHEREAS, this agreement is for the period beginning August 1, 2012 to July 31,2013 and not to exceed $6,905.00;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis and Federal Engineering, Inc. for the purpose of researching public safety radio frequencies available for the new radio system for the period beginning August 1, 2012 to July 31, 2013 and not to exceed the cost of $6,905.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

OTHER BUSINESS:

The Clerk of the Board read a proclamation, whereby the Chairman had declared August 7, 2012 as "National Night Out" in Lewis County.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Boyd and carried at 10:16 a.m.

SPECIAL MEETING
August 24, 2012

The meeting was called to order at 8:30a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 7 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend waiving the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: August 24, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

County Manager David Pendergast reported that he and County Attorney Richard Graham had reviewed the proposals and subsequently interviewed associates of each, the Bonadio Group and Stroudwater Associates. Legislator Tabolt had participated in the Stroudwater Associates exchange.

The Local Development Corporation (LDC) members are present today and Mr. Pendergast respectfully requested they set their organizational meeting date.

Mr. Pendergast reported the Bonadio Group would audit the Hospital's financial status against the budget to determine the validity of the reported figures, and thereafter make corrective recommendations. They will remain on-site until they reach conclusions about operational performances, and would review weekly findings with County personnel and officials. They would develop a strategic plan for implementation after providing their assessment report, with specific long-term and short-term solutions.

Stroudwater Associates would not conduct an audit, but would insert the Hospital's figures into established formulas and rate the hospital against the National average. Upon request, they would retain an agency, similar to Bonadio Group, to conduct an audit for an additional expense. They would plan a three-day on-site visit within 30 days following their initial assessment, and thereafter, revisit for two days with Hospital and County personnel to develop a strategic plan.

Attorney Graham stressed the need to determine the validity of reported figures,

citing two separate and distinct Hospital reports with differing deficit an1ounts. There is concern that the Board of Managers has not been fully apprised of the full financial impacts. Quoting Stroudwater Associates, he said that the analysis is only as good as the information provided. The Bonadio Group would test the credibility of the reported figures, he added, terming them as having a more hands-on approach, with ongoing conversation with the Board of Legislators relative to ultimate outcomes. He emphasized that the Board's overall desire is to continue Hospital services as a County-owned facility. Atty. Graham concluded that either consultant would provide a series of options with attendant costs. It would then be the Board's charge to determine the feasible "comfort level" of taxpayer subsidy for Hospital operations.

He had reached out to Ontario County officials, who spoke very favorably about the Bonadio Group. Atty. Graham recommends retaining the Bonadio Group due to their proven on-site approach at similar facilities, for instantly mediating identified issues. He admitted not having enough time to contact Stroudwater references, but submits that Bonadio's record of improvements at similar facilities is a testament to their capabilities.

Legislator Tabolt commended Mr. Pendergast and Atty. Graham for their thorough interrogation of each of the consultant groups.

Moreover, to allay rumors about Wyoming County Hospital, Legislator Tabolt relayed statements from the Chairman of the Wyoming County Board of Supervisors, that a projected $3 Million County infusion was unnecessary, due to the Bonadio Group's involvement. The hospital had experienced an annual deficit of $6 Million, until corrective measures were implemented. Their hospital did receive $1.7 Million Inter-Governmental Transfer and $600,000 from another revenue source. The Chairman highly commended the Bonadio Group and had no reservations about their ability to serve other facilities simultaneously.

Legislator Tabolt continued to relate that upon retention of the Bonadio Group, several Wyoming Hospital management personnel resigned, but Bonadio stepped in and effectively administered operations. Therefore, Legislator Tabolt recommends retention of the Bonadio Group.

Mr. Pendergast recommends the Bonadio Group over Stroudwater Associates because of their proposed outcomes for operations. Especially, he stated, in unison with our direct dialogue with Albany Department of Health officials, whom have committed to assisting Lewis County.

Legislator Paul Stanford left the meeting for a prior commitment at 8:57 a.m.

Legislator Tabolt made a motion to enter executive session at 8:58 a.m. to discuss specific hospital personnel issues, seconded by Legislator Fanning and carried. At the request of Chairman Bush, the Board allowed Local Development Corporation Board of Directors Sam Villanti, Timothy Reagan and Bruce Buckingham; as well as

Hospital Board of Managers William Wormuth, Gary Turck and Atty. Michael Young, to remain for the session.

Following the session, Legislator Tabolt moved to re-enter regular session at 9:20 a.m., seconded by Legislator Boyd and carried.

RESOLUTION NO. 313 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY LOCAL LAW NO. 9 - 2012), COUNTY OF LEWIS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on September 4, 2012 a proposed Local Law entitled "LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW§ 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2013 BUDGET."

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on September 4 , 2012, from 5:00 p.m. to 5:30p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Boyd , seconded by Legislator King , and adopted.

RESOLUTION NO. 314 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND BONADIO & CO., LLP FOR OPERATIONAL AND FINANCIAL ASSESSMENT FOR LEWIS COUNTY GENERAL HOSPITAL AND RESIDENTIAL NURSING HEALTH CARE FACILITY

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

WHEREAS, the County of Lewis desires to enter into an Agreement with Bonadio & Co., LLP to provide an overall operational financial review and assessment of the Lewis County General Hospital and Lewis County Residential Health Care Facility (collectively herein the "Facility") for the purpose of determining the current financial health of the Facility, identifying immediate as well as long term options for financial

improvements, and such other information and analyses that will enable the Board of Legislators to determine the feasibility of continuing the Facility operations as a County owned and operated facility; and

WHEREAS, this agreement is for the period beginning August 24, 2012 and ending December 31, 2013; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis and Bonadio & Co., LLP to provide an overall operational financial review and assessment of the Lewis County General Hospital and Lewis County Residential Health Care Facility at an estimated cost of $56,000 for Phase I of the project; the actual cost thereof to be on an hourly basis as outlined in the proposal dated August 16, 2012.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Lucas, and adopted.

OTHER BUSINESS:

At the request of Legislator Boyd, Atty. Graham explained that the Local Development Corporation (LDC) is formed as a non-profit organization with a separate Board of Directors. An LDC can independently issue bonds. The Hospital real estate would be transferred to the LDC to act as the holding company. An agreement would be negotiated between the LDC and the County to continue all hospital operating contracts, including employee contracts. The County would pay the LDC to cover debt service payments.

The LDC provides the capability to amortize debt over a long period, as opposed to options available to the County, which require next year inclusive payment. An LDC also may transfer operations to a third party. This option would require a lengthy Request For Proposals (RFP) or Request For Qualifications (RFQ) process to determine interest by validated facilities/parties.

Atty. Graham stated that the LDC Certificate of Incorporation has been filed with the regulatory authorities. Pursuant to the Board's enacted Resolution, Chairman Bush shall serve as the Board's ex-officio LDC representative, and to-date has appointed four members.

The LDC is subject to financial review criteria that shall be established by a Board Resolution. The criteria may be defined as the chosen consultant progresses with their operational review and analysis.

Sam Villanti asked for clarification of his role as an LDC Director. He referenced previous general questions raised by himself and Timothy Reagan about Hospital operations and financial reports, and felt encouragement from Legislators to ask those type of questions. As an LDC member, he understood they would have an active role for input in to hospital operations. However, he stated, it appears you have found an opportunity, that if by 12/31/13 the Hospital financial status is not improved, the expectation is for the LDC to sell the Hospital. Moreover, based on models he has researched, Mr. Villanti posed that the LDC Board of Directors would be charged to research and retain a consultant for hospital audit and analysis.

In response, Legislator King stated the LDC membership would make decisions after considering all the information provided. In the essence of time, considering the County's impending financial plight, the Board chose to proceed to retain a consultant. However, he affirmed the Board's appreciation for assistance from the comprised professional expertise represented by LDC members.

Atty. Graham stated his intent to meet with the LDC membership and legal consultants, for the purpose of outlining details for discussion.

Timothy Reagan submitted the LDC's intent to reach agreement on a decision-making process that would be presented to the Legislators, while emphasizing the importance for unanimous agreement on that process. In summary, Bruce Buckingham asserted that "We do not want to be the scapegoats". Mr. Reagan added that it's a volatile situation that should be approached and concluded by a unanimously agreed upon process.

Legislator Fanning asserted that if, by 12/31/13, the hospital has made strides toward greater self-sufficiency, then the Board would continue discussions; alternatively we would be faced with a decision whether to sell or not. He then asserted certainty that the Board's decision to establish an LDC was not to transfer the onus for decisions, but to avail financial options that are otherwise unattainable.

Chairman Bush understands that the Board of Legislators would be charged with the ultimate decision, while considering the LDC's recommendation. Legislator Hathway submits that the Board's decision on the amount of appropriations will be essential to the process.

There being no other business to come before the Board, the meeting adjourned at 9:35 a.m. on motion by Legislator Hathway, seconded by Legislator Fanning and carried.

REGULAR MEETING
September 4, 2012

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 45 persons present.

Chairman Bush announced approval of the July 3rd, July 17th, and August 7, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: September 4, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Boyd and carried.

Chairman Bush opened the public hearing for comments on Local Law Introductory No. 9-2012 "To Authorize Overriding the Tax Levy Limit Established by General Municipal Law Section 3-c (A/K/A "2% Tax Cap") for the Lewis County 2013 Budget".

He stated it was the Board's hope the override would not be necessary, but we want to be in a position to adopt a sensible budget, he concluded.

Budget Officer David Pendergast reported that on 8/31/12 the State Comptroller had released the pension rates for the next fiscal year, which increase from 18.9% to 20.9%; and the Fire/Police rate increases from 25.8% to 28.9%. Lewis County's attendant additional pension costs equate an amount in excess of the 2% tax levy.

In mid-August the Board met as a Committee-of-the-Whole for preliminary 2013 Tentative Budget deliberations. At that time Mr. Pendergast provided an attributing list for $2,423,767 above 2012 appropriations. He estimates fund balance appropriation of $1.4 Million as in 2012, and an additional $1 Million for increased pension costs.

Chairman Bush offered, but there was no one present who wished to comment on the proposed Local Law.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 730,600.98 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: September 4, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Stanford and carried.

RESOLUTION NO. 315 -2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 730,600.98 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted by roll call vote:

YEAS: Boyd, Burke, Fanning, Hathway, King, Lucas, Stanford, Tabolt, Wallace, Bush
NAYS: None
ABSENT: None

LOCAL LAW (INTRODUCTORY NO. 9 - 2012) COUNTY OF LEWIS

A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A "2% TAX CAP") FOR THE LEWIS COUNTY 2013 BUDGET

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

SECTION 1. TITLE

This Local Law shall be known as "A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW§ 3-c (A/K/A "2% TAX CAP") FOR THE LEWIS COUNTY 2013 BUDGET."

SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal 2013 require that Lewis County adopt the appropriate legislation necessary to override the tax levy limit established by General Municipal Law§ 3-c, and more commonly referred to as the "2% tax cap.".

SECTION 3. ENACTMENT AUTHORITY

This Local Law is adopted pursuant to authority provided in section 10 of the Municipal Home Rule Law of the State of New York as well as the specific authority found in General Municipal Law § 3-c[5].

SECTION 4. OVERRIDE AUTHORIZATION

The Board of Legislators be and the same is hereby authorized to adopt a budget for the coming fiscal year (2013) that exceeds the "tax levy limit" as that term is defined and calculated pursuant to the provisions of General Municipal Law § 3-c.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 316 - 2012
RESOLUTION ADOPTING AND OTHERWISE TREATING LOCAL LAW NO. 3-2012, COUNTY OF LEWIS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on August 24, 2012, directing that a public hearing be held by said Board on September 4, 2012, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "A LOCAL LAW TO AUTHORIZE

OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW§ 3-c (A/K/A "2% TAX CAP") FOR THE LEWIS COUNTY 2013 BUDGET"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times,* the official newspaper designated by the County, on August 29, 2012, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 9–2012), County of Lewis, being "A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A "2% TAX CAP") FOR THE LEWIS COUNTY 2013 BUDGET" be and the same hereby is designated as Local Law No. 3-2012, County of Lewis.

Section 2. That Local Law No. 3 - 2012, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

YEAS: Boyd, Burke, Fanning, Hathway, King, Lucas, Stanford, Tabolt, Wallace, Bush
NAYS: None
ABSENT: None

RESOLUTION NO. 317 - 2012
RESOLUTION OPPOSING CLEAN WATER ACT DRAFT GUIDANCE PROPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY

Introduced by Legislators Michael Tabolt and Jerry King, members of the Lewis County Board of Legislators.

WHEREAS, Lewis County affirms its commitment to environmental stewardship and the protection of our natural resources, and recognizes the need to harmonize municipal programs and services with the legislative intent and objectives of the Clean Water Act (CWA);and

WHEREAS, the CWA was not intended to protect ditches and other channels through which water flows intermittently nor was it intended to capture seeps, wet areas, isolated man-made ponds and other structures not currently subject to the CWA; and

WHEREAS, the Environmental Protection and Agency (EPA) and the United States Corps of Engineers (Corps) has developed draft guidance on *Identifying Waters Protected by the Clean Water Act* (draft guidance) to clarify the EPA and Corps' understanding and definition of the CWA that will inform all of EPA's regulatory programs and policy actions; and

WHEREAS, this draft guidance creates uncertainty, confusion and would now capture a significant number of public works activities and transportation infrastructure that will now be subject to the CWA and its costly and time-consuming permitting and regulatory protocols; and

WHEREAS, the draft guidance greatly expands the number of projects subject to jurisdictional determination or CWA permitting which do not currently require such oversight at great expense to the taxpayers of Lewis County with little, if any, environmental benefit while diverting scarce resources from other programs that do provide environmental protection and conservation benefits; and

WHEREAS, the financial impact of the draft guidance to Lewis County will be significant with roadside ditch projects and ongoing maintenance, due to the need for jurisdictional determinations by the Corps or CWA permitting; and

WHEREAS, Lewis County believes that it is improper to so significantly change the scope of the Clean Water Act without legislative authorization by the U.S. Congress or through the formal rulemaking process to allow public and stakeholder comments on this critically important and complex issue.

NOW, THEREFORE, BE IT RESOLVED THAT, the Lewis County Board of Legislators urges EPA and the Corps to withdraw the draft CWA guidance immediately, work collaboratively with states and local governments to enforce the current scope of the CWA while respecting the authority of state and local governments in ensuring the protection of our water resources; and

BE IT FURTHER RESOLVED, that the Lewis County Board of Legislators supports any federal legislation consistent with the above recommendations and urges its Congressional and State representatives to intercede with EPA and request that the EPA report to them on their response and adaptations regarding the aforementioned concerns; and

BE IT FURTHER RESOLVED that a copy of this Resolution, suitably engrossed, should be transmitted to U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. House Representative William Owens, EPA Administrator Lisa Jackson, New York Governor Andrew Cuomo, New York State Senator Joseph Griffo, New York Assembly Representative Kenneth Blankenbush, and EPA Region 2 Administrator Judith Enck.

Moved by Legislator Fanning, seconded by Legislator Tabolt.

Legislator Tabolt credited Farm Bureau representatives for informing about the proposed amendment. Jennifer Karelus explained that "navigable" waters are under the jurisdiction of the Environmental Protection Agency (EPA). For the past decade, the EPA has attempted to delete the word "navigable" to effect their jurisdictional oversight and regulations for every stream of water. Legislator Tabolt expressed concern that the proposed amendment could be enacted without Senate or Congressional action.

The resolution was then adopted.

RESOLUTION NO. 318 - 2012
RESOLUTION TO AMEND AGREEMENT BETWEEN LEWIS COUNTY AND WLADIS LAW FIRM FOR GOVERNMENT RELATIONS SERVICES

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, the Lewis County Board of Legislator's adopted Resolution No. 160-2012 authorizing an agreement between Lewis County and the Wladis Law Firm, of 6312 Fly Road, East Syracuse, NY 13057 for the purpose of providing government liaison services at a retainer of $500 per month for the period of May 1, 2012 through August 31, 2012; and

WHEREAS, the Board of Legislators wishes to amend the original agreement to extend the ending date to December 31, 2012;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the amendment of the April 23, 2012 agreement between Lewis County and the Wladis Law Firm for the purpose of providing government liaison services at a rate of $500 per month by extending the same to December 31, 2012 with all other terms of the contract to remain in full force and effect.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 319 - 2012
RESOLUTION TO APPROPRIATE FUNDS
DISTRICT ATTORNEY

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

Whereas, the State of New York increased the salaries of District Attorneys across the State; and

Whereas, the State is reimbursing the County for the full amount of the 2012 increase; and

Whereas, the County has received said reimbursement.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the District Attorney's accounts to cover the 2012 increase in the District Attorney's salary:

Increase Revenue:	
A30300 (DA Salary Assistance)	$20,500.00
Increase Expense:	
A1165.1999 (Personnel)	$20,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 320 - 2012
RESOLUTION TO CLOSE CAPITAL EAST ROAD
BRIDGE ACCOUNT

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Capital East Road Bridge account is hereby closed and

all funds shall be un-appropriated:

Decrease Expense:	
HG599	$194,592.82
Decrease Revenue:	
HG35910	$ 58,714.53
HG45910	$135,878.29

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 321 - 2012
RESOLUTION TO CLOSE
CAPITAL ICE STORM GENERATORS ACCOUNT

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Capital Ice Storm-Generators account is hereby closed and all funds shall be un-appropriated:

Decrease Expense:	
HL599	$73,029.00
HL3640.2233	$ 1,971.00
Decrease Revenue:	
HL43970	$75,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 322 - 2012
RESOLUTION TO CLOSE
CAPITAL NUMBER FOUR ROAD ACCOUNT

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Capital Number Four Road account is hereby closed and all funds shall be un-appropriated:

Decrease Expense:	
HN599	$ 1,550.31
HN5197.4	$48,014.95
Decrease Revenue:	
HN35910	$ 6,461.17
HN45910	$43,104.09

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 323 - 2012
RESOLUTION TO CLOSE
CAPITAL SALMON RIVER BRIDGE ACCOUNT

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Capital Salmon River Bridge account is hereby closed and all funds shall be un-appropriated:

Decrease Expense:	
HK5197.4	$ 22,708.17
HK599	$ 436,408.25
Decrease Revenue:	
HK27010	$ 55,673.73
HK35910	$ 31,960.00
HK45910	$ 315,992.69
HK50310	$ 55,490.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 324 - 2012
RESOLUTION TO APPROPRIATE FUNDS
Bridge over Salmon River Road/Mad River

Introduced by Legislator William Burke, Chairman of Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That an additional $1,039,000 shall be appropriated in the Capital Bridge Program to facilitate the Right of Way and Construction phases of the Bridge over Salmon River Road/Mad River.

Section 2. The following revenue accounts shall be recognized to facilitate the funding of this project to Capital Account HAH5197.4:

HAH45910	FEDERAL	$831,200
HAH35910	STATE	$ 31,650
HAH50310	LOCAL	$176,150

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 325 - 2012
RESOLUTION TO TRANSFER FUNDS
NON-DEPARTMENTAL

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved from Capital Building Project account to Judgments & Claims account to cover court ordered payments:

From:	Amount:
A9950.9921 (Transfer to Cap Bldg Project)	$60,000.00
To:	
A1930.4999 (Judgments & Claims)	$60,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 326 -2012
RESOLUTION TO AMEND RESOLUTIONS 424-2011 AND 434-2011
RELATIVE TO OFFICE FOR AGING POSITION

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

Whereas, Resolution Numbers 424-2011 and 434-2011 incorrectly listed the referenced title as Specialist Service For Aging, and authorized through October 1, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends Resolution Numbers 424-2011 and 434-2011 to correct the title of the referenced position to Temporary Part-time Aging Services Worker, to be abolished effective August 29, 2012.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 327 - 2012
RESOLUTION TO TRANSFER FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office for Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Office for the Aging accounts to pay for transportation costs:

From:	To:	Amount:
A6772.4903 (All types Insurance)	A6772.4423(Transportation Employees)	$2,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 328 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH DEPARTMENT AND NEW YORK STATE DEPARTMENT OF HEALTH BUREAU OF EARLY INTERVENTION

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award from the New York State Department of Health in the amount of $28,216.00

for administrative costs for the purpose of identifying and evaluating as early as possible those infants and toddlers whose healthy development is compromised and provide appropriate intervention to improve child and family development; and

WHEREAS, the Board of Legislators wishes to accept such services; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Public Health Department and the New York State Department of Health for the purpose of administering the Early Intervention Program for the period beginning October 1, 2011 and ending September 30, 2012 in the amount of $28,216.00

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 329 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND FAXTON ST. LUKES HEALTH CARE FOR PRESCHOOL RELATED SERVICES

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Faxton St. Lukes Health Care for the provision of related services to preschool children with disabling conditions pursuant to Section 4410 of the New York State Education Law and Part 200 of the Regulations of the Commissioner of Education; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency to enter into an Agreement with Faxton St. Lukes Health Care for the provision of related services to preschool children with disabling conditions pursuant to Section 4410 of the New York State Education Law and Part 200 of the Regulations of the Commissioner of Education.

Section 2. That this is for the period commencing July 1, 2012 and ending June 30,2013 at New York State Education Department approved rates.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 330 - 2012
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE COUNTY OF LEWIS AND NYS DEPARTMENT OF HEALTH BUREAU OF IMMUNIZATION

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis and the New York State Department of Health Bureau of Immunization (herein, "DOH") has heretofore entered into an agreement with Lewis County Public Health for the purposes of meeting or exceeding a 90% statewide immunization coverage for two year olds; to increase awareness of the benefits of adult immunization; to increase the proportion of children less than six years of age with two or more shots in an immunization information system; to provide access to up-to-date education and training; and to be a liaison with local and regional perinatal hepatitis B program managers or conduct activities to reduce perinatal hepatitis B transmission; and

WHEREAS, the original term of the Agreement was April 1, 2008 through March 31, 2010 at a cost of $93,547 and an amended contract for the period April 1, 2011 to March 31, 2012 at a cost of $123,547 and DOH wishes to amend the contract for the period of April 1, 2012 through March 31, 2013 at an additional cost of $30,000 for a total contract price of $153,547;

WHEREAS, Lewis County Public Health Department is an eligible provider of these services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the Agreement dated April 1, 2008 through March 31, 2013, between the County of Lewis, acting by and through the Lewis County Public Health Agency and the New York State Department of Health Bureau of Immunization for the immunization program.

Section 2. That this amendment is for the period beginning April 1, 2012 through March 31, 2013 in the additional amount of $30,000.00.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 331 - 2012
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved to adjust for substantial expense for Rabies post-exposure treatment:

Increase Revenue	Description	Amount
A16190	Rabies-Post Exposure	$22,205.12
Increase Expense		
A4042.4367	Rabies-Vaccines	$22,205.12

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 332 - 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts to cover line item expenses:

From:		
A4010.4507	Travel & Subsistence	$ 1,500.00
A4010.4507	Travel & Subsistence	$ 1,000.00
A4014.4703	Vehicle Exp-Gas/Oil	$ 400.00
A4015.4901	Professional Services	$ 4,000.00
A4042.4901	Professional Services	$ 2,500.00
A4086.4901	Professional Services	$ 500.00
A4086.4909	Misc Exp.	$ 50.00
A4089.4405	Copier/Reproduction	$ 150.00
A4091.4507	Travel & Subsistence	$ 1,000.00
A4092.4909	Misc. Exp.	$ 200.00
		$ 8,650.00

To:		
A4010.4407	Supplies	$ 1,500.00
A4010.4701	Vehicle Repairs	$ 1,000.00
A4014.4407	Supplies	$ 400.00
A4015.4904	Evaluations	$ 4,000.00
A4042.4367	Vaccines/Phamaceutic	$ 2,500.00
A4085.4407	Supplies	$ 500.00
A4087.4909	Misc.Exp.	$ 50.00
A4089.4301	Telephone	$ 150.00
A4091.4407	Supplies	$ 1,000.00
A4092.4407	Supplies	$ 200.00
		$ 8,650.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 333 - 2012
AUTHORIZING OPENING OF CERTAIN PORTIONS
OF COUNTY ROADS FOR ATV SPECIAL EVENT
September 22, 2012

Introduced by Legislator Pat Wallace member of the Economic Development Committee

WHEREAS, Barnes Corners Sno-Pals snowmobile Club, has requested that the Board of Legislators open:

CR 18 Cronk Rd; from County Property east to where Cronk Road in the Town of Pinckney begins;
CR 38 Turin Rd, all of;
CR 43 East Rd; from CR 38 Turin Rd intersection to intersection of CR 38, E Main St;
CR 38 East & West Main Streets in Village of Turin;

CR 51 West Road; from CR 38 West Main Street south to Gomer Hill Road;
CR 45; Mackay Rd, all of;·
CR 48; CR 48 Highmarket Rd from CR 45 Mackay Rd to Michigan Mills Rd;
CR 43 East Rd; from CR 38 Turin Rd to CR 38 East Main St;
CR 49 Byrons Corners Rd, all of;

for a one day all terrain vehicle (ATV) rally event (ATV Expo) to be held on September 22nd, 2012;and

WHEREAS, Vehicle and Traffic Law § 2408 authorizes a governmental agency to review and approve requests for holding special events that involve the operation of ATV's; and

WHEREAS, the Tug Hill ATV Association, as a sponsor of the event, has agreed to indemnify and hold the Count of Lewis, its officers, agents and employees harmless from any claim, liability, damage or cost of any nature whatsoever, including reasonable attorney fees incurred by reason of the conduct of the event or use of those portions of County Roads;

NOW, THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby authorizes the operation of ATV's on:

CR 18 Cronk Rd; from County Property east to where Cronk Road in the Town of Pinckney begins;
CR 38 Turin Rd, all of;
CR 43 East Rd; from CR 38 Turin Rd intersection to intersection of CR 38, E Main St;
CR 38 East & West Main Streets in Village of Turin;
CR 51 West Road; from CR 38 West Main Street south to Gomer Hill Road;
CR 45; Mackay Rd, all of;
CR 48; CR 48 Highmarket Rd from CR 45 Mackay Rd to Michigan Mills Rd;
CR 43 East Rd; from CR 38 Turin Rd to CR 38 East Main St;
CR 49; Byrons Corners Rd, all of;·

for a one day all terrain vehicle (ATV) rally event to be held on September 22nd, 2012.

Section 2. That the permission granted herein is specifically conditioned upon the Tug Hill Adirondack ATV Association entering into a written agreement with the County of Lewis whereby:

1. The Tug Hill Adirondack ATV Association agrees to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any loss, claim, liability, lawsuit, damage, cost or expense including reasonable attorney fees incurred by reason of injury to person(s) or property, including death arising out of or in any way connected with the conduct of the event or the use of those portions of County Roads for such event;

2. The Tug Hill Adirondack ATV Association agrees to provide proof that it has obtained general liability insurance insuring such event in an amount not less than $1,000,000 for injuries including wrongful death to any one person and in an amount not less than $3,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and

3. Such other terms as the Chairman of the Board of Legislators with the consultation of County Attorney may deem acceptable.

Section 3. That the Chairman of the Board of Legislators, or in his absence, the Vice-chairman, be and the same is hereby authorized to execute and deliver such written agreements or other documents as may be necessary to carry out the terms of this Resolution.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator King, and adopted.

RESOLUTION NO. 334 - 2012
AUTHORIZING OPENING OF CERTAIN PORTIONS
OF COUNTY ROADS FOR ATV SPECIAL EVENT
September 23, 2012

Introduced by Legislator Pat Wallace member of the Economic Development Committee

WHEREAS, Barnes Corners Sno-Pals snowmobile Club, has requested that the Board of Legislators open:

CR 18 Cronk Rd; from County Property east to where Cronk Road in the Town of Pinckney begins;
CR 38 Turin Rd, all of;
CR 43 East Rd; from CR 38 Turin Rd intersection to intersection of CR 38, E Main St;
CR 38 East & West Main Streets in Village of Turin;
CR 51 West Road; from CR 38 West Main Street south to Gomer Hill Road;
CR 45; Mackay Rd, all of;
CR 48; CR 48 Highmarket Rd from CR 45 Mackay Rd to Michigan Mills Rd;
CR 43 East Rd; from CR 38 Turin Rd to CR 38 East Main St;
CR 49 Byrons Corners Rd, all of;

for a one day all terrain vehicle (ATV) rally event (ATV Expo) to be held on September 23rd, 2012; and

WHEREAS, Vehicle and Traffic Law§ 2408 authorizes a governmental agency to review and approve requests for holding special events that involve the operation of ATV's; and

WHEREAS, the Tug Hill ATV Association, as a sponsor of the event, has agreed to indemnify and hold the Count of Lewis, its officers, agents and employees harmless from any claim, liability, damage or cost of any nature whatsoever, including reasonable attorney fees incurred by reason of the conduct of the event or use of those portions of County Roads;

NOW, THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby authorizes the operation of ATV's on:

CR 18 Cronk Rd; from County Property east to where Cronk Road in the Town of Pinckney begins;
CR 38 Turin Rd, all of;
CR 43 East Rd; from CR 38 Turin Rd intersection to intersection of CR 38, E Main St;
CR 38 East & West *Main Streets in Village of Turin;*
CR 51 West Road; from CR 38 West *Main Street south to Gomer Hill Road;*
CR 45; Mackay Rd, all of;
CR 48; CR 48 Highmarket Rd from CR 45 Mackay Rd to Michigan Mills Rd;
CR 43 East Rd; from CR 38 Turin Rd to CR 38 East Main St;
CR 49; Byrons Corners Rd, all of;

for a one day all terrain vehicle (ATV) rally event to be held on September 23rd, 2012.

Section 2. That the permission granted herein is specifically conditioned upon the Tug Hill Adirondack ATV Association entering into a written agreement with the County of Lewis whereby:

1. The Tug Hill Adirondack ATV Association agrees to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any loss, claim, liability, lawsuit, damage, cost or expense including reasonable attorney fees incurred by reason of injury to person(s) or property, including death arising out of or in any way connected with the conduct of the event or the use of those portions of County Roads for such event;

2. The Tug Hill Adirondack ATV Association agrees to provide proof that it has obtained general liability insurance insuring such event in an amount not less than $1,000,000 for injuries including wrongful death to any one person and in an amount not less than $3,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and

3. Such other terms as the Chairman of the Board of Legislators with the consultation of County Attorney may deem acceptable.

Section 3. That the Chairman of the Board of Legislators, or in his absence, the Vice-chairman, be and the same is hereby authorized to execute and deliver such written agreements or other documents as may be necessary to carry out the terms of this Resolution.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator Tabolt, and adopted.

RESOLUTIONNO. 335 -2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
& BLACK CREEK INTEGRATED SYSTEMS CORPORATION

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Sheriff's Department desires to enter into an Agreement with Black Creek Integrated Systems Corporation, ("Black Creek") a corporation located at 2900 Crestwood Boulevard, Irondale, Alabama; and

WHEREAS, Black Creek provides computer software support, specifically for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data for the inmates; and

WHEREAS, the Board of Legislators wishes to accept such services; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and Black Creek Integrated Systems Corporation for the purpose of utilizing Black Creek's computer software support for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data for the inmates.

Section 2. That this is for the term commencing on January 1, 2013 through December 31, 2013 in an amount not to exceed $10,225.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 336 -2012
RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Department of Social Services, to create the following positions:

TITLE	STATUS	SALARY
Community Services Worker (3)	Temporary Full-time	Grade C9-1 $12.72/hr

Section 2. That Commissioner Stacy Alvord is authorized to fill said positions effective September 17, 2012 through May 10, 2013.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 337 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN DEPARTMENT OF SOCIAL SERVICES AND LEWIS COUNTY OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Lewis County Office for the Aging for the purpose of providing the Home Energy Assistance Program (HEAP) outreach and certification services to low income residents of Lewis County.

Section 2. That the term of this Agreement shall be from October 1, 2012 through September 30, 2013 at a cost not to exceed $17,000.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 338 -2012
RESOLUTION SETTING 2013 CHARGE-BACK APPORTIONMENT FOR WORKERS' COMPENSATION PLAN PARTICIPANTS

Introduced by Legislator Richard Lucas, Chairman of the Workers' Compensation Committee.

