

***Proceedings***  
**OF THE**  
***BOARD OF LEGISLATORS***  
**OF**  
***LEWIS COUNTY***  
**FOR**  
**2023**

**Chairman**  
Lawrence L. Dolhof  
Lyons Falls, New York

**Clerk of the Board**  
Cassandra Moser  
Croghan, New York





**Lawrence L. Dolhof**  
**Chairman of the Board**



District 1  
Philip Hathway



District 2  
Lisa Virkler



District 3  
Jessica Moser



District 4  
Ian Gilbert



District 5  
Richard  
Chartrand



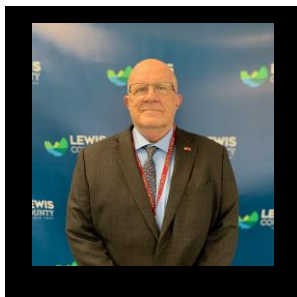
District 6  
Andrea  
Moroughan



District 7  
Josh Leviker



District 8  
Lawrence Dolhof



District 9  
Thomas Osborne



District 10  
Jeff Nellenback



County Manager  
Ryan Piche



Clerk of the Board  
Cassandra Moser



County Attorney  
Joan McNichol



County Treasurer  
Eric Virkler



**Member of Congress**  
HON. ELISE STEFANIK  
Watertown, New York

**State Senator – 49<sup>th</sup> District**  
HON. MARK WALCZYK  
Watertown, New York

**Member of Assembly – 117<sup>th</sup> District**  
HON. KENNETH BLANKENBUSH  
Carthage, New York

## **COUNTY OFFICIALS – 2023**

|                                  |                                                  |                        |
|----------------------------------|--------------------------------------------------|------------------------|
| CHARLES MERRELL .....            | <b>Supreme Court Judge</b>                       | Lowville, New York     |
| DANIEL KING .....                | <b>County/Surrogate &amp; Family Court Judge</b> | Lowville, New York     |
| DEANNA MORSE .....               | <b>Supreme/ Surrogate's Clerk</b>                | Watson, New York       |
| LACEY NORTHRUP .....             | <b>Family Court Clerk</b>                        | Lowville, New York     |
| RYAN PICHE .....                 | <b>County Manager/Budget Officer</b>             | Lowville, New York     |
| JAKE MOSER .....                 | <b>County Clerk</b>                              | Croghan, New York      |
| JOANNE WALTERS.....              | <b>Deputy County Clerk</b>                       | Beaver Falls, New York |
| LEANNE MOSER .....               | <b>District Attorney</b>                         | Lowville, New York     |
| MICHAEL CARPINELLI .....         | <b>Sheriff</b>                                   | Osceola, New York      |
| JASON MCINTOSH.....              | <b>Undersheriff</b>                              | Beaver Falls, New York |
| ERIC VIRKLER .....               | <b>Treasurer/Deputy Budget Officer</b>           | Lowville, New York     |
| TASZDEN NEWTON .....             | <b>Deputy Treasurer</b>                          | Lowville, New York     |
| JOAN MCNICHOL .....              | <b>Attorney</b>                                  | Lowville, New York     |
| MATTHEW O'CONNOR.....            | <b>Buildings and Grounds Supervisor</b>          | Lowville, New York     |
| ANN HILL .....                   | <b>Commissioner of Jurors</b>                    | Lowville, New York     |
| PATRICIA FRALICK .....           | <b>Director of Community Services</b>            | Lowville, New York     |
| ANN NORTZ (Republican) .....     | <b>Election Commissioners</b>                    | Lowville, New York     |
| LINDSAY BURRISS (Democrat) ..... |                                                  | Croghan, New York      |
| JENNIFER MARACCHION .....        | <b>Emergency Medical Services Assistant</b>      | Lyons Falls, New York  |

|                            |                                                      |                        |
|----------------------------|------------------------------------------------------|------------------------|
|                            | <b>Fire and Emergency Management Director</b>        |                        |
| ROBERT MACKENZIE, III..... |                                                      | Lyons Falls, New York  |
|                            | <b>Highway Superintendent</b>                        |                        |
| TIMOTHY HUNT .....         |                                                      | Lowville, New York     |
|                            | <b>Hospital Administrator</b>                        |                        |
| GERALD CAYER .....         |                                                      | Lowville, New York     |
|                            | <b>Human Resources Director</b>                      |                        |
| CAITLYN SMITH .....        |                                                      | Turin, New York        |
|                            | <b>Junkyard Inspector/Sr. Building Codes Officer</b> |                        |
| WARD DAILEY .....          |                                                      | Lyons Falls, New York  |
|                            | <b>Nursing Home Administrator</b>                    |                        |
| DEBRA WURZ .....           |                                                      | Lowville, New York     |
|                            | <b>Office For Aging Director</b>                     |                        |
| CARLA HELLINGER .....      |                                                      | Lowville, New York     |
|                            | <b>Probation Director</b>                            |                        |
| MATTHEW MORROW .....       |                                                      | Beaver Falls, New York |
|                            | <b>Public Health Director</b>                        |                        |
| ASHLEY WAITE .....         |                                                      | Lowville, New York     |
|                            | <b>Real Property Tax Director</b>                    |                        |
| CANDY AKIN.....            |                                                      | Lyons Falls, New York  |
|                            | <b>Records Management Officer</b>                    |                        |
| JAKE MOSER .....           |                                                      | Lowville, New York     |
|                            | <b>Recreation, Forestry &amp; Parks Director</b>     |                        |
| JACQUELINE MAHONEY .....   |                                                      | Lowville, New York     |
|                            | <b>Social Services Commissioner</b>                  |                        |
| JENNIFER JONES .....       |                                                      | Beaver Falls, New York |
|                            | <b>Solid Waste Coordinator</b>                       |                        |
| KIP TURCK .....            |                                                      | Croghan, New York      |
|                            | <b>Veterans' Services Director</b>                   |                        |
| DAVID PAVEY .....          |                                                      | Watertown, New York    |
|                            | <b>Workers' Compensation Administrator</b>           |                        |
| CASSANDRA MOSER .....      |                                                      | Croghan, New York      |

**Chairman, Board of Legislators**

LAWRENCE L. DOLHOF  
Lyons Falls, New York

**Clerk, Board of Legislators**

CASSANDRA MOSER  
Croghan, New York

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**ORGANIZATIONAL MEETING**

**January 3, 2023**

The meeting was called to order at 5:03 p.m. by Clerk of the Board, Cassandra Moser.

Roll Call: All Legislators were present, except Jessica Moser, who was excused. There were 11 other persons present.

The Clerk of the Board called for nominations for a Chairperson of the Board of Legislators for 2023. Legislator Osborne nominated Legislator Dolhof, seconded by Legislator Chartrand. There being no other nominations to come forward, Legislator Leviker made a motion for the clerk to close the polls and cast one ballot for Legislator Dolhof, seconded by Legislator Gilbert. Legislators Gilbert and Leviker escorted Chairman Dolhof to the podium. Chairman Dolhof thanked everyone for their continued support.

Chairman Dolhof asked Legislator Hathway for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the December 22, 2022, meeting minutes approved by general consent.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Phil Hathway  
Jeffrey Nellenback  
Joshua Leviker

Dated: January 3, 2023

Legislator Virkler made a motion to waive the rules, seconded by Legislator Chartrand and carried.

**PUBLIC HEARING:**

Chairman Dolhof opened the public hearing at 5:06 p.m. for comments on CDBG funding for community development, public infrastructure, housing, public facilities, small business, and economic development, needs under program year 2023 NYS CDBG funding applications, in amounts not to exceed \$1,500,000.00. Planning Director, Casandra Buell stated that tonight's public hearing is for the purpose of hearing public comments on the County's community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2023 program year. Potential applications include up to \$1,500,000 CDBG funds for community development, public infrastructure, public facilities, housing, small business, and economic development funds. The CDBG program is administered by the New York State Office of Community Renewal (OCR) and it is expected that they will make approximately \$50 million dollars available in the 2023

program year for housing, small business, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons.

Snow Belt Director, Jaylynn Heames stated that Snow Belt would like the county to consider the submission of two CDBG Housing Activity application in order to support the continuation of the Property Rehabilitation Program. The first application would be in the amount of approximately \$400,000 for direct homeownership assistance services, which will provide up to \$35,000 in financial assistance to nine first time homebuyers for helping to cover down payments/and/or closing costs in order to them to qualify for a mortgage, plus critical rehabilitation expenses. The second application would be in the amount of approximately \$600,000 for housing rehabilitation services, which will provide a maximum of \$40,000 per unit for six households and an average of \$90,000 per project for four households who require substantial rehabilitation in order to live in a safe home or homes that may require lead abatement services. Snow Belt would administer the grants as a sub-recipient of the county and all CDBG 2023 awarded funds would be expended within two years from the date of the award.

All services provided under the Property Rehabilitation Program offer financial assistance to Lewis County residents who are low-moderate income qualified and are in need of housing rehabilitation activities which are necessary to alleviate the substandard conditions of their homes. Typical projects include repairs related health and safety hazards or code violations. Accessibility modifications, such as modifying the layout of a kitchen or bathroom and installing wheelchair ramps, can also be considered an eligible project. The proposed activities under this application are not expected to result in the displacement of homeowners unless the home to be renovated contains extensive lead that would require the family to be out of the home while it is being stabilized. Any homeowner or tenant displacement will follow the municipality's anti-displacement and relocation plan required under 24 CFR 570.488. All financial assistance provided under this program is in the form of a 100% deferred payment loan, which is secured by a Note and Mortgage that will be forgiven and discharged as long as the residents remain in their home for the designated period of affordability (typically five-ten years). Jaylynn Heames asked that anyone who is interested in either program to call Snow Belt at (315) 376-2639.

#### PRIVILEGE OF THE FLOOR:

Legislator Hathway voiced his appreciation and stated how he has always felt fortunate to live in Lewis County, in the Town of Diana. He shared a poem that Father Christopher Lubby wrote about Harrisville but that is applicable to all of Lewis County.

*"Harrisville is a small town  
Nestled in the hills  
A place of beauty, with  
Nature's thrills  
Where the air is clean and  
The sky blue  
And the people are friendly  
Through and through*

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

*It's a place where time  
Seems to stand still  
Where the worries of the  
World are left behind  
Where you can sit on a porch  
And just be  
And find peace and  
Contentment, simply*

*It's a place where the past  
And present meet  
Where history lives on, in  
Every street  
From the old mill that stands  
By the river  
To the church on the hill  
A beacon forever*

*Harrisville a place that holds  
A special charm  
A place that feels like home,  
Safe and warm  
A place to call home, a place  
To belong  
Harrisville, where love and  
Community belong"*

### CLERK OF THE BOARD REPORT:

Cassandra Moser reported that a resolution was received from Delaware County calling on the Governor and the New York State Legislature to continue efforts to provide fiscal relief to consumers by extending the exemptions of state sales and excise taxes on motor fuel until historically high inflationary pressures are lower. Another resolution was received from St. Lawrence County calling on the State of New York to fully fund County Law 18B assigned counsel statutory pay levels.

Legislators received the Highway & Solid Waste Audit reports for the month of December and the Treasurer's monthly report. Weights & Measurers Director, Brian Mooney submitted the September, October, and November 2022 Field Service Reports which have been placed on file.

### REPORTS OF STANDING COMMITTEES:

Chairman Dolhof stated that the Legislative Committees would stay the same as in 2022, which put Legislator Gilbert as the Chair of General Services; Legislator Chartrand as Vice-Chair; Legislators Hathway, Leviker and Moroughan as members. Legislator Virkler would be

the Chair of Health & Human Services; Legislator Moroughan as Vice-Chair; Legislators Chartrand, Moser and Nellenback as members. Legislator Osborne would be Chair of Finance & Rules; Legislator Hathway as Vice-Chair; Legislators Leviker, Moser and Nellenback as members. Legislator Chartrand requested that Mr. Cayer be allowed to report on Lewis County Health System activities.

Mr. Cayer reported that there were some setbacks to the roof on the new addition from the recent snowstorms because the surface has to be dry in order for that portion of the project to be completed which will hopefully happen soon. All the steel framing is complete, and the bathrooms are tiled and painted. The ceiling grids are nearly complete, so the rooms are really starting to look like actual hospital rooms. The hospital will begin working on Strategic Planning over the next month and a half with their Board of Managers. The Harrisville Clinic is also being looked at as part of this plan in efforts to bring accessible healthcare to the Diana area. It has been noticeable that there is no good access in that part of the county. It will require a Certificate of Need which isn't a sprint but more of a marathon process. The final part of the plan will be to work on hiring and retaining more employees to build a more robust workforce.

Legislator Hathway voiced his appreciation that the Hospital is looking into the Harrisville Clinic. Mr. Cayer reported that the Board of Managers elected Michael Young as President, Donald Musnicki as Vice-Chair, and Philip McDowell as Secretary. Legislator Virkler encouraged everyone to take any CPR or BLS classes that are offered as it is important to know these life saving techniques.

#### PROJECT MANAGERS REPORT:

Jim Garito reported that globally speaking the country is through the first year of the projects. The DSS Renovation project is only running a week behind at this point. It was found that concrete slab is having too much moisture, so the architect and contractors are working on fixing this. It isn't an uncommon thing because back in the day it wasn't required to have a vapor barrier. Nick Garito reported that the metal for the Highway Garage should be arriving in February, the fire protection company is working on installing their system in the Cold Storage building, and the Wash Bay is just waiting for electric panels. Social Services building is moving along with interior walls being completed and painted; flooring will begin as soon as moisture issue is addressed. The DMV/Board of Elections building has exterior framing up and should begin the trusses next week. Everything is moving along nicely.

#### COUNTY MANAGER REPORT:

Ryan Piche thanked the essential employees for working over the holidays during the snowstorm, it is because of them that residents were able to get around on the roads. He also thanked Building & Grounds Supervisor, Matt O'Connor for stepping up and helping oversee the ongoing capital projects. The Chairman and himself went to Albany this morning to advocate for the state to keep the bio-mass facility on Fort Drum open. There is a very strong logging and forestry presence in Lewis County and hopefully in the next few weeks a decision will be made. They were joined by John Bartow, Brittany Davis by Zoom, Dave Zumbach, and many truckers from all over the North Country. It was a well put together coalition and hopefully will make an

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

impact on the decision. Two out of the three wireless broadband expansion projects have been completed and will be celebrated on Tuesday, January 10<sup>th</sup> with a ribbon cutting ceremony. This provides wireless broadband to areas in Harrisville and Port Leyden. The NYSAC Conference is coming up soon and will be held in Albany from February 27<sup>th</sup> through March 1<sup>st</sup>. If any legislators would like to attend, please just let the Clerk of the Board know so she can get you registered. This is a great opportunity to network with other counties and funding to attend is built in to the 2023 budget. The Committee goals for 2023 that were discussed in December's last meeting have been updated based on the discussion that was had and will be presented again for adoption at the January 17<sup>th</sup> meetings.

Legislator Dolhof explained that the lobbying in Albany was a way for the footprint of re-energy to be expanded to all of New York State. The current bio-mass facility on Fort Drum is one of the last plants that accepts low value wood products, which is part of healthy timber harvesting, and seemed to pique their interest. However, they didn't show their hand as to what the final decision will be.

### COUNTY TREASURER REPORT:

Eric Virkler has been excused from meeting, there was no verbal report.

### REPORT OF THE FINANCE AND RULES COMMITTEE:

JANUARY 3, 2023

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

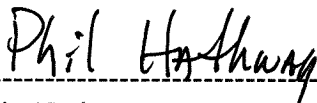
To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,713,131.87 and recommend that they be audited and allowed for the amounts claimed.



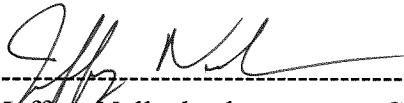
Thomas Osborne

Chair



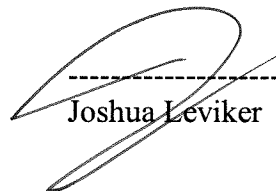
Philip Hathway

Vice-Chair



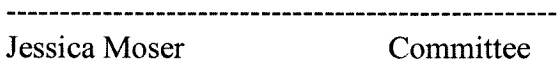
Jeffrey Nellenback

Committee



Joshua Leviker

Committee



Jessica Moser

Committee

Dated: January 3, 2023

Approved on motion by Legislator Virkler, seconded by Legislator Hathway, and carried.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 1 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$1,713,131.87 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 Virkler , seconded by Legislator Hathway , and adopted on the 3<sup>rd</sup> day of January, 2023 pursuant to the following roll call vote:

AYES: Hathway, Chartrand, Leviker, Osborne, Virkler, Gilbert, Moroughan, Nellenback, and Dolhof.

NAYS: None

ABSENT: Moser

**RESOLUTION NO. 2 - 2023  
RESOLUTION APPOINTING VICE-CHAIRPERSON  
OF LEWIS COUNTY BOARD OF LEGISLATORS**

Introduced by Legislator Lawrence Dolhof, Member of the Board of Legislators.

BE IT RESOLVED as follows:

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

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

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

Section 4. That this Board of Legislators hereby appoints

LEGISLATOR THOMAS OSBORNE

to perform the duties of Vice-Chairperson of the Lewis County Board of Legislators for calendar year 2023.

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

Moved by Legislator Hathway, seconded by Legislator Chartrand, and adopted on the 3<sup>rd</sup> day of January, 2023.

**RESOLUTION NO. 3 - 2023**  
**RESOLUTION APPROVING THE FORM AND THE AMOUNT OF**  
**A BLANKET UNDERTAKING COVERING OFFICERS,**  
**CLERKS AND EMPLOYEES OF LEWIS COUNTY**

Introduced by Legislator Thomas Osborne, Member of the Board of Legislators.

WHEREAS, County Law § 403 provides that the County Clerk, the County Treasurer, and Deputy Treasurer, as well as such county officers as shall be specifically required by law, must execute and file with the County Clerk an undertaking 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 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 will pay to 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 Virkler, seconded by Legislator Chartrand, and adopted on the 3<sup>rd</sup> day of January, 2023.

**RESOLUTION NO. 4 - 2023  
RESOLUTION WAIVING THE NEED FOR A SURETY BOND  
ON THE PART OF THE CHAIRMAN OF THE  
BOARD OF LEGISLATORS**

Introduced by Legislator Thomas Osborne, Member 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 Chairperson of the Board of Legislators shall not be required and waives any further obligation on the part of the Chairperson 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 Virkler, seconded by Legislator Chartrand, and adopted on the 3<sup>rd</sup> day of January, 2023.

**RESOLUTION NO. 5 - 2023  
RESOLUTION TO APPROPRIATE FUNDS  
VARIOUS CAPITAL RESERVE ACCOUNTS**

Introduced by Legislator Thomas Osborne, Member of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place to the Capital Equipment account to transfer funds budgeted for 2023 in the general fund and appropriate these funds in the Capital HAC fund with transfer from A0990100 992300 (To Capital Buildings & Grounds):

|                   |              |
|-------------------|--------------|
| Increase Revenue: |              |
| H0162000 350310   | \$300,000.00 |
| Project HAC       |              |

|                       |              |
|-----------------------|--------------|
| Increase Expenditure: |              |
| H0990100 499900       | \$300,000.00 |

## Project HAC

Section 2. That the following budget appropriation take place to the Capital Equipment account to transfer funds budgeted for 2023 in the general fund and appropriate these funds in the Capital HAD fund with transfer from A0990100 992500 (To Capital Equipment):

|                   |              |
|-------------------|--------------|
| Increase Revenue: |              |
| H0990100 350310   | \$800,000.00 |
| Project HAD       |              |

|                   |              |
|-------------------|--------------|
| Increase Expense: |              |
| H0990100 499900   | \$800,000.00 |
| Project HAD       |              |

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 3<sup>rd</sup> day of January, 2023.

**RESOLUTION NO. 6 - 2023**  
**RESOLUTION AUTHORIZING FIRE ADVISORY BOARD**  
**AND PROVIDING FOR PAYMENT OF ALLOWABLE EXPENSES**

Introduced by Legislator Lawrence Dolhof, Member of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 225-a of the County Law, the Lewis County Fire Advisory Board shall consist of the following members, who are hereby appointed to such Board for the term of one year commencing January 1, 2023 through December 31, 2023 to wit: Fire Chief of each Volunteer Fire Department in Lewis County, or a designated Assistant Fire Chief, all of whom shall be county officers and shall serve without compensation.

Section 2. That Lewis County Fire and Emergency Management Director Robert MacKenzie, III is hereby authorized to appoint up to six (6) Deputy Coordinators, who shall serve without compensation, and that said Director must submit a list of his appointees to the Clerk of the Board of Legislators as soon as appointments have been made.

Section 3. That the necessary expenses of the Lewis County Fire Advisory Board and the Deputy Coordinators shall be paid upon due audit as provided by law.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 3<sup>rd</sup> day of January, 2023.

**RESOLUTION NO. 7 - 2023  
RESOLUTION TO EXTEND AUTHORIZATION TO  
CANARX SERVICES, INC. AS  
LEWIS COUNTY HEALTH INSURANCE PLAN VENDOR**

Introduced by Legislator Thomas Osborne, Member of the Board of Legislators.

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 commencing January 1, 2023 and continues until terminated by either party.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 3<sup>rd</sup> day of January, 2023.

**RESOLUTION NO. 8 - 2023  
UPDATED DESIGNATION OF DEPOSITORIES**

Introduced by Legislator Thomas Osborne, Member of the Board of Legislators.