WHEREAS, the only control over the County's self-insured workers' compensation plan is to emphasize workplace safety and prevention; and

WHEREAS, in accordance with this philosophy, the Board of Legislators imposes a proportionate assessment onto participants of the Lewis County Self-Insurance Plan based on their respective actual plan expenses; and

WHEREAS, as a standard practice throughout the industry, a portion of the assessment shall be based on the ratio of payroll for each participating entity.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby sets the computation of the 2013 workers' compensation assessments for participants of the Lewis County Self-Insurance Plan, to assess a 50% experience rating based on actual respective expenses in 2009, 2010 and 2011 that shall be capped at $30,000 for any one claim per annum; 30% shall be computed on proportionate property valuation; and the remaining 20% based on respective 2011 gross payroll figures.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Burke, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 339 - 2012
RESOLUTION TO CLOSE CAPITAL FOWLERVILLE ROAD OVER MOOSE RIVER BRIDGE ACCOUNT

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Capital Fowlerville Road Over Moose River Bridge account is hereby closed and all funds shall be un-appropriated:

Decrease Expense:	Amount
HH5197.4	$ 309,855.86
Decrease Revenue:	
HH599	$ 15,404.41
HH45910	247,958.70
HH35910	46,492.75
	$ 309,855.86

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 340 - 2012
RESOLUTION AUTHORIZ1NG PROFESSIONAL CONSULTING SERVICES WITH LOCEY AND CAHILL, LLC

Introduced by Richard Lucas, Chairman of the Insurance Committee.

WHEREAS, Locey and Cahill, LLC, a New York Limited Liability Company, has offered to provide professional consulting services, with a principal business located at 120 Walton Street, Suite 500, Syracuse, New York 13202 (hereinafter referred to as "Contractor"); and

WHEREAS, Lewis County desires to enter into an Agreement with Contractor to provide the services in the preparation and filing of the Actuarial Attestation Statements, Forms, Reports and Claims associated with the Medicare Part D Retiree Drug Subsidy Program for Lewis County;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby authorizes an Agreement between Locey and Cahill, LLC and the County of Lewis, for professional consulting services for the period of September 1, 2012 to August 31, 2013 at a cost of $1,500.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 341 - 2011
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY SHERIFF'S DEPARTMENT AND LOCUM INTERACTIVE, INC.

Introduced by Legislator John Boyd, Chairman of the Courts and Law Committee.

WHEREAS, pursuant to Correction Law § 500-c, the Lewis County Sheriff (the "Sheriff") is responsible for the custody of inmates in the Lewis County Public Safety Building; and

WHEREAS, in such capacity, the Sheriff needs to obtain mental health evaluations or other related mental health services for the inmates in the Sheriff's custody; and

WHEREAS, Locum Interactive, Inc. has offered to provide those services through Lawrence J. Palinski and Steven M. Fogleman, MB to assess the physical and psychological status of inmates at Lewis County Public Safety Building through interviews, health history, physical examinations, diagnostic tests and also to prescribe medications and monitor patient's medication status; and

WHEREAS, the Sheriff has considered the contract for Locum Interactive, Inc., and recommends to the Board of Legislators to enter into such Contract;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract by and between the County of Lewis and Locum Interactive, Inc., to provide the services of Lawrence J. Palinski and Steven M. Fogleman, MD for mental health services to the Sheriff's Department for the term beginning August 8, 2012 and ending July 31, 2013 at a cost of $4,200 per month ("Physician's Rate") which includes the following:

- Two visits to the work facility per month for a total of 4 hours per visit
- Two phone consultations per week for a total of 1 hour per call
- Any additional coverage needed per month shall be charged at $300 per hour.

Should the Physician be called to the worksite during the weeknight the Physician is on call, Physician will be paid at the rate of $350 per hour. Minimum bill rate for any on call coverage is 1 hour (60 minutes), and the time of travel will be included in the hourly rate if applicable.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 342 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH LEWIS COUNTY GENERAL HOSPITAL FOR RE-PAYMENT OF INDEBTEDNESS

Introduced by Legislator Jack T. Bush, Chairman of the Board

WHEREAS, the County of Lewis (the "County") has heretofore made cash transfers from the Lewis County General Fund to Lewis County General Hospital ("the Hospital") for the purpose of providing operational support to the Hospital; and

WHEREAS, on December 22, 2011, the Board of Legislators, by Resolution No. 461-2011, acknowledged that the Hospital is indebted to the County in the amount of $2,871,253.01 as a result of the County paying a portion of the Hospital's obligation to the NYS Retirement System for calendar year 2011; and

WHEREAS, on April 3, 2012 the Board of Legislators, by Resolution No. 125-2011, acknowledged that the Hospital was indebted to the County in an additional amount of $2,389,679.62 to pay for the Hospital's obligations related to health insurance, dental insurance, unemployment insurance, capital equipment loan, retiree health insurance payback, and Workers Compensation, for a total indebtedness owing to the County of $5,260,932.63 as of that date; and

WHEREAS, the County has continued to make cash transfers from the General Fund to the Hospital and as of the date of this Resolution, the County has advanced the following additional amounts:

Health Insurance:	$ 1,331,584.55
Dental Insurance:	$ 36,316.57
Unemployment:	$ 3,939.00
Capital Equipment Loan:	$ 39,531.12
Forgiveness of retiree payback per Res	$ (400,000.00)
Repay of Hosp Indebt with Meaningful use	$ (348,759.00)
Total:	$ 662,612.24

WHEREAS, the total amount of payments made by the County on behalf the Hospital as of the date of this Resolution is $5,923,544.87, and the Hospital is justly indebted to the County in such amount (the "Indebtedness"); and

WHEREAS, the Hospital, through its Board of Managers, has acknowledged the operational support provided by the County, and has further acknowledged the Hospital's financial ability to commence repayment of the Indebtedness and, therefore, wishes to commence such payment for the purpose of retiring the Indebtedness; and

WHEREAS, the County is willing to accept payments by the Hospital to the Lewis County in such amounts and with such frequency as the Hospital's budget will allow so as to retire and satisfy said Indebtedness in full on or before December 31, 2013.

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby approves the agreement between the Hospital and the County whereby the Hospital promises and agrees to pay the Indebtedness in the total sum of $ 5,923,544.87 to the County, without interest (and forgiving all previous agreements to pay interest on such amounts), in such amounts and with such frequency as the Hospital's budget will allow so as to retire and satisfy said Indebtedness in full on or before December 31, 2013. Further, upon payment in full by the Hospital to the County of said Indebtedness, the Hospital shall have no further obligations with respect to same.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement upon such form as may be approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 343 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PROBATION DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, Probation Officer Trainee Matthew Morrow commenced his position in September 2012; and

Whereas, Probation Director MaryJo Burkhard recommends he be promoted to Probation Officer.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Probation Department, to create the following position:

TITLE	STATUS	SALARY
Probation Officer	Full-time	Grade 27 ($19.78-$23.25/hr)

Section 2. That Director MaryJo Burkhard is hereby authorized to promote Matthew Morrow to Probation Officer effective immediately.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

OTHER BUSINESS:

In response to Legislator Hathway, Chairman Bush agreed that contacting Congressman Owens and U.S. Senator Schumer to ask for help to garner delinquent governmental funds owed to the County, would be prudent.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried at 5:52 p.m.

REGULAR MEETING
October 2, 2012

The meeting was called to order at 5:00p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 30 persons present.

Chairman Bush announced approval of the August 24 and September 4, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: October 2, 2012

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Sue Ross, Hospital union President, reported that two years ago administration had terminated the professional experienced services of Northern Radiology Associates without informing physicians and radiology department staff. That action has compromised the trust of Drs. Lyndaker, Cappon, Harryman, Hager and Harney, whom are concerned that emergency room group services will meet the same fate. Terming them as the greatest assets, Ms. Ross stated the employees and medical staff had historically enriched the Hospital facility. She urged Legislators to diligently search for solutions to return the facility to its previous cohesive unit.

Legislator Paul Stanford referenced that he had once been a Hospital union employee, affirming that he has the best interest of Hospital employees in mind. He reminded the facility has been through financial hardships before and solutions have been implemented. He encouraged administration and employees, alike, to work together toward the common goal of retaining the County Hospital.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Board received a resignation letter from Bruce Peck on September 6, 2012,

as a member and Chairman of the Junkyard Review Board.

Steven McHarg has informed his intent to provide a complete report to the Board at their November meeting, on completion of his Eagle Scout project at the fire training tower.

The Town of Lewis Board requests assistance to defend a recently completed desktop appraisal indicating a $6 Million increase on the assessment of the City of Rome's properties located in the Town of Lewis.

We acknowledge receipt of the Warren County Board of Supervisors' resolution in opposition of the $50 Million expenditure of State funds to purchase the former Finch Pruyn Forest lands.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Lewis County EMS Coordinator Robert MacKenzie III has announced appointing Mark Tuttle as his Deputy, effective September 9, 2012.

An approved corrected 2011 tax roll has been submitted by the County Treasurer for the Constableville Methodist Church in the Town of West Turin reflecting a zero tax.

All Legislators have received copies of the Treasurer's September monthly report and Third Quarterly Bed Tax report; the 9/24/12 Solid Waste audit report; the 9/24/12 Highway Audit report; and minutes of the 8/14/12 Soil & Water Conservation District Board of Directors' and 9/18/12 Youth Bureau Advisory Board meetings.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging/Youth Bureau Committee Chairman, reported that Legislators Fanning, Boyd and he had participated and conducted outreach at the Osceola and Copenhagen meal sites. The annual Octoberfest and public hearing will be held at the 3-G Fireball on 10/5/12. Also, a "Meet the Services" event, encompassing representatives of all County and outside agency human services, will be held at the Lowville Elks Lodge on 10/23/12.

Legislator Hathway reported the Social Services Department has only six (6) chronic care cases over 90 days old. Current year expenditures are within budgetary appropriations; but the proposed 10% reduction for 2013 expenditures may affect some of their smaller programs.

A study was conducted in response to purported assumptions that persons move in to the County to avail a presumed easier process for acquiring services. The eligibility requirements are synonymous throughout the State, and the first two months' of benefits for immigrant consumers, he stated, are charged back to the previous County of residence. During August, 65 persons received temporary assistance, 10 of

whom had been Lewis County residents for four years or less.

The public bus service to Old Forge worked very well for commuting Lewis County youth employees to Enchanted Forest Water Safari. The bus expenditure will be included in the 2013 County budget, which will allow prospective students to avail and plan slill1ffier employment opportunities. There was an average 30 daily ridership this past summer, and Mr. Pendergast stated that bus related expenses are entirely reimbursed by the State.

Legislator Hathway made a motion to authorize Commissioner Stacy Alvord to re-fill the Job Readiness Training Instructor position (Grade 26: $19.28-$20.83) at 17.5 hours per week, effective immediately, due to a resignation. The motion was seconded by Legislator Boyd and carried.

Legislator Michael Tabolt, Hospital Committee Chairman, reported an August loss of $97,380 equating year-to-date loss of $980,984, partially attributable to lower than budgeted in-patient volume, acute admissions 14% less than projected, and 475 less out-patient visits than budgeted. Also, physician office revenue was down by 20%, largely due to the loss of an orthopedic surgeon and dermatologist. Inter-Governmental Transfer (IGT) funds in the amount of $3,318,000 were received and transferred to the County, thereby reducing their debt to $2.7 Million.

The employee-of-the-month was Robert Hirschey, a nursing home LPN.

Legislator Tabolt reported that State officials informed that the approved HEAL NY grant for a Mental Health building was not transferrable for a dialysis unit. However, alternate grant funds are being pursued. Meanwhile, DaVita representatives are devising plans for the dialysis unit. Stroudwater Capital consultants are researching the feasibility and benefits of "critical care access" and/or "vital access" Hospital designations.

On October 8th, Drs. Rosner and Dinh will be moving from the Beaver River Health Center to the Hospital facility, availing prospective space for Bolton's Pharmacy at the prior site.

Legislator Tabolt reports interviews with potential emergency room doctor groups for 24hr/7 day coverage, identified one group willing to work cooperatively with the current doctor group to assure doctor coverage.

Legislator Tabolt reported on his attendance at the recent NYSAC conference. As a member of the Blue Ribbon Task Force focusing on agriculture issues, he referenced the Concentrated Animal Feeding Organization (CAFO) regulations required for 200-cow farms would be raised to 299 cows. This would ease the burden on smaller farmers.

The Lewis County Legislature was recognized for enacting a resolution urging the Governor to oppose using the Clean Water Act Draft Guidance that would have imposed NYSDEC regulations upon all streams and waterways, instead of the current navigable waters only governance. Legislator Tabolt credited Lewis County Farm Bureau for

informing us of the negative effects of the proposed change.

The yogurt summit held in Albany garnered the Governor's attention, highlighting the much larger milk volumes necessary for their product, while having no impact on the stagnant milk prices paid to farmers.

Legislator Tabolt expressed disappointment with the essential void of "Mandate Relief" discussion at the conference other than a sole Resolution urging the Task Force to submit their proposals to Governor Cuomo. However, incoming NYSAC President Edward Diana of Orange County affirmed the issue was the number one priority. Mr. Diana stated that 98% of State Senate and Assembly members are consistently re-elected, concluding the need for grassroots initiatives.

Legislator Tabolt made a motion to authorize the Chairman to forward an inquiring letter to Senator Griffo and Assemblyman Blankenbush for their thoughts and proposed initiatives to promote "Mandate Relief'. Legislator Boyd seconded the motion and it carried unanimously.

Legislator Tabolt expressed his pleasure to participate in the bipartisan aura at the NYSAC conference with County colleagues throughout the State.

A presentation by Commissioner of Homeland Security Jerome Hoyer impressed Iran's progress with their nuclear bomb progran1, informing they Jack about 200 lbs. of uranium, which is available from Pakistan. The bomb dropped on Hiroshima was equivalent in size to two small refrigerators. To illustrate the ease by which a bomb could be transported, Mr. Hoyer reported the drug cartel has successfully transported 20 Ton of drugs into the USA across the Mexican border.

After informing the Board of his talk with a representative of American Natural Gas Alliance, who had agreed to have a soil scientist ascertain drilling possibilities in Lewis County; the Legislators acquiesced to a presentation on natural gas usage.

In conclusion, Legislator Tabolt relayed a quote from NYSAC speaker Goose Gossage that "Positive things happen from people with positive thoughts".

Legislator Charles Fanning, Public Health/Mental Health Committee Chairman, reported that the transition is progressing, of the Certified Home Health Agency and Hospice programs to the Hospital.

Citing the proposed late resolution to fill the Alcohol & Substance Abuse Coordinator, due to a recent resignation; Legislator Fanning reported the Community Services Boards' decision to issue a "Request For Proposals" to ascertain interest from private agencies to administer the alcohol and substance abuse programs. Respectively, Legislator Hathway inquired whether partial 2013 budget appropriations would be adequate. Mr. Pendergast informed it would depend upon whether the selected agency were licensed, citing the lengthy State licensing process.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, relayed the community's financial contributions to support the Sheriffs Department Canine named Wyman. Also, on 9/19/12 there was a local informational meeting held about the replacement of the VanAmber Road Bridge over Beaver River in Naumburg.

Legislator Patrick Wallace, Transportation Committee Chairman, reported proposed alternative projects for unused Herman Bush Road Bridge FEMA funds totaling $314,308.66 to pave two miles of the Liberty Road, install a drain on the Brantingham Road, pave the bad section of the DSS parking lot and purchase a patching truck.

Legislator Wallace also urged support of the proposed resolution to increase tip fees at the transfer station effective 1/1/2013; and the Coordinator continues to research a "single sort" system.

Legislator Fanning clarified that FEMA had approved deferring completion of the alternative projects until spring 2013. Chairman Bush also added that the tip fee increase is synonymous with imposed fees at the Rodman Landfill by the Development Authority of the North Country.

Legislator Paul Stanford, Junkyard Committee Chairman, reported the Junkyard Law was being redrafted to encompass recommended amendments.

Legislator Richard Lucas, Economic Development Committee Chairman, reported the ATV Expo and Fishers TV World were in town to film a show for the Outdoor Channel that will air Lewis County clips seven times during the upcoming season. A disc of the show will be procured for distribution among Legislators. Also, the inaugural "Buck Run" ATV event was sponsored by the businesses and ATV Club attracted many enthusiasts.

Legislator Lucas relayed continued discussion of how to coordinate and/or consolidate with similar economic development agencies, to maximize utilization of staff and offices. To that end, the Economic Development Committee met jointly with the Lewis County Industrial Development Agency, the Local Development Corporation and the Mohawk Valley Edge Director and Jefferson County Industrial Development Agency to brainstorm and research ideas to enhance collective economic development efforts.

Legislator Jerry King, Taxation Committee Chairman, reported implementing a double window envelope for tax notices for an increased cost of about $350.00, so that incorrect addressed envelopes are returned directly to the appropriate entity.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported completion of 66 work orders by the maintenance department during September. A new concrete box was installed to protect the natural gas line into the new Court House. The surveillance area at the Public Safety Building had locks and plumbing repairs. The Old Court House evacuation plan has been updated for distribution. Also,

the furniture at the Mental Health offices is being transferred to the DSS building.

COUNTY MANAGER REPORT:

Mr. Pendergast reported that Lewis was one of 36 Counties that had submitted an Inter-Operability grant application, for an aggregate $158 Million in radio and PSAP programs. The State Office of Homeland Security has delayed the posed September decision deadline, because they are attempting to leverage greater Federal funding for the worthy programs.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 756,141.51 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: October 2, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Wallace, and carried.

In response to Legislator Fanning, Mr. Pendergast explained that the invoice for the Wladis Law Firm listed under the Board of Legislators' account was related to preparation of regional economic development grant applications, and Albany lobbying relative to Hospital matters.

RESOLUTION NO. 344 -2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 756,141.51 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted by roll call vote:

All voted YEA.

RESOLUTION NO. 345 - 2012
RESOLUTION TO TRANSFER FUNDS
LEGISLATIVE BOARD

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer of funds is hereby approved to cover contractual services of the Wladis Law Firm and the Bonadio Group:

From:	Amount:
A9950.9921 (Cty Bldg Project)	$150,000.00
To:	
A1010.4901 (Prof Services)	$150,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 346 - 2012
RESOLUTION TO TRANSFER FUNDS
BUILDING CODES DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Building Codes Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Building Codes accounts to cover various vehicle expenses :

Transfer from:	
A3620.4407(Supplies)	$900.00
Transfer to:	
A3620.4703(Vehicle Exp Gas/Oil)	$900.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 347 - 2012
RESOLUTION TO TRANSFER FUNDS

BUILDINGS AND GROUNDS

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

BE IT RESOLVED as follows:

Section1. That the following budget transfers are hereby approved in the Building & Grounds accounts to cover vehicle repairs and tires:

From:	Amount:
A1620.4903 (All Types of Insurance)	$ 856.75
A1622.4903 (All Types of Insurance)	1,200.00
To:	
A1620.4703 (Vehicle Expense)	$2,056.75

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

RESOLUTION 348 - 2012
RESOLUTION DESIGNATING LEWIS COUNTY CHAMBER OF COMMERCE AS TOURIST PROMOTION AGENCY AND COMMITTING FUNDS FOR THE I LOVE NY MATCHING PROGRAM

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby designates the Lewis County Chamber of Commerce as a Tourist Promotion Agency for the County of Lewis in its application for Matching Funds (I Love NY) program for 2013.

Section 2. That this Board hereby endorses the application of the Lewis County Chamber of Commerce, and hereby commits matching funds of the County in the amount of $28,000.00 in support of said application.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute any and all necessary papers and documents in connection with the same.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Wallace.

Legislator King inquired whether the I Love NY Program would be reduced by 10% as all other outside agencies had. Legislator Lucas disagrees because every dollar the County appropriates is matched by the State, which would essentially double the loss. He favors tourism efforts that result in positive economic impact, yet understands the County's financial plight. Legislator Hathway didn't disagree with that philosophy, but feels that all outside agencies should be treated equally. Each of them, he suggests, could provide justifying arguments.

County appropriations must be committed prior to submitting the State matching funds application, which is due by October 19, 2012.

Legislator Stanford stated the proposed 10% reduction would include libraries, citing them as an equally worthy cause. Legislator Lucas reminded that the I Love NY Program funds finance the Lewis County visitor's guide, which is distributed throughout the Northeast, submitting that $28,000 was a small amount for generated tourism. Legislator Stanford termed the respective 10% as a negligible amount, reiterating that all agencies should share equal reductions.

Citing the need for a timely decision, Legislator King suggested that the proposed reduction could be addressed in correlation with the Chamber of Commerce's other contractual County agreement.

Referencing proposed reductions for senior citizen meals, Legislator Hathway invoked that all agencies must "share the pain equally".

Legislator Hathway made a motion to reduce the appropriation by 10%, or $2,800, seconded by Legislator Stanford.

The motion was carried by a vote of 7 to 3, with Legislators Lucas, Burke and Wallace opposed.

The Resolution was then adopted.

RESOLUTION NO. 349 - 2012
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL DATA PROCESSING

Introduced by Legislator William Burke, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Data Processing account, utilizing funds from A9950.9940 (To Capital Data Processing) :

HAE50310 (Inter-fund transfer) $16,000.00
HAE9901.9 (Inter-fund transfer) $16,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 350 -2012
RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT BETWEEN LEWIS COUNTY AND HRABCHAK, GEBO & LANGONE, PC FOR LEGAL SERVICES FOR PHASE II OF THE COUNTY-WIDE WATER STUDY

Introduced by Richard Lucas, Chairman of the Economic Development Committee

WHEREAS, the Lewis County Board of Legislator's adopted Resolution No. 432-2009 authorizing an agreement between the County of Lewis and Hrabchak, Gebo and Langone, PC to perform legal work on behalf of participating townships based on results of the Phase II study by forming and/or amending town water districts and advising on shared service arrangements for municipal water and wastewater services dated November 4, 2009 through June 30, 2011; and

WHEREAS, both parties wish to amend the original agreement to extend the ending date to December 31, 2013 with all other terms of the contract to remain in full force and effect;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the amendment of the November 4, 2009 agreement between the County of Lewis and Hrabchak, Gebo and Langone, PC to perform legal work on behalf of participating townships based on results of the Phase II study by forming and/or amending town water districts and advising on shared service arrangements for municipal water and wastewater services by extending the same to December 31, 2013 with all other terms of the contract to remain in full force and effect.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 351 - 2012
RESOLUTION AUTHORIZING APPLICATION TO NYS DEPARTMENT OF STATE AND ENVIRONMENTAL CONSERVATION BROWNFIELD OPPORTUNITY AREAS PROGRAM LOCAL WATERFRONT REVITALIZATION PROGRAM

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

Brownfield Opportunity Areas Name: Village of Lyons Falls, New York

Resolution authorizing the items listed below pursuant to §970-r of the General Municipal Law.

WHEREAS, Lewis County, herein called the "Applicant", after thorough consideration, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract (SAC) and the Applicant deems it to be in the public interest and benefit under this law to enter into contract therewith.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Board of Legislators is the representative authorized to act on behalf of all the applicants in all matters related to State assistance under §970-r of the General Municipal Law for the Project. The representative is also authorized to sign and submit the application, execute the SAC, request SAC advances and reimbursements, redistribute SAC reimbursements as appropriate, submit Project documentation, and otherwise act for all applicants in all matters related to the project and to State assistance.

Section 2. That the Applicant agrees that it will complete the Project.

Section 3. That the Applicant agrees that it will fund its portion of the Applicants 10% share of the Project.

Section 4. That this authorization shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator Tabolt.

In response to Legislator Fanning, Legislator Lucas explained this was the next phase of the Village of Lyons Falls' Brownfield grant project. The first phase identified Brownfield parcels. If awarded, the Village would hire a consultant to assist with developing a revitalization plan.

Director of Economic Development Eric Virkler explained that the 10% Applicant share would be financed by State grant funds, assuring there were no County appropriations involved.

The resolution was then adopted.

RESOLUTION NO. 352 - 2012
RESOLUTION TO TRANSFER FUNDS
BOARD OF ELECTIONS

Introduced by Legislator Jerry King, Chairman of the Board of Elections Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer is hereby approved in the Board of Elections accounts to pay for telephone charges:

From:	To:	Amount:
A1450.4403 (Printing)	A1450.4301 (Telephone)	$500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 353 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the New York State Division of Homeland Security and Emergency Services has informed grant approval in the amount of $38,000.00 through the State Homeland Security Program (SHSP), to prevent, respond to, and minimize the danger and recovery acts of terrorism and other catastrophic events; and

WHEREAS, pursuant to Federal guidelines, 25% or $9,500.00 of said award is to be directed towards law enforcement terrorism prevention activities, consistent with the efforts of the local Counter-Terrorism Zone.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement

between the New York State Division of Homeland Security and Emergency Services, for the purpose to prevent, respond to, and recover from acts of terrorism and other catastrophic events.

Section 2. That said Agreement shall be for the period from September 1, 2012 through August 31,2014, in the amount of $38,000.00.

Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute, seal and deliver all documents relative to said grant Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 354 - 2012
RESOLUTION APPROVING AGREEMENT BETWEEN THE DIRECTORATE OF EMERGENCY SERVICES AT FORT DRUM, NY AND LEWIS COUNTY OFFICE OF FIRE AND EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

WHEREAS, the Directorate of Emergency Services at Fort Drum, New York and the Lewis County Office of Fire and Emergency Management wish to enter into a Mutual Aid Agreement, to offer each other mutual aid in fire protection and hazardous materials incident responses; and

WHEREAS, this secures mutual aid benefits of fire prevention, the protection of life and property from fire and firefighting including emergency services, basic medical support, basic and advanced life support, hazardous material containment and confinement, special rescue events involving vehicular and water mishaps, trench building and confined space extrications.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves the Mutual Aid Agreement by and between the Directorate of Emergency Services at Fort Drum, New York and the Lewis County Office of Fire and Emergency Management, to offer each other mutual aid in fire protection and hazardous materials incident responses.

Section 2. That said Agreement shall be updated at least triennially.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Mutual Aid Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 355 - 2012
RESOLUTION TO APPROPRIATE FUNDS
FIRE AND EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for FY11 Homeland Security Grant:

A43058	FY11 Homeland CFDA#97.067	$66,000.00
A3119.1999	FY11 Pers Serv	$ 2,465.00
A3119.2909	FY11 Equipment	$19,843.00
A3417.2909	FY11 Equipment	$43,692.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 356 - 2012
RESOLUTION TO RESCIND RES. NO. 169-2012
DUPLICATE ACTION FIRE AND EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

WHEREAS, Resolution 169-2012 was inadvertently put forth to appropriate HazMat Decontamination Grant funds, not realizing said funds had been previously appropriated by Res. No. 159-2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby rescinds Resolution No. 169-2012 as a duplicate action.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 357 - 2012
RESOLUTION TO APPOINT MEMBER TO LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND ALCOHOLISM SERVICES BOARD

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Jill E. Ortlieb of 5289 Jefferson Street, Lowville, New Yark 13367, to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective from January 1, 2013 through December 31,2016.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 358 - 2012
RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, effective September 29, 2012 the closure of Mental Health Center accounts shall be complete, therefore, no employees will remain at the Mental Health Center after that date; and

Whereas, Community Recovery Center requires a knowledgeable account person; and

Whereas, the Acting Director of Community Services has decided to transfer an Account Clerk employee to the Community Recovery Center; and abolish one Account Clerk and one Account Clerk-Typist.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby abolishes one full-time Account Clerk and one full-time Account Clerk-Typist at the Mental Health Center, effective September 29, 2012.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 359 - 2012
RESOLUTION APPROVING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND PHILIP E. MCDOWELL, LCSW, FOR PROFESSIONAL SERVICES WHILE THE ACTING DIRECTOR OF COMMUNITY SERVICES IS ON LEAVE

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, the Director of Community Services is appointed by the Community Services Board, pursuant to Mental Hygiene Law§ 41.09(a); and

WHEREAS, the Acting Director of Community Services is going on leave in early November; and

WHEREAS, in order to assure coverage, the Community Services Board believes it is necessary and appropriate to have a qualified individual cover cases of emergency during her absence and recommends that the County contract with Philip E. McDowell, LCSW, for five (5) hours per week at $60.00 per hour to serve in this capacity; and

WHEREAS, the Board wishes to accept such proposal and enter into a contract for services;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Agreement between the County of Lewis and Philip E. McDowell, LCSW, for the provision of professional services to cover cases of emergency for the term commencing November 5, 2012 through January 6, 2013 for five (5) hours per week at $60.00 per hour.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to execute and deliver such Agreement upon such form as may be approved by the Lewis County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 360 - 2012
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Office for the Aging for additional grant money that was awarded for the Title V program:

Increase Revenue:	Amount:
A47750-Title V	$4,600.00
Increase Expense:	
A6772.1999 (Personal Svs-OFA Prog)	$3,538.00
A6772.4407 (Supplies)	50.00
A6772.4423 (Transportation Employees)	700.00
A6772.8999 (Fringe Benefits)	312.00
	$4,600.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 361 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND LINCARE

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County

Public Health Agency wishes to enter into an Agreement with Lincare to provide durable medical equipment and respiratory care equipment and services to hospice patients; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, to enter into an Agreement with Lincare to provide durable medical equipment and respiratory care equipment and services to hospice patients.

Section 2. That this is for the period commencing May 1, 2012 through April 30, 2013 in accordance with the price list provided by Lincare that is attached to the agreement and marked as "Appendix B-1".

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 362 - 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts to cover line item expenses:

From:	Account	Amount
A4014.4909	Miscellaneous	$ 200.00
A4016.4909	Miscellaneous	800.00
A4042.1999	Pers Svc-Rabies	2,000.00
A4085.1999	Pers Svc-Family Health	5,000.00
A4092.1999	Pers Svc-PH Preparedness	4,950.00
A4099.4405	Copier/Reproduction Costs	275.00
		$ 13,225.00

To:		
A4014.4409	Data Processing	$ 200.00
A4016.4409	Data Processing	800.00
A4042.490l	Professional Services	2,000.00
A4085.4501	Education/Training	5,000.00
A4098.4405	Copier/Reproduction Costs	275.00
A4092.4407	Supplies	1,250.00
A4092.4505	Dues/Subsc	3,700.00
		$ 13,225.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 363 - 2012
RESOLUTION TO TRANSFER FUNDS
CONSUMER AFFAIRS

Introduced by Legislator John Boyd, Chairman of the Consumer Affairs Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved for the Consumer Affairs Department to cover expenses through the end of the year:

From:	Amount:
A6610.4701 (Vehicle Repairs)	$1,150.00
To:	
A6610.4301 (Telephone)	$ 150.00
A6610.4403 (Printing)	$ 500.00
A6610.4407 (Supplies)	$ 500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 364 - 2012
RESOLUTION AUTHORIZING GRANT AGREEMENT BETWEEN NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes a grant Agreement between the County of Lewis, by and through the Sheriff's Department, and the New York State Division of Criminal Justice Services, for an Anti-Drug, Anti-Violence, Crime Control & Prevention Program, in the amount of $5,000.00.

Section 2. That said Agreement shall be for the period from October 1, 2012 through September 30,2013.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute said State Grant Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 365 - 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Sheriff's Department to cover prospective overtime wages:

From:	Amount:
A3115.1101 (Regular Pay)	$3,000.00
To:	
A3115.1103 (Overtime)	$3,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 366 - 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved in the Sheriffs Department account by utilizing donations from the Brantingham Community Association, Inc., to purchase boat equipment:

Increase Revenue:	Amount:
A27053.2 (Contrib. Parks & Rec. & Other)	$400.00
Increase Expense:	
A3112.4999 (Sheriff – Parks & Rec.)	$400.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 367 - 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved for the operation of the Sheriffs Canine unit. The cost will be covered by donations.

Increase Revenues	Amount:
A27063 (Contribution – Canine Fund)	$13,223.40
Increase Expense	
A3110.4911 (K9 Unit – Exp)	$13,223.40

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt.

Legislator Hathway inquired about the dog. Undersheriff James Monnat reported the sources of contributions were the District Attorney forfeiture funds, Lowville Elks Club and County citizens. Also, Countryside Veterinary donates their professional services. There are no current year County appropriations to support the Canine Unit. The dog was named "Wyman" in memory of an Oneida County deputy who was killed while on duty.

The dog and its assigned trainer Deputy Daryl Ortlieb are in training and should be ready for service by mid- December.

The Resolution was then adopted.

RESOLUTION NO. 368 - 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Sheriff's Department to cover inmate library expenses:

From:	To:	Amount:
A3150.4303 (Utilities)	A3150.4914 (Books for Inmate Law Library)	5,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 369 - 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Sheriff's Department to cover purchase of law books:

From:	Amount:
A3150.4509 (Inmate Medical)	$3,000.00
To:	
A3150.4914 (Books for Law Library)	$3,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 370 - 2012
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO BRIAN J. AND SHERI L. STAIE)

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Brian J. and Sheri L. Staie were granted a Mortgage to the County of Lewis dated September 6, 2007, and recorded in the Lewis County Clerk's Office on July 28, 2008 as Instrument Number 2008-003812 to secure payment of a loan in the amount of $2,150.00, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforedescribed Mortgage.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 371 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND BINNACLE TECHNOLOGY SOLUTIONS, LLC

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Binnacle Technology Solutions, LLC, with its principal

place of business located at 762 Boston Post Road, Madison, Connecticut 06553 for the purchase of services for AccuFund Representative Payee accounting software; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract with Binnacle Technology Solutions, LLC for the purchase of services for AccuFund Representative Payee accounting software for the period of October 1, 1012 through September 30, 2013 at a cost not to exceed $14, 943.75.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 372 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN DEPARTMENT OF SOCIAL SERVICES AND LEWIS COUNTY OPPORTUNITIES, INC.

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Lewis County Opportunities, Inc. for the purpose of providing non-residential domestic violence response and prevention services.

Section 2. That the term of this Agreement shall be from October 1, 2012 through June 30,2013 for an amount not to exceed $10,083 in grant funds.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 373 - 2012
RESOLUTION TO ADJUST FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following funds be adjusted to more closely reflect year-end line item predictions in the Social Services budget:

Decrease Expense:	Amount:
A6010.4507 Travel & Subsistence	$6,000.00
Increase Expense:	
A6010.4703 Vehicle Exp Gas/Oil	$6,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 374 - 2012
RESOLUTION APPROVING INCREASED SOLID WASTE TIP FEES
LEWIS COUNTY TRANSFER STATION

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following Tip Fee Rate Schedule for the Lewis County Transfer Station:

Waste Class	Commercial Hauler/Residential Rate
Residential MSW	$79.00/Ton
Commercial MSW	$79.00/Ton
C&D – Lowville	$98.00/Ton
Loose Trash	$79.00/Ton
Compacted Trash	$79.00/Ton
Ag Bags	$79.00/Ton

Section 2. That the above Lewis County Transfer Station Tip Fee Rate Schedule shall take effect January 1, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 375 - 2012
RESOLUTION TO APPROPRIATE FUNDS SOLID WASTE

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Solid Waste Department accounts, representing non-budgeted Recycling Rebates from the Development Authority of the North Country:

Increase Revenue:	Amount:
ES21301	$6,500.00
Increase Expense:	
ES8160.2233	$6,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 376 - 2012
RESOLUTION APPROVING AND ACCEPTING GRANT FUNDS THROUGH NEW YORK STATE STOP-DWI FOUNDATION FOR STOP-DWI CRACKDOWN PROGRAM

Introduced by Legjslator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, the New York State STOP-DWI Foundation has provided written confirmation of available grant funds for Lewis County to conduct STOP-DWI preventive "Crackdown" events.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves and accepts grant funds on behalf of Lewis County in the amount of $11,840.00, through the New York State STOP-DWI Foundation, to conduct STOP-DWI "Crackdown" preventive coordinated events with various community and law enforcement agencies.

Section 2. That said grant funds are designated for the period October 1, 2012 through September30, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 377 - 2012
RESOLUTION TO EXTEND AGREEMENT BETWEEN
COUNTY OF LEWIS AND MOUNTAIN VIEW PREVENTION SERVICES, INC.
FOR STOP-DWI PROGRAM

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, the Agreement between the County of Lewis and Mountain View Prevention Services, pursuant to which they provide STOP-DWI Coordinator services, shall expire on September 30, 2012; and

Whereas, the Board wishes to extend said Agreement.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves extending the Agreement between the County of Lewis and Mountain View Prevention Services, Inc. (MVPS), pursuant to which MVPS shall provide STOP-DWI Coordinator services consistent with Vehicle & Traffic Law Section 1197.

Section 2. That said Agreement shall be extended for the period October 1, 2012 through December 31, 2012, at the same terms as the existing Agreement.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver extending Agreement documents as approved by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 378 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY TREASURER'S OFFICE
AND SYSTEMS EAST, INC.

Introduced by Legislator Jerry King, Chairman of the Information Management Committee.

WHEREAS, the Systems East, Inc., wishes to enter into an agreement with the Lewis County Treasurer's Office for the purpose of providing software support and maintenance services which also includes an upgrade of the Tax Collection System for the period of January 1, 2013 through December 31, 2013; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Systems East, Inc. to provide software support and maintenance services which also includes an upgrade of the Tax Collection System for the period of January 1, 2013 through December 31, 2013 at a cost not to exceed $24,180.00.

Section 2. That Patricia O'Brien, Lewis County Treasurer, is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator King, and adopted.

RESOLUTION NO. 379 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO THE MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Alcohol and Substance Abuse Coordinator has resigned effective October 5, 2012; and

WHEREAS, the Alcohol and Substance Abuse Coordinator serves as the clinical director of the treatment programs offered by the Lewis County Community Recovery Center and is a position that is required by the regulations established by the Office of Alcohol and Substance Abuse Services (OASAS), and in particular 14 NYCRR 822-4.8.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Compensation Plan for the County of Lewis is hereby amended to set the annual salary for the Alcohol and Substance Abuse Coordinator as

follows:

TITLE	SALARY
Alcohol and Substance Abuse Coordinator	$55,000

Section 2. That the Acting Director of Community Services is hereby authorized to fill the position as soon as it becomes vacant, subject to compliance with the rules and regulations of Civil Service.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

OTHER BUSINESS:

Chairman Bush informed he had appointed Jill Boliver as the fifth member to the Local Development Corporation.

He also announced the Redistricting Committee would be meeting next week to further their discussion on Legislative Districts.

Chairman Bush informed he had devised "The List" that is posted on the bulletin board in his office; and encouraged his colleagues and Department Heads to add items deemed appropriate. He will be reviewing the listed items weekly and implement action as deemed necessary. The following are on "The List": addressing Hospital financial issues; Redistricting; Radio System upgrades; and the Dialysis Unit.

The Clerk announced the Chairman's appointments to the Lewis County Comprehensive Economic Development Strategy Committee for a term to commence immediately and terminate on April 30, 2014: Soil & Water Conservation District Manager Nichelle Billhardt, Recreational Trail Coordinator Robert Diehl, and County Clerk Douglas Hanno.

In response to Legislator Hathway, Legislator King stated that the Town of Lewis was researching information and documentation relative to the assessment issue, recommending to delay any decision to assist until known legal costs.

Legislator King informed of another assessment challenge in the Town of Denmark relative to "801 Housing". Information will be relayed as becomes available, specifically the amount of legal costs to be shared.

Legislator Lucas made a motion to enter executive session at 6:19 p.m., for discussion on specific legal issues, seconded by Legislator Wallace and carried. At the conclusion of the session, Legislator Boyd moved to re-enter regular session at 6:55 p.m., seconded by Legislator Lucas and carried.

Legislator King made a motion to commence an Article 78 action against the Town of Watson, the Town of Watson Assessor, the Town of New Bremen and the Town of New Bremen Assessor in respect to exemption of municipal water systems, seconded by Legislator Fanning and carried.

At the request of Budget Director David Pendergast, a Committee Meeting-of-the-Whole Board was scheduled for a 2013 Budget work session to be held on Wednesday, October 10, 2012 at 1:00 p.m.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried at 6:59 p.m.

FIRST DAY ANNUAL SESSION
November 6, 2012

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 34 persons present.

Chairman Bush announced approval of the October 2, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Dated: November 6, 2012 Patrick Wallace

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Real Property Tax Director Linda Gydesen and Tax Map Technician Russell Brownell gave a brief overview, and distributed maps illustrating the proposed Legislative District changes, pursuant to the official U.S. Census Bureau population statistics, as required every 10 years. There are minimal changes for District Nos. 1 through 7, with no changes in the other districts. A Local Law defining the new districts will be presented at the next board meeting and a hearing will be scheduled for public comments.

Steven C. McHarg, an "Eagle Scout" candidate, presented his project completion report for repairs, cleanup and construction at the Martinsburg fire training tower site. He coordinated efforts with several other volunteers, accumulatively contributing 706.5 hours of work to clear debris, repair the tower and combustible materials pond, erect three forced-entry doors, and build a shed to house materials and tools.

Mr. McHarg thanked Paul Stanford for being the greatest contributor of the total $1,455.27 donations, with the balance of $2,640.00 collected through fund raising events. The total project cost was $4,095.27. He also thanked Jim and Matthew Martin for building the shed; and expressed appreciation to the Board of Legislators for supporting his project.

Chairman Bush commended Mr. McHarg, urging him to keep up his good works,

followed by a round of applause. At the suggestion of Legislator Lucas, a letter of gratitude will be forwarded to Mr. McHarg on behalf of the Board.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk acknowledged receipt of the Fulton County Board of Supervisors' resolution opposing the $50 Million expenditure of State funds to purchase the former Finch Pruyn Forest lands.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The semi-annual mortgage tax report was submitted by the County Clerk and County Treasurer. The amounts to be apportioned to each of the Towns and Villages are as follows:

APPORTIONMENT OF MORTGAGE TAX
April 1, 2012 through September 30, 2012

	KEY	VALUATION	AMOUNT
Town of Croghan		191,817,445	$20,908.05
Village of Croghan	.023599819	9,053,714	505.35
			$21,413.40
Town of Denmark		137,720,100	$12,035.52
Village of Castorland	.037621963	10,362,601	519.67
Village of Copenhagen	.091055405	25,080,319	1,257.74
			$13,812.93
Town of Diana		150,797,892	$10,753.85
Village of Harrisville	.052705458	15,895,744	598.32
			$11,352.17
Town of Greig		202,007,821	$15,242.11
Town of Harrisburg		32,496,883	$ 3,867.65
Town of Lewis		66,228,598	$ 4,535.53
Town of Leyden		79,187,698	$ 3,290.85
Village of Port Leyden	.060212789	9,530,745	210.85
			$ 3,501.70
Town of Lowville		221,137,312	$24,819.29
Village of Lowville	.317914622	140,605,570	11,568.07
			$36,387,36

Town of Lyonsdale		79,882,885	$ 2,709.79
Village of Lyons Falls	.017036296	2,721,817	48.31
Village of Port Leyden	.027313160	4,363,708	77.45
			$ 2,835.55
Town of Martinsburg		63,186,166	$ 6,354.22
Town of Montague		34,819,656	$ 1,638.32
Town of New Bremen		146,906,029	$23,071.64
Village of Croghan	.033699339	9,901,272	804.61
			$23,876.25
Town of Osceola		41,043,518	$ 1,177.20
Town of Pinckney		33,684,662	$ 3,005.34
Town of Turin		52,569,645	$ 4,704.48
Village of Turin	.075687975	7,957,780	385.23
			$ 5,089.71
Town of Watson		177,238,669	$11,601.08
Town of West Turin		125,008,980	$ 7,843.68
Village of Constableville	.043183678	10,796,695	397.17
Village of Lyons Falls	.103983270	25,997,685	956.35
			$ 9,197.20
		GRAND TOTAL	**$174,887.72**

To County of Lewis: $87,635.38

Jerry King, Chairman
Patrick Wallace
Paul Stanford
Taxation Committee

Dated: November 6, 2012

WARRANT

TO: The Treasurer of the County of Lewis

You are hereby notified by the Board of Legislators of Lewis County that the sum of $174,887.72 from the tax on mortgages from April 1, 2012 through September 30, 2012 has been apportioned to the Tax Districts entitled to same and, you are hereby directed to pay the respective Supervisors the amount due to the towns, to their Village Treasurers the amount due the villages, and to the County of Lewis the amount stated, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

Given under the hands of the Chairman and the Clerk of the Board of Legislators of Lewis County, and the seal of the Board of Legislators being hereto affixed on the 6th day of November 2012.

Jack T. Bush, Chairman
Teresa K. Clark, Clerk of the Board

The Clerk reported that all Legislators had received copies of the Treasurer's October monthly report; the 10/22/12 Solid Waste Audit report; the 10/19/12 Highway Audit report; the 3rd Quarterly Report of Sr. Code Enforcement Officer Ward Dailey; and minutes of the 9/18/12 Soil & Water Conservation District Board of Directors' meeting.

Treasurer Patricia O'Brien and Real Property Tax Director Linda Gydesen had submitted approved applications for refund of real property taxes for years 2010, 2011 and 2012 for Town of Leyden property owner David Reese, for a total amount of $64.08.

County Sealer Barbara Cooper's August/September/October activities report was submitted and placed on file.

PRIVILEGE OF THE FLOOR: (Cont'd)

Julie Glenn, Hospital CSEA union President, relayed concern with the proposed formation of an LLC for administrative staff. Residents of the Delaware County-owned nursing home, she stated, were recently transferred to a facility out of their area, and the facility was shut down. The new Private for-profit operator acquiesced to close the facility rather than correct NYSDOH cited deficiencies. Taxpayers suffered a half-million dollar loss from the original purchase, despite their timely expressed concerns for exactly what caused the facility's demise. The Fulton County-owned nursing home in Gloversville employed 250 with average wages and benefits before it was transferred to a Bronx located private operator on 4/1/2012. They operate fourteen nursing homes in New York. Only 40 of the 250 employees remain at the facility.

Continuing, Ms. Glenn expressed concern that our family oriented Hospital would meet the same fate as the aforementioned County-owned facilities. She urged retention of Lewis County General as a County-owned facility that would allow local residents to visit their nearby family members at a facility with hometown care, as our forefathers had envisioned when the facility was established in 1929, she concluded.

Joanne Dicob referenced the Lewis County Development Corporation's (LCDC) application to the NYS Office of Parks and Recreation for a grant to purchase the Lowville/Beaver River railroad. This issue has been thoroughly researched and debated on four separate occasions, she said, resulting in two opposing petitions with hundreds of signatures. Due to majority opposition, the County initiative to purchase the railroad was appropriately abandoned. Mrs. Dicob is perplexed, while purporting that County officials were promoting a "back door" approach for railroad purchase.

Mrs. Dicob took exception that 8 of the 11 LCDC members are from the southern

end of the County, some of which are also Directors of the Industrial Development Agency (IDA). Terming it unfair representation, Mrs. Dicob implied that these agencies are pushing an agenda, specifically to purchase the railroad, for which the citizens and Town Boards have repeatedly pronounced their opposition.

Mrs. Dicob further referenced the County's tentative proposal to meld the Economic Development Department into the LCDC and/or IDA, essentially usurping decision making responsibilities currently held by Legislators, who are accountable to constituents. In conclusion, she requested LCDC and IDA Board appointments to enhance diversity and representation of the entire County, while encouraging more convenient meeting times and locations to enable citizen participation.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging/Youth Bureau Committee Chairman, reported the Committee continues to explore options in response to reduced State appropriations for the program that provides assistance to help seniors remain in their homes, ie. housekeeping and respite. He announced that a Thanksgiving meal would be served at all meal sites on 11/15/12, inviting all Legislators.

Legislator Hathway reported a continuous increase for child protective services referrals, projecting the year-to-date total of 436 to rise to 500 by the end of the year. The previous high of 440 referrals was reported in 2008. Homelessness, mental illness, drug and alcohol abuse are the primary attributes, but Social Services staff remain committed to timely response for all referrals.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a September loss of $109,867 equating a year-to-date loss of $1,090,000. The employee-of-the-month was Wanda Norton, a six-year cleaner.

Legislator Tabolt reported ongoing leasing discussions with DaVita, and architects continue to work on drawings for the dialysis unit, for impending construction next spring. Orthopedic surgeon Dr. John Park was hired and will commence his practice in April 2013. A locum tenens doctor will provide services during January and February, but there will be a lapse for March 2013 coverage.

The Town of Diana is assisting to prepare the Harrisville Health Clinic for opening, pending a NYS Dept. of Health inspection. An interim Hospital Chief Fiscal Officer commenced work yesterday for a 12-week period, until a permanent CFO is hired. Two contractual doctor groups will service the emergency room and hospitalist services.

Legislator Tabolt further reported receipt of the Bonadio Group's preliminary report projecting significant 2013 losses, however, their reported did not consider estimated cost savings for impending changes.

In response to the Board's invitation, Senator Griffo and Assemblyman Blankenbush have each indicated their pleasure to meet with Legislators. Legislator

Tabolt has agreed to coordinate and inform the selected meeting date; which will include a subsequent presentation from American National Gas Alliance.

Legislator Charles Fanning, Public Health/Mental Health Committee Chairman, relayed Director Carol Paluck's concern for reported flu cases, while urging persons to get vaccinated.

Legislator Fanning reported the Community Services Board had issued a "Request For Proposals" on 11/1/12 for qualified agencies to administer the alcohol and substance abuse programs. Proposals are due by the end of December and will be reviewed by the Community Services Board for their recommendation.

At the request of Legislator John Boyd, Courts and Law Enforcement Committee Chairman, Fire Coordinator James Martin commended Steven McHarg for his accomplished repairs and construction at the fire tower site, thanking him for his hard work and dedication.

Legislator Patrick Wallace, Transportation Committee Chairman, reported that plows and sanders are being readied for snowfall; and sand would be obtained from the NYSDOT location on Bostwick Street.

Legislator Wallace also reported that during October the transfer station took in 91 Tons of recycled materials; and 1,007 Tons of trash. A Local Law is being drafted by the Development Authority of the North Country for integrated solid waste policies throughout the tri-County region, and will be presented for adoption by each of the County Legislatures.

Mr. Pendergast stated that the speed zone issue in the Village of Lyons Falls is being addressed by the NYSDOT officials.

Legislator Jerry King, Taxation Committee Chairman, asked for an executive session later in the meeting for an update on litigation.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported completion of 101 work orders by the maintenance department during October, encompassing minor repairs and maintenance at the Old and New Court House, Public Safety Building and the Outer Stowe Street office building.

COUNTY MANAGER REPORT:

The 2013 Tentative Lewis County Budget was presented to each Legislator by Budget Officer David H. Pendergast, attendant to the following budget message, which he read in its entirety:

2013 Tentative Budget Message

Mr. Chairman, and members of the Board of Legislators: tonight I present to you the 2013 Lewis County Tentative Budget.

The Tentative Budget reduces County expenditures by $1,930,853 over the 2012 adopted budget. The Tentative Budget sets the appropriations at $42,191,474. This reduction equates to 4.38%.

Revenues in the Tentative Budget are reduced by just under $2.5 million. Much of this reduction is due to the privatization of the Mental Health Clinic, as well as changes in the State and Federal reimbursement rates, which continue to be lowered. The change in revenues also reflects the pending move of Hospice and Community Home Health Agencies to the Lewis County General Hospital.

In 2013 there is also a $323,000 reduction in the Windmill PILOT payment, as stipulated in the PILOT agreement.

The amount of the Fund Balance applied to the 2013 Tentative Budget is $1,200,000. This is a reduction of $203,794 from the 2012 adopted budget. This allows for the restoration of the Sheriff's Parks and Recreation Patrols, and on-call personnel funding.

The 2013 Tentative Budget in summary is:

Appropriations:	$ 42,191,474.00
Revenues:	$ 27,457,627.00
Balance To Be Raised by Taxes:	$ 14,733,847.00
Applied Fund Balance:	$ 1,200,000.00
Real Property Tax:	$ 13,533,847.00
Full Value Tax Rate:	$7.17/$1,000.00

The County Taxable Full Value of $1,866,766,600 is an increase of approximately $61 million from the 2012 Budget. The Tax Rate is $7.17 versus $6.99 in 2012 which is $.18/$1,000 higher. The 2013 Tentative Budget meets the 2% Property Tax Cap.

Again, I would like to recognize the energy and talent of County Treasurer Patricia O'Brien for the contributions she makes to us all in the budget process. Thank You.

As I have done in the past few years I renew my "call to arms" in the fight to achieve meaningful mandate relief. In the Tentative Budget, unfunded and underfunded mandates rose approximately $1,000,000. The 2% Property Tax is equal to $772,724. In 2013, unfunded mandates will be equal to 92% of the tax levy. Thank you.

David H. Pendergast
Budget Officer

Chairman Bush thanked Mr. Pendergast and Mrs. O'Brien for their hard work that culminated in the Tentative Budget; adding that Legislator deliberations are now in order.

Mr. Pendergast then distributed a listing of the respective Town apportioned share for the cumulative $61 Million County full taxable value increase. In response to Legislator Fanning, Real Property Tax Director Linda Gydesen stated she would provide a report to delineate what portion of the $61 Million was attributable to new construction compared to upgrades of existing structures.

Chairman Bush set a budget work session for the Board as a Committee-of-the-Whole, to be held on Tuesday, November 13, 2012 at 9:30 a.m.

Mr. Pendergast reported that in response to the State's request, three County personnel have, or will be, deployed to assist our fellow southern New Yorkers in the aftermath of Hurricane Sandy. Building Codes Officer Don Mallette has been in Islip since 11/3/12; and Dispatchers Michelle Widrick and Denise Hastwell will be assisting at the Dutchess County Emergency Operations Center for a week starting 11/12/12.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $ 1,696,956.96 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: November 6, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Burke, and carried.

RESOLUTION NO. 380 - 2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 1,696,956.96 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the

amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Lucas, seconded by Legislator Tabolt and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 381 - 2012
RESOLUTION TO SET PUBLIC HEARING ON
2013 TENTATIVE LEWIS COUNTY BUDGET

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. In accordance with County Law Section 359, the Lewis County Board of Legislators hereby sets the public hearing on the 2013 Tentative County Budget to be held in the second floor board room of the County Court House, State Street, Lowville, New York on the 15th day of November, 2012 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 382 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 10 - 2012), COUNTY OF LEWIS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on November 6, 2012 a proposed Local Law entitled "A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS."

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on November 15, 2012, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County

Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 383 - 2012
RESOLUTION TO APPROPRIATE FUNDS
BUS OPERATIONS

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Bus Operations accounts to cover summer employment transportation and mobility management expenses:

Increase Revenue		
A35940	(State Aid Bus Transit)	$51,000.00
Increase Expense		
A5630.4506	(Contracted Service-Birnie Bus)	$41,000.00
A5630.4902	(Mobility Management Expenses)	$10,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 384 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH TOSKI, SCHAEFER & COMPANY, P.C. TO AUDIT DEFERRED COMPENSATION PROGRAM

Introduced by Legislator Paul Stanford, Chairman of the County Officers' Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the auditing plan as outlined in the Toski, Schaefer & Company, P.C. letter dated March 1, 2012, for an audit of the Lewis County Deferred Compensation Plan for the fiscal year ending December 31, 2011, and report their findings.

Section 2. That said Auditing services shall be at a cost of $4,700.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is

hereby authorized to execute the respective engagement letter.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 385 – 2012
RESOLUTION TO APPROPRIATE FUNDS
FIRE AND EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

BE IT RESOLVED, as follows:

Section l. That the following appropriation is hereby approved for Fiscal Year 2011 Homeland Security Grant:

A43058	FY11 Homeland CFDA#97.067	$66,000.00
A3119.1999	FY11 Pers Serv	$ 2,465.00
A3119.2909	FY11 Equipment	19,843.00
A3417.2909	FY11 Equipment	43,692.00
		$66,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 386 – 2012
RESOLUTION TO APPROPRIATE FUNDS
FIRE AND EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

BE IT RESOLVED, as follows:

Section l. That the following appropriation is hereby approved for Fiscal Year 2012 Homeland Security Grant:

A43059	FY12 Homeland CFDA#97.067	$38,000.00
A3110.2212	FY12 Equipment	$ 9,500.00
A3649.2212	FY12 Equipment	28,500.00
		$38,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 387 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH THE COUNTY OF LEWIS AND HM LIFE INSURANCE COMPANY OF NEW YORK

Introduced by Legislator Richard Lucas, Chairman of the Insurance Committee

WHEREAS, Patricia L. O'Brien, the Plan Administrator for the Lewis County health insurance plan, recommends acceptance of the proposal of HM Life Insurance Company of New York for the renewal of stop-loss health insurance coverage for the period of June 1, 2012 through and including May 31, 2013, as being the most economical for the County; and

WHEREAS, the Board of Legislators finds that it is in the best interests of the County to enter such an agreement;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves the Agreement with HM Life Insurance Company of New York for stop-loss health insurance coverage for the period of June 1, 2012 through and including May 31, 2013 at the following rate schedule:

Single rate: $7.57
Family rate: $21.58

Section 2. That the County Treasurer be and the same is hereby authorized to issue premium payments to HM Life Insurance Company of New York or its duly authorized agent for stop-loss health insurance premiums incurred by Lewis County on behalf of its employees and retirees.

Section 3. That Patricia L. O'Brien, the Plan Administrator, be and the same is hereby authorized to make, execute, seal and deliver such agreements, documents or writings as may be necessary to effectuate the purpose of this resolution.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 388 – 2012
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section l. That the following budget appropriation is hereby approved in the Highway Department Account for the payment of an accident settlement using funds received from Trails Department, not previously appropriated:

Increase Revenue:	Amount
DM26550 (Minor sales)	$10,000.00
Increase Expense:	
DM5130.4909 (Misc)	$10,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 389 - 2012
RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY GENERAL HOSPITAL BOARD OF MANAGERS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Timothy J. Reagan of 7667 Wetmore Road, Glenfield, New York 13343, to the Board of Managers of the Lewis County General Hospital, to fill the un-expired term of Darin Zehr.

Section 2. That the term of said appointment shall commence November 7, 2012 and expire on December 31, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King.

Legislator King wanted assurance that Mr. Reagan would resign from the Lewis County Health Facilities Corporation (LDC) Board of Directors, upon assuming membership on the Lewis County General Hospital Board of Managers.

Chairman Bush assured that he would obtain Mr. Reagan's LDC resignation.

The resolution was then adopted.

RESOLUTION NO. 390 -2012
RESOLUTION TO CLOSE CAPITAL HOSPITAL PROJECT
BEAVER RIVER HEALTH CENTER

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Capital Lewis County General Hospital Capital Project (Beaver River Health Center) shall be closed and all funds be appropriated accordingly:

Decrease Expense:	
HTA4510.4422 (Mech)	$4,070.64
HTA4510.4421 (General)	$1,000.00
Increase Expense:	
HTA4510.4420 (Project Rep)	$4,123.12
HTA4510.4424 (Electric)	$1,000.00
Increase Revenue:	
HTA24010	$ 52.48

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 391 – 2012
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section l. That the following budget appropriation be approved in the Office for the Aging accounts for additional congregate and home delivered meal donations.

Increase Revenues	
A27050 (Nutrition Donations C-1)	$12,600.00
A27050.1 (Nutrition Donations – Home Deliveries)	13,700.00
Increase Expense	
A6772.4911 (Prof Svc Nutrition)	$26,300.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 392 - 2012
RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE TO PROBATION DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, Senior Stenographer Christine Freeman has submitted her intention to retire; and

Whereas, Probation Director MaryJo Burkhard requests creation of a Temporary Senior Keyboard Specialist, until such time as a permanent Civil Service title is approved.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Probation Department, to create the following position:

TITLE	STATUS	SALARY
Senior Keyboard Specialist	Temporary Full-time	Grade C15 ($14.51 - $15.48/hr)

Section 2. That Director MaryJo Burkhard is hereby authorized to fill said Temporary position effective immediately, for a period up to three (3) months.

Section 3. That the Director is also authorized to utilize periodic services of Christine Freeman, as deemed necessary for completion of required reports, for a period up to three (3) months.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 393 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND PROBATION DEPARTMENT –PRE-TRIAL PROGRAM

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the New York State Division of Criminal Justice Services, by and through the

Probation Department, for a Pre-Trial Release Program, whereby Lewis County Jail detainees are interviewed to determine their eligibility for release under supervision, or release on recognizance.

Section 2. That said Agreement shall be effective for the period from July 1, 2012 through June 30, 2013, in the total amount of $1,714.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 394 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award from the Center Disease Control Prevent in the amount of $40,263.00 for the purpose of an Integrated Cancer Services Program; and

WHEREAS, Lewis County Public Health Agency is an eligible provider of these services; and

WHEREAS, the Board of Legislators wishes to accept such services; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Lewis County Public Health Agency and the Center Disease Control Prevent for the purpose of an Integrated Cancer Services Program for the period beginning June 30, 2012 and ending June 29, 2013 in the amount of $40,263.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 395 - 2012
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award from the Center Disease Control Prevent in the amount of $53,500.00 for the purpose of Public Health Emergency Preparedness Program; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services; and

WHEREAS, the Board of Legislators wishes to accept such services; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Public Health Department and the Center Disease Control Prevent for the purpose of Public Health Emergency Preparedness Program for the period beginning July 1, 2012 and ending June 30, 2013 in the amount of $53,500.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 396 - 2012
RESOLUTION AUTHORIZING COMMUNICATIONS SERVICE AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE COUNTY OF LEWIS AND IVANS, INC.

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health wishes to enter into a Communications Service Agreement with Ivans, Inc. to switch to a broadband connectivity to access Medicare, Commercial Payer and Medicaid applications; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Communications Service Agreement between the Lewis County Public Health and Ivans, Inc. to switch to a broadband connectivity to access Medicare, Commercial Payer and Medicaid applications in accordance with the fee schedule set forth in the Agreement.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 397 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE COUNTY OF LEWIS AND POMCO, INC.

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health wishes to enter into a Participating Agreement with POMCO, Inc., a third party administrator of various health plans throughout New York State, and whereby POMCO*Plus*+ is its network of providers and hospitals who have Participating Agreements with POMCO and POMCO will provide multiple specialty (vaccinations) to its enrolled members; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Public Health Department and POMCO, Inc. for the purpose of providing multiple specialty (vaccinations) to its enrolled members beginning September 1, 2012 in accordance with Exhibit "A" of the Agreement.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 398 – 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section l. That the following budget transfers are hereby approved in the Public Health accounts:

From:	Account	Amount
A4014.4503	Educational Material	$ 150.00
A4014.4909	Miscellaneous	350.00
A4016.4909	Miscellaneous	1,750.00
A4034.4900	Outside Contractor	3,000.00
A4035.4504	Ed-Breast Cancer	3,000.00
A4035.4900	Outside Contractor	600.00
A4042.1999	Pers Svc-Rabies	4,000.00
A4042.4909	Miscellaneous	30.00
A4071.1999	Pers Svc-Lead Poisoning	1,500.00
A4085.1999	Pers Svc-Family Health	20,000.00
	Total	$ 34,380.00

To:		
A4014.4407	Supplies	$ 150.00
A4014.4409	Data Processing	350.00
A4016.4409	Data Processing	1,750.00
A4034.4507	Travel	3,000.00
A4035.4405	Copier	150.00
A4035.4407	Supplies	450.00
A4035.4907	Legal Notice/Adv	3,000.00
A4035.4901	Professional Services	20,000.00
A4042.4405	Copier/Reproduction	30.00
A4042.4901	Professional Services	4,000.00
A4071.4909	Miscellaneous	1,500.00
	Total	$ 34,380.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 399 - 2012
RESOLUTION AMENDING RESOLUTION NO. 341-2011 AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY SHERIFF'S DEPARTMENT

AND LOCUM INTERACTIVE, INC.

Introduced by Legislator John Boyd, Chairman of the Courts and Law Committee.