WHEREAS, Section 212 of the County Law, General Municipal Law Section 10, and the County's Investment Policy provide 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, the Treasurer seeks to have the Board of Legislators update the amounts on deposit in the designated depositories for County monies for 2023;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the following named banks, banking associations or trust company(s) be designated as depositories for County of Lewis monies up to the maximum amount as set opposite each named:

|                             |                |
|-----------------------------|----------------|
| Community Bank N.A.         | \$40,000,000.  |
| Key Bank of Central NY N.A. | \$ 10,000,000. |
| JP Morgan Chase Bank        | \$40,000,000.  |

JANUARY 3, 2023

|                                       |                |
|---------------------------------------|----------------|
| RBC Wealth Management                 | \$40,000.000.  |
| Chemung Canal Trust Company           | \$25,000,000.  |
| NYCLASS                               | \$40,000,000.  |
| Carthage Savings and Loan Association | \$ 10,000,000. |
| TD Bank                               | \$ 10,000,000. |
| Signature Bank                        | \$ 10,000,000. |

Section 2. That the Clerk of the Board 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 Virkler, seconded by Legislator Chartrand, and adopted on the 3<sup>rd</sup> day of January, 2023.

OTHER BUSINESS:

At 5:36 p.m. Chairman Dolhof closed the public hearing.

There being no other business to come before the Board, Legislator Chartrand moved to adjourn the meeting at 5:37 p.m., seconded by Legislator Virkler and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING  
February 7, 2023**

The meeting was called to order at 5:02 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present. There were 18 other persons present.

Chairman Dolhof asked Legislator Gilbert for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the January 3, 2023 meeting minutes approved by general consent.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Phil Hathway  
Jeffrey Nellenback  
Joshua Leviker  
Jessica Moser

Dated: February 7, 2023

Legislator Virkler made a motion to waive the rules, seconded by Legislator Moroughan and carried.

**CLERK OF THE BOARD REPORT:**

A resolution was received from St. Lawrence County opposing any alteration to New York State law that would change the mission and function of Soil and Water Districts without input from the County Board of Legislators and Supervisors, New York Farm Bureau, NYS Department of Agriculture and Markets, and the Four-Way Partnership of the Soil and Water District System that include Natural Resources Conservation Service (NRCS), New York Association of Conservation Districts (NYACD), the State Committee, and the Employee Associations.

Real Property Tax Director, Candy Akin and County Treasurer, Eric Virkler have filed an approved application for 2022 corrected tax rolls for property owners Philip, Donald, Benjamin, Jasin, Kevin Carroll, and Matthew Cooper. Weights & Measurers Director, Brian Mooney submitted the December 2022 Field Service Reports which have been placed on file. The following Departments have submitted their 2022 Annual Report: Building Codes, Buildings & Grounds, County Clerk, Emergency Management, Highway, Information Technology, Junkyards, Office For the Aging, Planning, Probation, Public Health, Purchasing, Real Property, Recreation, Forestry & Parks, Solid Waste, and Treasurer.

REPORTS OF STANDING COMMITTEES:

Legislator Chartrand as Vice-Chair of the General Services Committee moved to authorize County Attorney, Joan McNichol to move forward with completing the foreclosure process on the Lyons Falls School property, it was stayed for environmental assessment, seconded by Legislator Osborne and carried. Legislator Gilbert abstained.

Legislator Virkler stated that the Bridges Out of Poverty in Lewis County is holding an event on March 7<sup>th</sup> at the Three Willows Event Center. More information can be found on the Public Health website. It is an all-day event with lunch provided, that discusses the impact that poverty can have and is very powerful. She encouraged everyone that is able to attend.

Legislator Chartrand reported that the October Employee of the Month was Marcos Cruz, R.N. and the November Employee of the Month was Elizabeth Lawrence, R.N. The roof on the new building was completed on January 20<sup>th</sup>, which is now water-tight and the shell is enclosed. The heat was also connected that day which will allow interior work to be performed during the winter months. There was an incident with a large propane tank that was placed on disturbed earth, and it slid down an embankment but that was handled quickly with the expertise of firefighters and first responders. The final touches are being performed on the patient room on the East Wing, this allows for flexibility on the rest of the project. Like all other construction projects there are concerns with material and equipment delivers as there are ongoing supply chain challenges. The hospital created one (1) fulltime CT Technologist and three (3) fulltime Mammography Technologist positions and abolished four (4) fulltime Radiologic Technologist positions. Supreme Court Judge, Gerald Neri, made a ruling on Friday, January 13, 2023, that NYS Public Health Law did not support mandating a vaccine on all health care workers. Mr. Cayer and other health facilities will be reaching out to HANY's to support Judge Neri's ruling.

PROJECT MANAGERS REPORT:

Mr. Jim Garito reported that the DSS building is running a couple weeks behind schedule but should still hit the finish date on the original timeline. The electrical panels are still delayed which could hold up the move but are not scheduled for April. Contractors are very aggressively working to move things along. The Highway Garage arrived but electrical panels are still an issue for completion. The building team is working on figuring out the work involved with the new entrance based on the DOT requirements.

Mr. Nick Garito reported that the Highway garage will be started on Thursday this week and should be finished in eight weeks. The Cold Storage building is having the electrical and sprinkler rough-in work done. The Wash Bay building is having the rough-in mechanicals done. The DMV/Board of Elections building trusses arrived last week and they are being set this week. The DSS interior is being finished up with floors being prepped, and ceiling grids being placed. The Maintenance Garage has the interior walls up and the exterior walls will be sided soon.

COUNTY MANAGER REPORT:



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Ryan Piche reported that he is watching for state budget developments, which is the reason for tonight's late resolution. Proposed policy changes to Medicaid are not in the county's favor. Basically, Social Services administers a lot of the Medicaid programs, which means that they should be getting a apportion of the enhanced FMAP funding but instead the state wants to keep all of it. Lewis County currently pays roughly \$90,000 per week, but if the county no longer received the eFMAP funds it could go up to around \$700,000 per week. Medicaid growth is increasing far more rapidly than inflation each year. The budget and this specific piece of it will be monitored closely.

### COUNTY TREASURER REPORT:

Eric Virkler reported that he attended a NYS Treasurer's Association meeting on Friday, February 3<sup>rd</sup> which discussed this being the worst state budget as in how it negatively impacts counties. The total sales tax received from 2023 was a little over \$18 million, and the first payment of 2023 is already on trend to be higher than last year. The Treasurer's annual report was distributed and if anyone has any questions, they can reach out to him. He reported that one of his initiatives for 2023 is to continue to move forward with electronic payments by using more p-card type purchases and utilizing electronic ACH payment to vendors.

### REPORT OF THE FINANCE AND RULES COMMITTEE:

FEBRUARY 7, 2023

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

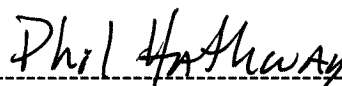
To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 6,043,223.56 and recommend that they be audited and allowed for the amounts claimed.



Thomas Osborne

Chair



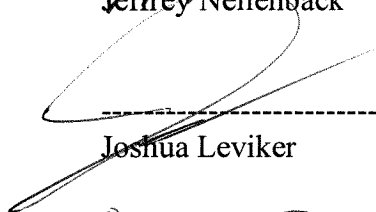
Philip Hathway

Vice-Chair



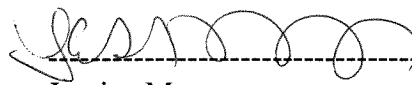
Jeffrey Nellenback

Committee



Joshua Leviker

Committee



Jessica Moser

Committee

Dated: February 7, 2023

Approved on motion by Legislator Virkler, seconded by Legislator Leviker, and carried.

**RESOLUTION NO. 9 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$6,043,223.56 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 Virkler, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of February, 2023, pursuant to the following roll call vote:

AYES: Virkler, Chartrand, Gilbert, Osborne, Leviker, Moroughan, Nellenback, Hathway, Moser, and Dolhof.

NAYS: None

ABSENT: None

**RESOLUTION NO. 10 - 2023  
RESOLUTION AUTHORIZING AGREEMENT WITH TRANE U.S. INC. FOR  
COURTHOUSE BUILDING AUTOMATION SYSTEM CONTROL UPGRADES**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Trane U.S. Inc. (“Trane”) with offices located at 15 Technology Place, East Syracuse, NY 13057, installed and maintains the HVAC System for the Lewis County Courthouse Building; and

WHEREAS, the current building automation controllers are antiquated and require replacement with upgraded system controls; and

WHEREAS, Trane has presented a proposal to remove and replace the (2) existing building control units, and install its Tracer SC<sup>+</sup> System to modernize the control system and improve functionality, at a cost of \$29,862.00; and

WHEREAS, the Board of Legislators wishes to authorize this agreement for upgraded services and equipment;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with Trane U.S. Inc. to replace and install two (2) building control units together with its

upgraded control system known as the Tracer SC<sup>+</sup>, with all other software and equipment for remote access and training at a cost of \$29, 862.00, for the Courthouse Building.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such terms and conditions approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 11 – 2023**  
**RESOLUTION AUTHORIZING CHANGE ORDER NOS. 8, 9, 10 & 11 TO THE**  
**AGREEMENT WITH BETTE & CRING FOR THE HIGHWAY GARAGE AND DSS**  
**BUILDING RENOVATIONS UNDER THE FACILITIES IMPROVEMENT PROJECTS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Bette & Cring was awarded the construction contracts for the Highway Garage and DSS Renovation Projects; and

WHEREAS, Bette & Cring submitted four (4) additional potential change orders (016, 024, 032 and 023) to address necessary changes in scope and revisions to both the DSS and Highway Garage Projects. The descriptions and amounts of these change orders are as follows:

|                                              |              |
|----------------------------------------------|--------------|
| DSS Bldg: CO # 08 - exterior wall framing -  | \$ 93,061.00 |
| CO # 09 - upgrade to main entrance (canopy)- | \$ 70,388.00 |
| CO # 10 - floor moisture mitigation -        | \$ 38,945.00 |

|                                                  |              |
|--------------------------------------------------|--------------|
| Highway Garage: CO # 11 - DOT approved changes - |              |
| (new entrance)- not to exceed:                   | \$430,244.00 |

|                                                               |              |
|---------------------------------------------------------------|--------------|
| Total Change Orders to Bette & Cring Contract (not to exceed) | \$632,638.00 |
|---------------------------------------------------------------|--------------|

WHEREAS, these PCOs have been fully reviewed and vetted by C&S and KT Consulting, who recommend the Board's approval of same in order to move forward with the projects;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves Chang Order Nos. 8, 9, 10, & 11 to the Agreement with Bette & Cring, for the new Highway Garage entrance approved by DOT, and additional exterior wall framing, main entrance upgrade for a canopy and floor moisture mitigation at the DSS building as outlined above and in

PROCEEDINGS OF THE BOARD OF LEGISLATORS

accordance with the documentation submitted by the contractor, at a total cost not to exceed \$632,638.00.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Orders as amendments to the Agreement with Bette & Cring upon review and approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 12 - 2023  
DETERMINATION OF SIGNIFICANCE FOR PROPOSED PURCHASE  
OF REAL PROPERTY PURSUANT TO THE NEW YORK STATE  
ENVIRONMENTAL QUALITY REVIEW ACT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Resolution No. 276-2022, the County of Lewis (the “County”) declared its intention to negotiate the terms of an agreement to purchase certain real property and improvements thereon (the “Proposed Agreement”) owned by Mohawk, Adirondack & Northern Railroad Corporation, The Lowville & Beaver River Railroad Company, and Genesee Valley Transportation Co., Inc. (collectively, the “Railroad”), for use in connection with the County's development of a recreational trail system, including hiking and walking trails; and

WHEREAS, the property to be acquired by the County includes approximately 48 separate parcels, totaling more than 250 acres and improved with upwards of 30 miles of mostly inactive railroad lines in four (4) distinct rail corridor sections: (1) the “Carthage Line,” running in a northerly direction from the Lowville to Carthage (Jefferson County); (2) the “Croghan Line” running in a northeasterly direction from Lowville to Croghan; (3) the “Village of Lowville” line, running north to south in and through the Village of Lowville; and (4) the “Village of Lyons Falls” line, running southerly from the County’s multi-use trail through the Village of Lyons Falls to and part of the south side of McAlpine Street (collectively, the “Railroad Property”); and

WHEREAS, the Railroad commenced an action in U.S. District Court for the Northern District of New York in response to the County's exercise of its authority to conduct a pre-acquisition inspection connected with the Project; and

WHEREAS, following mediated settlement discussions, the County and Railroad agreed to terms set forth in a Memorandum of Understanding which states that the parties intend to convey the Railroad Property in consideration for the sum of \$2,500,000.00, and the parties are in the process of negotiating terms for the conveyance of fee title to the Railroad Property (the “Proposed Agreement”); and

WHEREAS, the County desires to comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617 (the "Regulations"), with respect to the Proposed Agreement; and

WHEREAS, on December 22, 2022, the County Board of Legislators adopted Resolution No. 332-2022 preliminarily classifying the Proposed Agreement as a Type 1 Action under SEQRA and declared its intent to serve as lead agency for purposes of conducting a coordinated review under SEQRA; and

WHEREAS, Part 1 of the Full Environmental Assessment Form was sent to all interested agencies for comment and the County received no objection to its serving as lead agency. Part 1 of the FEAF has been amended to address clarifications as noted, and the amended form has been provided to the Board for adoption; and

WHEREAS, the County held a public forum on November 9, 2022 to hear all persons interested in the Proposed Agreement.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby confirms and adopts the following conclusions as SEQRA lead agency:

1. The County hereby confirms its preliminary classification of the Proposed Agreement as a Type I Action under SEQRA (the "Action");
2. The following impacts are expected to result from the Action, when compared against the criteria in Section 617.7 (c) of the Regulations:
  - a. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The acquisition of the rail will not result in an increase in noise, odor or lighting. The acquisition may result in brief visits by professionals and engineers evaluating the structural integrity of structures that traverse the Black River including trestles in Carthage, Lowville and other small bridges. Evaluation will not involve blasting nor the creation of odors for more than one hour a day, nor shining light onto adjacent properties. Therefore, the acquisition will not have a significant impact on noise, odor or light.

- - b. There will not be large quantities of vegetation or fauna removed or destroyed as the result of the Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the Action; there will not be a significant impact upon habitat areas; there are no substantial adverse impacts on any known threatened or endangered species of

animal or plant, or the habitat of such species; nor are there any other significant adverse impacts to natural resources.

Insofar as the contemplated construction of recreational trails on the Railroad Property may result in the potential removal of vegetation or fauna, such impacts will be minimal. While flora and fauna do exist on and adjacent to the railroad right of way, the acquisition of the railroad will have no impact on any species of concerns or those listed as endangered by New York State or the Federal government and does not involve conversion of any forestland, grassland or locally important habitat and does not involve the use of herbicides or pesticides.

For those sections of rail that are overgrown with shrubs and young seedlings, the overgrowth will be removed to create a continuous path for walking and hiking. If there are any trees over the 9 dbh that need to be removed, the County will comply with all relevant guidelines, including "Protective measures for northern long eared bats when engaging in forestry practices" and the USFWS issued its Final 4(d) Rule for the NLEB based on the proximity of the tree to identified sensitive areas. Legal tree removal will occur within the federally established dates between October 1 and March 31 when bats are hibernating in caves and not in trees.

- c. There are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action.
- d. The Action will not result in the creation of a material conflict with the County's current plans or goals as officially approved or adopted. To the contrary, the Action is meant to further these goals by creating trails that may be used for recreational purposes.
- e. The Action will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The Action is anticipated to have a positive future impact on the quality of the community's aesthetic resources by enabling the County to create trails for public use. Ultimately, this is expected to result in substantial improvements to the quality of the community's aesthetic resources through the replacement of abandoned or underutilized railroad infrastructure with public recreational trails.

The acquisition of the Railroad Property will remove the designation of the railway as a public rail. However, the majority of the railway has not been used for several years for any actual rail transportation. Occasional maintenance has occurred on portions of the rail between Lowville and Carthage. Maintenance has not been witnessed between Lowville and Croghan and no rail cars have used the tracks for years, except for a one-mile tourism use of the rail line in Croghan by the Railroad Historical Society; such use the County intends to

preserve and allow to continue. The only other portion of the track that is still capable of use by rail cars is located in the Village of Lyons Falls. Portions of this rail will be maintained by the Railroad company in order to retain rail car storage on the tracks. The County will acquire easements to co-locate trails on those portions of the track that are still required for use by the Railroad. The intent of the acquisition of the rail is for public enjoyment and would only enhance nearby historical resources, not eliminate them. There will not be an increase in the use of either the quantity or type of energy resulting from the Action.

The acquisition of the rail will not require new or upgrades to a substation, require creation of energy transmission, utilize more than 2,500 megawatt (MW) hours per year of electricity, nor require heading or cooling. The acquisition of the rail should not have significant impact on energy use in the project area.

- f. There will not be any hazard created to human health.

The acquisition of the rail will not involve remediation, excavation, removal or disposal of hazardous or solid wastes. Genesee Valley Transportation Co., Inc., will be removing switches for their own retention, but this should have no significant impact on human health. The County is not aware of any contamination based upon on-line information provided by the NYS DEC. As part of its due diligence in connection with the transfer of title, the County will be performing a Phase 1 investigation.

- g. There will not be an irreversible change in the legal use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland. All existing easements related to agricultural lands shall remain in place and of record.
- h. The Action will not encourage or attract large numbers of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the Action.

Insofar as the contemplated construction of recreational trails on the Railroad Property may result in a potential increase in the number of people on the Railroad Property, such impacts will be minimal due to existing screening and the nature of the uses of land in the vicinity of the Railroad Property.

- i. The Action will not create a material demand for other Actions that would result in one of the above consequences.
- j. There will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact.
- k. There are not two or more related Actions which would have a significant impact on the environment.



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3. Based upon the information and analysis above, the Action WILL NOT result in any significant adverse environmental impacts;
4. The information available concerning the Action was sufficient for the County to make its determination;
5. The County hereby approves and adopts the attached Full Environmental Assessment Form for the Action (Parts 1-as amended, 2, and 3);
6. A Determination of Non-Significance on the proposed Action is hereby issued;
7. The preparation of an environmental impact statement for the Action shall not be required;
8. This Determination of Non-Significance has been prepared in accordance with SEQRA and the County Attorney is hereby directed to file, publish and distribute a notice of this Negative Declaration pursuant to 6 NYCRR § 617.12(a)(1);

Section 2. That the Lewis County Board of Legislators hereby authorizes and directs the Chairman, Vice-Chairman or County Attorney to sign the Full Environmental Assessment Form Parts and issue the Negative Declaration as evidence of the County's determination.

Section 3. That the Lewis County Board of Legislators hereby authorizes the Chairman or Vice-Chairman of the Board to execute the Proposed Agreement and to take such further action as may be required to complete the transaction contemplated thereunder; and

Section 4. That this Resolution shall take effect immediately.

Attorney Brody reviewed the process of the SEQRA with the Board and referenced the Part 1 approval by adopting Resolution No. 332-2022 on December 22, 2022. He discussed the minor amendments to Part 1, which the Board unanimously agreed to. Brody then went through each question in Part 2 with the following answers by the Board. Question 1 – No; 2 – No; 3 – No; 4 – No; 5 – No; 6 – No; 7 – Yes, with subsection answers as no to small impact; 8 – No; 9 – No; 10 – Yes, with subsection answers as small and no to small impact; 11 – No; 12 – No; 13 – Yes, with subsection answers of no to small impact; 14 – No; 15 – No; 16 – No; 17 – no; and 18 – No. He concluded by explaining that Part 3 was covered in the above resolution.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted by on the 7<sup>th</sup> of February, 2023 pursuant to the following roll call vote:

AYES: Moser, Chartrand, Gilbert, Hathway, Leviker, Moroughan, Nellenback, Osborne, Virkler, and Dolhof.

NAYS: None

ABSENT: None

**RESOLUTION NO. 13 - 2023**  
**RESOLUTION AWARDBID AND AUTHORIZING AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND NORTHERN REGIONAL CENTER FOR**  
**INDEPENDENT LIVING TO PROVIDE PEER SERVICES UNDER THE**  
**MEDICATION-ASSISTED TREATMENT (MAT) PLAN FOR INCARCERATED**  
**INDIVIDUALS SUFFERING FROM SUBSTANCE ABUSE DISORDERS**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Director of Community Services sent out a Request for Proposals for qualified entities to provide services outlined in chapter 432 of the 2021 Laws of New York, which require the County to develop a medication-assisted treatment and transition services plan for incarcerated persons (IP) who suffer from substance abuse disorders as defined under the law; and

WHEREAS, bid proposals were opened on November 10, 2022 at 2:00 pm by the Clerk of the Board with the Director of Community Services, Purchasing Director and Legislator Hathway present; and

WHEREAS, all bid proposals were reviewed and analyzed by the Director of Community Services and County Manager in consultation with the Lewis County Sheriff and staff as well as the County Attorney. The Director of Community Services recommends that award for peer services be awarded to Northern Regional Center for Independent Living, Inc. (NRCIL), 5520 Jackson Street, Lowville, NY 13367 as the qualified, responsive bidder to provide peer services to qualified Ips under the MAT program, in the amount of \$41,250 for twenty (20) hours per week , for the scope of peer services set forth in the RFP;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid for peer services IPs under the MAT Program Plan developed by the Director of Community Services and County Manager, in consultation with the Lewis County Sheriff and staff pursuant to the RFP, to NRCIL, Inc. of Lowville, NY 13367, in the amount of \$41,250 for 20 hours per week of such peer services, retroactive to January 1, 2023 through December 31, 2023.

Section 2. That the Lewis County Board of Legislators hereby authorizes a contract with NRCIL for the identified, specific services outlined in the RFP for peer services pertaining to the MAT Program Plan, together with any additional terms, conditions and provisions recommended by the Director of Community Services.