WHEREAS, by Resolution No. 341-2011, the Lewis County Board of Legislators authorized an agreement between the County of Lewis and Locum Interactive, Inc., to provide the services of Lawrence J. Palinski and Steven M. Fogleman, MD for mental health services to the Sheriff's Department; and

WHEREAS, the Board of Legislators agree to the amended resolution.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the amendments by and between the County of Lewis and Locum Interactive, Inc., to provide the services of Lawrence J. Palinski and Steven M. Fogleman, MD for mental health services to the Sheriff's Department for the term beginning August 8, 2012 and ending December 31, 2013 at a cost of $2,500 per month (Physician's Rate") which includes the following:

One visit to the work facility per month for a total of four (4) hours per visit
One phone consultation per week for a total of one (1) hour per call
Any additional coverage needed per month shall be charged at $300 per hour.
Should the Physician be called to the worksite during the weeknight the Physician is on call, Physician will be paid at the rate of $350 per hour.
Minimum bill rate for any on call coverage is 1 hour (60 minutes), and the time of travel will be included in the hourly rate if applicable.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 400 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY SHERIFF'S DEPARTMENT AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK

Introduced by Legislator John Boyd, Chairman of the Courts and Law Committee.

WHEREAS, pursuant to Correction Law § 500-c, the Lewis County Sheriff (the "Sheriff") is responsible for the custody of inmates in the Lewis County Public Safety Building; and

WHEREAS, in such capacity, the Sheriff needs to obtain mental health counseling or other related mental health services for the inmates in the Sheriff's custody; and

WHEREAS, Transitional Living Services of Northern New York ("TLS") has offered to provide those services for the inmates at Lewis County Public Safety Building; and

WHEREAS, the Sheriff has considered the contract for TLS, and recommends to the Board of Legislators to enter into such Contract.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract by and between the County of Lewis and Transitional Living Services of Northern New York, to provide mental health counseling or other related mental health services for the inmates in the Sheriff's custody for the term beginning June 1, 2012 and ending December 31, 2013 at a cost of $150.00 per hour.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 401 – 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for Division of Criminal Justice Services grant for an Anti-Drug, Anti-Violence, Crime Control & Prevention Program:

A30887 (DCJS-Sheriff)	$5,000.00
A3110.2909 (Misc Equip)	$5,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 402 – 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following appropriation of donated funds is hereby approved in the Sheriff's Department accounts for operation of the Canine unit.

Increase Revenues	Amount:
A27063 (Contribution – Canine Fund)	$ 70.00
Increase Expense:	
A3110.4911 (K9 Unit - Exp)	$ 70.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 403 – 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following budget transfers are hereby approved in the Sheriff's Department accounts to cover line item expenses:

From:	Amount:
A3110.1104 (Contracted Items)	$ 6,000.00
A3112.1104 (Contracted Items)	700.00
A3112.1104 (Contracted Items)	1,500.00
To:	
A3110.1103 (Overtime)	$ 6,000.00
A3112.1103 (Overtime)	700.00
A3112.4999 (Expenditures)	1,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 404 – 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following appropriation is hereby approved for the Sheriff's Department account to cover purchase of personal floatation devices, using received donations:

Increase Revenues	Amount:
A27053.2 (Contrib. Parks & Rec. & Other)	$ 1,000.00
Increase Expense:	
A3112.4999 (Sheriff – Parks & Rec.)	$ 1,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 405 – 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following budget changes are hereby approved in the Sheriff's Department for the purchase of two (2) vehicles, utilizing funds from Capital Equipment balance of $255,449:

Appropriate:	Amount:
A50310 (Inter-fund Transfer)	$70,000.00
A3110.2233 (Vehicles)	$70,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator King, and adopted.

RESOLUTION NO. 406 – 2012
RESOLUTION TO TRANSFER FUNDS

SHERIFF DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following budget transfers are hereby approved in the Sheriff's Department accounts to cover vehicle expenses:

From:	Amount:
A1990.4999 (Contingency)	$7,099.39
A3110.1101 (Pers Serv)	1,977.00
A3110.1102 (Temp Help)	15,000.00
A3110.1104 (Contracted Items)	9,375.00
A3110.4903 (Insurance	4,589.61
	$38,041.00
To:	
A3110.4701 (Vehicle Repair)	$15,000.00
A3110.4703 (Vehicle exp/gas/oil)	23,041.00
	$38,041.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 407 - 2012
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO EDWARD WALDRON)

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Edward Waldron was granted a Mortgage to the County of Lewis dated June 1, 2000, and recorded in the Lewis County Clerk's Office on June 15, 2000, in Liber 564 of mortgages at Page 4 to secure payment of a loan in the amount of $2,848.80, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforedescribed Mortgage.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 408 - 2012
RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND THE COUNTY LAW DEPARTMENT FOR CHILD SUPPORT ENFORCEMENT PROCEEDINGS

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, under Section 454 of the Federal Social Security Act, Section 111 (h), 352, and 352 (a) of the Social Services Law of the State of New York, and the rules and regulations promulgated by the State Department of Social Services, the Lewis County Department of Social Services (the "Department") is responsible through its Child Support Enforcement Unit for the establishment of paternity, locating of absent parents, and the enforcement and collection of support from legally responsible relatives for persons applying for or receiving Aid to Dependent Children (hereinafter collectively referred to as "support enforcement proceedings"); and

WHEREAS, pursuant to County Law § 501, the County Attorney is responsible for prosecuting and defending all civil actions and proceedings brought by or against the County, and in that capacity, shall be responsible for representing the Department in such support enforcement proceedings; and

WHEREAS, it is appropriate that the parties hereto enter into a written agreement setting forth their respective duties under the above-mentioned provisions of State and Federal Law; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney for the performance of these services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a Cooperative Agreement/Purchase Of Services Agreement by and between the Department of Social Services and the County Attorney whereby the County Attorney shall provide legal representation to the Department relating to the presentment of child support enforcement proceedings where the Department is either directly involved as a litigant or has an interest in the proceedings.

Section 2. That the Cooperation Agreement shall further provide for reimbursement to the County Attorney's Office for the cost of providing such legal representation, including without limitation, personnel services, supervision, support services, and related office expense. The parties understand that reimbursement is premised on Federal and State statutes, law, rules and regulations. The Department agrees

to keep the County Attorney informed of changes in reimbursement methodology mandated by law, rules or regulation of the State and Federal Government for such expenditures.

Section 3. That the term of this Cooperation Agreement shall be from January 1, 2013 through December 31, 2013, for an amount not to exceed $40,000.00.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators, along with the Commissioner of Social Services and the County Attorney are hereby authorized to make, execute, seal and deliver said Agreement.

Section 5. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 409 - 2012
RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND THE COUNTY LAW DEPARTMENT

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, pursuant to § 397 of the Social Services Law, the Department is responsible to bring such cases as deemed necessary before the family court for adjudication with regard to children considered to be neglected or abused and to institute proceedings in a court of competent jurisdiction against a parent or adult for neglect or abuse of a child and is also responsible for voluntary placements, foster care review, extensions of placements, including without limitation those placements that may result from Juvenile Delinquencies (J.D.) and Persons In Need of Supervision (PINS); and

WHEREAS, pursuant to County Law § 501, the County Attorney is responsible for prosecuting and defending all civil actions and proceedings brought by or against the County, and in that capacity, shall be responsible for the filing and presentment on behalf of the Department, of child protective matters including, but not limited to, abuse, neglect, voluntary placement, foster care review, extensions of placements, habeas corpus proceedings, custody matters, and representing the Department concerning the Department requirements for Juvenile Delinquencies (J.D.) and Persons In Need of Supervision (PINS) and representing the Department in support matters; and

WHEREAS, it is appropriate that the parties hereto enter into a written agreement setting forth their respective duties under the above-mentioned provisions of State and Federal Law; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney for the performance of these services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a Cooperative Agreement/Purchase Of Services Agreement by and between the Department of Social Services and the County Attorney whereby the County Attorney shall provide legal representation to the Department relating to the presentment of children's matters including but not limited to abuse, neglect, voluntary placement, foster care review, extension of placements, termination of parental rights, habeas corpus proceedings, custody matters where the Department is an interested party, and surrenders and enforcement proceedings related thereto, Juvenile Delinquent and PINS where the Department is either directly involved as a litigant or has an interest in the proceedings, as well as support collection matters.

Section 2. That the Cooperation Agreement shall further provide for reimbursement to the County Attorney's Office for the cost of providing such legal representation, including without limitation, personnel services, supervision, support services, and related office expense. The parties understand that reimbursement is premised on Federal and State statutes, law, rules and regulations. The Department agrees to keep the County Attorney informed of changes in reimbursement methodology mandated by law, rules or regulation of the State and Federal Government for such expenditures.

Section 3. That the term of this Cooperation Agreement shall be from January 1, 2013 through December 31, 2013, for an amount not to exceed $250,000.00.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators, along with the Commissioner of Social Services and the County Attorney are hereby authorized to make, execute, seal and deliver said Agreement.

Section 5. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 410 – 2012
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

Whereas, the County of Lewis has collected Home Energy Assistance Program (HEAP) funds being returned for the Federal government.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the sum of $20,524.00 be expensed to Account No. A6141.4999 –

HEAP Expense.

Section 2. That this return of Federal Aid in the amount of $20,524.00 also be reflected as a reduction to Revenue Account No. A46410 – Federal HEAP.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 411 – 2012
RESOLUTION TO ADJUST FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED, as follows:

Section l. That the following funds are hereby adjusted to cover the cost of the approved Binnacle Contract:

Decrease Expenses:	
A6010.4403 Printing	$15,000.00
Increase Expenses:	
A6010.2217 Computers	$15,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 412 – 2012
RESOLUTION TO ADJUST FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED, as follows:

Section l. That the following funds be adjusted to more closely reflect year-end predictions in the Social Services budget:

Decrease Expenses:	Amount
A6101.4999 DSS Medical Assist	$60,000.00

Increase Expenses:
A6010.4609 MA Travel & Exams $60,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 413 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY TREASURER'S OFFICE AND
VENESKY & COMPANY

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, Lewis County has received a proposal from Venesky & Company to provide consulting services for the purpose of assisting the County in the preparation of the Consolidated County-Wide Cost Allocation Plan (A-87), Department of Social Services' ("DSS") Indirect Cost Proposal, as well as the determination of allocated indirect costs applicable to other County departments including preparation of necessary supporting documentation to recover Maintenance in Lieu of Rent expenses for DSS and other County departments in the form of a Space Occupancy Cost Analysis Report; and

WHEREAS, the Board of Legislators wishes to accept such proposal.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Treasurer's Department and Venesky & Company for the purpose of receiving consulting services for the period of September 2012 through September 2016 in the amount of $10,400 per year.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement, pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 414 - 2012
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY12-02

Section 1. That the following funds be appropriated for the Program Year 2012, 7/1/12-6/30/12, Adult and Dislocated Worker, per the Notice of Obligational Authority (NOA), #PY12-02, dated July 24, 2012, through the New York State Department of Labor:

Adult	
CD6292.1999	$ 3,506.61
CD6292.8999	$ 1,168.86
Total	$ 4,675.47
WIA Revenue	
CD47910	$ 4,675.47
Dislocated Worker	
CD6291.1999	$ 6,555.51
CD6291.8999	$ 2,185.17
	$ 8,740.68
WIA Revenue	
CD47910	$ 8,740.68

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 415 -2012
RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED, as follows:

Section l. That the following transfers are hereby approved within the Dislocated Worker account:

From:		Amount
CD6292.4909	Adult Contractual	$ 2,031.95
To:		
CD6292.1999	Adult Wages	$ 1,200.00
CD6292.8999	Adult Fringes	831.95

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 416 - 2012
RESOLUTION AUTHORIZING CONTRACT WITH THE COUNTY OF LEWIS AND NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, County Law Article 18-B directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel; and

WHEREAS, the County of Lewis has received a grant award from the New York State Office of Indigent Legal Services in the amount of $56,964 for the provision of funds to assist the County in improving the quality of indigent legal services provided; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract by and between the County of Lewis and New York State Office of Indigent Legal Services to provide grant funds in the amount of $56,964 to assist the County in improving the quality of indigent legal services provided.

Section 2. That this is for the term commencing effective June 1, 2012 and ending May 31, 2015.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 417 - 2012
RESOLUTION APPOINTING MEMBER TO OFFICE FOR AGING ADVISORY COUNCIL

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

Whereas, Lewis Nicol has submitted his resignation as a member of the Office For Aging Advisory Council effective immediately.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Jerry Flanders of Post Office Box 534, Copenhagen, New York 13626 as a member of the Lewis County Office For Aging Advisory Council, to serve the un-expired term of Lewis Nicol.

Section 2. The term of said appointment shall be effective from November 7, 2012 through December 31, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

Legislator Tabolt made a motion to enter executive session at 6:05 p.m. to discuss specific personnel, seconded by Legislator Boyd and carried. Hospital Administrator Eric Burch, Director of Human Resources Timothy Ryan and Hospital Board of Manager member Atty. Michael F. Young were asked to remain for the session. When the session concluded, Legislator Hathway moved to re-enter regular session at 6:28 p.m., seconded by Legislator Stanford and carried.

RESOLUTIONS: (Cont'd)

RESOLUTION NO. 418 - 2012
RESOLUTION AUTHORIZING AMENDMENTS TO LEWIS COUNTY HEALTH PLAN FOR CERTAIN ADMINISTRATIVE PERSONNEL PRESENTLY EMPLOYED AT LEWIS COUNTY GENERAL HOSPITAL

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, General Municipal Law, § 92–a authorizes a municipality to provide a health benefit plan to employees and retirees, and to set the terms and conditions under which such benefits are to be provided; and

WHEREAS, Lewis County currently provides a self-insured employee health and hospitalization benefit program (herein, "Lewis County Health Plan"), the terms and conditions of which are set forth in the Plan Document (herein collectively, the "Plan Document"); and

WHEREAS, the Plan Document currently provides that employees of the Lewis County General Hospital ("LCGH") who retire directly from County service after ten years or more of service with Lewis County shall be eligible for continuing under the Lewis County Health Plan under the same terms and conditions as active employees; and

WHEREAS, the County, through LCGH, employs certain persons in the following administrative positions: Chief Executive Officer, Chief Financial Officer, Director of Nursing, Nursing Home Administrator, Human Resources Director, Director of Plant Operations, Director of Risk Management and Quality Assurance, and Director of Ancillary Services in the status of Lewis County employees; and

WHEREAS, the Board of Managers for LCGH proposes to transition the above identified administrators from County employment to employment by a Limited Liability Company (LLC) which would then contract with LCGH for administrative services; and

WHEREAS, the transition of these administrators to employment by the LLC will result in savings to the LCGH and Lewis County budget as a result of those administrators leaving the New York State and Local Retirement System and the termination of the obligation on the part of Lewis County to make annual contributions to the retirement system on their behalf; and

WHEREAS, the transition of these administrators to employment by the LLC will result in additional benefits to the LCGH and community at large by retaining the services of experienced administrators; and

WHEREAS, such transition also results in said administrators relinquishing certain benefits of public employment including the potential enhancement of future pension benefits with additional years of service, as well as the potential loss of retiree health benefits; and

WHEREAS, the Board of Legislators hereby finds and determines that the savings from no longer making retirement system contributions on behalf of such administrators far outweighs the costs of amending the Lewis County Health Plan to provide such benefits upon the administrators' retirement; and

WHEREAS, the Board of Legislators further finds and determines that it is in the public interest to offer an incentive to the administrators identified herein to transition from County employment to the newly formed LLC, and that offering the benefits of the Lewis County Health Plan to such administrators in retirement (subject to the terms and conditions herein below), qualifies as such incentive.

NOW, THEREFORE be it resolved as follows:

Section 1. That the Board of Legislators hereby authorizes amending the Lewis County Health Plan by inserting the following language into the Plan Document:

"Retention Benefit for Certain Employees of Lewis County General Hospital:

In order to provide an incentive to retain certain key administrative personnel as they transition to an LLC, the benefits provided under the Lewis County Health Plan (as the same may be amended or substituted from time to time) shall be made available upon retirement (as that term is defined herein) to the following named individuals provided

they meet the eligibility requirements set forth below:

Name:	Title:
Eric Burch	Chief Executive Officer
David Wood	Director of Nursing
Jean Dryja	Quality Assurance Co-ordinator
Joseph Todora	Nursing Home Administrator
Thomas Ferguson	Director of Plant Operations
Michele Prince	Director of Ancillary Services
Timothy Ryan	Director of Human Resources

Eligibility: To be eligible to receive the benefits described herein, the individuals identified in Paragraph "1" above must:

Have been employed in such positions as of November 1, 2012; and

Transition from employment with Lewis County to employment with the LLC on or before January 1, 2013, or on the earliest possible date upon which the LLC commences operation; and

Have been employed by Lewis County for a period of no less than ten (10) years, or have been employed by Lewis County and the LLC for a combined period of no less than ten (10) years; and

Have retired, (which for purposes of this Resolution shall mean having successfully applied for and commenced receiving retirement benefits from the New York State and Local Retirement System) directly from employment by the LLC without any intervening separation from service as an employee of the LLC other than by said retirement.

Benefits: Upon meeting the foregoing eligibility requirements, the persons identified in Paragraph "1" above may participate in the Lewis County Health Plan under the same terms and conditions and subject to the same contribution rate(s) as Lewis County employees as of the date of such retirement; provided further that the rate(s) of contribution for such persons may be modified or amended at any time after the date of such retirement to the same extent and at the same rate(s) that such rate(s) may be modified or amended from time to time for Lewis County employees.

Section 2. That the foregoing amendments to the Lewis County Health Plan shall be contingent upon approval by the NYS Comptroller and the NYS Department of Health as their interests may appear.

Section 3. Except as specifically amended herein, the Lewis County Health Plan and the Plan Document shall in all respects remain in full force and effect.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Lucas.

Legislator Tabolt reiterated that the Bonadio Group projects significant Hospital operational losses for 2013. However, their report did not consider proposed or impending changes. He cited changes made for staffing the emergency department and hospitalists; submitting that the proposed LLC formation for administrative staff is another step to assure the facility remains County-owned and operated. Accordingly, Legislator Tabolt urged his colleagues' approval.

The resolution was then adopted.

OTHER BUSINESS:

Legislator Tabolt referenced "The List" of Board initiatives that Chairman Bush encouraged Legislators to review and/or make additions. He queried the status of the required financial review for the Health Services Development Corporation (LDC), urging a decisive Resolution to set guidelines. Otherwise, he invoked, the established LDC is meaningless.

Legislator Tabolt also asked whether the Board desired to emphasize its support of the County Human Resources Department under Director Timothy Ryan, particularly the process to fill or refill positions. The Department Head is required to complete and submit a form to Mr. Ryan for a full review of the position prior to presentation to the jurisdictional committee for action. Chairman Bush suggested that new procedures weren't purposely circumvented, while encouraging all Legislative Committees to utilize the HR Department to its fullest extent. Mr. Ryan and Mr. Pendergast each imparted that the new procedures were most generally followed. If a request is presented to the Committee without a completed requisition form, Mr. Pendergast stated he recommends no action, and advises the Department Head to complete the form.

In response to Legislator Fanning relative to the LDC, Attorney Graham stated they had not met subsequent to the organizational meeting, awaiting receipt of the Bonadio Group report, and/or determination of guidelines by the Board. An appraisal of the Hospital property may be obtained either through a certified appraiser who generally requests to be designated as the broker of sale; or by issuing an RFP to ascertain certifiable parties of interest. Legislator Fanning impressed that he is not in favor of selling the facility, but would like the LDC to be prepared to borrow funds if it becomes necessary. Atty. Graham recommends waiting until the Bonadio Group provides their report before proceeding with costly LDC procedures.

In conclusion, Legislators strongly suggested that all LDC members be invited and encouraged to attend all Board of Legislator and Board of Manager meetings.

Legislator King made a motion to enter executive session at 6:42 p.m. for an update on litigation from Atty. Graham. The motion was seconded by Legislator Boyd and carried. After the session, Legislator Boyd moved to re-enter regular session at 7:00 p.m., seconded by Legislator King and carried.

Legislator King made a motion to authorize County Attorney Richard Graham to

intervene on behalf of Lewis County for the tax certiorari brought by the City of Rome in the Town of Lewis, and share the expense of hired experts on a pro rata basis based on the relative taxes. The motion was seconded by Legislator Boyd and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried at 7:02 p.m.

SECOND DAY
ANNUAL SESSION
November 15, 2012

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 18 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Dated: November 15, 2012 Patrick Wallace

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

Chairman Bush opened the floor for public comments on the 2013 Tentative County Budget and Local Law No. 10-2012 "Providing For Increases to Salaries for Certain Local Officials".

PRIVILEGE OF THE FLOOR:

Randy LaLonde, Lowville Free Library Trustee, spoke on behalf of all libraries to express disappointment for annual decreased appropriations. While recognizing the numerous County financial obligations, he urged funding restoration not only for libraries, but for all local not-for-profit agencies. All these institutes, he stated, provide various volunteer community services to improve the quality of life.

REPORTS OF STANDING COMMITTEES:

Legislator Michael Tabolt, Hospital Committee Chairman, intended to meet jointly with the Hospital Board of Managers following the presentation earlier today from the Bonadio Group. Chairman Bush informed he would announce the date for a joint meeting after his scheduled meeting with Board of Managers President William Wormuth next week.

LOCAL LAW AND RESOLUTIONS:

RESOLUTION NO. 419 - 2012
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 11 - 2012), COUNTY OF LEWIS

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on November 15, 2012, a proposed Local Law entitled "A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF THE YEAR 2003, COUNTY OF LEWIS IN RELATION TO THE IMPLEMENTATION OF REAPPORTIONMENT WITHIN THE COUNTY OF LEWIS".

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on December 4, 2012, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 420 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Sheriff's Department to create the following positions for the winter parks and recreation patrols:

TITLE	STATUS	SALARY
Deputy Sheriff (4)	Temporary Part-time	Grade 22A
Recreation Aide (3)	Temporary Part-time	Grade 6

Section 2. That Sheriff Michael Carpinelli is hereby authorized to assign said temporary employees at his discretion for winter patrols, for the period effective immediately through April 30, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

OTHER BUSINESS:

In response to Legislator Tabolt's inquiry, County Attorney Richard Graham clarified that all amendments to the Tentative Budget would be presented in Resolution form for Board action prior to adoption of the Budget on December 4, 2012.

Sheriff Michael Carpinelli thanked the Board for working with him during his initial year. Although referencing tough year, he imparted confidence for resolve. He urged less divisiveness, while looking forward to working with the Board to accomplish goals.

Legislator Tabolt made a motion to enter executive session at 5:15 p.m. for discussion on specific personnel. The motion was seconded by Legislator Boyd and carried. After the session, Legislator Lucas moved to re-enter regular session at 5:31 p.m., seconded by Legislator Stanford and carried.

Chairman Bush inquired whether anyone wished to comment on either the Tentative Budget or the proposed Local Law. There being none, he closed the public hearing at 5:32 p.m.

RESOLUTIONS (Cont'd)

LOCAL LAW (INTRODUCTORY NO. 10 – 2012) COUNTY OF LEWIS
A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

SECTION 1. LEGISLATIVE FINDINGS AND PURPOSE

1. The Board of Legislators finds that it has heretofore been the policy of the County of Lewis to amend the Compensation Plan for County officials who are appointed to a specific term of office ("term appointees") to provide for an increase in salary upon similar terms as those provided to union employees pursuant to their collective bargaining agreement.

2. Pursuant to the forgoing policy, the Board of Legislators enacted Local Law No.3-2007 wherein term appointees were granted the same increases in

salary as were provided in the collective bargaining agreement effective January 1, 2007 through December 31, 2009.

3. The Board of Legislators finds that they have recently concluded their negotiations with the collective bargaining unit for County employees and executed a collective bargaining agreement effective January 1, 2010 through December 31, 2013. Pursuant to the terms of that agreement, County employees received a lump sum payment of $500 plus a 1% increase for 2012 and a 1% increase for 2013.

4. Upon reaching the above referenced agreement with the collective bargaining unit, the Board of Legislators adopted Resolution No. 197 – 2012, whereby department heads and other non-union employees (excluding term appointees and elected officials) were granted increases in compensation including one-time payments and salary increases at the same percentage rate and to take effect at the same time as such payments and percentage increases have been granted to the bargaining unit members.

5. The Board of Legislators further finds that the term appointees have not received a raise in salary since 2008.

6. Therefore, the Board of Legislators wish to amend the Compensation Plan for term appointees to provide the term appointees with a salary increase consistent with the increases provided to union members.

SECTION 2. AMENDMENT TO THE COMPENSATION PLAN

A. Effective January 1, 2013, the Compensation Plan of the County of Lewis shall be amended to provide the following salaries for County employees appointed to a fixed term of office, to-wit:

DSS Commissioner	$68,340
County Manager	$83,130
Clerk of the Board	$45,645
Real Property Tax Director	$48,480
County Attorney	$101,490
Superintendent of Highways	$60,600
Commissioners of Elections	$36,236
	$36,236

B. The Compensation Plan of the County of Lewis is further amended effective January 1, 2013 to provide a lump sum payment of $500 to be paid to those employees identified in Sub-paragraph "A" immediately above who were employed in such capacity from January 1,2011 through December 31, 2011. Such payment shall

not be included in base pay.

C. That the Compensation Plan for such offices identified herein may be further amended or modified in whole or in part by the Board of Legislators at any time.

SECTION 3. EFFECTIVE DATE.

That the within Local Law shall take effect 45 days after the adoption hereof and all legal requirements having been met.

RESOLUTION NO. 421 - 2012
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 4 – 2012, COUNTY OF LEWIS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 6, 2012, directing that a public hearing be held by said Board on November 15, 2012, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled "A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times,* the official newspaper designated by the County, on November 9, 2012, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 10 – 2012), County of Lewis, being "A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS", be and the same hereby is designated as Local Law No. 4 –2012, County of Lewis.

Section 2. That Local Law No. 4 – 2012, County of Lewis, with designation

stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

YEAS: Boyd, Burke, Hathway, King, Lucas, Stanford, Tabolt, Wallace, Bush
NAYS: Fanning
ABSENT: None

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried at 5:33 p.m.

THIRD DAY
ANNUAL SESSION
December 4, 2012

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 31 persons present.

Chairman Bush announced approval of the November 6 and November 15, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Dated: December 4, 2012 Patrick Wallace

Legislator Tabolt made a motion to waive the rules, seconded by Legislator King and carried.

PRIVILEGE OF THE FLOOR:

Allan Merrill expressed objection to the proposed transfer of the Economic Development Director (EDD) to the Industrial Development Agency (IDA) and/or the Lewis County Development Corporation (LCDC) and appropriating $100,000. He termed it a "shell game" insinuating that some officials were pushing their own agenda or pet projects, specifically the "rails to trails" initiative. If the EDD could be transitioned without adverse impact to the County, he queried the need for a Director over the past 3½ years. Comparing it to private business, he asserted that an outlay of $350,000 with no return on your investment would be unacceptable. He affirmed a timely apology if he were proven wrong.

Larry Dolhof, LCDC President, relayed the consensus from several business owners who agree that you must continue to invest to remain viable. Likewise for the County, to avoid having to increase taxes to cover persistent cost increases, there must be economic development to expand the tax base. Mr. Dolhof commended Eric Virkler and the Planning Department staff for reaching out to existing and potential business owners. Recently they assisted the Village of Lyons Falls to secure a Brownfield Opportunities State Grant of $150,000.

Their staff had also been instrumental in securing a $330,000 grant through the North Country Regional Economic Council for the Lyons Falls Pulp & Paper project. Mr. Virkler, he stated, works tirelessly to improve our communities to create viable opportunities to encourage return to the area of our college graduates.

Steven Nicotera, Director of Vocational Services for Arc of Oneida-Lewis, urged reinstatement of the $30,000 cut from their 2013 agency appropriations. The programs, he said, enrich the lives of disabled persons by providing integrated work opportunities within the community. Lewis County Industries employs 45 disabled individuals at the Forest Avenue site, and an additional 15 at other sites. They all utilize materials made in Lewis County. Disabled employees receive transportation, vocational and psychosocial counseling, as well as one-on-one training to improve work and social skills.

Mr. Nicotera recited specific comments of vocational program participants and their family members, appreciative for the provided opportunities for individuals whom may not otherwise be eligible for assistance. In response to Legislator Hathway, Mr. Nicotera affirmed the respective funding was not connected to contractual services provided through Transitional Living Services.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk read an excerpt from the Toski & Co., P.C. audit report 'Lewis County complied in all material respects with the requirements referred to that are applicable to each of its state transportation assistance programs tested for the year ended December 31, 2011.

The Clerk acknowledged receipt of the Chenango County Board of Supervisors' resolution calling upon the Governor and State Legislature to compensate counties for State-mandated District Attorney salaries; and the Green County Legislature's resolution memorializing the State Legislature and Governor to adopt 'Jessica's Law' requiring stricter sentencing laws against child molesters.

Cliff White, Highmarket Wheelers ATV Club President, requested a meeting with all Clubs and the Board of Legislators to voice opinions about trails and the permit system.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Clerk reported that all Legislators had received copies of the Treasurer's November monthly report; the 11/27/12 Solid Waste Audit report; and the 11/27/12 Highway Audit report.

Election Commissioners Lindsay Burris and Ann M. Nortz had submitted the Statement of County Board of Canvassers of Lewis County for the general election held on November 6, 2012.

The minutes of the 8/9/12 meeting of the Professional Advisory Health Services Committee; and 8/2/12 meeting of the EQA Committee had been received and would be

placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging/Youth Bureau Committee Chairman, informed the Committee's plans to attend the 12/13/12 Croghan meal site; and encouraged all Legislators to participate in the Christmas luncheon on 12/19/12 at their respective district meal site.

Legislator Hathway reported extensive review of all Department of Social Services (DSS) internal policies and controls and assure all proper conduct, stating there are at least two, and sometimes three personnel approving all expenditures. All proposed resolutions for Agreements are renewals, except one; and all are 100% funded.

The DSS and Youth Bureau are partnering to assist the homeless. There were 286 homeless people served in 2011. Legislator Hathway commended those involved with the "Homeless Tree" project, that will recognize each donation by placing an ornament on the tree, which were all made by Youth Bureau students.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a October loss of $104,985 equating a year-to-date loss of $1,195,000. The employee-of-the-month was Kathleen Bancroft, a store clerk.

Legislator Tabolt reported that October out-patient visits totaled 6,134; and that accounts payables averaged 74.1 days, its lowest level since 2009. Accounts receivables of $11,312,000 are lower than projected. An approved Federal meaningful use payment in excess of one million dollars is anticipated very soon, to be passed on to the County Treasurer upon receipt.

At the request of Hospital Board of Managers President William Wormuth, the Board of Legislators will meet with them jointly on December 13, 2012 at 4:00 p.m. at the Hospital conference room.

Legislator Tabolt expressed appreciation that NYS Senator Joseph Griffo and NYS Assemblyman Kenneth Blankenbush conducted an informal exchange with Legislators just prior to this meeting, to relay their efforts to accomplish meaningful State mandate relief.

Legislator Charles Fanning, Public Health Committee Chairman, made a motion to authorize to commence negotiations for an Agreement with The Bonadio Group to assist the Public Health Department with billing issues. The motion was seconded by Legislator King. Although the cost of the consultant services are unknown, the motion was carried.

Legislator Fanning reported an initiative to move the Public Health staff from the Hospital to space available at the Lowville Commons site, which would effect substantial cost savings. He made a motion to authorize County Manager David Pendergast to negotiate a contract with an architectural firm to design the medical clinic space, which is required by the NYS Dept. of Health. The motion was seconded by Legislator Boyd.

Citing impending office space needs for other County departments, Legislator Lucas suggested further discussion jointly with the Buildings and Grounds Committee, or the Board as a Committee-of-the-Whole, prior to a decision for any sole department. Legislator Fanning amended his motion to be contingent upon a recommendation by the entire Board, seconded by Legislator Boyd, and carried.

Legislator Fanning reported a resignation of an Account Clerk from the Public Health Department. A late resolution was enacted to authorize re-creation of the position and authorizing Director Carol Paluck to fill.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize County Attorney Richard Graham to re-fill the Assistant County Attorney position upon the impending resignation of Keith Lyndaker, who will assume new duties under County Judge-Elect Daniel King effective January 1, 2013. The motion was seconded by Legislator Lucas and carried.

Legislator Patrick Wallace, Transportation Committee Chairman, reported that County Highway crews had paved 12 miles, replaced 15 culverts, cut 25 shoulder miles, ditched 15 miles, sealed 30 bridge decks, cut over 100 trees and trimmed 30 miles, during the past season.