Section 3. That compensation paid under this contract award is from OASAS funding provided to the Director of Community Services.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, together with execution of the Agreement(s) by the Director of Community Services and Lewis

County Sheriff, upon such terms and conditions as may be recommended by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 14 - 2023**  
**RESOLUTION AUTHORIZING ADDITIONAL ONLINE ACCESS OPTIONS UNDER**  
**THE “IQS” PUBLIC WEB SEARCH SYSTEM IN THE COUNTY CLERK’S OFFICE**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis is currently in a contract with Info Quick Systems (“IQS”) that provides a computer system and related software to the Lewis County Clerk’s Office to perform records management, which includes hardware, software, support and maintenance; and

WHEREAS, the Lewis County Clerk’s Office currently utilizes digitized images for many public records; and

WHEREAS, the agreement with IQS includes revenue sharing for provision of record access online based upon two (2) options. One is a 6-month subscription at \$600 plus \$.65 per printed page fee; the second option is a \$15 all day access plus \$.65 per printed page. IQS pays over to the County Clerk 40% of all fees for online access; and

WHEREAS, the County Clerk seeks to expand the online access to include two additional options: an option for a monthly subscription of \$125, plus \$.65 per printed page fee; and an option to pay a flat fee of \$5 per document viewed, inclusive of printing the document. This flat fee option would have the user sign in as guest; and

WHEREAS, upon recommendation of and request by the County Clerk, the Board of Legislators wishes to accept said amendments to the online access and revenue sharing contract;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the additional online access options of: an option for a monthly subscription of \$125, plus \$.65 per printed page; and an option to pay a flat fee of \$5 per document viewed, inclusive of printing the document. IQS will continue to pay over to the Lewis County Clerk on a periodic basis 40% of all fees received from all options under the online access system.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver any amendment which may be required to give effect to this change, upon such form as may be approved by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 15 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENTS BETWEEN**  
**LEWIS COUNTY HIGHWAY DEPARTMENT, LEWIS COUNTY SOLID WASTE**  
**DEPARTMENT, LEWIS COUNTY RECREATION, FORESTRY AND PARKS**  
**DEPARTMENT, AND LEWIS COUNTY BUILDINGS AND GROUNDS DEPARTMENT**  
**WITH LEWIS COUNTY GENERAL HOSPITAL OCCUPATIONAL MEDICINE**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Highway Department, Lewis County Solid Waste Department, Lewis County Recreation, Forestry and Parks Department and Lewis County Buildings and Grounds Department wish to enter into Agreements with Lewis County Health System Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same; 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 Agreements between the Lewis County Highway Department, Lewis County Solid Waste Department, Lewis County Recreation, Forestry and Parks Department and Lewis County Buildings and Grounds Department with Lewis County General Hospital Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same.

Section 2. That this is for the term beginning January 1, 2023 and ending December 31, 2023 for the Company/Consortium Pricing Package at a rate of \$150.00 per employee, a 36% increase from 2022. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$110.00; Breath Alcohol Test – \$25.00; Breath Alcohol Confirmation Test – \$25.00; Onsite Testing – \$50.00 and after hours testing - \$200.00.

Section 3. That the Chair or Vice-Chair 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 16 - 2023  
RESOLUTION TO APPROPRIATE FUNDS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation take place to provide additional funds needed for increased expenses due to the high cost of fuel requiring a higher contract payment to towns for snow and ice agreements:

Transfer from:

|                        |              |
|------------------------|--------------|
| D0 005990 Fund balance | \$ 18,000.00 |
|------------------------|--------------|

Transfer to:

|                                  |              |
|----------------------------------|--------------|
| D0 514200 490120 CR Snow and Ice | \$ 18,000.00 |
|----------------------------------|--------------|

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 17 - 2023  
RESOLUTION AUTHORIZING JUST COMPENSATION  
FOR ACQUISITION OF EASEMENTS IN THE RIGHT-OF-WAY  
FOR BRIDGE REPLACEMENT PROJECT- (PIN 7753.94)  
(CR 21 OVER GULF STREAM – BIN 10239780)**

Introduced by Legislator Ian Gilbert, Chair of General Services Committee.

WHEREAS, the County authorized the bridge repair and replacement project known as the “CR 21 over Gulf Stream” in the Town of Pinckney, referred to as PIN# 7753.95, BIN 10239780 with Federal and State funding; and

WHEREAS, the replacement of the bridge requires acquisition of easements from landowners adjacent to the Bridge over the Gulf Stream in order for the Highway Department to have right-of-way access; a permanent easement to 1,368 +/- square feet of real property (of which 319 +/- sq. ft. is underwater) of a portion of the lands owned by Paul King and known as tax map no. 171.04-01-07.0, on CR 21 adjacent to the Bridge over Gulf Stream, in order for the County Highway Department to have right-of-way access; and

WHEREAS, the bridge repair right-of-way consultant, RK Hite & Co, Inc., has identified, reviewed and appraised two (2) adjacent parcels which require a portion of same to provide either a temporary or permanent easement for access to the Right -of-Way. The parcels, type of easement, and compensation for same are as follows:

| <b>Parcel # &amp; Owner</b> | <b>Easement Type/Description</b>                                                              | <b>Compensation</b> |
|-----------------------------|-----------------------------------------------------------------------------------------------|---------------------|
| 171.04-01-07.0 - King       | Permanent – to 1,368sq ft<br>(319 sq ft being underwater)<br>adjacent to the bridge           | \$2,000.00          |
| 171.04-02-11.0 - Wasser     | Temporary 2 yrs – to 5,303 sq<br>ft (684 sq ft being<br>underwater) adjacent to the<br>bridge | \$200.00 for 2 yrs  |

WHEREAS, in recommending that Lewis County acquire these easements in the right-of-way for this bridge, and pay the compensation as set forth above, the County has considered the Federal Highway Administration and NYS DOT guidelines for right-of-way acquisitions; and

WHEREAS, the Superintendent of Highways requests that the Board of Legislators authorize the acquisition of the above identified easements of a portion of the parcels of land from the owners named, their successors or assigns, at the amounts set forth;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby establishes and authorizes the payment of \$2,000 for the permanent easement and \$200.00 for the temporary easement to the landowners of the identified parcels named above in the Town of Pinckney for the portions of land for the County's right-of-way rights adjacent to the bridge known as "CR 21 over Gulf Stream" in the Town of Pinckney, referred to as PIN# 7753.95, and as depicted on the maps drawn for each easement.

Section 2. The Lewis County Board of Legislators authorizes the permanent and temporary easement acquisitions, with the compensation for same to be charged against Bridge Project PIN #7753.95.

Section 3. That the Chairman of the Board, or Vice-Chairman in his absence, be and is hereby authorized and directed to execute all necessary agreements and documents in connection with acquiring these easements from the identified property owners, as approved as to form by the County Attorney.

Section 4. That the Superintendent of Highways is authorized to execute the acquisition map required for filing of the easements, upon review by the County Attorney.

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

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Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 18 - 2023  
RESOLUTION TO TRANSFER FUNDS  
County Highway Department**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2023 budget transfer take place in the Highway Department Accounts for the lease payments on the Enterprise Vehicles, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

Increase Revenue:

|                 |              |
|-----------------|--------------|
| DM513000 350310 | \$130,000.00 |
|-----------------|--------------|

Increase Expenditure:

|                 |              |
|-----------------|--------------|
| DM513000 223400 | \$130,000.00 |
|-----------------|--------------|

Section 2. That the following 2023 budget transfer take place in the Highway Department Accounts for the various annual lease payments, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

Increase Revenue:

|                 |              |
|-----------------|--------------|
| DM513000 350310 | \$442,000.00 |
|-----------------|--------------|

Increase Expenditure:

|                 |              |
|-----------------|--------------|
| DM513000 223300 | \$442,000.00 |
|-----------------|--------------|

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 19 – 2023  
RESOLUTION OPPOSING GOVERNOR HOCHUL’S  
PROPOSED BAN ON FOSSIL FUEL HEATING EQUIPMENT  
IN RESIDENTIAL AND COMMERCIAL BUILDINGS**

Introduced by Legislator Philip Hathway, Vice-Chair of the Finance & Rules Committee.

WHEREAS, in her State of the State speech, Governor Hochul called for the state Legislature to phase out the sale of fossil fuel heating equipment and appliances (including gas stoves) in new residential and commercial buildings by 2025 and 2030 respectively; and to ban the sale of fossil fuel heating equipment in existing residential and commercial buildings by 2030 and 2035 respectively as a way to continue to fight greenhouse gas output and climate change; and

WHEREAS, gas appliances, including cooking stoves, leak both methane and nitrogen oxides which are of concerns not only for the environment but also for health of those using these appliances; and

WHEREAS, while the Governor's proposed ban is intended to help address climate change, it is evident that a full, outright government ban of such appliances will only serve to place additional burdens on our residents, businesses and manufacturing facilities; and

WHEREAS, these proposed regulations demonstrate, once again, Albany's short-sightedness and inability to understand the effects of such state-wide policies upon small, rural communities in upstate New York. Just some of the effects that these proposals ignore are:

- the cost to convert a residential house to electric will result in between \$20,000 - \$50,000, (without considering the cost of a backup system in the event of power outages – a common occurrence in upstate New York);
- gas heating and cooking systems are better suited for the harsh winter weather and storms which frequently occur in upstate New York, and leave thousands of residents with the ability to safely cook and have hot water during the numerous days needed to restore electricity;
- the Climate Action Council itself recognizes that these one-size-fit-all proposals will cost residents in colder climates to incur more financial costs, as they will need two heating sources with this ban. Mandating the purchase of electrical appliances places increased costs on families who cannot afford them;
- the health dangers associated with gas appliances can be remedied with attention to ventilation;
- the older, single homes in upstate New York will require considerable, costly electrical upgrades to accommodate the increased demand from these required electric appliances;
- the costs to and for new construction builders will adversely affect either their ability to keep employees, or cause them to pass on these increased costs to the prospective homeowner; and

WHEREAS, a ban on gas appliances and water heaters will cause many residents and businesses to move out of state and contribute to the increased accelerated population loss many counties are already experiencing because of the high costs of living in New York; and

WHEREAS, Lewis County has been at the forefront of taking reasonable, considered and measured steps to reduce its carbon footprint by years of investing in green initiatives which are tailored to and make sense for its residents and local environment; and

WHEREAS, the Governor's ban, while intended to help address climate change, will only serve to be another burden on our region's residents and increase the costs to our businesses



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who struggle to meet all of the mandates imposed by the leaders in Albany. The President of the United States has expressed opposition to any prohibition against the use of gas appliances; and

WHEREAS, mandating the purchase of electrical appliances is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth; and

WHEREAS, the ban on fossil-fuel powered heating equipment and appliances will cause severe hardship on the residents and businesses within Lewis County and the North Country;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators vehemently opposes the Governor's proposed all-out ban on gas heating systems and appliances as not feasible, too broad, and counter-productive for Lewis County residents and upstate New York communities in general.

Section 2. That the Lewis County Board of Legislators declares that New York is not a "one-size fits all" environment; and strongly urges the Governor and New York State Legislature to examine the real life impacts and financial realities these proposed broad bans will have on the residents in rural communities such as Lewis County, who are least able to afford the drastic costs these proposals will have on them and the businesses operated therein.

Section 3. That the Lewis County Board of Legislators calls upon the New York State Senate and Assembly to oppose any such broad-based legislation to eliminate and/or phase out the sale of fossil fuel heating and cooking equipment and appliances, and urges instead, that the State Legislative bodies cautiously measure their steps and actions when considering drastic prohibitions on the residents and businesses in New York while balancing the interests in preserving our environment and natural resources with the demands and needs of its citizens.

Section 4. That this Resolution shall take effect immediately.

Section 5. That the Clerk of the Board is directed to forward certified copies of this resolution to Governor Hochul, Senator Mark Walczyk, Assemblyperson Kenneth Blankenbush, the Majority and Minority leaders of the State Senate and Assembly, New York State Association of Counties, and any other party deemed necessary and proper.

Moved by Legislator Hathway, seconded by Legislator Nellenback.

Legislator Hathway thanked the Clerk of the Board, Cassandra Moser and County Attorney, Joan McNichol for coming up with the resolution based on his thoughts.

The Resolution was then adopted on the 7<sup>th</sup> day of February 2023.

**RESOLUTION NO. 20 - 2023**

**RESOLUTION TO ACCEPT GRANT AND APPROPRIATE FUNDS FOR  
COUNTY-WIDE SHARED I.T. SERVICES INITIATIVE PROJECT**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to prior submissions for shared services through NYS grant funds, an application for a County-Wide Shared I.T. Services Initiative Project was submitted to NYS by the Planning Director; and

WHEREAS, these funds will be used to coordinate digital codification of all interested municipalities' local laws, building codes, and zoning regulations online for ease of access for residents and developers. Using the County's new website platform, the County will be able to utilize these funds to host up to 25 municipal sub-sites, and provide secure and reliable emails for officials; and

WHEREAS, the Planning Department received notification of the grant award in the amount of \$499,668.00 and requests approval to accept same and provide for the budget appropriation;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby accepts the grant award, authorizes an agreement between the County of Lewis, by and through the Planning Department and New York State, and appropriates the funds for this shared service I.T. project.

Section 2. That the following budget appropriations be approved in the Planning Department to accept the specified NYS grants funds and authorize the revenue and expenditure amounts for this program, i.e., County-Wide Shared Services Initiative Project Implementation Grant:

Increase Revenue:

|                                                |              |
|------------------------------------------------|--------------|
| A0802000 327072 NYS Shared Services grant 2023 | \$499,668.00 |
|------------------------------------------------|--------------|

Decrease Expenditure:

|                                   |              |
|-----------------------------------|--------------|
| A0802000 495500 Planning Projects | \$ 49,967.00 |
|-----------------------------------|--------------|

Increase Expenditure:

|                                          |              |
|------------------------------------------|--------------|
| A0802000 495300 2023 NYS Shared Services | \$549,635.00 |
|------------------------------------------|--------------|

Section 3. That the Chair or Vice-Chair 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 Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 21 - 2023**  
**RESOLUTION TO ACCEPT GRANT AND APPROPRIATE FUNDS FOR SMART GROWTH COMMUNITY PLANNING AND ZONING**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to Resolution No.158-2022 the Lewis County Board of Legislators authorized an application and agreement (if awarded) for a Smart Growth Community Planning and Zoning Grant to update zoning regulations on behalf of the Town of Watson; and

WHEREAS, this grant requires a commitment of a 10% match from the County and Town, not to exceed \$10,000.00 with the County's portion provided by the Planning and Community Development Department through its Community Development line item; and

WHEREAS the Planning Department has been awarded the grant and requests the budget appropriations for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators approves the following budget appropriations in the Planning Department to accept the specified NYS grant funds and authorize the revenue and expense amounts for this program, i.e., Smart Growth Community Planning and Zoning Grant:

Increase Revenue:

|                                                      |             |
|------------------------------------------------------|-------------|
| A0802000 339014 Smart Growth 2023 Community Planning | \$90,000.00 |
|------------------------------------------------------|-------------|

Decrease Expenditure:

|                                   |              |
|-----------------------------------|--------------|
| A0802000 495500 Planning Projects | \$ 10,000.00 |
|-----------------------------------|--------------|

Increase Expenditure:

|                                                     |              |
|-----------------------------------------------------|--------------|
| A0802000 495700 Smart Growth Expenditure 2023 Grant | \$100,000.00 |
|-----------------------------------------------------|--------------|

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

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 22 - 2023**  
**RESOLUTION TO SET A PUBLIC HEARING WITH REFERENCE TO**

**INCLUSION OF AGRICULTURALLY VIABLE LAND INTO THE CERTIFIED  
AGRICULTURAL DISTRICT # 6**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Board of Legislators, in accordance with § 303-b of the Agricultural and Markets Law, designated November 15 to December 15 as the annual thirty (30) day review period in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District; and

WHEREAS, the Lewis County Planning Department received one (1) application for inclusion of properties into Agricultural District # 6. This parcel is located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC, (approximately 2.3 acres); and

WHEREAS, the Planning Department duly forwarded the application to the Lewis County Agricultural and Farmland Protection Board, who is verifying that the parcel proposed is “viable agricultural land,” and will meet the eligibility requirements for inclusion into a Certified Agricultural District and, once approved by the Agricultural and Farmland Protection Board, will thereafter report to the Lewis County Board of Legislators with a recommendation for or against inclusion; and

WHEREAS, in accordance with § 303-b of the Laws of 2003 amending NYS Agricultural and Markets Law, the Lewis County Board of Legislators seeks to set the public hearing to consider this request;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby sets a public hearing to be held on March 7, 2023 at 5:00 p.m. for the purpose of receiving public comment to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board, for inclusion of the parcel located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC, (approximately 2.3 acres).

Section 2. That the hearing will be held at the Board’s regular meeting at the Courthouse Building, 7660 N. State Street, Lowville, NY 13367, Second Fl. Legislative Chamber, on Tuesday, March 7, 2023 at 5:00 p.m. Written comments received via email, mail or hand delivery on or before Monday, March 6, 2023 by 4:00 p.m. to the Clerk of the Board at cassandramoser@lewiscounty.ny.gov or at 7660 North State Street, Lowville, NY 13367 will be read into the record prior to any action by the Board.

Section 3. 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.

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Moved by Legislator Moser , seconded by Legislator Chartrand , and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 23 - 2023  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN THE PROBATION DEPARTMENT AND  
BERKSHIRE FARM CENTER & SERVICES FOR YOUTH**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Berkshire Farm Center and Services for Youth (“Agency”) is a non-secure detention center authorized by the New York State Office of Children and Family Services to provide non-secure detention services; and

WHEREAS, the Lewis County Probation Department wishes to enter into an agreement with this Agency to utilize their services for a non-secure detention center, when required by Probation;

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, by and through the Probation Department, and Berkshire Farm Center and Services for Youth for the provision of non-secure detention services when required.

Section 2. That the term of this agreement shall be from January 1, 2023 through December 31, 2023 at a per diem rate for an unreserved bed of \$545.00.

Section 3. That the Chair or Vice-Chair 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 Moser , seconded by Legislator Chartrand , and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 24 - 2023  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF PROBATION AND  
RUBENZAHL, KNUDSEN & ASSOCIATES PSYCHOLOGICAL SERVICES, P.C.**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Probation Department (“LCPD”) wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex

offender evaluations and counseling services for individuals and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required; 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 Lewis County Probation Department and Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals, and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required.

Section 2. That the term of this agreement shall be January 1, 2023 through December 31, 2023 at the following fee rates:

| SEX OFFENDER ASSESSMENT<br>AND THERAPY       | PSYCHOLOGICAL SERVICES FOR<br>JUVENILE DELINQUENTS                                                           |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| \$75.00 per session for group therapy        | \$100.00 per hour for therapy                                                                                |
| \$120.00 per hour for individual therapy     | \$125.00 per hour for psychological<br>evaluations                                                           |
| \$140.00 per hour sex offender<br>evaluation | \$75.00 per hour for clients receiving group<br>treatment                                                    |
|                                              | \$175.00 per hour for expert court testimony                                                                 |
|                                              | \$90.00 per session, to include RKPS presence<br>at monthly clinical treatment team meeting if<br>applicable |

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

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 25 - 2023**  
**RESOLUTION AWARDED BID AND AUTHORIZING AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND GYMO ARCHITECTURAL, ENGINEERING, &**  
**LAND SUVEYING DPC FOR THE**  
**PSB PARKING LOT RENOVATION PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

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WHEREAS, the Lewis County Director of Buildings and Grounds sent out a Request for Proposals to qualified companies for design and construction administration services in the repair and renovation of the PSB parking lot, as more fully described in the RFP; and

WHEREAS, bid proposals were returnable on December 8, 2022 at 2:00 pm, at which time they were opened with the Purchasing Director, Deputy Clerk of the Board, County Attorney and Director of Buildings and Grounds present; and

WHEREAS, the two (2) bids received were reviewed and analyzed by the Director of Buildings & Grounds in consultation with the County Manager, with the Director recommending that the bid be awarded to GYMO, 18969 US Rte 11, Watertown, NY 13601, as the qualified, responsive low bidder in the amount of \$74,400.00 for design and construction administration professional services as more fully set forth in the bid proposal dated December 8, 2022;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid for parking lot renovation and improvements at the PSB pursuant to the RFP, to the qualified low bidder, GYMO, of Watertown, NY 13601 in the amount of \$74,400.00 (Concept Development- \$16,200; Geotechnical Allowance - \$7,500; Design - \$31,000; Bidding - \$6,000; and Construction Administration - \$13,700).

Section 2. That the Lewis County Board of Legislators hereby authorizes a contract to be entered into with GYMO, for the identified professional services in each listed phase in accordance with the specifications, conditions, start and completion dates set forth in the RFP.

Section 3. That the Chairman, or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 26 - 2023  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY  
DEPARTMENT OF SOCIAL SERVICES  
AND LEWIS COUNTY OPPORTUNITIES, INC.  
UNDER NY SAFE HARBOUR PROJECT**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Safe Harbour for Exploited Children Act of 2008 provides protections for children who are victims of commercial sexual exploitation and provides for the ability to access specialized services; and

WHEREAS, the New York State Office of Children and Family Services implemented the Safe Harbour: NY Project. This program supports counties in developing their capacity to identify youth who have been trafficked, sexually exploited, or are at risk of victimization and to meet identified service needs of these youth by providing the County with state funds to provide appropriate services under the program. 2023 will be year four (4) of Safe Harbour funding from NYSOCF with LCDSS to administrate; and

WHEREAS, Lewis County Opportunities, Inc, (“LCOI”) is a well established not-for-profit agency licensed or otherwise authorized by the New York State Department of Social Services to provide domestic violence services. They have a long-standing history of working with victims of abuse, including trafficked and sexually exploited children and youth in Lewis County and have the ability to provide the services under the Safe Harbour Project; and

WHEREAS, the County of Lewis, by and through the Lewis County Department of Social Services desires to enter into an agreement with LCOI to provide intensive case planning to meet the needs of sexually exploited youth related to child trafficking and exploitation in Lewis County; to provide safe long and short term housing, including the use of respite when appropriate; to provide guidance and oversight to programs that respond to trafficked and exploited youth; to promote community awareness on exploited and trafficked children, all as outlined in the Safe Harbour: NY Project, at a cost of \$31,350.00; and

WHEREAS, the Board of Legislators wishes to enter into this Agreement;

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, by and through the Lewis County Department of Social Services Lewis County Opportunities, Inc. to provide the described identified support and outreach services under the Safe Harbour: NY Project program.

Section 2. That this agreement is for the period beginning January 1, 2023 and ending December 31, 2023. The funds are provided by New York State Office of Children and Family Services to Lewis County Department of Social Services under the Safe Harbour: NY Project. The agreement shall provide for LCDSS to compensate Lewis County Opportunities, Inc. for the sum of \$31,350.00 for the services outlined in the Safe Harbour budget from NYSOCFS.

Section 3. That the Chair or Vice-Chair 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 Moser , seconded by Legislator Chartrand , and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 27 - 2023  
RESOLUTION AUTHORIZING AGREEMENTS  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES AND  
WITH COMMUNITY ACTION PLANNING COUNCIL  
OF JEFFERSON COUNTY, INC.**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Commissioner of Social Services of Lewis County is an authorized Social Services official responsible and designated by the New York State Office of Children and Family Services, insofar as funds are available for that purpose, to register and inspect family day care and school aged child care providers in Lewis County; and

WHEREAS, the Community Action Planning Council of Jefferson County, Inc. ("CAPC") is qualified by its present established base in the community and is disposed to fulfill the required responsibilities of the Local Commissioner in fulfilling the obligation to inspect and register daycare providers. The Commissioner of Lewis County Department of Social Services ("DSS") desires to enter into an Agreement with CAPC to provide such services; and

WHEREAS, the Board of Legislators wishes to authorize said agreements;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes Agreements between the County of Lewis, by and through the Department of Social Services with:

- A. New York State Office of Children and Family Services for the purpose of providing federal funding to the Lewis County Department of Social Services in the amount of \$8,400.00 quarterly (Maximum Funding Amount of \$33,600.00), for an acceptable level of compliance and performance as specified by the Division of Child Care Services for registration and inspection of child care providers.  
and
- B. Community Action Planning Council of Jefferson County, Inc. for the purpose of conducting registration and inspection of family day care and school aged child care providers in Lewis County, at an annual cost not to exceed \$31,920.00, payable in quarterly installments of \$7,980.00 upon receipt of a completed Quarterly Registration Review Report from the DCCS Regional Office.

Section 2. That the term of these Agreements shall be from January 1, 2023 through December 31, 2023. The cost of these services are 100% federally funded.

Section 3. That the Lewis County Commissioner of Social Services is hereby authorized to make, execute, seal and deliver the New York State Office of Children and Family Services agreement and any extensions thereto, pending review and approval by the County Attorney.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver the Community Action Planning Council of Jefferson County, Inc. Agreement, and any extensions thereto provided the amount remains the same, pending approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 28 - 2023  
RESOLUTION TO CLOSE ACCOUNTS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Capital Radio System and Bridge Project known as Highmarket Road over Sugar River Bridge are completed and will have no further activity. The Treasurer seeks to close these identified accounts and appropriate the funds;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the listed Capital Accounts HA (Radio System) and HAO (Highmarket Rd over Sugar River Bridge) below be closed and all funds be appropriated.

**HA – Radio System**

Increase Revenue:

|                       |    |      |
|-----------------------|----|------|
| H0302000 324010 LOCAL | \$ | 3.19 |
|-----------------------|----|------|

Increase Expenditure:

|                         |    |      |
|-------------------------|----|------|
| H0990100 499900 Cty Shr | \$ | 3.19 |
|-------------------------|----|------|

**HAO – Highmarket Rd over Sugar River**

Decrease Revenue:

|                         |    |            |
|-------------------------|----|------------|
| H0512000 335910 NYS     | \$ | 45,681.78  |
| H0512000 345970 FEDERAL |    | 245,107.95 |
| H0512000 350310 CTY SHR |    | 15,233.79  |

Decrease Expense:

|                          |    |            |
|--------------------------|----|------------|
| H0512000 499900 CONTRACT | \$ | 306,023.52 |
|--------------------------|----|------------|

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

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Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 29 - 2023**  
**RESOLUTION APPROVING AND RATIFYING**  
**THE FINAL COLLECTIVE BARGAINING AGREEMENT BETWEEN LEWIS**  
**COUNTY HEALTH SYSTEM (HOSPITAL) AND LOCAL 825 OF THE CIVIL**  
**SERVICE**  
**EMPLOYEES ASSOCIATION, INC.**  
**[HOSPITAL EMPLOYEES]**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee and Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to General Municipal Law § 128, the Board of Managers (“BOM”) for the Lewis County Health System (“Hospital or LCHS”) is responsible for “the general superintendence, management and control of the said hospital and . . . of all matters relating to the government, discipline, contracts and fiscal concerns thereof, . . .”; and

WHEREAS, the existing collective bargaining agreement (“CBA”) between Lewis County Health System and Local 825 of the Civil Service Employee’s Association, Hospital Employees Unit (“CSEA”) expired on December 31, 2021; and

WHEREAS, the negotiating teams representing LCHS and CSEA developed a Tentative Agreement dated October 6, 2022 which set forth the changes to terms and provisions of the collective bargaining agreement to be effective for the period beginning January 1, 2022 and expiring on December 31, 2024; and

WHEREAS, the CSEA unit membership voted in favor of the tentative agreement; and

WHEREAS, the LCHS Board of Managers approved and authorized the tentative agreement on October 18, 2022, and now seek to have the Lewis County Board of Legislators ratify and approve the Final Collective Bargaining Agreement which incorporates the terms and conditions reached under the tentative agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby ratifies and approves the Collective Bargaining Agreement, in its final form, approved and authorized by the LCHS BOM and the CSEA Hospital Unit and its membership, based upon the Tentative Agreement reached on October 6, 2022.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute the Final CBA, and directs that the Clerk of the Board receive a fully

executed copy of the Final document together with a copy of the Tentative Agreement and the Hospital Board of Manager's resolution or minutes authorizing and approving the Tentative Agreement.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of February, 2023.

**RESOLUTION NO. 30 - 2023**  
**RESOLUTION CALLING ON THE STATE OF NEW YORK TO CONTINUE PASS-  
THRU FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID  
ASSISTANCE PERCENTAGE FUNDS**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, the SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and New York City; and

WHEREAS, the State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included; and

WHEREAS, the early estimate of this proposed cost-burden shift to Lewis County's 2023 budget is an additional \$700,000.00; and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS, it is the County's strong view that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match; and

WHEREAS, enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion.; and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties. The savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program. Through

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC; and

WHEREAS, counties strongly disagree with the need to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule by depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators joins the New York State Association of Counties (NYSAC) and calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years.

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

Section 3. That the Clerk of the Board is directed to forward copies of this resolution to the Governor of the State of New York, the New York State Legislative majority and minority leaders, the New York State Congressional Delegation, and all others deemed necessary and proper.

Moved by Legislator Virkler, seconded by Legislator Moroughan, and adopted on the 7<sup>th</sup> day of February, 2023.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 5:52 p.m., seconded by Legislator Osborne and carried.

MARCH 7, 2023

**REGULAR MEETING**  
**March 7, 2023**

The meeting was called to order at 5:00 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present. There were 34 other persons present.

Chairman Dolhof asked Legislator Hathway for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the February 7, 2023 meeting minutes approved by general consent.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Phil Hathway  
Jeffrey Nellenback  
Joshua Leviker  
Jessica Moser

Dated: March 7, 2023

Legislator Virkler moved to waive the rules, seconded by Legislator Hathway and carried.

**PUBLIC HEARING:**

At 5:02 p.m. Chairman Dolhof opened the public hearing for comments on the request and recommendations of the Lewis County Agricultural and Farmland Protection Board, for inclusion of the parcel located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC.

**PRIVILEGE OF THE FLOOR:**

Ms. Michelle Ledoux, Cornell Cooperative Extension Director showed a brief advertisement video for the upcoming Maple Weekend in Lewis County.

Legislator Hathway began by sharing he had seen the first robin today at 2:21 p.m., he then went on to explain how the students at Harrisville Central School who sent their designed device into space had it return back down to earth so theoretically their DNA has gone to space and came back, a neat accomplishment for any student in their area but just another reason to be a proud resident of Harrisville.

Ms. Laurie Rowsam – 5425 Stowe Street, Lowville. Her husband and her have been residents of Stowe Street for 23 years. She had serious concerns with the proposed multi-million

dollar building at the top of her street, which will be used to house homeless people. The first concern centered on the target population of “people with serious mental illnesses, and substance-abuse problems.” She questioned what would be done to ensure the safety and security of the immediate neighborhood, since the plan includes people with drug addiction. She pointed out that these people do not just have a mild, or easily treatable addiction, because if that was the case, they probably would not be homeless. The County will be taking in the people with the most serious cases of drug addiction.

She presented some statistics she found online, regarding the correlation between crime and drug addiction. 80% of crime offenders abuse drugs or alcohol; nearly 50% of jail and prison inmates are clinically addicted; approximately 60% of individuals arrested for most types of crimes test positive for illicit drugs at arrest (this information was cited from the National Association of Drug Court Professionals). 17% of state prisoners and 18% of federal inmates said they committed their current offense to obtain money for drugs; inmates convicted of burglary had the highest rate of substance dependence or abuse at 85% (this information was cited from Bureau of Justice statistics).

While these statistics do not specify all the exact crimes, it is clear that there is a much higher rate of crime, especially burglary, associated with people with drug addictions, serious enough to land them in jail and/or prison. There are older/elderly people in this neighborhood, some of whom live alone. There are also families with young children. How can we have any confidence that we will be protected from the expected increase in crime? How can we enjoy the properties we own, and most of us have worked hard to fix up, and continue to work hard to keep up, knowing that people with serious drug addiction are continually walking our streets day and night? This planned building will hurt the hard-working homeowners on and around Stowe Street the most.

The second concern she has was what this will do to our property values. Do we already have people with drug addiction and people with mental illness walking the streets of Lowville? We all know that we do. However, this plan will take people from multiple areas around Lewis County, and house them at the top of a hill with only Stowe Street being their option for walking around. We all know that our property values will plummet, as most people would not want to move into this neighborhood. Even though I am sure our assessments and property taxes will not decline at all.

The third concern she had centered on the effectiveness of this model in helping to support people with substance abuse/addiction problems, as well as the people with serious mental illnesses, and how this model will or will not help them. She would love to know what studies have been done or looked at that show that this model, of housing multiple people with drug addiction and mental illness, under the same roof is going to help them in any other way than putting a roof over their head? Through some research that she had done, and resources she had received, including from people who work in the areas of substance abuse and mental health treatment, she knows that separating yourself from other people who are engaging in the same behavior or activity that you are addicted to is vital to beating that addiction. Addicts must separate themselves from other addicts. How is housing multiple addicts together under one roof going to help in that area? Then you add in people with serious mental illness, who are already a

high-risk population, and you just hope that they all get better? That the person with mental illness does not also become a drug addict? That these people will somehow magically beat the national statistics she had already shared, and that the increase in crime that is associated with drug addiction just magically does not happen here?

Another fact that she found online is that there is ample evidence that shows that persons with mental illness are far more likely to be the victim of violent crime rather than the perpetrator (this information was cited from National Institutes of Health). So, you will be housing people with serious mental illness, a population shown to be at higher risk of being the victim of crime, with people who are more likely to commit a crime. How is this going to turn into an effective approach? Or is this approach likely to create even more problems than it is intended to help with?

Her last concern was the multi-million-dollar price tag for this, knowing that there are much less expensive options. I do just want to emphasize something that we all know, that regardless of the source of funding for this proposed project, be it from the county or state level, this money is all taxpayer money, from property taxes, income taxes, or sales taxes. The bill for this will land on all of us that pay taxes. This is a perfect example of why New York State is one of the states with the highest state and local tax burden (information cited from the Tax Foundation). Maybe if every project did not need to include brand new, multi-million-dollar buildings, the tax rate in New York State would be lower, and more people would want to stay in the state.

Even if this is determined to be an effective model at combating homelessness with this high need population which, based on the information, data and statistics she had found does not appear to be likely, she fully believes that it can be done for far less money, as well as located in an area that will present much less of a threat to any neighboring community. She asked all of the board members to ask themselves this, “if this building was going up right next to your home, would your opinion about this planned project change?” If you can honestly say that it would not, then I am sure the residents of my neighborhood would be happy to start a Go Fund Me account to raise money to buy a parcel of land near you, so this building can be relocated to your neighborhood. She concluded by thanking the board for the opportunity to be heard.

Ms. Betty Rowsam – 5406 Stowe Street, Lowville. Her statement to the board was on behalf of a neighbor. The neighbor is a widow who lives alone and has concerns about her safety with the proposed building next to the DSS. She doesn’t want to have to live behind locked doors, or not feel free to work in her garden or sit on her porches anymore. She doesn’t want to be scared at night when she is sleeping if she hears a strange noise outside. Everyone knows that the excessive cost will impact our taxes, someone must pay for this loan or grant. How will this impact the value of our homes when it is time to sell. The ARC is located right next to the proposed building location, which will affect the employee’s safety and the people they serve. When she works there one evening a week it will be dark when she leaves and that is very frightening.

Legislator Moser questioned if the distinction between Snow Belt Housings role versus the County’s role and what the County can and cannot do should be brought up, Chairman



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Dolhof stated that it could be brought up but to first let everyone speak on the subject that wanted to.

Mr. Michael Comet – 5379 Stowe Street, Lowville. He has been a resident of Stowe Street for 23 years and raised his family there. He came to express his opinion, not his opposition to the project. He voiced his opinion that it would only be prudent to consider other locations for the project. His first point was expenditures, the county currently owns Glenfield Elementary which is a 44,000 square foot building on a 6.6-acre lot with a working cafeteria, gymnasium, office space, many rooms, and a playground. Soon this building will be empty because the county took roughly 15 million dollars to renovate an old building, so those offices can move back.

Additionally, the County has already paid GYMO \$30,700.00 for a study that was completed. Resolving homelessness goes far beyond a physical structure, nothing will be accomplished by just throwing a building up. Erecting a building to the estimated cost of 13 million dollars is not going to curtail the issue is any county in this state or across the country. The residents of Lewis County are wise enough to understand there is no free lunch. It is hard to believe that the residents won't pay for this project in some form, whether it be in utilities, maintenance, repairs, and operational costs. The money must come from somewhere. The cost runs and overages that come with any project will likely occur, and who will cover those costs?

He went on to state that Mr. Piche in a news article stated that the Stowe Street location was removed from the core of the community and will be walkable to downtown Lowville. The residents of Stowe Street are indeed part of the core of the community, and it is residential with no business on it. The increase in traffic caused by this project will only worsen the current impossible situation of backing out of driveway. Homelessness and crime are not always related. The Sheriff Department usually only has two deputies on patrol, proximity doesn't ensure protection. Staffing costs, utilities, repairs will all increase over time and the funding will likely dry up eventually. Adding up the costs of buying Glenfield School - \$350,000, renovating the old DSS building - \$15,000,000, and moving offices back, which leaves the school empty, and then spend \$13,000,000 on this project. He concluded with concerns about the value of property on Stowe Street with this project and hopes that the board doesn't already have their mind made up and will consider the concerns of the residents.

Ms. Laurie Widrick – 5285 Outer Stowe Street, Lowville. She spoke about her beautiful flower gardens and the wildlife that she sees outside where she lives which is right across from the proposed building lot. She is very concerned that all of the wildlife and enjoyment she has experienced over the years will disappear. Those residents that run and walk won't have anything to enjoy anymore. The road will be consumed with busy traffic all the time and drivers will likely not pay attention to those trying to walk. She also pointed out that the social community is in downtown Lowville and if the homeless have to walk down there it could end up being very unsafe.

Chairman Dolhof pointed out the fact sheet that was on the back table for anyone who is interested. He also mentioned that there were a few board members of Snow Belt Housing present, along with the Executive Director, Jaylyn Heames. Jaylyn Heames thanked everyone

for their comments and appreciates the feedback. Snow Belt Housing has offered to come to the Town or Village of Lowville Board meeting to explain and answer questions in a less formal setting. There is also the idea of holding a public meeting at the Lowville Firehall for residents with questions and concerns. Currently, Snow Belt is in the very early stages of this potential project and haven't even submitted an application. There are services that are lined up from different organizations. This information and feedback from residents is important to the process. She concluded by mentioning that she has business cards to hand out so that anyone who wants can contact her directly with further questions.

Mr. Joe Godlewski – 5369 Stowe Street, Lowville. He stated he was there on behalf of the Union employees to comment on the Health Insurance premium increase of 15%. As an employee, taxpayer, and CSEA Union officer he is very disappointed in the management, or more so, the mismanagement of the plan. Employees on the PPO Family Plan, with the proposed increase, will contribute 17.8% of their wages towards their health care when the median salary is \$48,000. This equates to a \$0.53/hour decrease to their base salary. The Union questioned why the premiums weren't decreased instead of implementing the first holiday and were told that health insurance expenditures would eventually catch up. The second round of holidays were explained by County Manager, Ryan Piche to help the hospital with their finances due to their capital expansion project. Each holiday saved the hospital \$700,000.00 and they needed to show cash flow.

He went on to explain that the hospital was given two premium holidays and the county employees only received one, which wasn't fair as the county is one entity and shouldn't be showing favoritism to the hospital. Another premium holiday was planned but then never went through because at that point the Health Insurance Fund had already been starved. The Health Insurance Committee from the CSEA Union side brought plan design changes and received no support from the County side. The idea of a high deductible plan like what the Town of Lowville has was brought up, but the County didn't like it, probably because they would have no flexibility to bail out the hospital. He concluded by stating that he felt strongly that the CSEA Union plan design changes could work if given a chance. It is difficult for employees to make ends meet and benefits are no longer as good as they once were. The Union is asking the board to help out with the Health Insurance Fund balance.

Chairman Dolhof clarified that the premium holidays were instances during the pandemic where the employees were not charged their monthly premium because the fund balance had shot up past \$4 million dollars and headed upwards of \$7 million dollars. There were two holidays given because this is a self-insured fund that can only be used for health insurance purposes, nothing else. As the pandemic ended employees who were putting off surgeries for two years were finally able to get things taken care of, which in turn brought the fund balance down to \$1.5 million dollars in about 4 months' time. He went on to explain that the PPO plan has no deductibles, no copays, and covers almost everything. The employee only pays 25% of the total cost and the taxpayers pay the other 75%. The cost for this plan, which is utilized by the majority of employees is costing roughly \$30,000 annually. No one likes to have to increase the rates because the taxpayers also get hit with that increase in their 75% share. Employees do have other health plan options, which are less costly.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Ms. Jamie Aloï – 9625 Lewis Street, Beaver Falls. She stated that she was trying to get an answer to why there wasn't a maternity department designated as a temporary replacement for health insurance purposes when the hospital closed theirs. By not having a designated maternity department employees who have to give birth are automatically paying more for these services, that would have been covered by their health insurance if they had delivered at LCGH. Most employees are working for the county for health insurance, so it isn't fair that they are having to pay more because there isn't a designated temporary maternity department.

Chairman Dolhof stated that the board doesn't run the hospital, they have their own Board of Managers. The hospital has been trying very hard to get the maternity ward up and functioning again but hasn't been successful yet. Ms. Aloï stated she understood but still questioned why a temporary replacement wasn't made for health insurance purposes. Chairman Dolhof reminded her that this wasn't a dialog session but did ask Mr. Michael Young, President of the LCGH Board of Managers if he would respond. Legislator Moser responded that the Board of Legislators doesn't have the answer because it isn't something they handle. Mr. Young stated that the Board of Managers meets the last Wednesday of every month and welcomes Ms. Aloï to come and address the issue with them.

Legislator Gilbert stated that, regarding the premium increase on the health insurance plan, it wasn't something that was just decided on at the administration level. It was the full board that decided to approve and enact the premium holidays, and therefore are responsible for where the fund balance is today. For his part in the decision Legislator Gilbert stated that it was regrettable that the premium holidays were given and there were other factors that went into the decision at the time and the thought that expenditures would increase after the pandemic should have been explored more. It is in the past and this increase is necessary now. Chairman Dolhof stated that even without the premium holidays it is very likely that the fund balance would be in this spot but maybe not until next year.

Chairman Dolhof closed the public hearing at 5:40 p.m. with no other comments.

### CLERK OF THE BOARD REPORT:

Cattaraugus County submitted an adopted resolution opposing changes to In Rem Foreclosure. Essex County submitted an adopted resolution requesting the Public Service Commission to hold Verizon Wireless accountable for charging for services they are not providing. Franklin County submitted an adopted resolution calling on the State of New York to continue to pass-thru Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage funds. Greene County submitted an adopted resolution opposing Governor Hochul's ban of gas stoves and other new fossil fuel heating equipment.

Madison County submitted three adopted resolutions, the first is calling on the Governor to complete Affordable Care Act Enhanced Federal Medicaid Assistance Percentage Reconciliations that are years overdue and immediately release the Federal funds owed to Counties and New York City, the second is opposing Governor Hochul's ban of gas stoves and other new fossil fuel heating equipment; the last is calling on the State of New York to continue to pass-thru Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage

funds. Orleans County submitted three resolutions, the first is calling on the State Of New York to continue to pass-thru Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage funds; the second is calling on the Governor of New York State to remove from the 2024 Executive Budget Part M of the Article VII Revenue Bills; the last is opposing Governor Hochul's ban of gas stoves and other new fossil fuel heating equipment.