Legislator Wallace made a motion to authorize hiring a Grade 21 Mechanic/Welder at $16.88 per hour for emergency help on July 31, 2012. The motion was seconded by Legislator Hathway and carried.

Legislator Richard Lucas, Economic Development Committee Chairman, supported Economic Development staff, asserting they carry out the Committee's directives. He strongly urged any blame or complaints be directed to himself and/or the Committee. Committee meetings, he stated, are published and are open to the public, encouraging attendance by anyone with questions or issues.

Legislator Lucas announced that the Development Authority of the North Country had contracted with GAR Associates to conduct a housing study in Lewis County. The consultants will present their report of findings at the next Economic Development Committee meeting to be held on December 18, 2012 at 8:30 a.m. here in the board room.

Legislator Jerry King made a motion to enter executive session at 5:40 p.m. to discuss specific personnel, seconded by Legislator Stanford and carried. Following the session, Legislator Fanning moved to re-enter regular session at 6:08 p.m., seconded by Legislator Boyd and carried.

After assurance that no one else present wished to speak, Chairman Bush closed the public hearing for comments on Local Law Introductory No. 11-2012 at 6:11 p.m.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported completion of 71 work orders by the maintenance department during November,

encompassing electrical, plumbing and furnace repairs, ballast replacement and roof repairs to a small building at various County sites.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF THE WAYS AND MEANS COMMITTEE ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $890,265.15 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: December 4, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Lucas, and carried.

RESOLUTIONS:

RESOLUTION NO. 422 - 2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 890,265.15 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Burke, seconded by Legislator Tabolt, and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 423 – 2012
RESOLUTION AMENDING 2013 TENTATIVE COUNTY BUDGET BY AMENDING COMPENSATION PLAN WITH REFERENCE TO SEVERAL EMPLOYEES

Introduced by Legislator Philip Hathway, member of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2013 County Tentative Budget by amending the Compensation Plan of the County of Lewis, to set the salaries of the following personnel:

TITLE/NAME	ACCOUNT NO.	AMOUNT
Assistant County Attorney Keith Lyndaker	A1420.1999	$60,000
Assistant District Attorney Caleb Petzoldt	A1165.1999	$57,500
Senior Codes Officer Ward Dailey	A3620.1999	$51,500
Office For Aging Director Brenda Bourgeois	A6772.1999	$52,500
Deputy County Clerk Kathleen Bush	A1410.1999	$44,685

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 424 - 2012
RESOLUTION AMENDING TENTATIVE BUDGET FOR FISCAL YEAR 2013 REGARDING THE ECONOMIC DEVELOPMENT DEPARTMENT

Introduced by Legislator Michael Tabolt, member of the Board of Legislators.

WHEREAS, the Lewis County Budget Officer has heretofore prepared the tentative budget for fiscal year 2012 together with a budget message, filed the same with the Clerk of the Board in accordance with County Law § 354; and

WHEREAS, the Board of Legislators held a work session on November 13, 2012 wherein several amendments to the budget were discussed by the full Board.

NOW, THEREFORE, be it resolved as follows:

Section 1. The Lewis County Board of Legislators hereby amends the tentative budget by increasing the appropriations to Account No. A6420.4999, "Economic Development Projects" by $100,000.

Section 2. That this appropriation is being made upon the condition that any expenditures from the above referenced account shall be made only upon further resolution duly adopted by of the Board of Legislators.

Section 3. The tentative budget, as revised herein, may proceed with adoption pursuant to County Law § 360.

Section 4. That this Resolution shall be effective immediately.

Moved by Legislator Tabolt, seconded by Legislator Lucas.

Legislator Fanning made a motion to table the resolution, seconded by Legislator Boyd.

Attorney Graham clarified that the budget may be amended at any time, stating that if this amendment was not adopted, the figures in the Tentative Budget would become effective January 1, 2013.

Legislator Tabolt expressed his understanding of the original intent was to commit $100,000 to economic development, without designating to any specific project or agency. Any expenditure, he said, would be subject to Board of Legislator approval.

Attorney Graham affirmed that utilization of the appropriations would be defined by resolution and Board action thereof.

The motion to table was defeated by a vote of 4 to 6, with Legislators Bush, Lucas, Hathway, Tabolt, Wallace and Burke opposed.

Crediting Legislator King for the initiative, Legislator Tabolt inquired how the proposal differed from his original thoughts. Legislator King expressed surprise for the immediate proposed action, stating that he could support it to a certain extent, contingent upon a vote for specific proposed projects.

The resolution was then adopted by a vote of 7 to 3, with Legislators Boyd, Fanning and Stanford opposed.

RESOLUTION NO. 425 - 2012
RESOLUTION AMENDING 2013 TENTATIVE COUNTY BUDGET
INTER-GOVERNMENTAL TRANSFERS (IGT)

Introduced by Legislator Jerry King, member of the Board of Legislators.

Whereas, the Board of Legislators wishes to increase appropriations for Inter-Governmental Transfers to amount equal to the average actual expenditure.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2013 County Tentative Budget by increasing the appropriation for Account No. A6102.4909 by $900,000.00 for Inter-Governmental Transfers.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 426 – 2012
RESOLUTION AMENDING 2013 TENTATIVE COUNTY BUDGET
JAIL PHYSICIAN

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

Whereas, Dr. Sean P. Harney has served as Jail Physician since 2006 at the same contractual remuneration; and

Whereas, the Board of Legislators wishes to increase the contractual amount for Dr. Harney's contractual services.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2013 County Tentative Budget by decreasing the appropriation for Account No. A3115.1102 by $10,000.00, and increasing Account No. A3150.1101 by $10,000.00 for Jail Physician services.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 427 – 2012
RESOLUTION AMENDING 2013 TENTATIVE COUNTY BUDGET
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

Whereas, the Board of Legislators wishes to increase the appropriation for the Office For The Aging Senior Meals program.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2013 County Tentative Budget by increasing the appropriation for Office For the Aging Account No. A6772.4911 by $6,000.00 for Senior Meals.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 428 – 2012
RESOLUTION AMENDING 2013 TENTATIVE COUNTY BUDGET
OUTSIDE AGENCIES

Introduced by Legislator Philip Hathway, member of the Board of Legislators.

Whereas, the Board of Legislators wishes to increase the funding levels of certain outside agencies to their 2012 level.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2013 County Tentative Budget by increasing the appropriation for each of the following agencies by the amount listed opposite each:

AGENCY	ACCOUNT	INCREASE BY
Libraries	A7410.4999	$1,942.00
West Leyden Library	A7411.4999	38.00
Brantingham Library	A7412.4999	20.00
Constable Hall	A7521.4999	80.00
LC Maple Museum	A7522.4999	60.00
Railroad Historical Society	A7524.4999	60.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Tabolt .

Legislator Burke made a motion to amend the resolution to increase all outside agency appropriations to their respective 2012 level, asserting the agencies do not waste the funds, and provide meaningful services. The motion was seconded by Legislator Lucas.

Legislator King did not dispute their services, but cited their receipt of school district and Town appropriations, affirming his opposition for increased County appropriations. He referenced County financial responsibilities, specifically citing Hospital operations, and concern for other services that summon County appropriations.

Legislator Hathway took exception, terming the historical County support for libraries as "taking care of our own", commending libraries for efficiently providing various services.

In response to Legislator Tabolt, County Treasurer Patricia O'Brien recited the outside agencies not listed above; Agricultural Society, Lewis County General Hospital Foundation, Mountain View Prevention Services, Lewis County Historical Society, and the Adirondack Park Local Government Review Board. Increasing all the agencies to their 2012 level equates to an additional $4,480, she stated.

Legislator Tabolt specifically commended the Agricultural Society for their efforts to sponsor the Lewis County Fair that is enjoyed by an overwhelming majority of Lewis County residents.

The amending motion was approved by a vote of 8 to 2, with Legislators King and Fanning opposed.

The resolution was then adopted by a vote of 8 to 2, with Legislator King and Fanning opposed.

LOCAL LAW (INTRODUCTORY NO. 11-2012) COUNTY OF LEWIS
A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF THE YEAR 2003 IN RELATION TO THE IMPLEMENTATION OF REAPPORTIONMENT WITHIN THE COUNTY OF LEWIS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

Section 1. TITLE

This Local Law shall be known as "A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF THE YEAR 2003 IN RELATION TO THE IMPLEMENTATION OF REAPPORTIONMENT WITHIN THE COUNTY OF LEWIS"

Section 2. LEGISLATIVE FINDINGS AND PURPOSE

A. The Board of Legislators finds that pursuant to Section 206 of Local Law No. 3 – 2003, the Board of Legislators appointed a commission to evaluate the existing county legislative districts for equity and representation in relation to population within six (6) months after the publication of the results of the regular federal census taken in Lewis County in 2010 (the "Commission").

B. Upon a review of the 2010 Census conducted by the United States Census Bureau, and comparing the same to the 2000 Census the Commission recommended that due to population changes occurring within the County of Lewis that the Legislative Districts be amended.

C. The purpose of this Local Law is to amend Local Law No. 3 – 2003 in order to reapportion the County Legislature of the County of Lewis in conformity with the "one person, one vote" concept as interpreted by State and Federal Court Decisions so that Lewis County will be in compliance with the United States Constitution and the New York State Constitution.

Section 3. AMENDMENT TO ARTICLE I, SECTION 205 OF LOCAL LAW NO.3 -2003

Article I, Section 205 of Local Law No. 3-2003, entitled "Districts" is hereby amended by deleting the contents thereof and substituting the following language:

"Section 205 Districts.

A. "For the purpose of electing county legislatures, Lewis County shall be divided into ten (10) districts. One county legislator shall be elected to the county legislature of Lewis County for each of said districts.

"The ten (10) districts within the County of Lewis are as follows:

LEGISLATIVE DISTRICTS - COUNTY OF LEWIS

DISTRICT		**ESTIMATED POPULATION**
DISTRICT #1	-Diana -Croghan -Croghan	2,674
DISTRICT #2	- Croghan -Croghan -Croghan	2,804
DISTRICT #3	-Denmark -Lowville	2,807
DISTRICT #4	-New Bremen	2,706
DISTRICT#5	-Lowville	2,878
DISTRICT#6	-Watson -Lowville	2,741
DISTRICT#7	-Martinsburg -Turin -Lowville	2,807
DISTRICT#8	-West Turin -Osceola -Pinckney -Montague -Harrisburg	2,605

DISTRICT#9	-Greig -Lyonsdale	2,426
DISTRICT#1O	-Leyden	2,639

-Lewis

B. The boundaries of said Districts are more particularly described in Schedule "A" annexed hereto.

Section 4. Existing Laws Continued.

Except as otherwise provided in this Local Law, all existing state, county, local and other laws or enactments, including special acts having the force of law, shall continue in force until lawfully amended, modified, superseded, or repealed.

In particular, all terms and provisions contained in Local Law No. 3 – 2003, except as specifically amended herein, shall remain in full force and effect.

Section 5. Effective Date.

This Local Law is subject to a permissive referendum pursuant to Municipal Home Rule Law Section 10 (1) (a) (13) and therefore shall not take effect until forty-five (45) days after its adoption.

In the event that within forty-five days after its adoption there be tiled with the Clerk of the Board a petition protesting against the within Local Law, signed and authenticated as required by Municipal Home Rule Law Section 24(l)[a] by qualified electors of such local government, registered to vote therein at the last preceding general election, in number equal to at least ten per centum of the total number of votes cast for governor at the last gubernatorial election in such local government, then this Local Law shall not be effective until approved by the affirmative vote of a majority of the qualified electors of the local government voting on a proposition for its approval.

Schedule A
Reapportionment Proposal A-1

District No. 1

Lewis County Legislative District No. 1 is described as follows:

Being the municipal boundaries of the Town of Diana, and a part of the Town of

Croghan being bounded and described as follows:

Beginning at the most northeasterly point of the Town of Croghan, where the northerly municipal boundary of the Town of Croghan intersects the eastern municipal boundary of the Town of Croghan, running thence southerly and southwesterly along the eastern municipal boundary of the Town of Croghan to a point where the eastern municipal boundary of the Town of Croghan intersects the centerline of the Beaver River. Thence in a general westerly direction following the centerline of the Beaver River to a point where the centerline of the Beaver River intersects the centerline of Balsam Creek, thence in a general northerly direction following the centerline of Balsam Creek to a point where the centerline of Balsam Creek intersects the centerline of the Old State Road. Thence in a general westerly and northwesterly direction along the centerline of Old State Road to a point where the centerline of Old State Road intersects the centerline of a small creek, thence southerly and westerly following the centerline of said small creek to a point where the centerline of said small creek intersects the centerline of the Black River, thence westerly and northerly following the centerline of the Black River to. a point where the centerline of the Black River intersects the most westerly municipal boundary of the Town of Croghan, thence in an easterly and northerly direction along the western municipal boundary of the Town of Croghan to a point where the western municipal boundary of the Town of Croghan intersects the northerly municipal boundary of the Town of Croghan, thence easterly along the northern municipal boundary of the Town of Croghan to the point and place of beginning.

District No. 2

Lewis County Legislative District No. 2 is described as follows:

Being part of the Town of Croghan and part of the Town of Denmark being bounded and described as follows:

Beginning at a point where the centerline of the Beaver River intersects the easterly municipal boundary of the Town of Croghan, running thence southwesterly along the municipal boundary of the Town of Croghan to a point marking the intersection of the southerly municipal boundary of the Town of Croghan and the easterly municipal boundary of the Town of Croghan, thence westerly along the southerly municipal boundary of the Town of Croghan to a point of intersection marking the southerly municipal boundary of the Town of Croghan with the centerline of the Beaver River, thence in a general westerly direction following the centerline of the Beaver River to a point marking the intersection of centerlines of the Beaver River and the Black River, thence in a general southeasterly direction following the centerline of the Black River to a point marking the intersection of the centerline of the Black River and the southeastern municipal boundary comer of the Town of Denmark, thence westerly along the southerly

municipal boundary of the Town of Denmark to a point marking the intersection of the municipal boundary of the Town of Denmark and the centerline of the East Road, thence northwesterly along the centerline of the East Road to a point marking the intersection of centerlines of the East Road and New York State Route No. 26, thence northerly along the centerline of New York State Route No. 26 to a point marking the intersection of centerlines of New York State Route No. 26 and Station Road, thence easterly along the centerline of Station Road to a point marking the intersection of the centerline of Station Road and the centerline of the former Lowville-Beaver River Railroad, thence northwesterly along the centerline of the former Lowville-Beaver River Railroad to a point in the northerly municipal boundary of the Town of Denmark, thence northeasterly along the northern municipal boundary of the Town of Denmark to a point in the centerline of a small stream, thence easterly and northeasterly along the centerline of said small stream to a point in the centerline of the Old State Road, thence easterly along the centerline of Old State Road to a point in the centerline of Balsam Creek, thence southerly following the centerline of Balsam Creek to a point, marking the intersection of the centerline of Balsam Creek and the centerline of the Beaver River, thence in a easterly direction following the centerline of the Beaver River to the point and place of beginning.

District No.3

Lewis County Legislative District No. 3 is described as follows:

Being the municipal boundaries of part of the Town of Denmark, and a part of the Town of Lowville being bounded and described as follows:

Beginning at a point marking the most westerly comer in the municipal boundary of the Town of Denmark running thence northeasterly along the municipal boundary of the Town of Denmark to a point in the centerline of the former Lowville-Beaver River Railroad, thence southerly and southeasterly along the centerline of the former Lowville-Beaver River Railroad to a point in the centerline of Station Road, thence westerly along the centerline of Station Road to a point marking the intersection of centerlines of Station Road and New York State Route No. 26, thence southerly along the centerline of New York State Route No. 26 to a point, marking the intersection of centerlines of New York State Route No. 26 and East Road, thence southeasterly along the centerline of East Road to a point in the southerly municipal boundary of the Town of Denmark, thence easterly along the southerly municipal boundary of the Town of Denmark to a point in the centerline of the Black River marking the northeasterly corner of the municipal boundary of the Town of Lowville, thence southerly and southeasterly following the centerline of the Black River and the easterly municipal boundary of the Town of Lowville to a point, marking the intersection of centerlines of the Black River and New York State Route No.812, thence southwesterly and southerly along the centerline of New York State Route No. 812 to a point in the northerly municipal boundary of the Village of Lowville, thence westerly along said northerly municipal boundary of the Village of Lowville to a

point in the centerline of Number Three Road, thence northwesterly along the centerline of Number Three Road to a point in a westerly municipal boundary of the Town of Lowville, thence northerly along said westerly municipal boundary of the Town of Lowville to a point in the southerly municipal boundary of the Town of Denmark, thence and place of beginning.

District No. 4

Lewis County Legislative District No.4 is described as follows:

Being the municipal boundaries of the Town of New Bremen being bounded and described as follows:

Beginning at a point marking the most northeasterly corner of the municipal boundary of the Town of New Bremen, at the southeast corner of the municipal boundary of the Town of Croghan and in the northerly municipal boundary of the Town of Watson; running thence southwesterly along the municipal boundary of the Town of New Bremen to a point marking the southeasterly comer of the municipal boundary of the Town of New Bremen and an angle point in the northerly municipal boundary of the Town of Watson, thence westerly along the southerly municipal boundary of the Town of New Bremen to a point in the centerline of the Black River marking the southwesterly comer of the municipal boundary of the Town of New Bremen, thence northerly following the centerline of the Black River to a point marking the intersection of centerlines of the Black River and the Beaver River, said point being the northwesterly corner of the municipal boundary of the Town of New Bremen, thence easterly following the centerline of the Beaver River to a point in the northerly municipal boundary of the Town of New Bremen, thence easterly along the northerly municipal boundary of the Town of New Bremen to the point and place of beginning.

District No. 5

Lewis County Legislative District No. 5 is described as follows:

Being a part of the municipal boundaries of the Village of Lowville and being bounded and described as follows:

Beginning at a point marking the intersection of the northerly municipal boundary of the Village of Lowville and the centerline of Number three Road, running thence easterly along the northerly municipal boundary of the Village of Lowville to an angle point therein, thence continuing along the northerly municipal boundary of the Village of Lowville to a point marking the northeasterly corner of the municipal boundary of the Village of Lowville, thence southerly along the easterly municipal boundary of the Village of Lowville to a point in the centerline of Mill Creek, thence easterly along the

centerline of Mill Creek to a point, thence northerly, easterly, southerly, westerly and southerly along the municipal boundary of the Village of Lowville to a point in the centerline of River Street, (a\k\a Number Four Road), thence westerly along the centerline of River Street to a point, marking the intersection of the centerline of River Street and South State Street, (a\k\a New York State Route No. 26), thence southerly along the centerline of South State Street, (a\k\a New York State Route No. 26) to a point in the southerly municipal boundary of the Village of Lowville, thence westerly, northerly, southwesterly, easterly, southerly and westerly along the municipal boundary of the Village of Lowville to a point in the centerline of West Martinsburg Road, thence northeasterly along the centerline of West Martinsburg Road to a point in the westerly municipal boundary of the Village of Lowville, thence northwesterly along said municipal boundary of the Village of Lowville to an angle point and continuing northeasterly to a point in the centerline of Rice Road, thence easterly along the centerline of Rice Road to a point in the northerly municipal boundary of the Village of Lowville, thence northeasterly along said village boundary to the point and place of beginning.

District No.6

Lewis County Legislative District No. 6 is described as follows:

Being the municipal boundaries of the Town of Watson and a part of the municipal boundaries of the Town of Lowville, being bounded and described as follows:

Beginning at a point marking the most northerly corner of the municipal boundary of the Town of Watson, running thence southerly along the easterly boundary of the Town of Watson, to a point marking a southeasterly comer of the Town of Watson, said easterly boundary also being the easterly boundary of the County of Lewis, thence westerly, southerly and westerly along the southerly municipal boundary of the Town of Watson to a point in the centerline of the Black River, thence northerly and northwesterly along the centerline of the Black River to a point in the most easterly corner of the municipal boundary of the Town of Lowville, thence westerly along the southerly municipal boundary of the Town of Lowville to a point in the centerline of Hitchcock Creek, thence northeasterly along the centerline of Hitchcock Creek to a point in the municipal boundary of the Village of Lowville, thence easterly, northerly, westerly, northeasterly, southeasterly and easterly along the municipal boundaries of the Village of Lowville to a point in the centerline of South State Street, (a\k\a New York State Route No.26), thence northwesterly along the centerline of South State Street,(a\k\a New York State Route No. 26) to a point marking the intersection of centerlines of South State Street, (a\k\a New York State Route No. 26) and River Street, thence easterly along the centerline of River Street to a point in the municipal boundary of the Village of Lowville, thence northerly, easterly, northerly and westerly along the municipal boundaries of the Village of Lowville to a point in the centerline of Mill Creek, thence westerly along the

centerline of Mill Creek to a point in the easterly boundary of the Village of Lowville, thence northerly along the easterly municipal boundary of the Village of Lowville to an angle point therein, thence continuing westerly along said municipal boundary to a point in the centerline of New York State Route No. 812, thence in a general northeasterly River to a point marking the most northwesterly comer of the municipal boundary of the Town of Watson, thence easterly along a northerly line of the municipal boundary of the Town of Watson to an angle point therein, thence continuing northeasterly along said municipal boundary of the Town of Watson to the point and place of beginning.

District No.7

Lewis County Legislative District No. 7 is described as follows:

Being the municipal boundaries of the Town of Turin, Town of Martinsburg and part of the Town of Lowville, being bounded and described as follows: Beginning at a point in the centerline of Number Three Road at the westerly municipal boundary of the Town of Lowville, running thence southeasterly along the centerline of the Number Three Road to a point in the northerly municipal boundary of the Village of Lowville, thence southwesterly along said municipal boundary of the Village of Lowville to a point in the centerline of Rice Road, thence southwesterly along the centerline of Rice Road to a point in the municipal boundary of the Village of Lowville, thence westerly, southerly, westerly and southeasterly along said municipal boundary of the Village of Lowville to a point in the centerline of West Martinsburg Road, thence southwesterly along the centerline of West Martinsburg Road to a point in the westerly municipal boundary of the Village of Lowville, thence southeasterly along the municipal boundary of the Village of Lowville to a point in the centerline of Hitchcock Creek, thence southwesterly along the centerline of Hitchcock Creek to a point in the northerly municipal boundary of the Town of Martinsburg, thence easterly along the municipal boundary of the Town of Martinsburg to a point in the centerline of the Black River, thence in a general southerly direction along the centerline of the Black River as it winds and turns, to a point marking the southeasterly corner of the municipal boundary of the Town of Turin, thence in a general westerly direction along the southerly municipal boundary of the Town of Turin to the most westerly corner of the municipal boundary of the Town of Turin, thence northeasterly along said municipal boundary of the Town of Turin to a point marking the most southerly corner of the municipal boundary of the Town of Martinsburg, thence northerly and westerly along the southern municipal boundary of the Town of Martinsburg to a point in the easterly municipal boundary of the Town of Montague marking the southwesterly corner of the Town of Martinsburg, thence northerly along the Town of Martinsburg, thence easterly along the northerly municipal boundary of the Town of Martinsburg to a point marking the southwesterly municipal comer of the Town of Lowville, thence northerly along the westerly municipal boundary of the Town of Lowville to the point and place of beginning.

District No.8

Lewis County Legislative District No. 8 is described as follows:

Being all of the land or property located within the municipal boundaries of the Towns of Harrisburg, Montague, Osceola, Pinckney, and West Turin.

District No. 9

Lewis County Legislative District No. 9 is described as follows:

Being all of the land or property located within the municipal boundaries of the Towns of Greig and Lyonsdale.

District No. 10

Lewis County Legislative District No. 10 is described as follows:

Being all of the land or property located within the municipal boundaries of the Towns of Lewis and Leyden.

RESOLUTION NO. 429 - 2012
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 5 – 2012, COUNTY OF LEWIS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 15, 2012, directing that a public hearing be held by said Board on December 4, 2012, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF THE YEAR 2003, COUNTY OF LEWIS IN RELATION TO THE IMPLEMENTATION OF REAPPORTIONMENT WITHIN THE COUNTY OF LEWIS"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times,* the official newspaper designated by the County, on November 29, 2012, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 11 – 2012), County of Lewis, being "A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF THE YEAR 2003, COUNTY OF LEWIS IN RELATION TO THE IMPLEMENTATION OF REAPPORTIONMENT WITHIN THE COUNTY OF LEWIS" be and the same hereby is designated as Local Law No. 4–2012, County of Lewis.

Section 2. That Local Law No. 5 – 2012, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Lucas, seconded by Legislator Tabolt, and adopted.

YEAS: Boyd,Burke,Fanning,Hathway,King,Lucas,Stanford,Tabolt,Wallace,and Bush
NAYS: none
ABSENT: none

RESOLUTION NO. 430 – 2012
RESOLUTION AUTHORIZING PERMIT AGREEMENT
BETWEEN COUNTY OF LEWIS AND
NEW YORK STATE DEPARTMENT OF LABOR

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Permit Agreement between the County of Lewis and the New York State Department of Labor (NYSDOL), for the purpose of leasing office space to the NYSDOL at the Department of Social Services building on Outer Stowe Street, Lowville, NY.

Section 2. That the term of this Agreement shall be from October 1, 2012 through September 30, 2013 for a monthly lease rate of $160.13.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 431 – 2012
RESOLUTION TO TRANSFER FUNDS
BUILDINGS AND GROUNDS

Introduced by Legislator William Burke, Chairman of the Buildings & Grounds Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Buildings & Grounds accounts to purchase surveillance cameras for the Jail, with funds from Capital Data Processing (HAE1990.4), HAE balance $37,694:

Increase Revenue:	
A50310 (Inter-fund transfers)	$389.83
Increase Expense:	
A1624.4603 (Repairs PSB)	$389.83

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator King, and adopted.

RESOLUTION NO. 432 - 2012
RESOLUTION TO TRANSFER FUNDS
CIVIL SERVICE

Introduced by Legislator Paul Stanford, Chairman of the County Officers and Employees.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Civil Service Office accounts to cover the cost of supplies:

From:	To:	Amount
A1430.4901 (Professional services)	A1430.4407 (Supplies)	$500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 433 - 2012
RESOLUTION AND ORDER WITH REFERENCE TO DOG QUARANTINE

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, this Board of Legislators determines that the deer population in the County of Lewis suffers from severe depredation due to dogs attacking or chasing.

Now, therefore, BE IT RESOLVED, pursuant to Section 122 of the Agriculture and Markets Law, and any other appropriate provisions of laws, rules and regulations as follows:

Section 1. It is ordered that all dogs in the County of Lewis shall be securely confined during the period of time from December 15, 2012 to May 15, 2013.

a. Pursuant to Agriculture and Markets Law Section 122 (3), a dog shall not be deemed in violation of this order if it is accompanied by, and under the control of its owner.
b. Pursuant to Agriculture and Markets Law Section 122 (6), this order shall not apply to dogs in special dog training areas or shooting preserves enclosed and licensed pursuant to the environmental conservation law, while such dogs are under the control of the owner or trainer.

Section 2. It is resolved and ordered that notice of this order shall immediately be given by publication in the Watertown Daily Times, as the Board's official newspaper with general circulation in Lewis County.

Section 3. It is resolved and ordered that the Clerk of the Board of Legislators be and she hereby is directed to file a copy of this Order and Resolution in the office of each Town Clerk in the area affected by the order; and that a certified copy of the resolution be forwarded to the NYS Commissioner of Agriculture and Markets.

Section 4. That such order shall be in full force and effect within 24 hours following publication.

Moved by Legislator Lucas, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 434 - 2012
RESOLUTION APPOINTING DEMOCRATIC COMMISSIONER OF ELECTIONS

Introduced by Legislator Jerry King, Chairman of the Elections Committee.

WHEREAS, the term of Lindsay Burriss as Interim-Democratic Commissioner of Elections is due to expire on December 31, 2012; and

WHEREAS, Lewis County Democratic Committee Chairperson Linda Sandri has submitted a letter recommending her appointment as the Election Commissioner.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Lindsay I. Burriss, a resident of the Town of Croghan, Lewis County, New York, as Democratic Commissioner of Elections, in and for the County of Lewis.

Section 2. That the term of said appointment shall commence on January 1, 2013 and terminate on December 31, 2014.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 435 – 2012
RESOLUTION APPOINTING MEMBER TO NORTH COUNTRY REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

Whereas, the current Lewis County Emergency Medical Services Coordinator Robert MacKenzie, III, has expressed interest to fill the vacancy resulting from the death of Dr. John C. Herrman, on the North Country Regional Emergency Medical Services Council; and

Whereas, Robert MacKenzie, III has been recommended by the Lewis County Emergency Medical Services Council, as a qualified candidate to fill said vacancy.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Robert MacKenzie, III to represent Lewis County on the North Country Regional Emergency Medical Services Council.

Section 2. That the term of said appointment shall be effective immediately for an indefinite period.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 436 -2012
RESOLUTION TO RESCIND RESOLUTION 385-2012
FIRE AND EMERGENCY MANAGEMENT

Introduced by John Boyd, Chairman of the Emergency Management Committee.

Whereas, Resolution No. 385-2012 was a duplicate of Resolution 355-2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby rescinds Resolution 385-2012 as a duplicate action authorized by Resolution 355-2012 to Increase Revenue to Account No. A43058; and Increase expense to Account Numbers A3119.1999, A3119.2909 and A3417.2909.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 437 -2012
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL EMERGENCY RADIO SYSTEM

Introduced by Legislator William Burke., Chairperson of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Emergency Radio System account, funds to be transferred from A9950.9921 (To Capital County Projects), balance $1,461,000 :

HA50310 (Inter-fund transfer)	$600,000.00
HA3310.4 (Contractual)	$600,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 438 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY GENERAL HOSPITAL OCCUPATIONAL MEDICINE AND LEWIS COUNTY HIGHWAY DEPARTMENT

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department wishes to enter into an Agreement with Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and between the Lewis County Highway Department and Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing.

Section 2. That this is for the term beginning January 1, 2013 and ending December 31, 2013 for the Company/Consortium Pricing Package at a rate of $78.00 per employee. Additional fees will apply for "post-accident"; "reasonable suspicion"; and "follow-up drug and alcohol testing" as follows: DOT Drug Screen – $71.00; Breath Alcohol Test – $22.00; Breath Alcohol Confirmation Test – $22.00; and Onsite Testing – $40.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 439 - 2012
RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY GENERAL HOSPITAL BOARD OF MANAGERS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby re-appoints Timothy J. Reagan of 7667 Wetmore Road, Glenfield, New York 13343, to the Board of Managers of the Lewis County General Hospital, for a five-year term.

Section 2. That the term of said appointment shall commence January 1, 2013 and expire on December 31, 2017.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 440 - 2012
RESOLUTION APPOINTING MEMBER LEWIS COUNTY GENERAL HOSPITAL BOARD OF MANAGERS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby re-appoints Rae Rice of 7650 Beach Mill Road, Lowville, New York 13367, to the Board of Managers of the Lewis County General Hospital, for a five-year term.

Section 2. That the term of said appointment shall commence January 1, 2013 and expire on December 31, 2017.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 441 – 2012
RESOLUTION TO TRANSFER FUNDS
LAW DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Committee:

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the County Attorney's account for the purchase of a computer monitor, with funds from Capital Data Processing (HAE1990.4), HAE balance $37,694:

Increase Revenue:	
A50310(interfund transfers)	$129.00
Increase Expense:	
A1420.2909(Misc Equip)	$129.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 442 – 2012
RESOLUTION TO TRANSFER FUNDS
LAW DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the County Attorney's account for the purchase of a laptop computer, utilizing Capital Data Processing funds (HAE1990.4); HAE balance $37,698:

Increase Revenue:	
A50310(Inter-fund transfers)	$1,067.00
Increase Expense:	
A1420.2909(Misc Equip)	$1,067.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 443 - 2012
RESOLUTION APPOINTING MEMBERS TO
OFFICE FOR AGING ADVISORY COUNCIL

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints the following individuals to the Lewis County Office For Aging Advisory Council:

Jennifer Jones, Director of Social Services
Carol Paluck, Director of Public Health Nursing/Hospice Coordinator

Section 2. The term of said appointments shall be effective from January 1, 2013 through December 31, 2015.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 444 - 2012
RESOLUTION APPOINTING MEMBER TO
OFFICE FOR AGING ADVISORY COUNCIL

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Mary Ellen McManus of 4103 Center Street, P.O. Box 283 Lyons Falls, New York 13368 as a member of the Lewis County Office For Aging Advisory Council.