Schoharie County submitted an adopted resolution calling on the State of New York to continue to pass-thru Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage funds. St. Lawrence County submitted an adopted resolution calling upon the New York State Public Service Commission to grant the application for re-energy holdings, LLC for designation of a biomass facility at Fort Drum Military Installation as a renewable energy source. Tioga County submitted an adopted resolution calling on the State of New York to continue to pass-thru Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage funds.

Mr. Kevin Kapfer submitted an email voicing his concern with opening certain county roads for a special event, feeling like there are no roads closed to ATV or UTV traffic. He voiced his displeasure with having zero traffic laws enforced for recreational vehicles by county law enforcement agencies, citing speed as an issue.

Weights & Measurers Director, Brian Mooney submitted the January 2023 Field Service Reports which have been placed on file. The following Departments have submitted their 2022 Annual Report: Lewis County Drug Task Force; Social Services; and Community Services.

Legislator Moser stated that both herself and Legislator Leviker were updated on the Section N of the RPTL that were just referenced. Town Supervisors, Terry Thisse and Scott Doyle reached out to them because there is legislation pending that would negatively impact Lewis County based on the green energy projects. There is potential litigation that could be coming, and all the Supervisors of Lewis County should join on. They are looking for the County's support. There is a law firm that will represent them with a cost of roughly \$30,000 to represent individual entities to contest this. The County would not be a party, only the individual municipalities and if the law firm can get 30 municipalities from NYS then it would be roughly \$1,000 each. Chairman Dolhof referred the issue to the March Finance & Rules Committee.

#### REPORTS OF STANDING COMMITTEES:

Legislator Gilbert moved to award bids for sand, gravel, crushed stone, and concrete based on project location in accordance with the tabulation of all bids prepared by the Highway Superintendent and placed on file with the Clerk of the Board for the period of April 1, 2023 through March 31, 2024, seconded by Legislator Hathway and carried.

Legislator Gilbert was excused from the meeting at 5:46 p.m.

Legislator Moroughan reminded the board that the week of March 20<sup>th</sup> through March 24<sup>th</sup> is "Dine Out" week with Seniors and she encourages them to go to a senior meal site during that week.

PROJECT MANAGERS REPORT:

Mr. Jim Garito reported that they are waiting on an air handling unit for DSS, at time of bid the lead time was 6 to 8 months. Now the ship date is May 4<sup>th</sup> which could slow that project down a bit. However, the electrical panels might be in before the air handling unit so they can be installed. The project is running a little behind but still much better off than other projects across NYS. He had the pleasure of giving Legislator Moroughan a one-on-one tour and they were able to meet some of the local workers. The DMV project is a little behind schedule, but it began with an aggressive schedule to begin with and renovating sometimes causes issues to pop up. The staff at the DMV are handling things well. The issues with the DOT have finally been worked through so that project can proceed which is currently running 2 to 3 weeks behind. He continues to monitor things.

Mr. Nick Garito reported that the new Highway Garage building is being erected, with siding and roofing to begin shortly. The rough-in interior is happening in the other buildings. The exterior on the remaining buildings is weather dependent. The renovated DSS building is almost complete with interior finishing taking place, and furniture will be installed soon. Lewis County residents are taking pride in that building as it is a high-quality product. Mr. Jim Garito offered anyone who wants a tour to let him know and he would be more than happy to take them around to see the progress and meet some of the workers.

COUNTY MANAGER REPORT:

Ryan Piche reported on three things. The first was that at the recent NYSAC conference there were several challenges in the State budget that were discussed. There was a one-on-one meeting with several politicians on the UTV weight limits and the pass-thru of eFMAP funds. The county's finances are in great shape, they have passed the annual audits, has an A+ credit rating, and an incredibly health fund balance which continues to grow. This should make residents proud about the county's financial picture and it allows the county to invest in the communities because the board has been good stewards of taxpayer money.

He concluded by touching on the Health Insurance Fund and reminded everyone that hindsight is not the same as mismanagement. At the time of giving employees a "holiday" from their health insurance premium it was the right choice. The information that has been given out is as transparent as it can be. If the county had reduced premiums instead of just giving a one-month holiday, the fund balance would be in a far worse place.

Ms. Laurie Widrick questioned why there aren't more public votes on big issues, like the Rail to Trail project. Why does the Board of Legislators get to decide on these things? Chairman Dolhof responded that there is a lot of history involved and the discussion was not appropriate for tonight's meeting, but it can be discussed at a different time, recommending to Ms. Widrick to call the office and make an appointment.

Legislator Chartrand questioned the progress on the weight limit for ATV's, Ryan responded that he is trying to get everyone on the same page. It is more likely to move something forward that is addressing one issues, rather than all the issues at once.

COUNTY TREASURER REPORT:

Eric Virkler stated that the premium holidays put money in employees' pockets which was worth more than it would have been today. The pandemic was an impact but inflation across the country has been a huge part of why medical costs are so high. Sales tax payment for 2023 have started to come in and are higher than what we have received in the past. The auditors come in about three weeks and look forward to that process. There will be a future presentation about IGT payments but in the last four days there have been two requests for payments and likely more payments in the future. Good news for the hospital as this will give them money in the door. There has not been a hospital IGT payment in about 4 years, and the amount is not small. Legislator Hathway asked if the amount owed is a lot more than budgeted, Eric responded that it is roughly 1.2 million more than budgeted. The County hasn't spent the money that was budgeted over the last few years, so the money is in the fund balance.

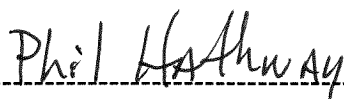
REPORT OF THE FINANCE AND RULES COMMITTEE:

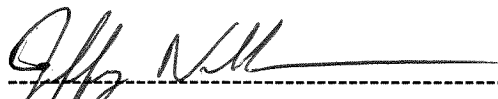
**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

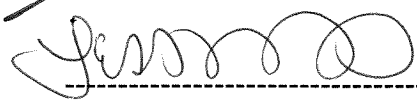
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 5,065,296.09 and recommend that they be audited and allowed for the amounts claimed.

  
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Thomas Osborne Chair

  
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Philip Hathway Vice-Chair

  
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Jeffrey Nellenback Committee

  
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Joshua Leviker Committee

  
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Jessica Moser Committee

Dated: March 7, 2023

Approved on motion by Legislator Moroughan, seconded by Legislator Virkler, and carried.

MARCH 7, 2023

**RESOLUTION NO. 31 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 5,065,296.09 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 Virkler, seconded by Legislator Leviker, and adopted on the 7<sup>th</sup> day of March, 2023, pursuant to the following roll call vote:

AYES: Osborne, Hathway, Nellenback, Virkler, Leviker, Moser, Moroughan, Chartrand and Dolhof.

NAYS:

ABSENT: Gilbert

Legislator Moser recused herself from any payments to herself as Assigned Counsel Administration and any payments to Mr. John Hallett.

**RESOLUTION NO. 32 - 2023  
RESOLUTION AUTHORIZING SERVICE AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND TK ELEVATOR CORPORATION FOR  
MAINTENANCE SERVICES OF THE FOUR ELEVATORS IN THE COURTHOUSE  
BUILDING**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis entered into a contract with ThyssenKrupp Elevator Corporation (now known as TK Elevator Corporation “TKE”) on December 19, 2019 pursuant to Resolution No. 507-2019 for the purpose of providing maintenance elevator equipment services for the four (4) elevators in the Lewis County Courthouse for the term beginning January 1, 2020 through December 31, 2022; and

WHEREAS, TKE has submitted a proposal to provide the four (4) elevators in the building with maintenance services which include physical inspections and examinations of parts and equipment, adjustments as needed, testing, and trouble- shooting as set forth in the service agreement, for a three (3) year period commencing January 1, 2023 through December 31, 2025, at a discounted cost of \$15,316.92 for the first year, subject to annual increases up to 5% annually but with a discount of 4% if paid annually ; and

WHEREAS, the Board of Legislators wishes to authorize such Service Agreement;



NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a three (3) year elevator service agreement with TK Elevator Corporation, E. Syracuse, NY to service the four elevators in the Courthouse Building ( 3 on the court side and 1 on the county side) at a discounted cost of \$15,316.92 for the first year, and subject to up to 5% increases in years two and three, but with up to 4% credit if fee is paid annually.

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

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 33 - 2023**  
**RESOLUTION AWARDDING BID AND AUTHORIZING AN AGREEMENT WITH**  
**MIKE’S APPLIANCES FOR PURCHASE OF MULTIPLE APPLIANCES FOR LEWIS**  
**COUNTY CAPITAL PROJECT IMPROVEMENTS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Purchasing Director recently sent out a Request for Proposals (RFP) for multiple GE or equivalent appliances for various departments under the Capital Project Improvements undertaken by the County; and

WHEREAS, the Clerk of the Board and Purchasing Director were present on February 17, 2023 at 2:00 pm to open four (4) bids received in response to the RFP; and

WHEREAS, after review and consideration of the proposals, in accordance with the specifications and scope of work set forth in the RFP, the Purchasing Director recommends awarding the bid to Mike’s Appliances, 7604 N. State Street, Lowville, NY 13367, the lowest bidder, at \$16,916.00 for twenty (20) various appliances in accordance with specifications set forth in the RFP; and

WHEREAS, the Board of Legislators seeks to award the bid to Mike’s Appliances and authorizes an agreement for the specified appliances and related services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with Mike's Appliances, of Lowville, NY, 13367 for the multiple appliances described in the RFP for various Lewis County Departments under the County's Capital Projects budget, in accordance with the specifications and requirements set forth in the RFP.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost not to exceed \$16,916.00 and warranty on parts & labor for one year after installation, payable in installments upon delivery of each item.

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

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 34 - 2023**  
**RESOLUTION AWARDING BIDS AND AUTHORIZING AGREEMENTS BETWEEN**  
**THE COUNTY OF LEWIS AND CREDO COMMUNITY CENTER FOR THE**  
**TREATMENT OF ADDICTIONS TO PROVIDE COUNSELING AND PRESCRIBING**  
**SERVICES, AND AN AGREEMENT WITH LAWRENCE J. PALINSKI, FNP TO**  
**PROVIDE MEDICAL ASSESSMENTS, PRESCRIBING AND OVERSIGHT SERVICES**  
**UNDER THE MEDICATION-ASSISTED TREATMENT (MAT) PLAN FOR**  
**INCARCERATED INDIVIDUALS SUFFERING FROM**  
**SUBSTANCE ABUSE DISORDERS**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Director of Community Services sent out a Request for Proposals for qualified entities to provide services outlined in chapter 432 of the 2021 Laws of New York, which require the County to develop a medication-assisted treatment and transition services plan for incarcerated persons (IP) who suffer from substance abuse disorders as defined under the law; and

WHEREAS, bid proposals were opened on November 10, 2022 at 2:00 pm by the Clerk of the Board with the Director of Community Services, Purchasing Director and Legislator Hathway present. All bid proposals were reviewed and analyzed by the Director of Community Services and County Manager in consultation with the Lewis County Sheriff and staff as well as the County Attorney; and

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WHEREAS, the Director of Community Services recommends that the Board award Credo Community Center for the Treatment of Addictions (Credo) the contract for MAT counseling, inmate assessment, treatment planning and the prescribing and monitoring of methadone to inmates in the program, all as more fully identified in the RFP, at a cost of \$63,873 for 2023, plus fees for service with respect to the methadone prescribing and monitoring; and

WHEREAS, the Director of Community Services recommends that the Board award Lawrence J. Palinski, FNP (Palinski) the contract for medication prescribing other than methadone, assessment of and recommendation of admission into the MAT program for inmates who screen positive for substance abuse, development of policies, internal procedures and their annual review, at a cost of \$86,667 from May, 2023 through December 31, 2023, plus planning time at the rate of \$125/hr; and

WHEREAS, the Credo bid award of \$63,873 is covered under State OASAS funding through the Director of Community Services, with any additional costs for services and expenses above being the responsibility of the County. The compensation for all services provided by Palinski are 100% payable by the County;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes a contract for MAT inmate counseling, assessment, treatment planning and methadone prescribing and provision of same to Credo, of Watertown, NY, in the amount of \$63,873 plus fees for services as outlined by the Community Services Director in consultation with Credo, retroactive to January 1, 2023 through December 31, 2023.

Section 2. The Lewis County Board of Legislators hereby awards the bid and authorizes a contract for MAT non-methadone medication prescribing services, including inmate assessment, induction/prescribing all MAT non-methadone medication, to Lawrence J. Palinski, of Westerville, NY 13486, in the amount of \$86,667 plus planning time at \$125/hr., from May 1, 2023 through December 31, 2023.

Section 3. That the Chair, or Vice-Chair, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, together with execution of the Agreement(s) by the Director of Community Services and Lewis County Sheriff, upon such terms and conditions as may be recommended by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 35 - 2023**  
**RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS**

**WITH REFERENCE TO DISTRICT ATTORNEY OFFICE**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Senior Assistant District Attorney submitted his resignation effective February 5, 2023; and

WHEREAS, the District Attorney seeks to have this ADA continue in a temporary, part-time legal service as an ADA until another full-time ADA is hired or until December 31, 2023; whichever event first occurs in order to continue legal assistance in meeting discovery compliance and communications with counsel and courts in pending cases. Compensation would be at \$40.00 per hour for no more than 12 hours per week;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the District Attorney's office to create the following temporary position, effective and retroactive to February 6, 2023 through December 31, 2023 or until another full-time ADA is hired, whichever event first occurs, with hours not to exceed 12 hours per week

| <u>TITLE</u>                          | <u>STATUS</u> | <u>SALARY</u> |
|---------------------------------------|---------------|---------------|
| Part-Time Assistant District Attorney | Temporary     | \$40.00/hour  |

Section 2. That the Board of Legislators hereby declares that no additional funding for this part-time, temporary position will be authorized in 2023.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 36 - 2023  
RESOLUTION AUTHORIZING INCREASE TO  
HEALTH INSURANCE PREMIUMS FOR THE PLAN YEAR  
COMMENCING JUNE 1, 2023**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis (the "County"), has a self-funded health insurance program known as the Lewis County Health Plan ("Plan"), with premiums that support coverage of claims for County (including LCHS) employees, spouses, dependents and retirees eligible for health insurance; and

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WHEREAS, the Lewis County Treasurer, in his capacity as the Plan Administrator, together with the County Manager, HR Director, and Administrators from LCHS, hold periodic meetings with the health insurance committee along with GKG, the county consultants for plan design and insurance management and Milliman, the county's actuarial consultant on the Plan, to assess and ascertain an appropriate premium equivalent for Plan participants in order to sustain the benefits and payout of claims under the Plan; and

WHEREAS, the health insurance committee has been monitoring the health insurance fund balance over the past year, with the County Manager indicating in his 2023 proposed budget that an increase in premiums would likely be required in 2023 in order to sustain the payout of increased claims under the plan; and

WHEREAS, the health insurance fund balance is now reduced to \$1,922,000 with health claims continuing to exceed premiums. Upon review and analysis of the plan and fund balance, and upon the recommendations of Milliman in its January 30, 2023 evaluation, the Committee recommends that the Board of Legislators increase the health insurance premium equivalents by 15%;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves the Plan Administrator's and Health Insurance Committee's recommendation to increase all health insurance premiums by 15% for the plan year beginning June 1<sup>st</sup>, 2023 (reflected in May, 2023 paychecks) in order to stabilize the health insurance fund balance.

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 37 - 2023**  
**RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 4 TO**  
**CONTRACT NO. D036200 BETWEEN NEW YORK STATE DEPARTMENT OF**  
**TRANSPORTATION AND LEWIS COUNTY FOR THE TRANSPORTATION**  
**FEDERAL-AID BRIDGE REPLACEMENT PROJECT**  
**(PIN 775387) KNOWN AS COUNTY ROUTE 29 (WEST ROAD)**  
**OVER WHETSTONE CREEK.**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Bridge Replacement Project known as West Road over Whetstone Creek (PIN 775387; BIN 3340230) (the "Project") in the Town of Martinsburg, County of Lewis, 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, as provided for in the Agreement with NYS DOT, the PE and/or ROW Incidental and Acquisition work performed by the municipality for the federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by DOT, applicable to the federal aid and Marchiselli aid construction work shall be credited following FHWA's construction phase closeout audit of the Project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the County of Lewis advanced the Project by its commitment of 100% of the federal and non-federal share of project costs. NYSDOT now requires Supplemental Agreement No. 4 to incorporate additional funding of \$24,000.00 for the Final Design phase and to include approved 2023-2024 Marchiselli funds to the project; and

WHEREAS, pursuant to this Supplemental Agreement, the Final Design phase has increased Federal and State Marchiselli funding by \$24,000.00, which reduce the County's local share costs from \$16,000.00 to \$14,525.00;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes Supplemental Agreement No. 4 to the Agreement with NYS DOT for Bridge Contract No. D036200, known as County Rt. 29 (West Road) over Whetstone Creek, PIN 775387/BIN 3340230, to add funding to the Final Design phase, inclusive of approved 2023-2024 Marchiselli funding.

Section 2. That the total Final Design Phase funding costs are increased and approved to \$290,500.00 (Federal share of \$232,400; State Marchiselli share of \$43,575; and County local share cost reduction to \$14,525).

Section 3. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate the additional \$24,000.00 in funding for this project, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 4. That in the event the full federal and non-federal share costs of the project exceed the amount appropriated, the Chair shall convene the Lewis County Board of Legislators as soon as possible to appropriate said excess amount upon notification from the NYS DOT.

Section 5. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is authorized to execute Supplemental Agreement No. 4 and all necessary agreements, certifications, or reimbursement requests with the NYSDOT in connection with this Project.

Section 6. 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 7. That the within Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 38 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS**  
**AND PRESENTATION CONCEPTS CORPORATION FOR TECHNOLOGY**  
**UPGRADES IN THE LEGISLATIVE CHAMBER**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Information Technology Department received three (3) quotes from qualified entities whose IT equipment is on the State's approved list for the purchase and installation of new cameras, microphones, speakers and other items required for the County to upgrade the technology system in the Board's Legislative Chamber; and

WHEREAS, the IT Director vetted all three potential vendors and their proposals, and presented a summary to the members of the Board; and

WHEREAS, the IT Director recommends accepting the proposal from Presentation Concepts Corporation (PCC) with offices at 6517 Basile Rowe, East Syracuse, NY 13057, to purchase and install new cameras, microphones, speakers, a projector, and other items as more fully set forth in its proposal to upgrade and revitalize the Board Room, for a total cost of \$98,165.00; and

WHEREAS, the services proffered by PCC are anticipated to be completed by the end of Fall, 2023, and will be funded from the IT Capital Reserve "HAE" Account; and

WHEREAS, the Lewis County Board of Legislators seeks to accept the quote and authorize an agreement with PCC to provide for these upgrades and installation services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby accepts the quote and authorizes an agreement with Presentation Concepts Corporation of East Syracuse, NY, to purchase and install new cameras, microphones, speakers, a projector, and other items in the Lewis County Legislative Chamber as set forth in the proposal dated February 10, 2023, at a cost of \$98,165.00, with such equipment and services to be completed by the end of Fall, 2023.

Section 2. That the Chair, or Vice-Chair, of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such quote approval, Agreement and any other documents required to give effect to this project, upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 39 - 2023**  
**RESOLUTION TO APPROPRIATE**  
**FUNDS AND PAY TAX ASSESSMENT REFUND**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to Resolution No. 32-2022, the Board of Legislators authorized an appropriation from fund balance for surety aid related to the payment of tax assessment refunds for the years 2013 – 2017 pursuant to the Decision and Order of the Court in the City of Rome tax assessment litigation pertaining to the Boyd Dam in the Town of Lewis; and

WHEREAS, on or about February 25, 2022, a check in the amount of \$292,721.37 was tendered to the attorney for the City of Rome for the County's share of tax refunds with interest, plus one-third of the Court costs, as the County and other taxing jurisdictions calculated the refunds for the relevant period set forth in the Decision; and

WHEREAS, counsel for the City held the check and disputed the refund calculations, ultimately returning the check to the County in August, 2022, in furtherance of its dispute of the refund amount, despite the County and other taxing jurisdictions affirming that any discrepancy would be paid, once resolved; and

WHEREAS, the disputed amount was conferenced with the Court from March, 2022 through August, 2022, with final submissions on the issue received by the Court in September, 2022. The Court rendered a decision on February 10, 2023 and determined that refunds are ordered to be paid on full value without adjustment by the State equalization rate in excess of 100% and without the deduction of interest on the payments previously tendered but not accepted. In essence, all interest on the recalculated refunds are to be paid by the taxing jurisdictions without consideration or credit for the amounts tendered to the City's attorney nearly a year ago; and

WHEREAS, with the assistance of the Real Property Director, the amount owing for said refunds from the County together with interest through March 13, 2023 amounts to \$345,842.62, plus payment of one-third court costs of \$1,169.12 and one -third of appeal printing costs of \$863.34 for a total of \$347,875.08; and

WHEREAS, the County Attorney requests that the Board rescind Resolution No. 32-2022, and authorize an appropriation from fund balance in the amount of \$347,875.08 to pay to Goldman Attorneys PLLC, as attorneys, the County's share of the tax refunds and court ordered



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costs for the years 2012 – 2017 as and for the City of Rome’s overpayment of the taxes paid for those years;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Legislative Department to appropriate funds from Fund Balance for Surety Aid related to the Decision and Order of the Court in the City of Rome tax assessment litigation, to pay tax assessment refunds with costs and statutory interest through March 13, 2023 for the years 2012 - 2017:

Decrease Fund:

|                        |               |
|------------------------|---------------|
| A0 005990 Fund balance | \$ 347,875.08 |
|------------------------|---------------|

Increase Expenditure:

|                                    |               |
|------------------------------------|---------------|
| A0101000 492800 BOL Tax Surety Aid | \$ 347,875.08 |
|------------------------------------|---------------|

Section 2. That the Treasurer’s office is directed to issue a check made payable to “Goldman Attorneys PLLC, as attorneys” in the amount of \$347,875.08, as the City of Rome’s tax refunds with interest and costs pursuant to the Decision of the Court for tax years 2012 through 2017.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 40 – 2023**  
**RESOLUTION AUTHORIZING THE COUNTY TO ‘OPT IN’ TO THE NATIONWIDE**  
**OPIOID SETTLEMENT AGREEMENTS WITH PHARMACEUTICAL**  
**MANUFACTURERS AND PHARMACIES**

Introduced by Thomas A. Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County has participated in statewide litigation against manufacturers and distributors of opioids. The State of New York has also participated in a nationwide lawsuit against named manufacturers and pharmacies, with settlements now reached in that litigation with respect to Teva and Allergan (Manufacturers) and three pharmacies (CVS, Walgreens and Walmart); and

WHEREAS, under the nationwide lawsuit, local political subdivisions are referred to as “subdivisions” under the settlement agreement. Since NYS is a named participant under the lawsuit, the subdivisions are entitled to “opt in” to each settlement agreement with the named defendants. The County has already entered into settlement agreements with Teva and Allergan under the state lawsuit. In order to participate and receive a portion of the settlement funds payable by each named defendant, the County must exercise its option by executing an “opt in”

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document together with other implementation/participation forms and document by April, 2023; and

WHEREAS, the Board of Legislators seeks to participate in the settlement with named defendants under the nationwide opioid lawsuit and exercise its participation by “opting in”;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators approves and authorizes “opt in” participation in the settlement agreements and funds by the named manufacturers and pharmacies under the nationwide opioid lawsuit in which the State of New York is a participating entity.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Board, or his designee, to execute the opt in participation form and any other settlement term sheets and agreements required for participation in the settlements, upon review by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 41 - 2023**  
**RESOLUTION AUTHORIZING FUNDING CONTRIBUTION FOR NECESSARY**  
**RENOVATIONS TO THE LEWIS COUNTY AGRICULTURAL SOCIETY**  
**FAIRGROUND’S GRANDSTAND**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Fairgrounds, owned and operated by the Lewis County Agricultural Society (“Ag Society”), is the home of the annual Lewis County Fair, the ice skating rink, the farmer’s market, and many other community activities, users and uses; and

WHEREAS, the Ag Board has identified the scope of work and estimate of costs required for the Grandstand and track retaining walls renovations, amounting to approximately \$500,000.00. The Ag Society is intending and in the process of submitting grant applications and sending charitable donation letter requests to cover the costs of this necessary project; and

WHEREAS, the Board of Legislators understands how vital the Fairgrounds, and in particular, the historic Grandstand plays in the annual County Fair and other large events enjoyed by Lewis County residents. The Board supports this necessary investment for the benefit of the entire Lewis County community, and seeks to contribute toward the funding for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the payment of \$100,000.00 to the Lewis County Agricultural Society to be used specifically toward the costs and expenses of the Grandstand and track retaining wall renovations.

Section 2. That the Lewis County Board of Legislators authorizes and directs the Treasurer to transfer the total amount of \$100,000.00 from Fund Balance for this payment.

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 any agreement or document required to give effect to this Resolution upon review by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler , seconded by Legislator Chartrand , and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 42 - 2023**  
**RESOLUTION AUTHORIZING INCLUSION OF CERTAIN AGRICULTURALLY**  
**VIALE LAND INTO A CERTIFIED AGRICULTURAL DISTRICT AND NEGATIVE**  
**DECLARATION DETERMINATION**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amending NYS Agricultural and Markets Law, designated an annual thirty (30) day review period starting on November 15 and closing December 15, 2022, in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District; and

WHEREAS, the Lewis County Planning and Community Development Department received one (1) application for inclusion of properties into Agricultural District # 6. This parcel is located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC, (approximately 2.3 acres); and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board (LCAFPB) reviewed the application for inclusion of a property into Agricultural District #6 and submitted their recommendation to the Lewis County Board of Legislators that the property be placed into the certified agricultural district; and

WHEREAS, Short Environmental Assessment Forms for the Unlisted Actions has been prepared by the Director of Planning and Community Development on behalf of the County of Lewis Board of Legislators as the lead agent for this Ag Inclusion property for determination of the environmental impact of same, with a conclusion and determination that the identified parcel's inclusion will not result in any significant adverse environmental impact; and

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WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amending NYS Agricultural and Markets Law, conducted a public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board and Planning Department on March 7, 2023 at 5:00 p.m.; and

WHEREAS, the Lewis County Board of Legislators, having held the public hearing and having heard any statements or comments from the public on the request and recommendations of the Lewis County Planning and Community Development Department and Lewis County Agricultural and Farmland Protection Board, seeks to adopt the recommendations of the Director of Planning and Community Development and declare a negative environmental impact for each parcel, and place these properties into a certified agricultural district;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Board to execute the Short Environmental Assessment Forms prepared by the Planning and Community Development Department declaring that these Actions and Applications will not result in any significant adverse environmental impacts.

Section 2. That the Lewis County Board of Legislators adopts the recommendations of the Lewis County Agricultural and Farmland Protection Board and Planning and Community Development Department, and places the following parcel of land located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC, (approximately 2.3 acres) into certified Agricultural District # 6.

Section 3. That the Chairman or Vice Chairman is authorized to execute any other documents to give effect to this resolution, upon review and approval of the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 43 - 2023**  
**RESOLUTION AUTHORIZING LEASE AGREEMENT WITH WPBS, HUDSON**  
**VALLEY WIRELESS AND THE COUNTY OF LEWIS TO LEASE SPACE ON THE**  
**WPBS TOWER AND SITE FOR THE BROADBAND PROJECT**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County's Broadband Expansion Project includes the use of existing tower structures in order to expand broadband connectivity to unserved and underserved Lewis County residents and businesses. While the County was able to use their existing towers for some of their fixed wireless expansion projects, in order to serve the target populations in the Towns of Pinckney, Harrisburg, and Denmark, tower spaced would need to be leased; and

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WHEREAS, WPBS has a tower located at 1773 Route 194 in the Town of Pinckney, NY which the County seeks to lease along with its Broadband partner, Hudson Valley Wireless, to bring fixed wireless broadband to that area; and

WHEREAS, WPBS is willing to lease space on the tower, subject to a structural analysis to be undertaken by WPBS to confirm that the tower will be able to properly and safely function with the additional equipment proposed for the tower under the broadband expansion; and

WHEREAS, if the tower passes the structural analysis with this additional load, WPBS is willing to lease the proper space to the County and Hudson Valley Wireless at the following rates over for the six (6) year period:

|                 |                               |
|-----------------|-------------------------------|
| Year 1 -        | \$14,820 (\$1,235/mo.)        |
| Year 2 -        | \$15,265 (\$1,272/mo.)        |
| Year 3 -        | \$15,723 (\$1,310/mo.)        |
| Year 4 -        | \$16,194 (\$1,350/mo.)        |
| Year 5 -        | \$16,680 (\$1,390/mo.)        |
| <u>Year 6 -</u> | <u>\$17,180 (\$1,432/mo.)</u> |
| Total:          | \$95,862                      |

It is proposed that the County pay the entire six-year amount (\$95,862) in one lump sum, with Hudson Valley Wireless' share of \$16,200 to be deducted from their final bill to the County under the NBRC grant; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this three-way lease agreement with WPBS and Hudson Valley Wireless, for the use of identified space on the WPBS Tower and its equipment shelter space located on 1773 Route 194, Copenhagen, NY, at the monthly/annual rates set forth above for a six-year term, to commence upon the start of installation of equipment on the tower, with payment upon confirmation of proper operation of the County and HVW equipment.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County to enter into a lease agreement with WPBS and its broadband partner, Hudson Valley Wireless to rent space on the tower and ground shelter on the WPBS Tower located at 1773 Route 194, Copenhagen, NY after a structural analysis confirms the ability to add this additional load and signals to the Tower for the County's broadband expansion equipment and system.

Section 2. That the lease agreement shall be for a six-year term commencing upon the start of installation of the County and HVW equipment and wiring on the site. Payment shall be made upon satisfactory testing required by the County to confirm operation of the system and connections, with the County having the option to pay in a lump sum or annually in accordance with the lease fee set forth above, together with such other terms and conditions as the County Attorney may recommend.

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Section 3. That the Chair or Vice-Chair is hereby authorized to execute, seal and deliver said Lease Agreement(s), and any other documents and forms required to give effect to same, upon such terms and conditions as approved by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 44 - 2023**  
**RESOLUTION AWARDDING BID AND AUTHORIZING CONTRACT BETWEEN**  
**THE COUNTY OF LEWIS AND BARTON & LOGUIDICE, D.P.C. TO PROVIDE**  
**PROFESSIONAL PROJECT PLANNING AND ENGINEERING SERVICES FOR THE**  
**COUNTY-WIDE COMPLETE STREETS PROJECT**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Director of Planning and Community Development Department, in consultation with the Public Health Agency and Highway Department sent out an RFP for professional planning and engineering services for a county-wide complete streets plan in recognition of the 2022 Community Health Assessment which demonstrates significant evidence, need and demand, as more fully outlined and set forth in the RFP; and

WHEREAS, five (5) bid proposals were opened on February 13, 2023 at 2:00 pm. The Planning Director, Deputy Director of Public Health and Superintendent of Highways carefully reviewed the bid submissions and assessed the criteria. After careful consideration and review, this team recommends that the Board of Legislators award the bid and contract to the lowest bidder, Barton & Loguidice, DPC, of 120 Washington Street, Suite 100, Watertown, NY 13601 to complete RFP Tasks 1-4 & 7 at a cost not to exceed \$56,137.00, with an option to complete Task 5 at a cost not to exceed \$28,184, and an option to complete Task 6 at a cost not to exceed \$130,592, with the project expected to conclude on or about December 31, 2023; and

WHEREAS, the Planning and Community Development Department has budgeted \$150,000 for this project, and will work with Public Health and the Highway Department to obtain funding options to complete shovel ready mockups for all eleven (11) municipalities listed in the RFP under Task 6; and

WHEREAS, the Board of Legislators seeks to accept this recommendation, award the bid and contract with Barton & Loguidice for planning and engineering services for the complete streets project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with and awards the bid under the County-Wide Complete Streets Project to Barton & Loguidice, DPC, of Watertown, NY 13601, to provide planning and engineering professional services as outlined in the RFP and as they present in their bid proposal dated February 10, 2023, at a cost of \$56,137 for Tasks 1-4 & 7; with options to complete Task 5 at a cost of \$28,184; and complete Task 6 at a cost of \$130,592.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include provisions for B&L to provide reports to the County Departments involved in the project, with an anticipated completion date on or about December 31, 2023.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement and any extensions or modifications thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 45 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**DEPARTMENT OF PUBLIC HEALTH AND**  
**VOLUNTEER TRANSPORTATION CENTER, INC.**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Department of Public Health wishes to enter into an Agreement with Volunteer Transportation Center, Inc., a New York Not-for-Profit corporation with a principal place of business located at 24685 State Route 37, Watertown, NY 13601, to provide transportation services to Pre-School special needs children of Lewis County; and

WHEREAS, the County is responsible for 100% of the cost, with LCPH submitting reimbursement to the State for 59.5%, or submitting to Medicaid for said services if the child is Medicaid eligible; 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 Public Health and Volunteer Transportation Center, Inc., to provide transportation services to Pre-School for special needs children of Lewis County for the term commencing March 1, 2023 through February 28, 2023, at

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a cost of \$8.00 per child per trip (\$16.00 round trip) plus IRS mileage rate, with automatic one year renewal terms unless terminated 90 days prior.

Section 2. That the Chair or Vice-Chair of the Board of Legislators together with the Public Health Director are 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 Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 46 – 2023  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN THE COUNTY OF LEWIS  
AND PICTOMETRY INTERNATIONAL CORP D/B/A EAGLEVIEW**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis entered into a contract with Pictometry International Corp D/B/A Eagle View in 2008 for the purpose of using aerial digital imaging technology to map applications for 911 services, public safety, emergency operations, planning, real property functions, and other municipal government application at County and local levels; and

WHEREAS, Pictometry International provides ortho and oblique imagery which enhances the government's ability to handle emergencies, disasters, planning, measuring and research tools of the latest technology; and

WHEREAS, the Director of Real Property Tax Services received a quote and description of services to be performed by Pictometry over a six (6) year period, to update aerial imagery to include vertical and oblique images and to provide "pictometry connect viewer licenses" to utilize the imagery through a hosted web service. This service would include two aerial flights (Spring of 2023 and Spring of 2026) for mapping applications and functions, at a total cost of \$306,545.00 in annual installments of \$51,090.83, and was approved in the 2023 Capital Budget; and

WHEREAS, the Board of Legislators wishes to authorize said Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with Pictometry International Corporation for updated aerial imagery services and viewer licenses to utilize the imagery through a hosted web services, said services to include two aerial imagery flights (Spring, 2023 and Spring, 2026), at a cost of \$306,545.00, payable in annual



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installments of \$51,090.83 commencing 2023 through 2028, as more fully set forth in the proposal.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement and any other documents required to give effect to the agreement, pending approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 47 - 2023**  
**RESOLUTION ACCEPTING ADDITIONAL PERMANENT**  
**EASEMENT TO THE COUNTY FOR ITS TRAIL SYSTEM**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis has developed its ATV/OHV trail system by a combination of trails developed from public and private properties; and

WHEREAS, the Director of Recreation, Forestry and Parks secured an access agreement from Gregory E. Grower and Sharon E. Grower, the owners of approximately 158 acres in the Town of Leyden, known as parcel number 402.00-01-09.113, to have access to the property to construct, use and maintain designated trails on the property. By Resolution No. 246-2019, the trails on the Grower property were incorporated into the Lewis County ATV/OHV trail system, subject to the landowner's right to terminate access rights. By Resolution No. 172-2020, the owners granted a permanent easement to the County of approximately .54 acres of their property to the ATV/OHV trail system; and

WHEREAS, the owners now seek to gift another portion of their property to the County of Lewis, for recreational trail use for addition to the ATV/OHV trail system, for a permanent right of access and use for the County trail system, by granting a permanent easement for same. Attached as Exhibit "A" is a map depicting the additional easement area and location running from a point on the east side of Fitch Road and winding through parcel 402.00-01-09.113 as depicted on the attached map, approximately 1.1+/- acres; said trail being approximately 16 feet wide; and

WHEREAS, the Lewis County Board of Legislators seeks to accept this additional permanent easement and formally recognize Gregory Grower and Sharon Grower for their generosity and support of the Lewis County Trail System by this additional gifted permanent easement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby gratefully accepts the gift of an additional permanent easement which shall run with the land, to the County of Lewis, on a portion of the property identified in "Exhibit A" located on the east side of Fitch Road and part of parcel number 402.00-01-09.113 in the Town of Leyden, from landowners Gregory Grower and Sharon Grower, to be used, repaired, adjusted and maintained by the County's Recreation, Forestry and Parks Department as part of the County ATV/OHV trail system, pursuant to the steps required to add this easement area to the County's ATV/OHV Trail System.

Section 2. That the easement area shall include provision for the County of Lewis to have the right and access to approximately 1.1+/- acres, with the trail being approximately 16 feet in width, and identified as the easement area for use as an ATV/OHV trail area maintained and used by the County under its Lewis County Trail System.

Section 3. That the easement document shall be duly recorded and appropriately indexed with the Lewis County Clerk's Office upon review by the County Attorney.

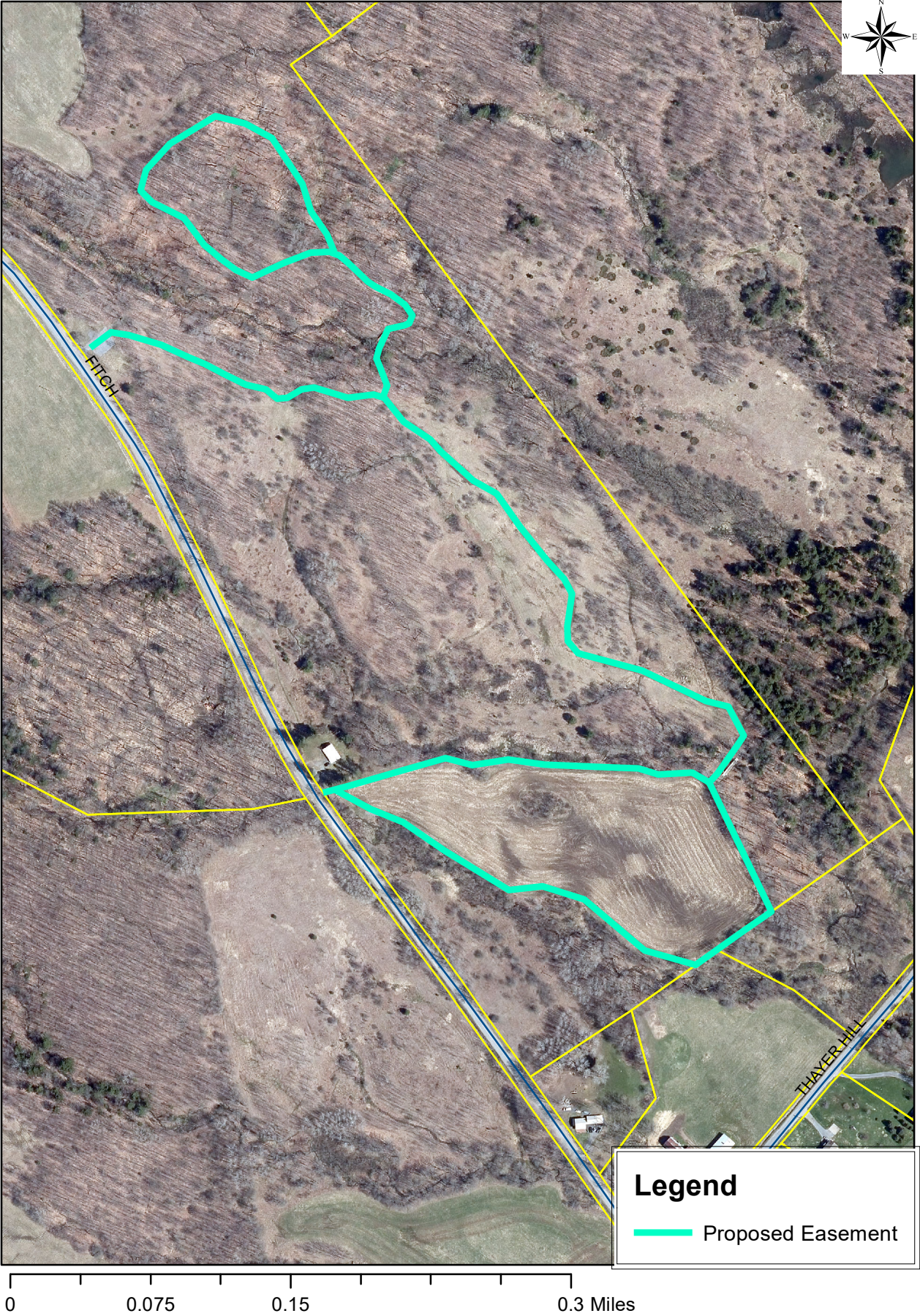
Section 4. That the Director of Recreation, Forestry and Parks is directed to take any steps and actions required to add this easement property to the County's ATV/OHV trail system upon recording of the easement.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.



Exhibit A - Tax Parcel 402.00-01-9.113





**RESOLUTION NO. 48 - 2023**  
**RESOLUTION AUTHORIZING GRANT OF PERMANENT RECREATIONAL**  
**EASEMENT ON THE COUNTY'S GLENFIELD SCHOOL PROPERTY**  
**FOR THE COUNTY'S TRAIL SYSTEM**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis has developed its ATV/OHV trail system by a combination of trails developed from public and private properties; and

WHEREAS, the Director of Recreation, Forestry and Parks seeks to have the County place a permanent recreational trail easement, with a width of 16 feet, a distance of approximately 0.2 miles on the County's property located at 5960 Main Steet, Glenfield, NY , Town of Martinsburg, commonly referred to as the old Glenfield School, Tax Parcel Nos. 259.04-04-08.000 and 259.04-03-12.000, as depicted on the attached Map; starting from the southwest corner of the property boundary on Main Street, and running east along the said property boundary to River Street; said easement providing for the County to have the right of access and use to maintain the easement property for recreational purposes in perpetuity; and

WHEREAS, all steps required for adding county property to the trail system pursuant to Local Law No. 3- 2019 will be undertaken with the grant of this easement; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the grant of this permanent easement for its intended use as an addition to the Lewis County trail system;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the grant of a permanent easement on its property located at 5960 Main Street, Glenfield, NY, Town of Martinsburg, commonly known as the Old Glenfield School, Town of Martinsburg, Parcel Nos. 259.04-04-08.000 and 259.04-03-12.000, with a general description running southeast along the southwest corner of the property on Main Street, south and east along the property boundary to River Street; a distance of approximately 0.2 acres and a width of 16 feet, as depicted on the attached map; and subject to a survey of the easement area depicted.

Section 2. That the easement area shall include provision for the County of Lewis to have the right of access and use of the approximate 0.2 +/- acres, to develop and maintain an approximate 16 ft. wide trail, subject to compliance with any required steps set forth in the County's trail system local law for addition of same to the trail system.