Section 2. The term of said appointment shall be effective from January 1, 2013 through December 31, 2015.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 445 - 2012
RESOLUTION AUTHORIZING OFFICE FOR THE AGING
TO RETAIN OUTSIDE COUNSEL

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

WHEREAS, the Office for the Aging receives funds through the federal government pursuant to the Older Americans Act of 1965 to perform certain services for the elderly, including providing legal services [see, 42 U.S.C.A. § 3026(a)(2)(c)]; and

WHERAS, Brenda J. Bourgeois, Director of Office for the Aging, has requested permission to retain outside counsel to provide legal services on behalf of elderly individuals.

NOW, THEREFORE, be it resolved as follows:

Section 1. That Brenda J. Bourgeois, Director of Office for the Aging is hereby authorized to retain the Campany Law Firm, LLC, to assist in the representation of elderly individuals in various matters or as deemed necessary and appropriate under his supervision, at a cost not to exceed $125.00 per hour for attorney services and does not exceed a maximum fee in all matters of $4,500.00.

Section 2. That the term of this service shall be from January 1, 2013 through December 31, 2013.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such from as may be approved by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 446 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN OFFICE FOR THE AGING AND FOUR MEAL SITE FACILITIES

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the following four (4) lease agreements for the term of one year commencing on January 1, 2013 and terminating on December 31, 2013 for the amounts opposite each:

MEAL SITE RENTAL FACILITY	AMOUNT
Croghan Housing Development Fund Company, Inc. (Steepleview Courts)	$0.00 per month
Harris Courts, Inc.	$100.00 per month
Maple Ridge Center	$1,000.00 per month
United Church of Copenhagen	$100.00 per month

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 447 - 2012
RESOLUTION AUTHORIZING DIRECTOR OF THE LEWIS COUNTY OFFICE FOR THE AGING TO ENTER INTO AN AGREEMENT WITH OMBUDSMAN PROGRAM VOLUNTEERS FOR TRAVEL EXPENSES

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the Director of the Lewis County Office for the Aging, or his/her designated agent, is hereby authorized to make, execute, seal and deliver Agreements between the Lewis County Office for the Aging and Volunteers for the Lewis County Long Term Care Ombudsman Program to reimburse the Volunteers for their mileage expenses at a rate of $.565 per mile, as approved for the Long Term Care Ombudsman Program under Title VII in fiscal year 2013.

Section 2. That the terms of such contracts shall be effective from January 1, 2013 to December 31, 2013.

Section 3. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 448 - 2012
RESOLUTION AUTHORIZING CONTRACTUAL AGREEMENTS BETWEEN OFFICE FOR THE AGING AND VARIOUS PROVIDERS FOR PROGRAM SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes Agreements between the County of Lewis and the following various providers for program services for the elderly for the amounts opposite each:

CONTRACTOR	PURPOSE	AMOUNT
S.T.A.T. Communications	Lifenet Services	$ 25.00 monthly per unit
U.S. Care Systems, Inc.	Caregiver Services	$17.51 per hour for Level II
U.S. Care Systems, Inc.	EISEP/CSE Services	$16.25 per hour for Level I
	(In-Home Care)	$17.51 per hour for Level II

Section 2. That the term of said Agreements shall be the period from January 1, 2013 through December 31, 2013.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 449 – 2012
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

BE IT RESOLVED as follows:

Section l. That the following budget appropriation is hereby approved in the Office For the Aging for donations given to the department:

Increase Revenues	
A27051 (Contrib-OFA)	$2,600.00
Increase Expense	
A6772.4909 (Misc. Expense)	$2,600.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 450 - 2012
RESOLUTION APPOINTING MEMBERS TO
PLANNING BOARD

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals to the Lewis County Planning Board:

Dennis Lee, 7362 Utica Blvd., Lowville, New York 13367
Michael W. Kaido, 1252 Fish Creek Road, P.O. Box 156, West Leyden, New York 13489

Section 2. That the term of said appointments shall be effective from January 1,2013 through December 31, 2015.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 451 - 2012
RESOLUTION AMENDING COMPENSATION PLAN

WITH REFERENCE TO PROBATION DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Probation Department, to create the following position:

TITLE	STATUS	SALARY
Administrative Assistant	Full-time	Grade 17 ($15.25-$16.48/hr)

Section 2. That Director MaryJo Burkhard is hereby authorized to fill said position effective immediately.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 452 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Public Health Department, to create the following position:

TITLE	STATUS
Public Health Program Coordinator	Temporary Part-time

Section 2. That said position shall terminate effective December 31, 2012.

Section 3. That the 2012 salary for said position shall be $2,150.00.

Section 4. That Public Health Director Carol Paluck is hereby authorized to fill said position effective immediately.

Section 5. That this resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 453 - 2012
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND THE PRESCHOOL SPECIAL EDUCATION PROGRAM FOR TRANSPORTATION WITH BIRNIE BUS SERVICE, INC.

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency wishes to enter into an Agreement with Birnie Bus Service, Inc. to provide transportation for preschool special education children; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Public Health Agency and Birnie Bus Service, Inc. to provide transportation for preschool special education children.

Section 2. That said Agreement shall be for the period of September 1, 2012 through August 31, 2013 and shall be at a cost of $152.70 per day per child.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 454 – 2012
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section l. That the following budget transfers are hereby approved in the Public Health accounts:

From:	Account:	Amount:
A4010.4507	Travel	$2,300.00
A4010.4909	Miscellaneous	500.00
A4014.4409	Data Processing	215.00
A4014.4703	Vehicle Exp Gas/Oil	215.00
A4016.4909	Miscellaneous	8,782.89
A4088.1999	Personal Svc-Comm Hlth Asm'ts	2,000.00
A4091.4301	Telephone	500.00
A4091.4406	Medical Supplies-Billable	500.00
A4091.4909	Miscellaneous	75.00
	Total	$ 15,087.89
To:		
A4010.4407	Supplies	$700.00
A4010.4501	Education/Training	500.00
A4010.4703	Vehicle Exp Gas/Oil	1,600.00
A4014.4503	Educational Material	350.00
A4014.4909	Miscellaneous	80.00
A4016.4903	4408 Chargeback Adj	8,782.89
A4089.4408	Nursing Supplies	2,000.00
A4091.4401	Postage	75.00
A4091.4407	Supplies	500.00
A4091.4703	Vehicle Exp Gas/Oil	500.00
	Total	$ 15,087.89

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 455 – 2012
RESOLUTION TO TRANSFER FUNDS
REAL PROPERTY TAX

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

BE IT RESOLVED as follows:

Section l. That the following budget transfers are hereby approved in the Real Property Tax Department to cover line-item expenses:

From:	Amount:
A1355.4409 (Data Processing)	$ 2,300.00
To:	
A1355.4501 (Education & Training)	$ 1,000.00
A1355.4507 (Travel & Subsistence)	1,300.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 456 -2012
RESOLUTION TO REQUEST NYS HOME RULE LEGISLATION ALLOWING SALES TAX INCREASE

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, Tax Law §1210(36), as added by Chapter 47 of the Laws of 2004 and as amended by Chapter 251 of the Laws of 2011 heretofore authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing a sales and compensating use tax at a rate that is three-quarters of one percent (.75 %) additional to the three percent rate authorized by Tax Law §1210 for such county for the period beginning June first, two thousand four, and ending November thirtieth, two thousand thirteen; and

WHEREAS, by Resolution No. 332-2011, the Board of Legislators implemented such additional sales tax which, pursuant to §1210(36) of the Tax Law, will expire on November 30, 2013; and

WHEREAS, such additional sales tax revenue has helped to mitigate the need for increased property taxes in light of the numerous budgetary pressures facing the County of Lewis as it attempts to provide necessary services to its citizens; and

WHEREAS, the costs and expenses of providing local government services to the citizens of Lewis County are not only increasing at a rapid pace, but many of such costs are entirely outside the County's ability to control;

WHEREAS, the Board of Legislators finds and determines that despite such budgetary pressures, it has taken great strides in its efforts to contain costs and reduce expenditures. For example, the Board has reduced its budget from $ 44,830,252 in 2008 to $ 41,533,354 in 2011, a reduction of 7.35%; while in the same period, the County's budgeted revenues decreased from $ 31,384,362 in 2008 to $ 28,473,893, a -10.22% reduction; and

WHEREAS, through that same time period, the Board of Legislators has also reduced its tax rate from $7.74 in 2008 to $ 6.78 in 2011;

WHEREAS, the Board of Legislators hereby finds and determines that it is necessary and prudent to address the increasing cost of local government through additional sources of revenue, including without limitation, additional sales tax.

NOW, THEREFORE, be it resolved as follows:

Section 1. That the Lewis County Board of Legislators hereby requests that the New York State Legislature pass such necessary and appropriate "Home Rule Legislation"

as would allow the County of Lewis to impose an additional one percent (1%) local sales tax in lieu of the three quarters of one percent (.75%) currently authorized, and that such increased sales tax be effective for the period beginning February 1, 2013 and ending November 30, 2013.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Tabolt. The resolution was defeated by a vote of 5 to 5, with Legislators Lucas, King, Boyd, Wallace and Stanford opposed. However, before the Chairman declared the vote, Legislator King invoked opposition to imposing another tax in any form, favoring instead reducing expenditures.

Legislator Hathway opined his objective to proactively pursue revenue alternatively to property taxes, to cover known pension increases, State-mandates, and other program costs. All residents, as well as visitors to the County, would be subject to the increased tax, he said.

Legislator Stanford opined that the timing was wrong to impose an additional tax.

Legislator Lucas stipulated his support to increase sales tax only if property taxes were decreased by an equal amount. He surmised the State would deem the additional County revenue as adequate to finance their mandated programs and defer meaningful mandate relief.

In response, Legislator Hathway invoked an inevitable County tax increase of some manner to cover known operational increases, suggesting a sales tax increase to mitigate those costs.

Legislator Tabolt acquiesced to Legislator Hathway's theory, while reiterating Senator Griffo's earlier statement there would be no support unless the initiative successfully passed by voter referendum.

Legislators Fanning, Hathway, Tabolt, and Burke voiced their desire to put forth the initiative, whether or not a voter referendum was ultimately required.

Legislator King remained opposed, citing astronomical gasoline and fuel oil prices were largely attributable for the County meeting its sales tax revenue projections.

Legislator Hathway submitted that an additional $.25 for every $100 purchase was nominal.

Legislator invoked that County operations are unsustainable, specifically referencing the benefit package, asserting the need for further cuts, not increasing taxes.

Upon Legislator Burke calling the question, Chairman Bush declared the resolution had been defeated by a previous vote of 5 to 5.

RESOLUTION NO. 457 – 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following appropriations are hereby approved in the Sheriff's Department accounts for the "Shop With A Cop" event for donations from various sources:

Increase Revenues	Amount:
A27053.4 (Donations Shop w/a Cop)	$2,450.00
A27053.4 (Donations Shop w/a Cop) From Fibermark & Employees	341.50
A27053.4 (Donations Shop w/a Cop)	650.00
A27053.4 (Donations Shop w/a Cop)	200.00
	$3,641.50

Increase Expense:	
A3110.4909 (Misc. Expense)	$3,641.50

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 458 – 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following budget transfer is hereby approved in the Sheriff's Department to cover an Inter-Act bill for the WebCAD Server Maintenance:

From:	Amount:
A3020.4909 (Misc)	$ 350.00
To:	
A3020.4901 (E911 Consultant)	$ 350.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 459 – 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following budget transfer is hereby approved in the Sheriff's Department accounts, to cover the shortfall for Radio Contract Maintenance:

From:	Amount:
A3110.4505 (Dues/Subs/Sup/Bks)	$ 135.00
To:	
A3110.4605 (Repairs & Maint Equip)	$ 135.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 460 – 2012
RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following budget transfer is hereby approved in the Sheriff's Department account utilizing funds from Capital Data Processing, for the purchase of a tape drive; balance $37,690:

Appropriate:	Amount:
A50310 (Inter-fund Transfer)	$1,875.73
A3110.2217 (Computers)	$1,875.73

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 461 -2012
RESOLUTION TO RESCIND RESOLUTION 366-2012
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, the amount of revenues referred to in Resolution 366-2012 was a duplicate action.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That Resolution 366-2012 is hereby rescinded due to the fact that it was a duplicate appropriation of an Increase to Revenues A27053.2 and Increase to expense A3112.4999 previously posted.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 462 - 2012
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN DEPARTMENT OF SOCIAL SERVICES AND NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis, by and through the Department of Social Services, and New York State Office of Children and Family Services for the purpose of registration and inspection of child day care providers.

Section 2. That the term of this Memorandum of Understanding shall be from January 1, 2013 through December 31, 2013 for an amount not to exceed $33,600.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 463 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN DEPARTMENT OF SOCIAL SERVICES AND LEWIS COUNTY OPPORTUNITIES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Lewis County Opportunities, Inc. for the purpose of providing non-residential services to victims of domestic violence.

Section 2. That the term of this Agreement shall be from January 1, 2013 through December 31, 2013, for an amount not to exceed $24,000.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 464 - 2012
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND SNOW BELT HOUSING COMPANY, INC.

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to enter into a Memorandum of Agreement with Snow Belt Housing Company, Inc. ("Snow Belt") who has received grant funds through the Solutions to End Homelessness Program to assess and document DSS clients who are eligible and meet the requirements for Temporary Assistance to Needy Families and provide a monthly case count to DSS; and Snow Belt can provide up to one month rent, utility arrears, and/or security deposit for clients referred by DSS when funds will ameliorate the housing crisis; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Memorandum of Agreement with Snow Belt Housing Company, Inc. ("Snow Belt") pursuant to which Snow Belt will assess and document DSS clients who are eligible for Temporary Assistance to Needy Families, pursuant to NYS Office of Temporary and Disability Assistance guidelines, and provide housing services for the period of January 1, 2013 through December 31, 2013.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney, for an amount Not to Exceed $20,000.00.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 465 - 2012
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK, INC.

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to enter into a Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. ("TLS") for the purpose of supporting the TLS Gateway Project with their case management and supportive housing services to vulnerable adults and families; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. ("TLS") for the purpose of supporting the TLS Gateway Project with their case management and supportive housing services to vulnerable adults and families for the period of January 1, 2013 through December 31, 2013.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney, for an amount of $52,000.00.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 466 – 2012
RESOLUTION APPROPRIATING FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has received approval from the New York State Office of Temporary and Disability Assistance for the period October 1, 2012 through September 30, 2013 for Nutrition Education State Plan in the amount of $80,394.00.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the sum of $80,394.00 be appropriated to Expense Account No. A6143.4999 , DSS Food Stamp Nutrition Education.

Section 2. That this be financed by Federal Aid in the amount of $80,394.00 to be appropriated to Revenue Account No. A46430.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway , seconded by Legislator Boyd , and adopted.

RESOLUTION NO. 467 – 2012
RESOLUTION TO ADJUST FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has received approval from the Office of Children and Family Services for the SFY12-13 *TANF NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES* program funding for Lewis County Opportunities.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the sum of $10,083.00 be appropriated to Account No. A6109.4609 Non-Rev Domestic Violence.

Section 2. That this be financed by Federal Aid in the amount of $10,083.00 to be distributed to Revenue Account No. A46090.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King , seconded by Legislator Boyd , and adopted.

RESOLUTION NO. 468 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY GENERAL HOSPITAL OCCUPATIONAL MEDICINE AND LEWIS COUNTY SOLID WASTE DEPARTMENT

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Solid Waste Department wishes to enter into an Agreement with Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and between the Lewis County Solid Waste Department and Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing.

Section 2. That this is for the term beginning January 1, 2013 and ending December 31, 2013 for the Company/Consortium Pricing Package at a rate of $78.00 per employee. Additional fees will apply for "post-accident"; "reasonable suspicion"; and "follow-up drug and alcohol testing" as follows: DOT Drug Screen – $71.00; Breath Alcohol Test – $22.00; Breath Alcohol Confirmation Test – $22.00; and Onsite Testing – $40.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 469 – 2012
RESOLUTION TO TRANSFER FUNDS STOP DWI

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the STOP DWI accounts to cover Professional Services expense:

From:		Amount
A3315.1999	Personal Serv	$1,600.00
To:		
A3315.4901	Prof Serv	$1,600.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 470 – 2012
RESOLUTION TO APPROPRIATE FUNDS STOP DWI

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the STOP DWI accounts for the NYS STOP-DWI "Crackdown" grant:

Increase Revenue:	
A33110 (DWI Grant)	$11,840.00
Increase Expense:	
A3315.4906 (DWI Grant)	$11,840.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 471 - 2012
RESOLUTION WITH REFERENCE TO
TRAIL MAINTENANCE

Introduced by Legislator Paul Stanford, member of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby directs that all costs for any and all legal issues associated with the Trail System, shall be covered by Trail Maintenance Revenue Account No. A20010 (Trail Permits), and paid through the Trail Maintenance Expense Account No. A7990.4901 (Legal Fees).

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Stanford, seconded by Legislator King.

In response to Legislator Lucas's inquiry for clarification, County Attorney Richard Graham stated that the Local Law establishing the trail permit system dedicated revenues for trail maintenance, adding he would have to research whether legal expenses were included.

Legislator Lucas stated that the County Law Department represents all County Departments in legal matters, and took exception to singling out the Trails Program for chargeback of respective legal expenses. Additionally, he submitted the action would require an amendment to the Local Law.

To allow appropriate legal review, Legislator King made a motion to table the resolution, seconded by Legislator Wallace, and unanimously carried.

RESOLUTION NO. 472 - 2012
RESOLUTION AUTHORIZING COUNTY TREASURER
TO CORRECT ERRORS ON TAX ROLLS

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, Section 554(9) of the Real Property Tax Law authorizes this Board of Legislators, by resolution, to delegate authority to perform said corrections to an appropriate official, who is either empowered to authorize payment of bills prior-to-audit by the Board of Legislators, or to an official responsible for the payment of bills upon audit by the Board of Legislators, provided said correction is $2,500 or less; and

WHEREAS, the Director of Real Property Tax Service Agency has requested approval for said procedure for 2013.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That pursuant to Real Property Tax Law Section 554(9) the Lewis County Treasurer is hereby authorized to perform the duties set forth in Section 554(9) of the Real Property Tax Law when the recommended correction is $2,500 or less, during calendar year 2013.

Section 2. That the Lewis County Treasurer, in performing such duties, shall be governed by the provisions of Section 554 of the Real Property Tax Law and shall submit required reports in accordance with Section 554.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 473 - 2012
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY12-03

Section 1. That the following funds be appropriated for the Program Year 2012, 7/1/12-6/30/14, Adult and Dislocated Worker, per the Notice of Obligational Authority (NOA), #PY12-03, dated October 23, 2012 through the New York State Department of Labor, as indicated below:

Adult		
CD6292.1999	$	17,500.00
CD6292.4909	$	4,150.00
CD6292.8999	$	8,500.00
CD6292.4999	$	23,389.65
Total	$	53,539.65
WIA Revenue		
CD47910	$	53,539.65
Dislocated Worker		
CD6291.1999	$	17,500.00
CD6291.4909	$	3,000.00
CD6291.8999	$	8,000.00
CD6291.4999	$	4,394.19
	$	32,894.19
WIA Revenue		
CD47910	$	32,894.19

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 474 – 2012
RESOLUTION AMENDING 2013 TENTATIVE COUNTY BUDGET
ECONOMIC DEVELOPMENT

Introduced by Legislator Jerry King, member of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2013 County Tentative Budget by decreasing appropriations in the Economic Development Department Account No. A8020.1999 by $70,622 and decreasing Account No. A8020.8999 by $29,378.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King.

Legislator Tabolt asserted that all his colleagues support economic development, but may not necessarily agree with the Economic Development Committee's specific initiatives. He did not support imposing adverse impact upon staff for actions not of their own volition, further recommending and indicating that a performance evaluation of the Director would prove his point. He encouraged greater Legislator attendance and participation at Economic Development Committee meetings to assure a majority support of proposed initiatives.

The resolution was defeated by the following roll call vote of 5 to 5:

YEAS: Boyd, Fanning, Hathway, King, Stanford
NAYS: Burke, Lucas, Tabolt, Wallace, Bush
ABSENT: None

RESOLUTION NO. 475 – 2012
RESOLUTION AMENDING 2013 TENTATIVE COUNTY BUDGET
ARC OF ONEIDA-LEWIS

Introduced by Legislator Jerry King, member of the Board of Legislators.

Whereas, the County funding of programs provided through the Arc of Oneida-Lewis County had been reduced by $30,000; and

Whereas the Board of Legislators wishes to increase appropriations to finance the vocational services provided through Arc of Oneida-Lewis for disabled persons of Lewis County.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2013 County Tentative Budget, by increasing Account No. A4322.4909 by $25,000, to be financed by fund balance.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 476 - 2012
RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2013 MAKING APPROPRIATIONS FOR THE CONDUCT OF COUNTY GOVERNMENT AND ESTABLISHING RATES OF COMPENSATION FOR OFFICERS AND EMPLOYEES FOR FISCAL YEAR 2013

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the governing body has met and considered the 2013 Tentative County Budget and has conducted a public hearing thereon as required by Section 359 of the County Law.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Tentative Budget as amended and revised and as hereinafter set forth is hereby adopted and that the several amounts as set forth in the "Adopted" column of such budget be and hereby are appropriated for the objects and purposes specified, and the salaries and wages set forth in Schedule 5 of that budget shall be and hereby are fixed at the amount shown therein, or by employees' contract effective January 1, 2013.

Moved by Legislator King, seconded by Legislator Tabolt, and adopted by the following roll call vote:

YEAS:Boyd,Burke,Fanning,Hathway,King,Lucas,Stanford,Tabolt,Wallace,and Bush.
NAYS: none
ABSENT: none

RESOLUTION NO. 477 - 2012
ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF LEGISLATORS ON THE 4th DAY OF DECEMBER 2012 AS PROVIDED FOR UNDER COUNTY LAW

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the Board of Legislators of the County of Lewis by Resolution No. 476 -2012 adopted on the 4th day of December 2012, has adopted a County Budget for fiscal year 2013; and

WHEREAS, the said Board of Legislators by Resolution No. 476 - 2012 adopted on the 4th day of December 2012, has made appropriations for the conduct of Lewis County Government for fiscal year 2013.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That there be, and hereby is, assessed and levied upon and against the taxable property of the County of Lewis liable therefore the sum of $ 13,533,847.

Moved by Legislator Lucas, seconded by Legislator King, and adopted by the following roll call vote:

YEAS:Boyd,Burke,Fanning,Hathway,King,Lucas,Stanford,Tabolt,Wallace,Bush.
NAYS: none
ABSENT: none

RESOLUTION NO. 478 - 2012
RESOLUTION AUTHORIZING THE SUPERVISOR OF EACH TOWN IN THE COUNTY OF LEWIS TO ADD TO THE TAX WARRANT OF EACH TOWN THE TAX APPORTIONED TO EACH

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

BE IT RESOLVED as follows:

Section 1. That the Supervisor of each Town in Lewis County be, and they hereby are authorized and directed to add the amount of the apportioned 2013 County Tax to the warrant payable to the Tax Collector of their Town, and that the sums collected be paid to the Treasurer of Lewis County, and shall be paid out by her pursuant to Law.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 479 - 2012
RESOLUTION FOR SNOW REMOVAL ON COUNTY ROAD SYSTEM FOR THE YEAR 2013

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the proposed program of snow removal on the County Road System as submitted by the County Superintendent of Highways, be and hereby is approved.

Section 2. That there be and hereby is appropriated and set aside from the County Road Fund as defined in Section 110 of the Highway Law the sum of $ 1,764,966.00, as recommended in the report of the County Superintendent of Highways.

Section 3. That the County Treasurer be, and hereby is, authorized and directed to disburse from the County Road Fund said money on order from the County Superintendent of Highways, pursuant to Law.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 480 - 2012
RESOLUTION FOR MAINTENANCE ON THE
COUNTY ROAD SYSTEM FOR THE YEAR 2013

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the County Superintendent of Highways of Lewis County, pursuant to Section 129 of the Highway Law, has made and prepared an estimate for maintenance and repair of County roads covering a proposed program for maintenance of 248.6 miles of County roads; and

WHEREAS, the Committee, having examined the said proposed program, respectfully recommends the same be approved.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the proposed program for county road maintenance as submitted by the County Superintendent of Highways be and hereby is approved.

Section 2. That there be and hereby is appropriated and set aside from the County Road Fund as defined in Section 110 of the Highway Law the sum of $ 971,749.00 as recommended in the report of the County Superintendent of Highways.

Section 3. That the County Treasurer be and hereby is authorized and directed to disburse from the County Road Fund said money on order from the County Superintendent of Highways pursuant to law.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 481 - 2012
RELEVYING UNPAID SCHOOL TAXES AND
VILLAGE TAXES ON ASSESSMENT ROLLS

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, the various school districts and villages in the County of Lewis have made their return of unpaid school taxes and village taxes to the County Treasurer as required by law.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Treasurer is hereby authorized to re-levy such returned school taxes and village taxes on the individual parcels as listed on the school returns and the village return to the corresponding parcels listed on the 2012 Assessment Rolls for the seventeen (17) Towns in Lewis County.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 482 - 2012
RESOLUTION AUTHORIZING COUNTY TREASURER
TO MAKE NECESSARY BUDGET TRANSFERS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Treasurer to make such inter-fund departmental transfers as are necessary to close the books for the 2012 fiscal year.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 483 - 2012
RESOLUTION AUTHORIZING TREASURER
TO CARRY FORWARD APPROPRIATIONS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, many resolutions are adopted throughout the year that affect funding for the successive year; and

WHEREAS, at the end of the fiscal year all unused balances are closed to the fund balance.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Treasurer to make such entries as may be necessary to carry forward certain balances into 2013.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 484 - 2012
RESOLUTION APPOINTING REPUBLICAN
COMMISSIONER OF ELECTIONS

Introduced by Legislator Jerry King, Chairman of the Elections Committee.

WHEREAS, the term of Ann M. Nortz as Republican Commissioner of Elections is due to expire on December 31, 2012; and

WHEREAS, Lewis County Republican Committee Chairman Roscoe Fawcett has submitted a letter recommending her re-appointment.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints ANN M. NORTZ, a resident of the Town of Lowville, Lewis County, New York as the Republican Commissioner of Elections, in and for the County of Lewis.

Section 2. That the term of said appointment shall commence on January 1,2013 and terminate on December 31, 2014.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 485 -2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis to create the following position and designates same to the Public Health Department:

TITLE	STATUS	SALARY
Jail Nurse	Part-Time (Up to 25 hrs/week)	Grade 31

Section 2. That Interim-Public Health Director Carol Paluck is hereby authorized to fill said position effective immediately.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Lucas.

The Sheriff would like more discussion on this matter as there is a discrepancy on the number of hours. Legislator King made a motion to table this resolution, seconded by Legislator Fanning and carried.

RESOLUTION NO. 486 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
TO CREATE WINTER PARKS & RECREATION SHERIFF PATROLS

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Sheriff's Department, to create the following temporary position for the winter Parks and Recreation Program:

TITLE	STATUS	SALARY
Deputy Sheriff (1)	Temporary Part-time	Grade 22A

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions for the period effective immediately through April 30, 2013.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 487 – 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section l. That the following appropriation for insurance recovery is hereby approved in the Sheriff's account to cover vehicle repairs:

Increase Revenue:	
A26800 (Insurance Recovery)	$2,866.61
Increase Expense:	
A3110.4701 (Vehicle repair)	$2,866.61

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 488 - 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following appropriation is hereby approved in the Sheriff's Department accounts for the "Shop With A Cop" event using donations from Shue Brothers and Lyons Falls Tire:

Increase Revenues	Amount:
A27053.4 (Donations Shop w/a Cop)	$ 300.00
Increase Expense:	Amount
A3110.4909 (Misc. Expense)	$ 300.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 489 – 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following appropriation be approved in the 2012 budget for the Shop with a Cop event using donations from a County resident:

Increase Revenues	Amount:
A27053.4 (Donations Shop w/a Cop)	$ 150.00

Increase Expense:	Amount
A3110.4909 (Misc. Expense)	$ 150.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 490 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, to create the following position with reference to the Public Health Agency:

TITLE	STATUS	SALARY
Account Clerk	Full-time	Grade 13

Section 2. That Director Carol Paluck is hereby authorized to fill said position effective immediately.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Boyd, and adopted. Legislator King was opposed.

OTHER BUSINESS:

As requested by the ATV Clubs, it was announced that the Board would meet with them as a Committee-of-the-Whole on December 13, 2012 at 2:00 p.m. here in the board room.

The Clerk read a proclamation previously signed by Chairman Bush declaring December 3-7, 2012 as "Employee Learning Week".

Chairman Bush reminded his colleagues of their impending selection of Chairman and Vice-Chairman appointments for 2013.

There being no other business to come before the Board, Legislator Fanning moved to adjourn at 7:15 p.m., seconded by Legislator Stanford and carried.

FINAL DAY
ANNUAL SESSION
December 20, 2012

The meeting was called to order at 10:00 a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by Chairman Bush leading the Pledge of Allegiance to the Flag.

There were 11 persons present.

Chairman Bush announced approval of the December 4, 2012 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Dated: December 20, 2012 Patrick Wallace

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk read a letter of thanks on behalf of the Boards of Trustees of the Lewis County Libraries, authored by Lowville Free Library President Randall LaLonde. To paraphrase 'the public libraries, as well as the other contractual agencies in Lewis County, vastly improve the quality of life for our residents at a very small cost'.

Mr. Guy C. Case, The Great Lot Sportsman's Club Corp. President, wrote to inform of their club's receipt of a Yamaha grant, which will enable them to construct one and one-half miles of new ATV trail. They endeavor to keep local land accessible and safe for off-road enthusiasts, and are proud of their efforts to increase area tourism. The grant, he stated, would not have been possible without the support from Mike D. Roes from D & D Power Sports, LLC of Lowville.

The Clerk acknowledged receipt of the Schuyler and Yates County Legislature's resolution calling upon the Governor and State Legislature to compensate counties for State-mandated District Attorney salaries; and the Niagara County Legislature's resolution calling upon the State Legislature to strengthen laws protecting children from child predators.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

A copy of the 12/13/12 minutes of the Junkyard Review Board; the 2012 annual reports from the Ethics Board, Hospital Administrator and Reforestation Foreman, as well as the following Report of Taxation Committee, had been distributed to each Legislator.

REPORTS OF STANDING COMMITTEES:

Legislator Michael Tabolt, Hospital Committee Chairman, reported a November loss of $267,644 equating a year-to-date loss of $1,463,000. The employee-of-the-month was Jennifer Kennedy, a 7-year certified nursing assistant.

Legislator Tabolt further reported the Hospital's loan balance owed the County is $6.3 Million, adding they had just made a $4.7 Million pension obligation payment. An Inter-Governmental Transfer (IGT) of $3.2 Million is expected soon, which will be passed on to the County to reduce the loan debt to $3.1 Million.

Legislator Tabolt also reported the NYS Dept. of Health recently completed a nursing home survey resulting in only three minor deficiencies. Dr. Daniel Ellison, general surgeon, has announced his retirement effective December 30, 2012. The Hospital awaits anticipated approval from the NYS Dept. of Health after their anticipated walk-through inspection of the Harrisville Clinic.

At the request of Legislator John Boyd, Courts and Law Enforcement Committee Chairman, Sheriff Michael Carpinelli reported that the vendor had delayed completing the narrow banding conversion until next week.

Legislator Richard Lucas, Economic Development Committee Chairman, relayed The Northern New York region fared well with grant awards through the Regional Economic Development Council. $2.5 Million was designated for a Community Transformation Tourism Fund for tourism development. The goal is to spar interest from investors for new or expanding businesses. Also, a $1 Million grant was allotted for the Lyons Falls Pulp and Paper rehabilitation project, which will facilitate building demolition, thereby providing Krueger access to their adjacent hydro facility and allow them to progress with their expansion project.

Legislator Lucas also announced a $375,000 grant award for the Croghan Dam refurbishing project. Subsequently, the dam may provide local businesses with cost efficient power. Also awarded was $300,000 for construction of the Hospital dialysis unit.