Section 3. That the easement and survey documents shall be duly recorded and appropriately indexed with the Lewis County Clerk's Office upon review by the County Attorney.

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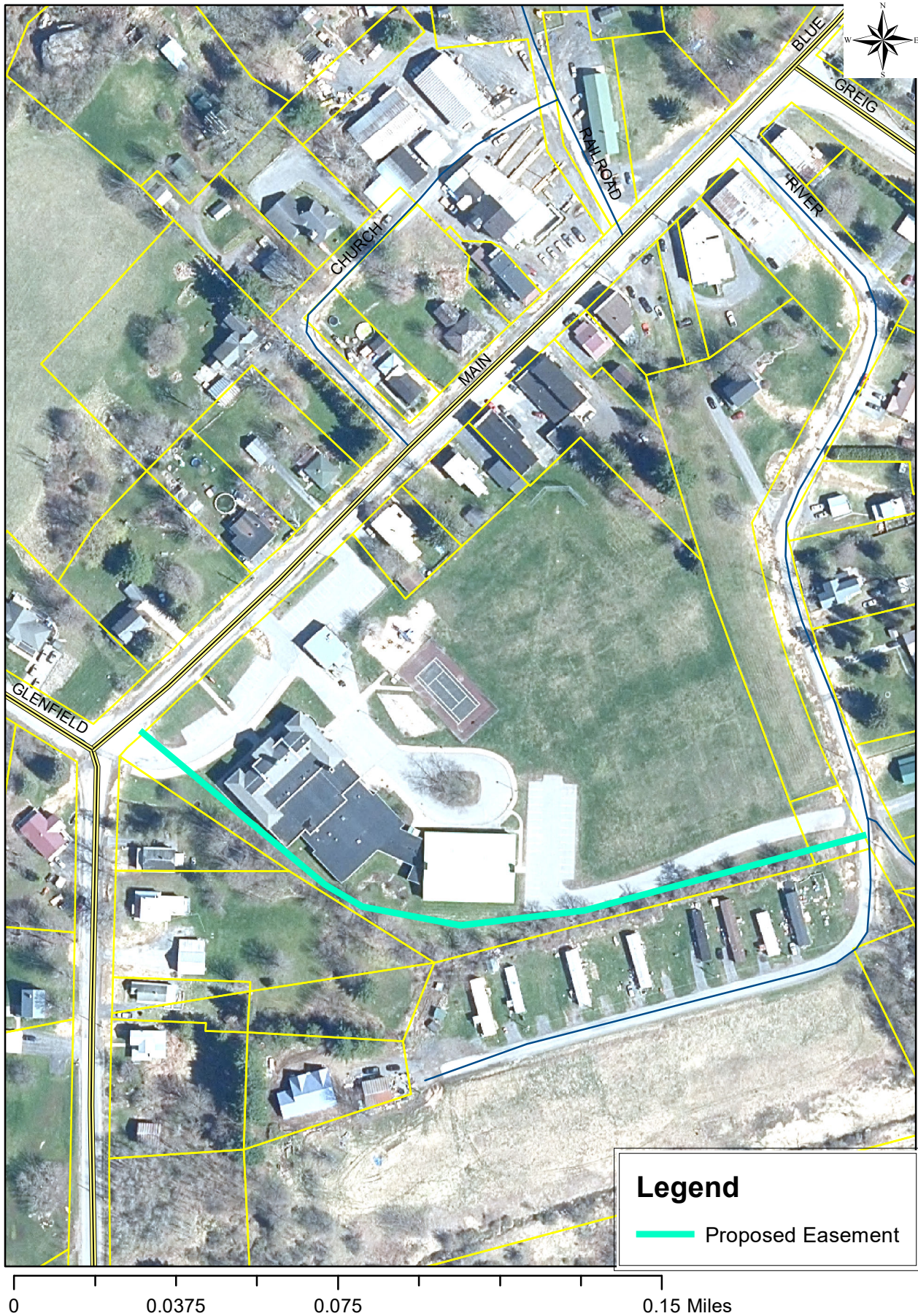
Section 4. That the Director of Recreation, Forestry and Parks is directed to take any steps and actions required to add this easement property to the County's ATV/OHV trail system.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.



# Exhibit A - Tax Parcel 259.04-04-8.0





**RESOLUTION NO. 49 - 2023**  
**RESOLUTION AUTHORIZING ONE-TIME FUNDING AND**  
**AGREEMENTS WITH LEWIS COUNTY SNOWMOBILE CLUBS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, snowmobiling (and the businesses that support this sport), is one of the main recreational activities supporting Lewis County tourism and the local economy, especially during the winter months; and

WHEREAS, the snowmobile clubs in Lewis County play a vital part in grooming trails and marketing Lewis County as an exceptional area to enjoy the sport and surroundings. Snowmobile enthusiasts invest in the local economy through patronizing our eating and drinking establishments, purchasing goods, supplies and food at our local businesses, and in purchasing properties for their seasonal enjoyment; and

WHEREAS, in recognition of the hard work provided by club members to benefit Lewis County snowmobiling and the local economy and development, it is requested that the Board of Legislators provide a one-time payment of \$9,000.00 to be equally divided among the nine (9) Lewis County snowmobile clubs to assist in their continued grooming of the snowmobile trails and marketing of Lewis County as one of the premier snowmobiling areas in New York State, in consideration of the clubs providing the County with statistical data on trail usage and activities for the snowmobile season;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the following one-time payment of \$1,000.00 to each of the named Lewis County snowmobile clubs:

Barnes Corners Sno-Pals Inc.  
Brantingham Snowmads Inc.  
Long Pond Sno Sled Club, Inc.  
Lost Trail Snowmobile Club Inc.  
Missing Link Snowmobile Club Inc.  
Osceola Snowmobile Assn.  
Southern Tug Hill Sno-Riders, Inc.  
Turin Ridge Riders Snowmobile Club Inc.  
Valley Sno Travelers of Lewis County Inc.

Section 2. That the Lewis County Board of Legislators authorizes and directs the Treasurer to transfer the total amount of \$9,000.00 from Legislative Contingency for the \$1,000.00 payment to each named club upon execution of the agreement:

Decrease Expenditure:

A0101000 419900

\$9,000

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Increase Expenditure:

A0714100 499900

\$9,000

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.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 50 – 2023**  
**RESOLUTION AUTHORIZING FIVE-YEAR AGREEMENT WITH E. F. JOHNSON**  
**FOR REMOTE TECHNICAL SUPPORT SERVICES OF THE**  
**E911 RADIO EMERGENCY COMMUNICATIONS SYSTEM**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis seeks to enter into a five-year renewal support Agreement with E. F. Johnson Company for remote technical support services for the 911 system and to provide remote support to Lewis County and its contracted Local Service Provider, United Radio, which includes access to a 24/7 telephone line for answering technical queries and assistance with troubleshooting system hardware and software covered by the support agreement; and

WHEREAS, EF Johnson has provided a quote and scope of the remote support services it will render over the five year period, at a cost of \$157,500 (\$31,500 per year) from March 1, 2023 through February, 2028; and

WHEREAS, the cost of this service is payable under the radio grant funds; and

WHEREAS, the Board of Legislators seeks to authorize and to enter into this renewal Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a renewal Agreement with E. F. Johnson Company to provide annual remote technical support services for the 911 system at a cost of \$157,500 (\$31,500/yr.) for a five-year period, in accordance with the proposal dated February 14, 2023.

Section 2. That the term of the agreement for services is from March 1, 2023 through February, 2028, and payable from the radio grant funds.



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Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form(s) as may be approved by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 51 - 2023**  
**RESOLUTION AUTHORIZING TWO-YEAR AGREEMENTS WITH THE**  
**COPENHAGEN CENTRAL SCHOOL DISTRICT, SOUTH LEWIS CENTRAL**  
**SCHOOL DISTRICT AND HARRISVILLE CENTRAL SCHOOL DISTRICT**  
**AND THE COUNTY OF LEWIS TO CONTINUE THE PROVISION OF**  
**A SCHOOL RESOURCE OFFICER FOR EACH DISTRICT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Resolution No. 182 - 2022 the Board of Legislators authorized a one-year agreement between the County by and through the Lewis County Sheriff's Department and the Copenhagen Central School District, South Lewis Central School District and the Harrisville Central School District to provide a School Resource Officer (SRO) from the Lewis County Sheriff's Road Patrol Unit for a 12 month term during the 2022/2023 school year, September 1, 2022 through August 31, 2023, at a cost payable to the County of Lewis from each School District representing 100% the actual costs and expenses of the SRO assigned, including but not limited to salary, overtime when working as SRO, full contractual benefit costs and expenses, and full fringe benefit costs and expenses, with the Deputy then reporting to the Sheriff's office for expected assignment to recreation patrol duty on days when not serving as SRO; and

WHEREAS, the Superintendents of these school districts are in the process of developing their annual school budgets and seek to solidify continuation of the SRO in their respective schools, and to enter into a multi-year agreement upon the same terms and conditions; and

WHEREAS, the Board of Legislators seeks to approve the SRO agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators authorizes two-year Agreements between the County of Lewis with the Lewis County Sheriff's Department and the Copenhagen Central School District, South Lewis Central School District and Harrisville Central School District, respectively, to continue the provision of the a School Resource Officer (SRO) from the Lewis County Sheriff's Road Patrol Unit for a 12 month term during the 2023/2024 and 2024/2025 school year terms, i.e. from September 1 through August 31 of each year, at a cost payable to the County of Lewis from each School District representing 100% the actual costs and

expenses of the SRO assigned, including but not limited to salary, overtime when working as SRO, full contractual benefit costs and expenses, and full fringe benefit costs and expenses, with the Deputy then reporting to the Sheriff's office for expected assignment to recreation patrol duty on days when not serving as SRO.

Section 2. That the Chair or Vice-Chair of the Lewis County Board of Legislators, and the Lewis County Sheriff, are hereby authorized to make, execute, seal and deliver said Agreements upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 52 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE LEWIS COUNTY**  
**DEPARTMENT OF SOCIAL SERVICES AND PRATT NORTHAM FOUNDATION**  
**TO SERVE AS ADMINISTRATOR OF THE**  
**PRATT NORTHAM - CAREERS HERE PROGRAM**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Pratt Northam Foundation ("PN") whose mission is to serve the Black River Valley communities from Boonville to South Carthage, established a grant devoted to providing funds for student intern employment positions known as the "Careers Here" Program. PN requests that the Lewis County Department of Social Services administer the program without remuneration for such services; and

WHEREAS, the Lewis County Commissioner of Social Services is willing to assist this program and accept the designation as Administrator of PN's Careers Here Program, and agrees to do so without payment of an administrative fee; and

WHEREAS, under the program, PN agrees to provide funding for students for a total of 350 hours per student at the wage rate up to \$15.50 per hour, together with applicable FICA expenses for the 2023/2024 term. PN will provide the Careers Here grant in a single check in or about June, 2023. Both parties will evaluate the number of positions for college students and BOCES students year by year leaving flexibility to adjust for the needs of sites that are applying and the number of students that are hired; and

WHEREAS, DSS will administer the plan and have the employers (both government and private) who participate in the program execute agreements for each student intern position; and

WHEREAS, the Board of Legislators seeks to authorize DSS to serve as administrator of this program for PN and to execute the agreements required to give effect to same;

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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Department of Social Services to serve as fund recipient and administrator of the Pratt Northam “Careers Here” Program for student intern employment positions for a one-year term, without remuneration for said administrative services.

Section 2. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Department of Social Services and the Pratt Northam Foundation for DSS to serve as Administrator of the PN Careers Here Program and the Foundation’s funding for this program.

Section 3. That the term of this Agreement shall be effective and retroactive to March 1, 2023 through February 28, 2024, unless terminated by either party upon sixty (60) days prior written notice to the other.

Section 4. That the Lewis County Treasurer is authorized to appropriate the revenue received from Pratt Northam and transfer said funds into the appropriate accounts.

Section 5. That the Lewis County Commissioner of Social Services is hereby authorized to execute the Agreement with PN to administer the Program, as well as the individual contracts between the Lewis County DSS as administrator and participating employer and intern, subject to the approval and review by the County Attorney.

Section 6. That the within resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 53 – 2023**  
**RESOLUTION TO TRANSFER FUNDS**  
**Department of Social Services**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved from Legislative Special Contingency to Social Services accounts for the special engineering study for Temporary and Permanent Housing Feasibility Study:

From:

A0101000 419900 BOL Spec. Cont.

\$30,700.00

To:

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A0601000 490900 DSS Misc. Expense

\$30,700.00

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 54 - 2023**  
**RESOLUTION AWARDDING BID AND AUTHORIZING AN AGREEMENT WITH**  
**UNIFIRST AND COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY & SOLID**  
**WASTE DEPARTMENTS FOR UNIFORM SERVICE**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Highway and Solid Waste Departments sent out an RFP for bids on providing uniform services for their Departments; and

WHEREAS, two (2) bids received were opened on February 15, 2023, Highway Superintendent, Fiscal Manager, Purchasing Director, Clerk of the Board and others in attendance. Upon review and analysis of the bid proposals receive the Highway Superintendent and Director of Solid Waste, in consultation with the Purchasing Direct recommend awarding the bid to Unifirst, of Liverpool, NY 13088, the lower responsible bidder for per item rates for uniform shirts, pants, jackets, shop towels, maintenance fee, no service charge, for a three year contract with no more than a 1% increase per year, and the right of the County to terminate without penalty or charge; and

WHEREAS, the estimated annual cost for the uniforms and related charges is \$4,000.00; and

WHEREAS, the Lewis County Board of Legislators wishes to award the bid and contract based upon this recommendation;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid and authorizes a three-year contract with Unifirst, 103 Luther Avenue, Liverpool, NY 13088 for uniform services as described in the RFP, at the per item rates set forth in the bid proposal dated February 3, 2023, estimated to cost \$4,000.00 per year with no more than a 1% annual increase in said rates.

Section 2. That the Lewis County Board of Legislators authorizes a three-year contract with Unifirst for the identified uniform services and materials in accordance with the specifications and scope of services set forth in the proposal, together with any additional terms and conditions recommended by the County Attorney.

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Section 3. That the Chairman or Vice- Chairman is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon such terms and conditions as a may be approved by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 55 - 2023**  
**RESOLUTION APPROVING CORRECTION OF TAX BILL**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to the franchise agreements between Time Warner Cable, TCI, and the Towns of Croghan, Denmark, Diana, Greig, Lewis, Leyden, Lowville, Lyonsdale, Martinsburg, New Bremen, Watson, and West Turin which allowed them to deduct from taxes the franchise paid to the Towns,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section I. That payment be accepted as follows:

|             |                  | Amount Paid: | Charge to Town: |
|-------------|------------------|--------------|-----------------|
| Croghan     | 538.00-08-06.000 | 2703.99      | 598.71          |
|             | 538.00-05-06.000 | 300.43       | 66.52           |
|             | 538.00-08-00.000 | 564.21       | 155.74          |
| Denmark     | 552.00-03-00.000 | 180.54       | 89.45           |
|             | 552.00-05-00.000 | 20.51        | 10.17           |
| Diana       | 552.00-05-08.000 | 899.49       | 388.80          |
| Greig       | 542.02-07-09.000 | 3231.49      | 1226.42         |
| Lewis       | 550.00-10-11.000 | 255.15       | 250.35          |
| Leyden      | 550.00-07-12.000 | 595.84       | 190.90          |
|             | 550.00-10-12.000 | 293.47       | 94.02           |
|             | 550.00-07-00.000 | 89.28        | 34.91           |
| Lowville    | 550.00-05-00.000 | 735.16       | 227.92          |
|             | 550.00-05-13.000 | 2671.15      | 660.80          |
| Lyonsdale   | 550.00-07-00.000 | 290.25       | 127.77          |
|             | 550.00-07-00.000 | 48.91        | 21.53           |
| Martinsburg | 542.02-05-15.000 | 1736.97      | 723.56          |
| New Bremen  | 552.00-08-02.000 | 2412.07      | 729.20          |
|             | 542.05-08-05.000 | 148.73       | 54.89           |
|             | 552.00-08-00.000 | 9.65         | 4.99            |
| Watson      | 542.02-08-21.000 | 2139.15      | 1390.19         |
|             | 542.02-07-21.000 | 3251.51      | 2113.08         |
|             | 542.02-05-21.000 | 3165.94      | 2057.48         |

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|            |                  |              |              |
|------------|------------------|--------------|--------------|
| West Turin | 550.00-07-00.000 | 164.04       | 71.12        |
|            | 550.00-07-00.000 | <u>75.90</u> | <u>32.91</u> |
|            |                  | 25983.83     | 11321.43     |

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 \$11,321.43.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 56 – 2023**  
**RESOLUTION CALLING ON GOVERNOR HOCHUL TO REMOVE PART M OF**  
**ARTICLE VII REVENUE BILLS FROM THE 2024 EXECUTIVE BUDGET**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Governor announced the NYS 2024 Executive Budget on February 1, 2023, which includes Article VII Revenue Bills; and

WHEREAS, Article VII Revenue Bills includes Part M, adding a new section 989 of the Real Property Tax Law (RPTL) titled “Distribution of surplus in tax enforcement proceedings”. This budget legislation proposes that when a tax delinquent property is foreclosed upon by the county and sold, any money the county receives that exceeds the liability amount (e.g., overdue taxes, penalties, interest, mortgage liens, etc.) will be returned to the property owner, minus applicable administrative costs to the local government; and

WHEREAS, this proposed budget legislation should be removed from the Governor’s FY 2024 Budget for numerous reasons, including: (1) it is unconstitutional since Article VIII, Section 1 of the NYS Constitution restricts a county from giving any money to or in aid of any individual, private corporation or association or private undertaking; (2) it is unfair to lien holders since all liens are cut off by Section 1131 of Article 11 of the RPTL at the time an interested party fails to redeem or answer, which time occurs prior to the County taking title and selling the parcel; (3) it is practically impossible for a county to accurately account for all administrative costs associated with enforcement of taxes for numerous parcels during a two - three year time period involving subcontractors and staff from multiple departments; (4) it is unclear whether litigation costs incurred in enforcement under Article 11 are included; (5) the number of unpaid, delinquent parcels are likely to increase with owners knowing that they do not have to pay lien holders and others by allowing the property to go to foreclosure sale; (6) the proposed budget legislation does not address the common circumstance where there is no “prior owner” who responds or the prior owner is deceased with no estate to accept any surplus payment; and (7) the proposed budget legislation is unfair to the majority of property owners in

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the County who timely pay their taxes and/or properly sell their homes when they no longer desire to own; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls upon the Governor to remove Part M of the Revenue Bills from the FY 2024 Executive Budget.

Section 2. That this Resolution shall take effect immediately.

Section 3. That the Clerk of the Board is directed to forward certified copies of this resolution to Governor Hochul, Senator Mark Walczyk, Assemblyperson Kenneth Blankenbush, the Majority and Minority leaders of the State Senate and Assembly, New York State Association of Counties, and any other party deemed necessary and appropriate.

Moved by Legislator Moser, seconded by Legislator Nellenback.

Legislator Hathway voiced his opinion that the revenue from the sale of tax foreclosure properties should be given back to the individual or individuals who are losing their homes as they would find the funds helpful. The amount the county budgets in revenue isn't very much each year anyway.

County Manager, Ryan Piche explained that the process of tax foreclosure is the only way to get a clean title, which then makes it much easier to clean them up and remarket them. If Part M of Article VII remains there would be no one to get a clean title and the liens would just continue to remain, which wouldn't give the county any incentive to clean them up.

Legislator Moser explained that it would also then require trying to contact former owners which could be a nightmare. County Attorney, Joan McNichol stated that the numerous hours from staff that are spent on preparing all of the tax foreclosures and processing them would likely use up most of the revenue budgeted anyway.

The resolution was then adopted on the 7<sup>th</sup> day of March, 2023. Legislator Hathway was opposed.

**RESOLUTION NO. 57 - 2023**

**RESOLUTION TO AUTHORIZE INTER-MUNICIPAL AGREEMENTS WITH  
JEFFERSON COUNTY TO SHARE SERVICES AND THE POSITIONS OF DIRECTOR  
OF WEIGHTS AND MEASURES AND VETERAN SERVICES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, Lewis County is tasked with providing veterans services for residents of the county. Upon the resignation of the Director of Veterans Services in 2022, the county seeks to secure such services by an Inter-Municipal Agreement (IMA) with Jefferson County's Veterans

Services Agency for the benefit of Lewis County veterans, pursuant to Article 5-G of the General Municipal Law; and

WHEREAS, the Jefferson County Veterans Services Agency has the staffing and communication equipment to provide for knowledgeable officers from its staff to be in the Lewis County Veteran's affairs office two (2) days per week, and available by email and telephone on the other weekly days; and

WHEREAS, the counties seek to enter into an IMA to share the services, powers and functions of a Director of Veterans Services for Lewis County Veterans for a two-year (2) period commencing and retroactive to January 1, 2023 through December 31, 2024. The IMA shall provide for Lewis County to reimburse Jefferson County on a quarterly basis, for 38% of the net costs of its Veteran's Services Department, including the costs in salary, benefits, training, office supplies, travel, postage, and less any revenue, state aid and other government assistance received by Jefferson County under this Department; and

WHEREAS, Article 16 of the NYS Agriculture and Markets Law sets forth the county's obligations for a director of weights and measures and the powers and duties of said director. Section 180 of the law allows for two or more counties to enter into an intermunicipal agreement, and pursuant to Article 5-G of the General Municipal Law, to share the functions, powers, and duties of one director of weights and measure to serve both counties; and

WHEREAS, pursuant to Resolution No. 418 - 2016 Lewis and Jefferson Counties entered into an IMA to share the services, powers and functions of a Director of Weights and Measures by having the Jefferson County Director (and/or Assistant Director) provide sealer of weights and measures services in and for Lewis County. Both Counties seek to continue Sealer and Weights shared services for an additional three (3) years pursuant to an IMA wherein Lewis County will reimburse Jefferson County for 38% of its Weights and Measures Department net costs, including the costs in salary, benefits, training, office supplies, seals, device reports, equipment, less revenue, state aid and other government assistance received by Jefferson County under this Department; and

WHEREAS, according to the 2023 adopted budget of Jefferson County for its Veterans Services Department applicable costs, expenses, and revenue/aid, Lewis County's 38% share of the \$126,041 net costs is \$47,896; and the Lewis County 38% share of the \$120,582 net applicable costs for Jefferson County's Sealer of Weights and Measures is \$45,822; and

WHEREAS, the Lewis County Board of Legislators seeks to enter into these IMAs with Jefferson County to share the functions and services of a Veterans Services Director and Sealer of Weights and Measures for Lewis County;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes Intermunicipal Agreements by and between Lewis County and Jefferson County to: 1) share the functions and services of the Jefferson County's Veterans Services Director and staff for the



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benefit of Lewis County Veterans; and 2) share the functions and services of the Jefferson County's Sealer of Weights and Measures for the benefit of Lewis County.