In conclusion, Legislator Lucas commended Director Eric Virkler for his tireless efforts as the County's representative on the Regional Economic Development Council; and his staff for their diligence.

Legislator Jerry King, Taxation Committee Chairman, reported requesting cost proposals for restroom upgrades at the Singing Waters location, which would require drilling of a well.

Legislator King congratulated the Economic Development Committee for the secured grant monies.

In response to Legislator King's inquiry, Sheriff Carpinelli affirmed the vendor's intent to complete the narrow banding by the required January 1, 2013 deadline date.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF THE WAYS AND MEANS COMMITTEE ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of $896,225.45 and recommend that they be audited and allowed for the amounts claimed.

William Burke, Chair
Jerry King, Committee
Richard C. Lucas, Committee

Dated: December 20, 2012

Approved on motion by Legislator Tabolt, seconded by Legislator Burke, and carried.

RESOLUTIONS

RESOLUTION NO. 491 - 2012
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $ 896,225.45 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator King, seconded by Legislator Boyd, and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 492 – 2012
RESOLUTION TO TRANSFER FUNDS
CIVIL SERVICE

Introduced by Legislator Paul Stanford, Chairman of the County Officers and Employees Committee.

BE IT RESOLVED as follows:

Section l. That the following budget transfer is hereby approved in the Civil Service Department accounts to cover a line item expense:

From:	Amount:
A1430.4901 (Professional Services)	$50.00
To:	
A1430.4403 (Printing)	$50.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 493 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY DISTRICT ATTORNEY AND JOHN A. CIRANDO, ESQ.

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with John A. Cirando, Esq. for the purpose of providing appellate work.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and John A. Cirando, Esq. for the purpose of providing appellate work for the period of January 1, 2013 through December 31, 201, at a cost not to exceed $80.00 an hour.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator King, and adopted.

RESOLUTION NO. 494 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY

DISTRICT ATTORNEY AND KEVIN EDMONDS AS A CONFIDENTIAL DISTRICT ATTORNEY INVESTIGATOR

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with Kevin Edmonds for the purpose of receiving confidential criminal investigator services for the Lewis County District Attorney's Office on an "as needed" basis by performing the duties of locating and interviewing witnesses for trials; serving subpoenas; securing and obtaining current and additional evidence for misdemeanor and felony trials; case reviews and preparation of witnesses for Grand Jury and/or trials.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and Kevin Edmonds for the purpose of receiving confidential criminal investigator services for the Lewis County District Attorney's Office on an "as needed" basis.

Section 2. That this is for the period of January 1, 2013 through December 31, 2013 at the sum of $16.00 per hour on an "as needed" basis, which also includes reasonable fees for mileage and parking.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 495 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY DISTRICT ATTORNEY/CORONER'S OFFICE AND MARK A. TUTTLE

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney/Coroner's Office wishes to enter into an agreement with Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an "as needed" and "on call" basis when the Lewis County Coroner is unavailable or out of town by performing the duties of photographing death scenes; documenting death scenes; obtaining medical and family death information; obtaining police documentation and corroborative medical histories; coordinating and collaborating with medical professionals, police agencies, funeral homes

and medical examiner's offices; follow up paperwork with required agencies and filing of necessary documents.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney/Coroner's Office and Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an "as needed" and "on call" basis when the Lewis County Coroner is unavailable or out of town for the period of January 1, 2013 through December 31, 2013, at a cost not to exceed $5,000.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 496 – 2012
RESOLUTION TO TRANSFER FUNDS
BOARD OF ELECTIONS

Introduced by Legislator Jerry King, Chairman of the Board of Elections Committee.

BE IT RESOLVED as follows:

Section l. That the following transfers are hereby approved in the Board of Election accounts to pay for ballots for the Presidential Election:

From:	Amount:
A1450.4909 (Misc.)	$ 1,049.00
A1450.4901 (Inspectors)	12,041.00
A1450.4401 (Postage)	1,100.00
	$14,190.00
To:	
A1450.4500 (General/Primary/Registration)	$14,190.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 497 - 2012
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY ETHICS BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

Whereas, in accordance with The Lewis County Ethics Law, established pursuant to Local Law No. 5-2005,upon the expiration of her second term, Elizabeth Woods is no longer eligible to serve on the Ethics Board; and

Whereas, the Board wishes to appoint Jennifer Hanno to fill the Ethics Board vacancy.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints JENNIFER HANNO of Arthur Road, Lowville, New York 13367, as a member of the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be for the period commencing January 1, 2013 and terminate on December 31, 2015.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 498 - 2012
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT TO FUND THE LOCAL SHARE OF FEDERAL-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS, AND APPROPRIATING FUNDS THEREFOR (PIN 775307)

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, a Project for the Bridge Replacement on Salmon River Road over Mad River (PIN 775307; BIN 3340310) (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the PE/Design; Right of Way Incidentals & Acquisition and Construction/CI/CS Phases of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Lewis County Board of

Legislators, duly convened, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Lewis County Board of Legislators, to pay in the first instance 100% of the federal and non-federal share of the cost of the PE/Design; Right of Way Incidentals & Acquisition and Construction/CI/CS Phases work for the Project or portions thereof.

Section 3. That the sum of $214,000.00 is hereby appropriated from County general funds, and made available to cover the cost of participation in the PE/Design Phase of the Project and the sum of $8,657.00 for the Right of Way Incidentals & Acquisition Phase of the Project and the sum of $845,000.00 in the Construction/CI/CS Phase of the Project.

Section 4. That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Lewis County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Chairman of the Board of Legislators, thereof.

Section 5. That the Chairman of the Lewis County Board of Legislators, be and he hereby is authorized to execute all necessary Agreements, on behalf of the Lewis County Board of Legislators, with the New York State Department of Transportation, in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of the Project costs and permanent funding of the local share of federal-aid- eligible Project costs and all Project costs within appropriations therefore that are not so eligible.

Section 6. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to execute all necessary consultant agreements, right-of-way certifications, reimbursement requests for Federal Aid on behalf of the Lewis County and any other document, not including the Agreement with NYS DOT, that may be necessary to carry out the terms of this Resolution.

Section 7. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 8. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 499 - 2012
RESOLUTION TO AWARD BID TO TIOGA CONSTRUCTION CO., INC.
FOR THE BRIDGE REPLACEMENT OVER THE MAD RIVER

IN THE TOWN OF MONTAGUE

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators

WHEREAS, the County of Lewis has received eight (8) bid proposals for the bridge replacement over the Mad River in the Town of Montague; and

WHEREAS, having reviewed the bids, the Board of Legislators wishes to award construction Tioga Construction Co., Inc. as the lowest bidder.

NOW THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby awards the bid and authorizes the proposed contract with Tioga Construction Co., Inc. from Herkimer, New York in the amount of $627,118.00, for the bridge replacement project over the Mad River in the Town of Montague.

Section 2. That Chairman of the Board of Legislators, or in his absence, the Vice-Chairman is and he hereby is authorized to make, execute, seal and deliver said Contract and any related and necessary document or instrument.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 500 - 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PROBATION DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, Resolution No. 451-2012 as adopted by the Board of Legislators on December 4, 2012 inadvertently established an incorrect Grade 17 level for the new Administrative Assistant.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Probation Department, to set the following Grade level for the newly created Administrative Assistant:

TITLE	STATUS	SALARY
Administrative Assistant	Full-time	Grade 15 ($14.51 - $15.68/hr)

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 501 - 2012
RESOLUTION AUTHORIZING CONTRACT WITH LEWIS DEFENDERS, PLLC

Introduced by Legislator John Boyd, Chairman of Courts and Law Enforcement Committee.

WHEREAS, County Law §722 directs each County to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein "public defense legal services"); and

WHEREAS, County Law §722(2) authorizes a County to provide representation through a corporation, voluntary association, or organization permitted to practice law under the authority of § 495 of the Judiciary Law, which includes organizations which have as their primary purpose the furnishing of legal services to indigent persons.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves the plan to provide public defense legal services through a contract with LEWIS DEFENDERS, PLLC to commence effective January 1, 2013 and continue through December 31, 2013.

Section 2. That the all inclusive annual cost of such services shall not exceed $240,000.00, provided that such services shall not include the prosecution or defense of any appeals except to file the appropriate notice of appeal to preserve the rights of the indigent defendant.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 502 - 2012
RESOLUTION AUTHORIZING CONTRACT WITH MCCLUSKY LAW FIRM, LLC TO PERFORM CONFLICT DEFENDER SERVICES

Introduced by Legislator John Boyd, Chairman of Courts and Law Enforcement

Committee.

WHEREAS, County Law §722 directs each County to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein "public defense legal services"); and

WHEREAS, contemporaneously herewith, the Board of Legislators is authorizing an agreement to provide indigent legal defense services with Lewis Defenders, PLLC; and

WHEREAS, it is necessary to appoint an attorney to assist in providing the statutory legal assistance as provided by the Lewis Defenders, PLLC, but to those individuals where the Lewis Defenders, PLLC would have a conflict of interest; and

WHEREAS, in light of its continuing statutory duty to provide legal counsel for the indigent pursuant to County Law §722-A and Family Court Act §262, the Board of Legislators desires to appoint an attorney to perform such services in those instances where the Lewis Defenders, PLLC has an actual conflict of interest.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The Board of Legislators hereby approves an agreement which appoints the McClusky Law Firm, LLC of 8 Main Street, P.O. Box 97, Adams, New York 13605 to perform Conflict Defender services in those instances where the public defense firm is authorized to act, has an actual conflict of interest (herein, "Conflict Defender"). As such, the McClusky Law Firm will provide a licensed attorney, as needed, in Lewis County Family Court, Lewis County Court, and Town and Village Courts throughout Lewis County, provided, however, that McClusky Law Firm will not be required to provide such services in any matter involving child support that is before the Lewis County Hearing Examiner.

SECTION 2. The Board of Legislators hereby authorizes the Chairman of the Board and he is hereby authorized to execute and deliver such contracts or agreements to effectuate this Resolution, upon such terms as may be approved by the Lewis County Attorney, provided that the cost thereof shall not exceed $70,000.00.

SECTION 3. The term of such agreement shall commence effective January 1, 2013 and continue through December 31, 2013.

SECTION 4. This Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 503 – 2012
RESOLUTION TO TRANSFER FUNDS
REAL PROPERTY TAX

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

BE IT RESOLVED as follows:

Section l. That the following transfer of Capital Data Processing funds is hereby approved in the Real Property Tax account to cover the purchase of a Computer Minitower (HAE1990.4), HAE balance $37,694:

Increase Revenue:	
A50310 (Inter-fund transfers)	$3,198.18
Increase Expense:	
A1355.2217 (Computers)	$3,198.18

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 504 - 2012
RESOLUTION TO TRANSFER FUNDS
REFORESTATION

Introduced by Legislator Jerry King., Chairman of the Reforestation Committee.

BE IT RESOLVED as follows:

Section l. That the following budget transfers is hereby approved in the Reforestation Program Accounts to cover line item expenses:

From:	
A8711.4440 (Taxes)	$2,406.02
To:	
A8711.1999 (Pers Serv)	$810.00
A8711.4703 (Veh Exp Gas/Oil)	1,500.00
A8711.4903 (All Types Ins)	96.02
	$2,406.02

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 505 - 2012
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law

Enforcement Committee.

BE IT RESOLVED as follows:

Section l. That the following appropriation is hereby approved in the Sheriff's Department accounts for donations for the operation of the Sheriff's Canine unit.

Increase Revenues	Amount:
A27063 (Contribution – Canine Fund)	$ 2,500.00
Increase Expense:	Amount
A3110.4911 (K9 Unit - Exp)	$ 2,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 506 - 2012
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO JEREMY A. KELLY)

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Jeremy A. Kelly was granted a Mortgage to the County of Lewis dated April 26, 2006, and recorded in the Lewis County Clerk's Office on April 28, 2006, as Instrument Number 2006-01300 to secure payment of a loan in the amount of $40,000.00, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforedescribed Mortgage.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 507 - 2012
LEVYING TAXES AND ASSESSMENTS FOR ANNUAL TOWN BUDGETS

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, pursuant to Section 116 of the Town Law, there has been presented to this Board of Legislators a duly certified copy of the Annual Budget of each of the several towns of the County of Lewis for the fiscal year beginning January 1, 2013.

RESOLVED, that thereshall be and hereby is assessed and levied upon and collected from the taxable property situated in the following named towns the amounts indicated below as specified in the budgets of the respective towns as follows:

	Town-Wide	Outside Village
Croghan	425,134.00	423,100.00
Denmark	578,860.00	326,373.00
Diana	336,046.00	162,802.00
Greig	651,414.00	
Harrisburg	134,848.00	
Lewis	432,566.00	
Leyden	226,998.00	185,809.00
Lowville	661,075.00	234,105.00
Lyonsdale	329,662.00	162,877.00
Martinsburg	327,345.00	
Montague	157,530.00	
New Bremen	492,490.00	330,400.00
Osceola	341,631.00	
Pinckney	280,389.00	
Turin	354,310.00	100,370.00
Watson	888,675.00	
West Turin	399,884.00	145,290.00
Totals	7,018,857.00	2,071,126.00

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable therefor within the respective fire, fire protection, water health and electric light districts in the following towns indicated below, the following amounts for the purpose of such districts as specified in the respective annual budgets.

Croghan:	
Fire Protection Dist	125,300.00
Beaver Falls Fire District	98,285.00
Beaver Falls Light District	8,500.00
Relevied Sewer	30,387.50
Denmark:	
Fire Protection District	45,250.00
Diana:	
Fire Protection District	97,660.00
Natural Bridge Fire District	2,400.00
Natural Bridge Light District	300.00

Greig:	
Fire Protection District-3-G	62,399.00
Brantingham Water Control	1,800.00
Harrisburg:	
Fire Protection District	52,801.00
Lewis:	
Fire Protection Distric	35,617.00
Leyden:	
Fire Protection District & Ambul	25,675.00
Lowville:	
Fire Protection	36,495.00
Fire Protection Flat Rock Phase 1	6,694.83
Fire Protection Flat Rock Phase 2	5,633.94
Water/Sewer Relevy	45,010.50
Lyonsdale:	
Lyons Falls & Port Leyden Fire Protection Districts	34,824.00
Lyonsdale Light District	969.00
Martinsburg:	
Fire Protection District	99,589.66
Glenfield Light District	4,900.00
Martinsburg Light District	4,400.00
Water/Sewer Relevies	21,550.67
Montague:	
Fire Protection	7,190.00
New Bremen:	
New Bremen Fire District	58,867.00
Beaver Falls Fire District	11,465.00
New Bremen Fire Protection Dist	16,275.00
Lighting District	10,799.55
Water Relevy	999.73
Osceola:	
Fire Protection District	44,000.00
Pinckney:	
Fire Protection District & Ambul	11,000.00
Turin:	
Fire Protection	36,638.00
Watson:	
Fire Protection	36,483.00
Watson Light & Water District	5,447.35
West Turin:	
Turin Fire Protection	10,994.00
Constableville Fire Protection	26,958.00

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisor of the several towns in the amounts as shown in this resolution for distribution by them in the manner provided by law.

Moved by Legislator Lucas, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 508 - 2012
RESOLUTION AUTHORIZING AGREEMENT WITH LEWIS COUNTY GENERAL HOSPITAL FOR RE-PAYMENT OF INDEBTEDNESS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, the County of Lewis (the "County") has heretofore made cash transfers from the Lewis County General Fund to Lewis County General Hospital ("the Hospital") for the purpose of providing operational support to the Hospital; and

WHEREAS, on September 4, 2012, the Board of Legislators, by Resolution No. 343-2012, acknowledged that the Hospital is indebted to the County in the amount of $5,923,544.87 as a result of the County paying for the Hospital's obligations related to health insurance, dental insurance, unemployment insurance, and a capital equipment loan; and

WHEREAS, the Hospital has made repayments in the amount of $3,318,148 on September 28, 2012 and $ 1,049,512.80 on November 29, 2012; and

WHEREAS, the County has continued to make cash transfers from the General Fund to the Hospital and as of the date of this Resolution, the County has advanced the additional sum of $ $4,744,290.69 as a result of the County paying the Hospital's obligation to the NYS Retirement System for calendar year 2012; and

WHEREAS, the total amount of payments made by the County on behalf of the Hospital as of the date of this Resolution is $ 6,300,174.76, and the Hospital is justly indebted to the County in such amount (the "Indebtedness"); and

WHEREAS, the Hospital, through its Board of Managers, has acknowledged the operational support provided by the County, and has further acknowledged the Hospital's financial ability to commence repayment of the Indebtedness and, therefore, wishes to commence such payment for the purpose of retiring the Indebtedness; and

WHEREAS, the County is willing to accept payments by the Hospital to Lewis County in such amounts and with such frequency as the Hospital's budget will allow so as to retire and satisfy said Indebtedness in full on or before December 31, 2013.

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby approves the agreement between the Hospital and the County whereby the Hospital promises and agrees to pay the Indebtedness in the total sum of $6,300,174.76, to the County, without interest, in such amounts and with such frequency as the Hospital's budget will allow so as to retire and

satisfy said Indebtedness in full on or before December 31, 2013. Further, upon payment in full by the Hospital to the County of said Indebtedness, the Hospital shall have no further obligations with respect to same.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement upon such form as may be approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 509 - 2012
RESOLUTION APPROVING AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF LEWIS AND PHILIP E. MCDOWELL, LCSW, FOR PROFESSIONAL SERVICES WHILE THE ACTING DIRECTOR OF COMMUNITY SERVICES IS ON LEAVE

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, the Director of Community Services is appointed by the Community Services Board, pursuant to Mental Hygiene Law § 41.09(a); and

WHEREAS, the Board of Legislators has heretofore authorized a contract with Philip E. McDowell, LCSW, for up to five (5) hours per week at $60.00 per hour to serve during the leave of absence of the Acting Director of Community Services through January 6, 2013; and

WHEREAS, the Board wishes to extend the term of such Agreement through January 31, 2013.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes an amendment to the Agreement between the County of Lewis and Philip E. McDowell, LCSW, for the provision of professional services to cover cases of emergency for up to five (5) hours per week at $60.00 per hour and to extend the term of the Agreement through January 31, 2013.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to execute and deliver such Amendment to the Agreement upon such form as may be approved by the Lewis County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 510 - 2012
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY MENTAL HYGIENE DEPARTMENT AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Lewis County Mental Hygiene Department wishes to enter into an Agreement with Transitional Living Services of Northern New York ("TLS") to perform certain community based programs for the period beginning January 1, 2013 through December 31, 2013 for an amount not to exceed $623,086; such services to include Single Point of Access, Transition Management Services, MICA Network Crisis Intervention, Client Transportation, Supported Housing Rental Assistance and Supported Housing Community Services, Case Management – Non Medicaid Care Coordination (child and adult), and Blended Case Management.

WHEREAS, the Community Services Board has reviewed the contract between Transitional Living Services Of Northern New York and Lewis County Mental Hygiene Department and has determined that these services are necessary and appropriate to meet the needs of the community and the costs are reasonable for servicing such needs and recommends to the Board of Legislators to enter into such Contract.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for Transitional Living Services of Northern New York for the term January 1, 2013 through December 31, 2013, for an amount not to exceed $623,086.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 511 - 2012
RESOLUTION TO AMEND AGREEMENT

**BETWEEN LEWIS COUNTY AND WLADIS LAW FIRM
FOR GOVERNMENT RELATIONS SERVICES**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, the Lewis County Board of Legislator's adopted Resolution No. 160-2012 authorizing an agreement between Lewis County and the Wladis Law Firm, of 6312 Fly Road, East Syracuse, NY 13057 for the purpose of providing government liaison services at a retainer of $500 per month for the period of May 1, 2012 through August 31, 2012; and

WHEREAS, said Agreement was amended by Resolution No. 318-2012 to extend the term of such Agreement through December 31, 2012; and the Board wishes to extend said Agreement to June 30, 2013.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the amendment of the April 23, 2012 agreement between Lewis County and the Wladis Law Firm for the purpose of providing government liaison services at a rate of $500 per month by extending the same to June 30, 2013 with all other terms of the contract to remain in full force and effect.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Boyd, and adopted.

**RESOLUTION NO. 512 - 2012
RESOLUTION AUTHORIZING CONTRACT BETWEEN
COUNTY CLERK AND INFO QUICK SYSTEMS ("IQS")
FOR COMPUTER SERVICES**

Introduced by William Burke, Chairman of the County Clerk Committee.

WHEREAS, the County of Lewis, after completing a competitive bidding process, has heretofore awarded a contract to Info Quick Systems ("IQS") to provide a computer system and related software to perform records management, which includes hardware, software, support and maintenance; and

WHEREAS, the County of Lewis, through the County Clerk's Office wishes to renew the contract with Info Quick Systems ("IQS") to provide continuing professional services to provide software upgrades and related support and maintenance in order to

assure that the public documents and records are adequately stored, retained and accessible.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Agreement by and between the County of Lewis acting by and through the County Clerk, to provide services for records management, which includes hardware, software, support and maintenance for a term commencing January 1, 2013 and continuing through December 31, 2017 at a cost of $3,620 per month ($43,440 annually).

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

Section 3. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 513 -2012
RESOLUTION EXTENDING APPOINTMENT OF
DIRECTOR OF PUBLIC HEALTH DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

Whereas, the New York State Department of Health had affirmed their approval to appoint Carol Paluck as the Director of Public Health, citing her commitment to obtain a required Masters' Degree in Public Health; and

Whereas, her appointment is due to expire on 12/31/2012; and

Whereas, the Board of Legislators wishes to renew her appointment, provided her coursework continues to meet the approval of NYS Department of Health;

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby renews the appointment of Carol Paluck as the Director of Public Health through December 31, 2014, contingent upon approval by the NYS Department of Health.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 514 - 2012
RESOLUTION TO SCHEDULE
2013 ORGANIZATIONAL MEETING

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 151, subd. 1 of the County Law, the Lewis County Board of Legislators hereby schedules their 2013 Organizational Meeting to be held on Tuesday, January 8, 2013 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 515 - 2012
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
VARIOUS CONTRACTS FOR OUTSIDE AGENCIES

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following contracts for fiscal year 2013, at the amounts set opposite to each respectively:

OUTSIDE AGENCY	AMOUNT
Mountain View Prevention	$ 8,000.00
Lewis County General Hospital Foundation	12,000.00
Chamber of Commerce	45,000.00
Chamber of Commerce (I Love NY)	25,200.00
North Country Library	19,416.00
West Leyden Library	382.00
Brantingham Library	202.00
Lewis County Historical Society	20,000.00
Constable Hall Association	800.00
American Maple Museum	600.00
Railroad Historical Society NNY	600.00
Adirondack Park Local Government Board	800.00
Lewis County Agricultural Society	4,000.00
Lewis County Soil & Water Conservation District	60,000.00
Lewis County Cooperative Extension Service	270,000.00

Section 2. That the Chairman of the Board of Legislators, or the Vice-

Chairman, be and the same is hereby authorized to execute and deliver said Agreements.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 516 - 2012
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Public Health Department, to create the following position:

TITLE	STATUS	SALARY
Jail Nurse	Part-time (20 hrs/week)	Grade 31

Section 2. That Public Health Director Carol Paluck is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 517 – 2012
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF MOTOR VEHICLES

Introduced by Legislator William Burke, Chairman of the County Clerk Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Motor Vehicles to create the following position:

TITLE	STATUS	SALARY
Motor Vehicle Application Examiner	Full-time	Grade 15

Section 2. That County Clerk Douglas Hanno is authorized to fill said position effective immediately.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Stanford, and adopted.

OTHER BUSINESS:

The Clerk announced that Chairman Bush had re-appointed Arleigh Rice as an active farmer representative and Dr. Harry O'Connor as an organization representative to the Lewis County Agriculture and Farmland Protection Board, effective from 1/1/2013 to 12/31/2016.

There being no other business to come before the Board, Legislator Fanning moved to adjourn at 10:21 a.m., seconded by Legislator Stanford and carried.

STATE OF NEW YORK

SS:

COUNTY OF LEWIS

We, Jack T. Bush, Chairman of the Lewis County Board of Legislators and Teresa K. Clark, Clerk of the Board of Legislators of Lewis County, pursuant to the provisions of the statute, DO HEREBY CERTIFY that the foregoing was printed by authority of said Board of Legislators and does contain a true record of the proceedings of the Lewis County Board of Legislators, and the whole thereof, for the year of 2011.

Dated at Lowville, New York on December 31, 2012

Jack T. Bush, Chairman

Teresa K. Clark, Clerk of the Board

ANNUAL CASH REPORT
OF
Patricia O'Brien

LEWIS COUNTY TREASURER
FOR FISCAL YEAR ENDING
DECEMBER 31, 2012

GENERAL FUND

Bal on Hand 1/1/12		21,040,163.47	
Cash on Hand	10,554,053.17		
Time Deposits	10,486,110.30		
Plus: Receipts 1/1-12/31/12		80,027,951.17	
Total Receipts+Beg Bal		$ 101,068,114.64	
Disbursements:1/1-12/31/12		87,310,399.73	87,920,132.22
Bal on Hand 12/31/12		13,757,714.91	609,732.49
Cash on Hand	2,661,872.12		
Time Deposits	11,095,842.79		87,310,399.73
Total 2012 Disb+Ending Bal		$ 101,068,114.64	

Includes Reserved Cash for MH/DSS $1,964,365+
Windfarm payments $5,698,665.09

Trail Fund

Bal on Hand 1/1/12		115,688.57	
Cash on Hand	115,688.57		
Time Deposits	-		
Plus: Receipts 1/1-12/31/12		97,523.55	
Total Receipts+Beg Bal		$ 213,212.12	
Disbursements:1/1-12/31/12		109,205.40	109,205.40
Bal on Hand 12/31/12		104,006.72	0.00
Cash on Hand	104,006.72		0.00
Time Deposits			109,205.40
Total 2012 Disb+Ending Bal		$ 213,212.12	

ANNUAL CASH REPORT

HOSPITAL FUND			
Bal on Hand 1/1/12		1,573,776.28	
Cash on Hand	104,472.45		
Time Deposits(includes Foundation)	1,469,303.83		
Plus: Receipts 1/1-12/31/12		64,636,318.47	
Total Receipts+Beg Bal		$ 66,210,094.75	
Disbursements:1/1-12/31/12		64,341,351.84	63,707,470.39
Bal on Hand 12/31/12		1,868,742.91	(633,881.45)
Cash on Hand	1,033,320.53		64,341,351.84
Time Deposits(includes Foundation)	835,422.38		
Total 2012 Disb+Ending Bal		$ 66,210,094.75	
COUNTY ROAD FUND			
Bal on Hand 1/1/12		618,790.03	
Cash on Hand	405,718.26		
Time Deposits	213,071.77		
Plus: Receipts 1/1-12/31/12		6,081,007.86	
Total Receipts+Beg Bal		$ 6,699,797.89	
Disbursements:1/1-12/31/12		5,973,917.64	6,110,029.21
Bal on Hand 12/31/12		725,880.25	136,111.57
Cash on Hand	376,696.91		5,973,917.64
Time Deposits	349,183.34		
Total 2012 Disb+Ending Bal		$ 6,699,797.89	
MACHINERY FUND			
Bal on Hand 1/1/12		611,693.31	
Cash on Hand	325,754.78		
Time Deposits	285,938.53		
Plus: Receipts 1/1-12/31/12		1,299,532.26	
Total Receipts+Beg Bal		$ 1,911,225.57	
Disbursements:1/1-12/31/12		1,420,383.90	1,390,866.96
Bal on Hand 12/31/12		490,841.67	29,516.94
Cash on Hand	234,420.08		1,420,383.90
Time Deposits	256,421.59		
Total 2012 Disb+Ending Bal		$ 1,911,225.57	

ANNUAL CASH REPORT

SOLID WASTE			
Bal on Hand 1/1/12		360,786.38	
Cash on Hand	360,786.38		
Time Deposits	-		
Plus: Receipts 1/1-12/31/12		1,784,439.06	
Total Receipts+Beg Bal		$ 2,145,225.44	
Disbursements:1/1-12/31/12		1,597,813.75	1,846,463.01
Bal on Hand 12/31/12		547,411.69	(248,649.26)
Cash on Hand	298,762.43		1,597,813.75
Time Deposits	248,649.26		
Total 2012 Disb+Ending Bal		$ 2,145,225.44	
WIA			
Bal on Hand 1/1/12		8,324.44	
Cash on Hand	8,324.44		
Time Deposits	-		
Plus: Receipts 1/1-12/31/12		172,662.58	
Total Receipts+Beg Bal		$ 180,987.02	
Disbursements:1/1-12/31/12		168,884.37	
Bal on Hand 12/31/12		12,102.65	
Cash on Hand	12,102.65		
Time Deposits	-		
Total 2012 Disb+Ending Bal		$ 180,987.02	
SELF INSURANCE FUND			
Bal on Hand 1/1/12		1,278,122.12	
Cash on Hand	94,006.21		
Time Deposits	1,184,115.91		
Plus: Receipts 1/1-12/31/12		1,316,982.04	
Total Receipts+Beg Bal		$ 2,595,104.16	
Disbursements:1/1-12/31/12		1,151,602.68	1,153,047.99
Bal on Hand 12/31/12		1,443,501.48	(1,445.31)
Cash on Hand	257,940.26		1,151,602.68
Time Deposits	1,185,561.22		
Total 2012 Disb+Ending Bal		$ 2,595,104.16	

ANNUAL CASH REPORT

INTERNAL SERVICE FUND			
Bal on Hand 1/1/12		5,893,785.36	
Cash on Hand-Int Bearing	1,417,355.18		
Time Deposits	4,476,430.18		
Plus: Receipts 1/1-12/31/12		24,258,433.72	
Total Receipts+Beg Bal		$ 30,152,219.08	
Disbursements:1/1-12/31/12		25,580,306.12	23,755,646.06
Bal on Hand 12/31/12		4,571,912.96	1,824,660.06
Cash on Hand-Int Bearing	1,920,142.84		25,580,306.12
Time Deposits	2,651,770.12		
Total 2012 Disb+Ending Bal		$ 30,152,219.08	
TRUST & AGENCY FUND			
Bal on Hand 1/1/12		433,233.95	
Trust Cash	421,049.88		
Time Deposit Cash	12,184.07		
Plus: Receipts 1/1-12/31/12		15,464,271.00	
Total 2012 Receipts+Beg Bal		$ 15,897,504.95	
Disbursements:1/1-12/31/12		15,428,497.12	15,428,510.28
Bal on Hand 12/31/12		469,007.83	(13.16)
Trust Cash (incl Ct & Trust)	456,810.60		15,428,497.12
Time Deposit Cash	12,197.23		
Total 2012 Disb+Ending Bal		$ 15,897,504.95	
Micro Loan Fund			
Bal on Hand 1/1/12		42,394.37	
Time Deposit Cash	42,394.37		
Plus: Receipts 1/1-12/31/12		25,322.87	
Total 2012 Receipts+Beg Bal		$ 67,717.24	
Disbursements:1/1-12/31/12		1,806.02	
Bal on Hand 12/31/12		65,911.22	
Trust Cash	65,911.22		
Time Deposit Cash			
Total 2012 Disb+Ending Bal		$ 67,717.24	

ANNUAL CASH REPORT

HOSP SP GIFT EXPENDABLE/NON-EXPENDABLE

Bal on Hand 1/1/12		28,050.45	
Trust Cash	673.51		
Time Deposit Cash	27,376.94		
Plus: Receipts 1/1-12/31/12		1,278.87	
Total 2012 Receipts+Beg Bal		$ 29,329.32	
Disbursements:1/1-12/31/12		1,027.33	1,068.44
Bal on Hand 12/31/12		28,301.99	(41.11)
Trust Cash	883.94		1,027.33
Time Deposit Cash	27,418.05		
Total 2012 Disb+Ending Bal		$ 29,329.32	

CAPITAL FUNDS

Bal 1/1/12		2,109,781.58	
Bridges Cash	226,667.00		
West Main/SRB Deposit	49,579.91		
Mad River Br Deposit	40,146.55		
West Road Rehab	-		
Em Radio Cash	-		
Em Radio Time Deposit	136,962.37		
Capital Building Cash	35,119.30		
Capital Building Invested	1,115.35		
Utilites Cash	52.91		
E9ll Cash	428.88		
Paving Time Deposit	-		
Bld Maint Cash	-		
Bld Maint Time Deposit	496,940.73		
Capital Equipment	-		
Capital Equipment Deposit	323,600.51		
Data Processing	-		
Data Proc Deposit	18,420.71		
Hospital BR Project	19,726.31		
Hwy Bldg Time Deposit	154,733.34		
DSS Bldg	-		
DSS Bldg Time Deposit	606,287.71		
Highway Striping			
Plus: Receipts 1/1-12/31/12		2,926,909.12	
Total 2012 Receipts+Beg Bal		$ 5,036,690.70	

ANNUAL CASH REPORT

Disb: 1/1-12/31/12		2,812,314.20	2,164,234.74
Bal on Hand 12/31/12		2,224,376.50	648,079.46
Bridges Cash	267,009.49		2,812,314.20
West Main/SRB Deposit	49,699.85		
Mad River Br Deposit	40,243.65		
West Road Rehab	41,637.75		
Em Radio Cash	603,438.95		
Em Radio Time Deposit	19,339.66		
Capital Building Cash	-		
Capital Building Invested	26,256.49		
Utilites Cash	52.91		
E9ll Cash	82,324.43		
Paving Time Deposit	-		
Bld Maint Cash	8,330.00		
Bld Maint Time Deposit	454,036.26		
Capital Equipment	-		
Capital Equipment Deposit	205,210.02		
Data Processing	13,348.94		
Data Proc Deposit	17,695.93		
Hospital BR Project	-		
Hwy Bldg Time Deposit	155,107.62		
DSS Bldg	-		
DSS Bldg Time Deposit	231,844.55		
Highway striping	8,800.00		
Disbursements:1/1-12/31/12			
Bal on Hand 12/31/12			
Trust Cash			
Time Deposit Cash			
Total 2012 Disb+Ending Bal		$ 5,036,690.70	

ANNUAL CASH REPORT

CONSOLIDATED TOTALS

	BALANCE 12/31/2011	RECEIVED 2012	DISBURSED 2012	BALANCE 12/31/2012
Cash on Hand	21,040,163.47	80,027,951.17	87,310,399.73	13,757,714.91
TRAIL FUND	115,688.57	97,523.55	109,205.40	104,006.72
HOSPITAL FUND	1,573,776.28	64,636,318.47	64,341,351.84	1,868,742.91
COUNTY ROAD FUND	618,790.03	6,081,007.86	5,973,917.64	725,880.25
MACHINERY FUND	611,693.31	1,299,532.26	1,420,383.90	490,841.67
SOLID WASTE	360,786.38	1,784,439.06	1,597,813.75	547,411.69
WIA	8,324.44	172,662.58	168,884.37	12,102.65
Total 2012 Disb+Ending Bal	1,278,122.12	1,316,982.04	1,151,602.68	1,443,501.48
INTERNAL SERVICE FUND	5,893,785.36	24,258,433.72	25,580,306.12	4,571,912.96
TRUST & AGENCY FUND	433,233.95	15,464,271.00	15,428,497.12	469,007.83
MICRO LOAN PROGRAM	42,394.37	25,322.87	1,806.02	65,911.22
HOSP SP GIFT EXP/NON-EXP	28,050.45	1,278.87	1,027.33	28,301.99
CAPITAL FUNDS	2,109,781.58	2,926,909.12	2,812,314.20	2,224,376.50
TOTAL	34,114,590.31	198,092,632.57	205,897,510.10	26,309,712.78

ANNUAL CASH REPORT

COUNTY INDEBTEDNESS

TYPE & PURPOSE	OUTSTANDING 12/31/2012	MATURITY DATE
SERIAL-GENERAL OBLIGATION 2010 RECONSTRUCTION HOSP FACILITES	3,525,000.00	2030
2010 GENERAL OBLIGATION COURT HOUSE PROJECT	9,090,000.00	2037
2012 HOSPITAL BAN-Due 8/12/2013	1,450,000.00	2013

STATE OF NEW YORK}

ss:

COUNTY OF LEWIS}

Patricia O'Brien, being duly sworn, deposes and says that she is the Treasuer of the County of Lewis, State of New York, and the foregoing cash report is a true and correct statement of the Cash Transactions of said County for the Fiscal Year ending DECEMBER 31, 2012, as shown by the official records of said County.

Patricia O'Brien
PATRICIA O'BRIEN

CYNTHIA C WIEDRICK
NOTARY PUBLIC STATE OF NEW YORK
LEWIS COUNTY
LIC. #01WI6242502
COMM. EXP. 6/6/15

Subscribed and Sworn to Before Me
this 14th Day of January 2013:

Cynthia C Wiedrick
NOTARY PUBLIC

REPORT INFORMATION

The above cash report was made as required by Law to report the Cash Flow of funds through the County Treasurer's Office.

It by no means shall be considered as a report of actual operating expenses or revenues.

F:reports

TAX WARRANT
TOWN OF CROGHAN

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	2.2176080
Croghan Fire Protection	0.719269	General Tax Key-Outside Town	2.315011
Beaver Falls Fire Dist	0.991096	Highway Tax Key	
Beaver Falls Light Dist	0.086854	State Reforestation Tax Key	
Equalization Rate 68		County Tax Key	10.549746

STATE OF NEW YORK}
ss:
County of Lewis }

To : Ruth Ann Hammond

Collector of the Town CROGHAN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$	425,134.00	425,134.00
Town Outside Tax Levy General	$	2,300.00	2,300.00
Highway Money-Outside Village Item 1	$	420,800.00	
(Donovan Plan)Outside Village Item 1A	$		420,800.00

Special District Tax:

Croghan Fire Protection	125,300.00
Beaver Falls Fire District	98,285.00
Beaver Falls Light District	8,500.00
Sewer	30,387.50

TOTAL TO SUPERVISOR $ 1,110,706.50

TO THE COUNTY TREASURER:

County Tax	$	1,953,125.00	
Levy & Assess BR Regulating District	$	9,154.64	
Workmen's Compensation Insurance	$	0.00	
			$ 1,962,279.64

Taxes to be Re-Assessed,viz:

Returned School Tax	$	156,100.68	
Returned Village Tax	$	10,324.22	
Amount Spread on Town	$	241.84	
			$ 166,666.74

TOTAL TO COUNTY TREASURER $ 2,128,946.38

WHOLE AMOUNT OF WARRANT $ 3,239,652.88

LESS: Balance Due Town $
Amount Paid County Treasurer $ $ 0.00

NET AMOUNT OF WARRANT $ 3,239,652.88

Excess/Deficit $ 0.62

AMOUNT OF TAX LIST(Final Recapitulation) $ 3,239,653.50

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF DENMARK

SPECIAL DISTRICT TAX KEY	
Denmark Fire Protection	0.419270
Equalization Rate 100.00	

General Tax Key-Town Wide	4.203161
General Tax Key-Outside Town	3.191064
Highway Tax Key	
State Reforestation Tax Key	
County Tax Key	7.173571

STATE OF NEW YORK}
ss:
County of Lewis }

To : Rita Woodruff

Collector of the Town of DENMARK

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$	578,860.00	$ 578,860.00
Town Outside Tax Levy General	$	4,000.00	$ 4,000.00
Highway Money-Outside Village Item 1	$	322,373.00	
(Donovan Plan)Outside Village Item 1A	$		$ 322,373.00

Special District Tax:

Denmark Fire Protection	45,250.00

TOTAL TO SUPERVISOR				$ 950,483.00
TO THE COUNTY TREASURER:				
County Tax	$	989,476.00		
Levy & Assess BR Regulating District	$			
Workmen's Compensation Insurance	$	0.00		
			$ 989,476.00	
Taxes to be Re-Assessed,viz:				
Returned School Tax	$	147,873.48		
Returned Village Tax	$	41,731.56		
Amount Spread on Town	$	(0.27)		
			$ 189,604.77	
TOTAL TO COUNTY TREASURER				$ 1,179,080.77
WHOLE AMOUNT OF WARRANT				$ 2,129,563.77
LESS: Balance Due Town			$	
Amount Paid County Treasuer			$	$ 0.00
NET AMOUNT OF WARRANT				$ 2,129,563.77
				$
			EXCESS/DEFICIT	$ 0.04
AMOUNT OF TAX LIST(Final Recapitulation)				$ 2,129,563.81

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Teresa Clark Clerk

TAX WARRANT
TOWN OF DIANA

SPECIAL DISTRICT TAX KEY	
Diana Fire Protection	0.711322
Natural Bridge Fire District	1.623926
Natural Bridge Light District	0.542790
Equalization Rate 100	

General Tax Key-Town Wide	2.229100
General Tax Key-Outside Town	1.206815
Highway Tax Key	
State Reforestation Tax Key	
County Tax Key	7.173192

STATE OF NEW YORK}
ss:
County of Lewis }

To : Janet Taylor

Collector of the Town of DIANA

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$	336,046.00	$	336,046.00
Town Outside Tax Levy General	$	5,250.00	$	5,250.00
Highway Money-Outside Village Item 1	$	157,552.00		
(Donovan Plan)Outside Village Item 1A	$		$	157,552.00

Special District Tax:

Diana Fire Protection	97,660.00
Natural Bridge Fire District	2,400.00
Natural Bridge Light District	300.00

TOTAL TO SUPERVISOR		$ 599,208.00

TO THE COUNTY TREASURER:

County Tax	$	999,723.00		
Levy & Assess BR Regulating District	$			
Workmen's Compensation Insurance	$	0.00		
			$ 999,723.00	

Taxes to be Re-Assessed,viz:

Returned School Tax	$	240,898.52		
Returned Village Tax	$	30,637.51		
Amount Spread on Town	$	97.59		
			$ 271,633.62	

TOTAL TO COUNTY TREASURER		$ 1,271,356.62
WHOLE AMOUNT OF WARRANT		$ 1,870,564.62
LESS: Balance Due Town	$	
Amount Paid County Treasuer	$ 0.00	$ 0.00
NET AMOUNT OF WARRANT		$ 1,870,564.62
		$
Excess/Deficit		$ (0.17)
AMOUNT OF TAX LIST(Final Recapitulation)		$ 1,870,564.45

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF GREIG

SPECIAL DISTRICT TAX KEY	
Greig Fire Protection	0.301975
Brantingham Water Control	0.022338
Equalization Rate 100	

General Tax Key-Town Wide	3.228740
General Tax Key-Outside Town	
Highway Tax Key	
State Reforestation Tax Key	
County Tax Key	7.173539

STATE OF NEW YORK}
ss:
County of Lewis }

To : Karin Fayle

Collector of the Town of GREIG

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$	651,414.00	$	651,414.00
Town Outside Tax Levy General	$		$	
Highway Money-Outside Village Item 1	$			
(Donovan Plan)Outside Village Item 1A	$		$	

Special District Tax:

Greig Fire Protection	62,399.00
Brantingham Water Control	1,800.00

TOTAL TO SUPERVISOR				$ 715,613.00
TO THE COUNTY TREASURER:				
County Tax	$	1,437,156.00		
Workmen's Compensation Insurance	$	0.00		
			$ 1,437,156.00	
Taxes to be Re-Assessed,viz:				
Returned School Tax	$	271,905.60		
Returned Village Tax	$			
Amount Spread on Town	$	816.68		
			$ 272,722.28	
TOTAL TO COUNTY TREASURER				$ 1,709,878.28
WHOLE AMOUNT OF WARRANT				$ 2,425,491.28
LESS: Balance Due Town			$	
Amount Paid County Treasuer			$	$ 0.00
NET AMOUNT OF WARRANT				$ 2,425,491.28
				$
			Excess/Deficit	$ 0.08
AMOUNT OF TAX LIST(Final Recapitulation)				$ 2,425,491.36

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF HARRISBURG

SPECIAL DISTRICT TAX KEY			
Harrisburg Fire Protection	0.324594	General Tax Key-Town Wide	4.149572
		General Tax Key-Outside Town	
		Highway Tax Key	
Equalization Rate 100		State Reforestation Tax Key	
		County Tax Key	7.173045

STATE OF NEW YORK}
ss:
County of Lewis }

To : Amy Green

Collector of the Town HARRISBURG

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$	134,848.00	134,848.00
Town Outside Tax Levy General	$		
Highway Money-Outside Village Item 1	$		
(Donovan Plan)Outside Village Item 1A	$		0.00

Special District Tax:

Harrisburg Fire Protection	52,801.00

TOTAL TO SUPERVISOR		$ 187,649.00

TO THE COUNTY TREASURER:

County Tax	$	224,463.00		
Levy & Assess BR Regulating District	$			
Workmen's Compensation Insurance	$	0.00		
			$ 224,463.00	

Taxes to be Re-Assessed,viz:

Returned School Tax	$	25,985.59		
Returned Village Tax	$			
Amount Spread on Town	$	0.17		
			$ 25,985.76	

TOTAL TO COUNTY TREASURER		$ 250,448.76
WHOLE AMOUNT OF WARRANT		$ 438,097.76
LESS: Balance Due Town	$	
Amount Paid County Treasuer	$	$ 0.00
NET AMOUNT OF WARRANT		$ 438,097.76
		$
	Excess/Deficit	$ (0.11)
AMOUNT OF TAX LIST(Final Recapitulation)		$ 438,097.65

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF LEWIS

SPECIAL DISTRICT TAX KEY			
Lewis Fire Protection	0.522530	General Tax Key-Town Wide	6.534492
		General Tax Key-Outside Town	
		Highway Tax Key	
Equalization Rate 113		State Reforestation Tax Key	
		County Tax Key	6.332134

STATE OF NEW YORK}
ss:
County of Lewis }

To : Christina Stinebrickner

Collector of the Town LEWIS

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 432,566.00	$ 432,566.00
Town Outside Tax Levy General	$	$
Highway Money-Outside Village Item 1	$	
(Donovan Plan)Outside Village Item 1A	$	$

Special District Tax:

Lewis Fire Protection	35,617.00

TOTAL TO SUPERVISOR			$ 468,183.00
TO THE COUNTY TREASURER:			
County Tax	$ 405,840.00		
Workmen's Compensation Insurance	$		
		$ 405,840.00	
Taxes to be Re-Assessed,viz:			
Returned School Tax	$ 89,407.14		
Returned Village Tax	$		
Amount Spread on Town	$ 204.22		
		$ 89,611.36	
TOTAL TO COUNTY TREASURER			$ 495,451.36
WHOLE AMOUNT OF WARRANT			$ 963,634.36
LESS: Balance Due Town		$	
Amount Paid County Treasuer		$	$ 0.00
NET AMOUNT OF WARRANT			$ 963,634.36
			$
		Excess/Deficit	$ (0.07)
AMOUNT OF TAX LIST(Final Recapitulation)			$ 963,634.29

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF LEYDEN

SPECIAL DISTRICT TAX KEY			
Leyden Fire Prot & Ambulanc	0.355333	General Tax Key-Town Wide	2.875462
		General Tax Key-Outside Town	2.667487
		Highway Tax Key	
EQUALIZATION RATE: 100.00		State Reforestation Tax Key	
		County Tax Key	7.173170

STATE OF NEW YORK}
ss:
County of Lewis }

To : Kim Hrim

Collector of the Town LEYDEN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 226,998.00	$ 226,998.00
Town Outside Tax Levy General	$ 16,150.00	$ 16,150.00
Highway Money-Outside Village Item 1	$ 169,659.00	
(Donovan Plan)Outside Village Item 1A	$	$ 169,659.00

Special District Tax:

Leyden Fire Protection & Ambulance	25,675.00

TOTAL TO SUPERVISOR		$ 438,482.00

TO THE COUNTY TREASURER:

County Tax	$ 571,216.00	
Workmen's Compensation Insurance	$ 0.00	
		$ 571,216.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 115,279.13	
Returned Village Tax	$ 34,347.06	
Amount Spread on Town	$ 703.20	
		$ 150,329.39

TOTAL TO COUNTY TREASURER		$ 721,545.39
WHOLE AMOUNT OF WARRANT		$ 1,160,027.39
LESS: Balance Due Town	$	
Amount Paid County Treasuer	$	$
NET AMOUNT OF WARRANT		$ 1,160,027.39
		$
	Excess/Deficit	$ 0.30
AMOUNT OF TAX LIST(Final Recapitulation)		$ 1,160,027.69

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF LOWVILLE

SPECIAL DISTRICT TAX KEY			
Lowville Fire Protection	0.380005	General Tax Key-Town Wide	2.939837
		General Tax Key-Outside Town	2.906990
		Highway Tax Key	
Equalization Rate 94		State Reforestation Tax Key	
		County Tax Key	7.487356

STATE OF NEW YORK}
ss:
County of Lewis }

To : Malinda Zehr

Collector of the Town LOWVILLE

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 661,075.00	$ 661,075.00
Town Outside Tax Levy General	$ 30,005.00	$ 30,005.00
Highway Money-Outside Village Item 1	$ 204,100.00	
(Donovan Plan)Outside Village Item 1A	$	$ 204,100.00

Special District Tax:

Lowville Fire Protection	36,495.00
Flat Rock I Fire Protection	6,695.00
Flat Rock 2 Fire Protection	5,634.00
Water/Sewer Relevy	45,010.50

TOTAL TO SUPERVISOR $ 989,014.50

TO THE COUNTY TREASURER:

County Tax	$ 1,690,255.00	
Levy & Assess BR Regulating District	$	
Workmen's Compensation Insurance	$ 0.00	
		$ 1,690,255.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 102,561.34	
Returned Village Tax	$ 82,446.10	
Amount Spread on Town	$ 2,322.89	
		$ 187,330.33

TOTAL TO COUNTY TREASURER $ 1,877,585.33

WHOLE AMOUNT OF WARRANT $

LESS: Balance Due Town $

Amount Paid County Treasuer $ $ 0.00

NET AMOUNT OF WARRANT $ 2,866,599.83

$

Excess/Deficit $ (0.58)

AMOUNT OF TAX LIST(Final Recapitulation) $ 2,866,599.25

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Jack Rod Chairman

Teresa Clark Clerk

TAX WARRANT
TOWN OF LYONSDALE

SPECIAL DISTRICT TAX KEY	
Lyonsdale Fire Protection	0.405794
Lyonsdale Light District	0.488210
Equalization Rate: 100	

General Tax Key-Town Wide	4.143317
General Tax Key-Outside Town	2.237403
Highway Tax Key	
State Reforestation Tax Key	
County Tax Key	7.173183

STATE OF NEW YORK}
ss:
County of Lewis }

To : Fred Rocker

Collector of the Town LYONSDALE

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 329,662.00	$ 329,662.00
Town Outside Tax Levy General	$ 7,300.00	$ 7,300.00
Highway Money-Outside Village Item 1	$ 155,577.00	
(Donovan Plan)Outside Village Item 1A	$	$ 155,577.00

Special District Tax:

Lyonsdale Fire Protection	34,824.00
Lyonsdale Light District	969.00

TOTAL TO SUPERVISOR $ 528,332.00

TO THE COUNTY TREASURER:

County Tax	$ 547,533.00	
Levy & Assess BR Regulating District	$ 507.02	
Workmen's Compensation Insurance	$ 0.00	
		$ 548,040.02

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 80,345.62	
Returned Village Tax	$ 9,607.18	
Amount Spread on Town	$ 0.10	
		$ 89,952.90

TOTAL TO COUNTY TREASURER $ 637,992.92

WHOLE AMOUNT OF WARRANT $ 1,166,324.92

LESS: Balance Due Town $
Amount Paid County Treasuer $ $ 0.00

NET AMOUNT OF WARRANT $ 1,166,324.92

Excess/Deficit $ (0.09)

AMOUNT OF TAX LIST(Final Recapitulation) $ 1,166,324.83

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF MARTINSBURG

SPECIAL DISTRICT TAX KEY			
Martinsburg Fire Protection	0.513087	General Tax Key-Town Wide	5.180643
Glenfield Light District	0.636612	General Tax Key-Outside Town	
Martinsburg Fire District	0.000000	Highway Tax Key	
Martinsburg Light District	0.897707	State Reforestation Tax Key	
Equalization Rate 94		County Tax Key	7.631555

STATE OF NEW YORK}
ss:
County of Lewis }

To : Deanna Doviak

Collector of the Town MARTINSBURG

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 327,345.00	$ 327,345.00
Town Outside Tax Levy General	$	$
Highway Money-Outside Village Item 1	$	
(Donovan Plan)Outside Village Item 1A	$	$

Special District Tax:

Martinsburg Fire Protection	51,171.06
Flat Rock Fire	48,418.60
Glenfield Light District	4,900.00
Martinsburg Fire District	
Martinsburg Light District	4,400.00
Glenfield Water and Glenfield Sewer	13,981.61
Martinsburg Water	7,569.06

TOTAL TO SUPERVISOR $ 457,785.33

TO THE COUNTY TREASURER:

County Tax	$ 462,037.00	
Levy & Assess BR Regulating District	$	
Workmen's Compensation Insurance	$ 0.00	
		$ 462,037.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 56,960.08	
Returned Village Tax	$	
Amount Spread on Town	$ 0.00	
		$ 56,960.08

TOTAL TO COUNTY TREASURER $ 518,997.08

WHOLE AMOUNT OF WARRANT $ 976,782.41

LESS: Balance Due Town $

Amount Paid County Treasuer $ $ 0.00

NET AMOUNT OF WARRANT $ 976,782.41

$

Excess/Deficit $ (0.05)

AMOUNT OF TAX LIST(Final Recapitulation) $ 976,782.36

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF MONTAGUE

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	4.524169
Montague Fire Protection	0.192364	General Tax Key-Outside Town	
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate: 100		County Tax Key	7.1730370

STATE OF NEW YORK}
ss:
County of Lewis }

To : Barbara Loomis

Collector of the Town MONTAGUE

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 157,530.00	$ 157,530.00
Town Outside Tax Levy General	$	$
Highway Money-Outside Village Item 1	$	
(Donovan Plan)Outside Village Item 1A	$	$

Special District Tax:

Montague Fire Protection	7,190.00

TOTAL TO SUPERVISOR $ 164,720.00

TO THE COUNTY TREASURER:

County Tax	$ 248,531.00	
Levy & Assess BR Regulating District	$	
Workmen's Compensation Insurance	$ 0.00	
		$ 248,531.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 22,532.01	
Returned Village Tax	$	
Amount Spread on Town	$ 0.00	
		$ 22,532.01

TOTAL TO COUNTY TREASURER $ 271,063.01

WHOLE AMOUNT OF WARRANT $ 435,783.01

LESS: Balance Due Town $
Amount Paid County Treasuer $ $ 0.00

NET AMOUNT OF WARRANT $ 435,783.01

$

Excess/Deficit $ 0.07

AMOUNT OF TAX LIST(Final Recapitulation) $ 435,783.08

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF NEW BREMEN

SPECIAL DISTRICT TAX KEY	
New Bremen Fire District	0.830247
Beaver Falls Fire District	0.920317
New Bremen Fire Protection	0.324387

General Tax Key-Town Wide	3.353294
General Tax Key-Outside Town	2.411595
Highway Tax Key	
State Reforestation Tax Key	
County Tax Key	7.169356

Equalization Rate 100.

STATE OF NEW YORK}
ss:
County of Lewis }

To : Elizabeth B Jones

Collector of the Town NEW BREMEN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 492,490.00	$ 492,490.00
Town Outside Tax Levy General	$ 600.00	$ 600.00
Highway Money-Outside Village Item 1	$ 329,800.00	
(Donovan Plan)Outside Village Item 1A	$	$ 329,800.00

Special District Tax:

New Bremen Fire District	58,867.00
Beaver Falls Fire District	11,465.00
New Bremen Fire Protection	16,275.00
New Bremen Light District	10,799.25
Water Relevy	999.73

TOTAL TO SUPERVISOR $ 921,295.98

TO THE COUNTY TREASURER:

County Tax	$ 1,047,709.00	
Levy & Assess BR Regulating District	$	
Workmen's Compensation Insurance	$ 0.00	
		$ 1,047,709.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 139,777.95	
Returned Village Tax	$ 4,485.26	
Amount Spread on Town	$ 657.65	
		$ 144,920.86

TOTAL TO COUNTY TREASURER $ 1,192,629.86

WHOLE AMOUNT OF WARRANT $ 2,113,925.84

LESS: Balance Due Town $
Amount Paid County Treasuer $ $ 0.00

NET AMOUNT OF WARRANT $ 2,113,925.84

$

Excess/Deficit $ 0.23

AMOUNT OF TAX LIST(Final Recapitulation) $ 2,113,926.07

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Teresa Clark Clerk

TAX WARRANT
TOWN OF OSCEOLA

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	8.323627
Osceola Fire Protection	0.983511	General Tax Key-Outside Town	
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate: 100		County Tax Key	7.173048

STATE OF NEW YORK}
ss:
County of Lewis }

To : Andrew Burns

Collector of the Town Osceola

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 341,631.00	$ 341,631.00
Town Outside Tax Levy General	$	$
Highway Money-Outside Village Item 1	$	
(Donovan Plan)Outside Village Item 1A	$	$

Special District Tax:

Osceola Fire Protection	44,000.00

TOTAL TO SUPERVISOR $ 385,631.00

TO THE COUNTY TREASURER:

County Tax	$ 273,407.00	
Levy & Assess BR Regulating District	$	
Workmen's Compensation Insurance	$ 0.00	
		$ 273,407.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 77,062.22	
Returned Village Tax	$	
Amount Spread on Town	$ (0.08)	
		$ 77,062.14

TOTAL TO COUNTY TREASURER $ 350,469.14

WHOLE AMOUNT OF WARRANT $ 736,100.14

LESS: Balance Due Town $

Amount Paid County Treasuer $ $ 0.00

NET AMOUNT OF WARRANT $ 736,100.14

$

Excess/Deficit $ (0.04)

AMOUNT OF TAX LIST(Final Recapitulation) $ 736,100.10

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF PINCKNEY

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	8.323929
Pinckney Fire Protection	0.322441	General Tax Key-Outside Town	
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate 100		County Tax Key	7.173029

STATE OF NEW YORK}
ss:
County of Lewis }

To : Susan Townsend

Collector of the Town Pinckney

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 280,389.00	$ 280,389.00
Town Outside Tax Levy General	$	$
Highway Money-Outside Village Item 1	$	
(Donovan Plan)Outside Village Item 1A	$	$

Special District Tax:

Pinckney Fire Protection & Ambulance	11,000.00

TOTAL TO SUPERVISOR $ 291,389.00

TO THE COUNTY TREASURER:

County Tax	$ 202,615.00	
Levy & Assess BR Regulating District	$	
Workmen's Compensation Insurance	$ 0.00	
		$ 202,615.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 32,396.86	
Returned Village Tax	$	
Amount Spread on Town	$ (0.25)	
		$ 32,396.61

TOTAL TO COUNTY TREASURER $ 235,011.61

WHOLE AMOUNT OF WARRANT $ 526,400.61

LESS: Balance Due Town	$	
Amount Paid County Treasuer	$	$ 0.00

NET AMOUNT OF WARRANT $ 526,400.61

$

Excess/Deficit $ (0.04)

AMOUNT OF TAX LIST(Final Recapitulation) $ 526,400.57

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Jack T. Rush — Chairman

Teresa Clark — Clerk

TAX WARRANT
TOWN OF TURIN

SPECIAL DISTRICT TAX KEY			
Turin Fire Protection	0.776423	General Tax Key-Town Wide	6.743631
		General Tax Key-Outside Town	
		Highway Tax Key	2.249850
		State Reforestation Tax Key	
Equalization Rate 100		County Tax Key	7.173489

STATE OF NEW YORK}
ss:
County of Lewis }

To : Malinda Widrick Maciejko

Collector of the Town TURIN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 354,310.00	$ 354,310.00
Town Outside Tax Levy General	$ 2,940.00	$ 2,940.00
Highway Money-Outside Village Item 1	$ 97,430.00	
(Donovan Plan)Outside Village Item 1A	$	$ 97,430.00

Special District Tax:

Turin Fire Protection	36,638.00

TOTAL TO SUPERVISOR	$ 491,318.00

TO THE COUNTY TREASURER:

County Tax	$ 374,101.00	
Levy & Assess BR Regulating District	$	
Workmen's Compensation Insurance	$ 0.00	
		$ 374,101.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 92,576.41	
Returned Village Tax	$ 7,936.70	
Amount Spread on Town	$ 200.28	
		$ 100,713.39

TOTAL TO COUNTY TREASURER		$ 474,814.39
WHOLE AMOUNT OF WARRANT		$ 966,132.39
LESS: Balance Due Town	$	
Amount Paid County Treasuer	$	$ 0.00
NET AMOUNT OF WARRANT		$ 966,132.39
		$
	Excess/Deficit	$ (0.29)
AMOUNT OF TAX LIST(Final Recapitulation)		$ 966,132.10

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF WATSON

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	5.019778
Watson Fire Protection	0.195941	General Tax Key-Outside Town	
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate 100.		County Tax Key	7.172706

STATE OF NEW YORK}
ss:
County of Lewis }

To : Christina Merry

Collector of the Town WATSON

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 888,675.00	$ 888,675.00
Town Outside Tax Levy General	$	$
Highway Money-Outside Village Item 1	$	
(Donovan Plan)Outside Village Item 1A	$	$

Special District Tax:

Watson Fire Protection	36,483.00
Watson Light & Water Districts	5,447.35

TOTAL TO SUPERVISOR	$ 930,605.35

TO THE COUNTY TREASURER:

County Tax	$ 1,253,725.00	
Levy & Assess BR Regulating District	$	
Workmen's Compensation Insurance	$ 0.00	
		$ 1,253,725.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 131,971.48	
Returned Village Tax	$	
Amount Spread on Town	$ 1,139.67	
		$ 133,111.15

TOTAL TO COUNTY TREASURER		$ 1,386,836.15
WHOLE AMOUNT OF WARRANT		$ 2,317,441.50
LESS: Balance Due Town	$	
Amount Paid County Treasuer	$	$ 0.00
NET AMOUNT OF WARRANT		$ 2,317,441.50
		$
	Excess/Deficit	$ 0.02
AMOUNT OF TAX LIST(Final Recapitulation)		$ 2,317,441.52

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Clerk

TAX WARRANT
TOWN OF WEST TURIN

SPECIAL DISTRICT TAX KEY			
Turin Fire Protection	0.457819	General Tax Key-Town Wide	3.199458
Constableville Fire Protection	0.404079	General Tax Key-Outside Town	1.647006
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate: 100		County Tax Key	7.173277

STATE OF NEW YORK}
ss:
County of Lewis }

To : Beth Ann McGovern

Collector of the Town WEST TURIN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	$ 399,884.00	$ 399,884.00
Town Outside Tax Levy General	$ 6,160.00	$ 6,160.00
Highway Money-Outside Village Item 1	$ 139,130.00	
(Donovan Plan)Outside Village Item 1A	$	$ 139,130.00

Special District Tax:

Turin Fire Protection	10,994.00
Constableville Fire Protection	26,958.00

TOTAL TO SUPERVISOR $ 583,126.00

TO THE COUNTY TREASURER:

County Tax	$ 852,935.00	
Levy & Assess BR Regulating District	$	
Workmen's Compensation Insurance	$ 0.00	
		852,935.00

Taxes to be Re-Assessed,viz:

Returned School Tax	$ 195,599.33	
Returned Village Tax	$ 43,553.29	
Amount Spread on Town	$ 76.99	
		$ 239,229.61

TOTAL TO COUNTY TREASURER $ 1,092,164.61

WHOLE AMOUNT OF WARRANT $ 1,675,290.61

LESS: Balance Due Town $
Amount Paid County Treasuer $ $ 0.00

NET AMOUNT OF WARRANT $ 1,675,290.61

Excess/Deficit $ (0.02)

AMOUNT OF TAX LIST(Final Recapitulation) $ 1,675,290.59

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand twelve.

Chairman

Teresa Clark Clerk

ADOPTED COUNTY BUDGET

LEWIS COUNTY

2013

DAVID H. PENDERGAST
BUDGET OFFICER

PATRICIA O'BRIEN
DEPUTY BUDGET OFFICER

Presented to Clerk of the Board
11/6/2012

(Section 354-County Law)

Public Hearing 11/15/2012

Adopted 12/4/2012

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