Section 2. That the IMA for Veteran's services shall be for a two (2) year period from and retroactive to January 1, 2023 through December 31, 2024, with the ability to extend such shared services by mutual agreement and to provide for Jefferson County's Veteran's Director or Assistant Director to service Lewis County Veterans, including office hours in the Lewis County Office two (2) days per week, with the ability to email and/or communicate with staff by telephone on the other three (3) days of the week in order to schedule appointments and/or discuss matters with staff, as more fully set forth in the IMA; and

Section 3. That the IMA for Jefferson County to share the functions and services of its Director of Sealer of Weights and Measures shall be for a three (3) year period commencing and retroactive to January 1, 2023 through December 31, 2025, with the ability to extend such shared services by mutual agreement according to the terms and conditions as more fully set forth in the IMA; and

Section 4. That the IMAs shall provide for Lewis County to reimburse Jefferson County on a quarterly basis for 38% of the applicable costs for salaries, benefits, training, office supplies, travel, postage, and less any revenue, state aid and other government assistance received by Jefferson County under the Department to arrive at the annual adopted budget amounts applicable for calculation of Lewis County's 38% share, payable in quarterly installments.

Section 5. 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 6. That the within resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 58 - 2023**  
**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND NCACOMP, INC. FOR**  
**WORKERS' COMPENSATION ADMINISTRATION SERVICES**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis "(County)" is duly qualified as self-insured under the Workers' Compensation Law of the State of New York and desires to retain NCAComp, Inc. ("NCA") to provide claims administration, medical management, return-to-work, and other agreed upon services for its Workers' Compensation program; and

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WHEREAS, NCA is duly licensed by the State of New York as a Workers' Compensation Benefits Third Party Administrator and has the experience, staff, and facilities necessary to provide the claims administration services desired by the County; 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 NCAComp, Inc. to provide third party claims administration services for the County's self-insured Worker's Compensation Plan.

Section 2. That the term of this Agreement shall be from March 1, 2023 through February 29, 2028 at the following annual amounts: \$53,124.00 through February, 2024; \$55,250.00 through February, 2025; \$57,460.00 through February, 2026; \$59,758.00 through February, 2027; and \$62,150.00 through February, 2028.

Section 3. That the Chair, or Vice-Chair, 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 Virkler, seconded by Legislator Chartrand, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 59 - 2023  
AUTHORIZING OPENING OF CERTAIN PORTIONS OF  
COUNTY ROADS FOR ATV SPECIAL EVENT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Barnes Corners Sno-Pals Snowmobile Club (herein "Event Sponsor" or "Sno Pals"), has filed an application under the County Event Law and requests that the Lewis County Board of Legislators open and/or confirm the opening of the following County Roads for a one-day ATV event on April 22, 2023;

- CR 2 - Seven by Nine Road, from NYS Rte 177 south to County Line;
- CR 18 - Cronk Road; from Whitesville Road, East to the end of the County Road and where the Town of Pinckney's Cronk Road begins;
- CR 21- Whitesville Road; From NYS Rte 177 to Jefferson County Line;
- CR 194 - Barnes Corners Road; from CR 21 Whitesville Road to Corey Road
- CR 27 - Sears Pond Road; from Boshart Road to CR 28 Liberty Road;
- CR 28 - Liberty Road; From Factory Road to CR 27 Sears Pond Road;
- CR 29 - West Road; from intersection with Gardner Road to the intersection of Flat Rock Road;

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- CR 45 - Mackay Road; from Town of Turin portion of the road to Highmarket Road;
- CR 48 - Highmarket Road; from CR 45 Mackay Road to Byrons Corners Road;
- CR 51 - West Road; from State Route 26 to Gomer Hill Road; and

WHEREAS, Vehicle and Traffic Law § 2408 and the accompanying regulations promulgated by the Department of Motor Vehicles (15 NYCRR 103.8) provide that no person may hold a special event involving ATV's without first obtaining the written permission of the government agency or agencies having jurisdiction over the event; and Lewis County Local Law No. 5-2020 requires the sponsor of an event on county roads, trails or other county property to fill out an application and abide by the County's authority to establish safety requirements with respect to protection of the participants and observers for any event for which a permit is required; and

WHEREAS, the Event Sponsor has filled out a special event application received by the Director, has met with members of the General Services committee, certain Departments and Town representatives to describe steps they have and will implement in an effort to lessen potential road, property, and participant injury and damage from the "Snirt Run" event; and

WHEREAS, Sno Pals has indicated to the Board of Legislators and Town representatives that the proposed road rally event for permitted ATV & UTV's, will have a prescribed route and an alternative route of travel over various County and town roads throughout Lewis County on April 22, 2023, depending upon weather conditions and road conditions in existence for the day of the event, for the purpose of raising funds for the Event Sponsor and for the enjoyment of participants; and

WHEREAS, the Event Sponsor has made similar requests to several townships within Lewis County to obtain their permission to open town roads for this one day event; and

WHEREAS, the request by the Event Sponsor has been reviewed by the Director of Recreation, Forestry & Parks, the Lewis County Highway Superintendent, The Emergency Management Services Director, and the Lewis County Sheriff's office; and

WHEREAS, as a condition precedent to granting permission to the Event Sponsor to hold the event as requested, Sno Pals has agreed to enter into an agreement with the County and to abide by its terms and conditions;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators finds and determines that this action is a "Type II" 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. This finding is expressly made upon the following considerations:

- A. That the Event Sponsor represents and warrants that this is a “road only” event and that all promotional materials provided before, during and after the event, including flyers, maps, and website material will clearly state that participants in the event are only allowed to operate their ATV’s on designated roads, and that riding on any other roads, trails or private property is strictly prohibited.
- B. That the Event Sponsor shall meet with the Director and other designated County and Town officials within two weeks prior to the event to assess each road to ascertain current conditions and look for vulnerable areas adjoining the designated roads such as depth of snow, ditches, streams and wetlands that may be at risk if the traffic volume is too great for the designated road. The Event Sponsor will put barriers and proper signage in place where requested to ensure that the routes for ATV traffic are clearly identified and that traffic from the Event will be directed to remain on the designated roads.
- C. That one of the goals of the pre-event assessment is to determine where volunteers will be needed to direct vehicle operators and to ensure that the rules of the event are followed and that participants stay on their appointed routes in the event they are unclear as to where to proceed. The Event Sponsor agrees to provide an adequate number of volunteers to be designated in those areas to direct traffic and be able to assist participants that may be blocking traffic so that those waiting can pass safely and on the designated road.
- D. That the Event Sponsor will provide an easy to read map for use by the participants that clearly outlines the route(s) specifically designated for this event. The final map and alternate map to be used must be approved in form and substance by the Director prior to being published or distributed to the public.
- E. The Event Sponsor shall assure that all participants in the event sign consent forms with the Event Sponsor that they agree to stay on the roads specifically designated for the SNIRT Run, and shall not travel on the road shoulders or off-road trails. It should be noted in this consent form that violators of the Event rules and regulations, including any and all laws may be subject to criminal prosecution, and that such violators may be held liable for any and all damages caused by their actions in areas not relating to the designated roads set forth in the SNIRT Run maps.
- F. The Event Sponsor will be responsible to clean up the roads and road crossings of debris and mud tracked onto the roads by the participants. The Event Sponsor will be responsible for repair of private property and municipal property damaged by participants.

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- G. All promotional materials will clearly state that the permission granted herein for ATV operators to participate in the SNIRT Run event is for 6:00 a.m. to 8:00 p.m. only on Saturday, April 22, 2023. Anyone operating an ATV outside those time limits will be subject to prosecution. The Event Sponsor agrees to ride the designated SNIRT Run route at 7:30 p.m. to assure that any ATV operator remaining on the roads is advised that the event is concluded at 8:00 p.m., and that they must remove their ATV's from the roads by that time.
- H. That the Event Sponsor shall meet with the Director and other designated County and Town officials after the event to conduct a post-event assessment of the roads. During this post-event assessment, the parties will determine what actions are needed to mitigate any issues that have arisen as a result of the event, and to plan for such measures that may be needed for any future event.
- I. That each of these sub-paragraphs "A" through "H" shall be incorporated into the Event Sponsor's written Agreement with the County.

Section 2. In consideration of the agreement of the Event Sponsor to terms set forth in this Resolution and such other and additional terms as may be incorporated into the Event Agreement, the Board of Legislators hereby authorizes the operation of ATV's on the following County roads or portions thereof for a one day special all-terrain vehicle (ATV) road rally event to be held on April 22, 2023:

- CR 2 - Seven by Nine Road, from NYS Rte 177 south to County Line;
- CR 18 - Cronk Road; from Whitesville Road, East to the end of the County Road and where the Town of Pinckney's Cronk Road begins;
- CR 21- Whitesville Road; From NYS Rte 177 to Jefferson County Line;
- CR 194 - Barnes Corners Road; from CR 21 Whitesville Road to Corey Road
- CR 27 - Sears Pond Road; from Boshart Road to CR 28 Liberty Road;
- CR 28 - Liberty Road; From Factory Road to CR 27 Sears Pond Road;
- CR 29 - West Road; from intersection with Gardner Road to the intersection of Flat Rock Road;
- CR 45 - Mackay Road; from Town of Turin portion of the road to Highmarket Road;
- CR 48 - Highmarket Road; from CR 45 Mackay Road to Byrons Corners Road;
- CR 51 - West Road; from State Route 26 to Gomer Hill Road; and

Section 3. The permission granted herein is specifically conditioned upon Barnes Corners Sno-Pals Snowmobile Club entering into a written agreement with the County of Lewis whereby:

- 1. Barnes Corners Sno-Pals Snowmobile Club agrees to defend, indemnify and hold the County of Lewis, its officers, agents and employees harmless from any injury, loss, claim, liability, lawsuit, damage, penalty, fine, assessment or judgment, cost or expense of whatsoever nature, relating to,

arising out of or occurring in connection with the use of the County roads identified herein for or during the event, including without limitation injuries, losses, claims, liabilities, lawsuits, etc., incurred by reason of injury to person(s) or property, environmental impacts/damage or any other action or special proceeding 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 Corners 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, with property damage insurance of not less than \$1,000,000.00 for property damage claim coverage; and with said policy naming the County of Lewis, as an additional primary insured; and
3. Such other terms as the Board of Legislators, in consultation of County Attorney may deem acceptable.

Section 4. The Board of Legislators reserves the right to rescind this Resolution and the Agreement contemplated herein in the event that the Event Sponsor fails to comply with the conditions set forth in this Resolution or as contained in the Event Agreement. In the event that the Board takes such action, it will notify the Event Sponsor in writing immediately of the rescission and the reasons for taking such action.

Section 5. 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 6. That this Resolution shall take effect immediately.

Moved by Legislator Leviker, seconded by Legislator Virkler, and adopted on the 7<sup>th</sup> day of March, 2023.

**RESOLUTION NO. 60 - 2023**  
**RESOLUTION AUTHORIZING AMENDMENT TO GRANT CONTRACT WITH**  
**NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES**  
**UNDER THE FIVE-YEAR STATEWIDE EXPANSION OF**  
***HURRELL-HARRING* TO ACCEPT BUDGET AND WORKPLAN**  
**FOR YEAR FIVE FUNDING**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

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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 received a five-year Statewide Expansion of *Hurrell-Harring* grant award from the New York State Office of Indigent Legal Services in the amount of \$2,160,347.43, (Contract Number CSTWIDEHH23), for the provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the Grant Contract; and

WHEREAS, this grant money reflects the total funding for Lewis County to supplement and not to supplant any state and local funds for three written plans (counsel at arraignment, quality improvement and caseload relief) submitted by the Office of Indigent Legal Services (ILS) on December 1, 2017 pursuant to the 2017 amendment to County Law § 722-e and enactment of Executive Law § 832 (4) (“Statewide Expansion of *Hurrell-Harring* Reform”); and

WHEREAS, the initial contract contained a line item Budget and Work Plan for the first year of this five-year contract for \$144,023.16 (April 1, 2018 to March 31, 2019). Amendments to the contract were authorized for years two, three and four pursuant to approved budgets and work plan funding of \$288,046.32 (April 1, 2019 to March 31, 2020), \$432,069.49 (April 1, 2020 to March 31, 2021) and \$576,092.65 (April 1, 2012 to March 31, 2022); and

WHEREAS, the County has received approval for an amendment which reflects the budget and work plan for Year Five funding of \$720,115.81 covering the period of April 1, 2022 to March 31, 2023; and

WHEREAS, the Board of Legislators seeks to accept this budget and work plan for Year Five and execute the amendments required to give effect to the fifth year funding under this Grant;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the grant contract by and between the County of Lewis and New York State Office of Indigent Legal Services to accept year five budget and work plan in the amount of \$720,115.81 under the Statewide Expansion of *Hurrell-Harring* grant award (Contract Number CSTWIDEHH23) to assist the County in improving the quality of indigent legal services provided.

Section 2. That the year five funds are for the term commencing and retroactive to April 1, 2022 and ending March 31, 2023 as set forth in the year five (5) Budget Plan.

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 and any amendments and/or extensions thereto to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Moroughan, and adopted on the 7<sup>th</sup> day of March, 2023.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 6:16 p.m., seconded by Legislator Virkler and carried.



# PROCEEDINGS OF THE BOARD OF LEGISLATORS

## **REGULAR MEETING April 4, 2023**

The meeting was called to order at 5:00 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, except Legislator Hathway who had been excused. There were 28 other persons present.

Chairman Dolhof asked Legislator Gilbert for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the March 7, 2023 meeting minutes approved by general consent.

### **REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Jeffrey Nellenback  
Joshua Leviker  
Jessica Moser

Dated: April 4, 2023

Legislator Virkler moved to waive the rules, seconded by Legislator Chartrand and carried.

### **PROCLAMATIONS:**

Clerk of the Board read a proclamation commemorating April as Fair Housing Month and a certified copy was handed out to Brit Abbey. Then she read a proclamation commemorating April as Child Abuse Prevention month and a certified copy was handed out to Jennifer Jones, Social Services Commissioner.

### **PRIVILEGE OF THE FLOOR:**

Ms. Laurie Widrick – 5285 Outer Stowe Street, Lowville thanked Snow Belt Housing for speaking with residents of that area to help them better understand the project. Ms. Widrick still believes strongly that the cost of this project is just too high for the minimal amount of individuals it will house. Money used on this project, even from a grant, is still taxpayer money. She felt strongly that a site where growth was possible, and less traffic would be much better suited for this type of project. The street is used as a green space where people can enjoy nature.

The Ridge View Hotel is a much better location as it has 60 units that can be converted to 30 apartment like units for less than \$1,000,000.00. The hotel can be purchased for \$4.2 million, making the purchase and the renovation less than \$5.2 million, which is far less than the \$13 million being proposed. This homeless housing project is going to help the most vulnerable

people in our community which should be a good enough reason to take it off the tax role. Another possible location was on the hill next to the TOPS plaza where they could walk to get their groceries, get gas and have access to fast food. This area should be explored too.

One of the reasons that the Stowe Street location is proposed is because it would be right next to DSS for services, but after talking with a DSS employee a lot of the work is done over the phone. Some of the visits that would take place are minimal and only within the first 60 days. There is public transportation available to get clients to these appointments. In the hotel there are office spaces, a large room in the basement for group meetings, and security already built in. The Village of Lowville hasn't approved the Stowe Street site for municipal water yet. She urged the Board to look at the hotel site as a possibility because of the reduced cost, safety, and space for growth.

Mr. Michael Comet – 5379 Stowe Street, Lowville stated that he rises in opinion not necessarily in opposition like the media portrayed last time. His comments were based on many unanswered questions. He urged the board to actually listen to the concerns from the residents of Stowe Street. It seems that the Stowe Street location has been the front runner in most conversations, but what about the Andover House or the Glenfield school location. These two locations are also options for this project but all everyone hears is Stowe Street, why? One question is will this project be solely for Lewis county residents or will the county seek yet another revenue stream by importing from other counties? There is quite a bit of scuttlebutt out there about unhoused people from outside the county because services are so readily available here.

Another question is what will the facility be limited to for occupancy? How long of a stay can one person expect? Is this going to become permanent housing, or will it be temporary housing until someone can get back on their feet? Who will negotiate the length of stay for occupants? He grew up in Watertown, low-income housing and homeless housing was there, and now those neighborhoods have dwindled down to vacant properties and run down properties. If it is permanent housing, who pays for the rent? To think that this will not be a burden on the taxpayers is foolish. All money comes from somewhere and typically it comes from the taxpayer, even if it is cloaked in a different funding source. Why have the Town and Village not been approached about this project yet?

What plan is in place to make sure residents are seeking employment, assistance and trying to make forward progress? Who will make sure residents use this facility as a hand-up rather than a hand-out? What assurance do residents have about the security of this facility? Would each legislator want this facility to be located within 3 minutes of your house? He urged the board to come out and ask the residents their concerns on this project, listen to your constituents.

Mr. Eric Fredenburg – 5375 Stowe Street, Lowville thanked the legislators for letting him speak. He wanted to address the board not in objection of this project but in objection to this proposed site. This is the third busiest street in the Village of Lowville. The Sheriff's Department sends deputies up and down that hill for emergencies at high rates of speed, will that be a safe situation for anyone out walking? Adding more people to the street will make the

congestion worse than it already is. There has been one fatality over the years, how many more will occur? This site is so close to the ARC facility, which has residents who are already at a disadvantage. This will place some good but maybe some not so good people right on top of the ARC is a major concern. This is not the right street for this project.

Ms. Laurie Rowsam – 5425 Stowe Street, Lowville began by thanking the board for their time once again. She has been in contact with Legislator Chartrand to get more clarification on how meetings run and how to get questions answered. She was told that she can ask questions to county employees but not a legislator directly. She asked Ryan Piche about a quote that was in a February 21<sup>st</sup> article where he stated that “Stowe Street was really removed from the residential core of the community but it is walkable and still close to services” and asked what possible impacts did he think this project would have on the neighborhood or surrounding facilities?

Chairman Dolhof stated that this meeting is not intended to be a dialogue. Laurie apologized and went on to state that she felt that quote was personally offensive and insulting as she views herself and her street as part of the core of the community. She thanked Jaylynn Heames, Director of Snow Belt Housing for the effort of emailing back and forth with her to answer questions. She has no doubt that there is a real sense of wanting to genuinely help those that will be housed in this building. In this process she has learned that there will be restrictions on the people who can be housed here, which has alleviated some of her safety and security concerns. Anyone that is a sex offender or a criminal history involving violent crime will not be allowed to be housed here. She pointed out that these criteria must be adhered to because everyone knows how difficult it is to remove someone from established housing. The supportive services that are being looked into are very expensive but are necessary to get someone back on their feet and able to live independently and be a positive part of the community.

She has worked as school counselor for several years and takes her job working with kids very seriously. She doesn't want to stand in the way of anyone giving support and services to someone in need. One point that was made at the community meeting was that if a homeless person knows where they can lay their head at night why would they risk committing a break-in knowing they would lose that security, which Laurie agreed to if the person was a rational thinker, however this might not be the case with someone who has an active drug addiction or someone with a serious mental health illness. If that line of thinking were true and having a roof over your head would lead to no crime then the United States would be a relatively safe place, sadly that is not true.

Another comment that was made at the community meeting was that these people already live in our Village and there is not a high level of crime. Laurie thought that could possibly be true but the model that is being looked at will include people from throughout the county under one roof and there is no way to necessarily know how things will go once they are grouped together in the same building. You can't assume that their behavior will remain the same, especially those with drug addictions or mental health issues. The most important safety measure will be the proposed 24-hour support through state funding. She knows through her job experience how unreliable state funding can be. What happens if the state funding stops, this should be considered when choosing a location. Laurie stated that she had come across a few

articles that had many contradictions which left her confused and she would be happy to continue, or she offered to come back in May to finish. Chairman Dolhof once again stated that this time is not meant to be a discussion period but more of a chance to see how local government works.

Legislator Gilbert recommended that Ms. Rowsam or anyone else who wants to can submit any questions in email form to the Clerk of the Board which will then be distributed to all legislators for review. Ryan Piche offered to meet with Ms. Rowsam if she had specific questions for him. Laurie concluded by asking the board to consider her information as well as the concerns of other residents in any decision before it is made.

#### CLERK OF THE BOARD REPORT:

There were several adopted resolutions that were received over the past month from outside counties like Cattaraugus, Cayuga, Chemung, Chenango, Columbia, Delaware, Franklin, Greene, Madison, Orleans, Schuyler, Sullivan, and Yates. Certificates of appreciation were mailed to Tyler Mashaw and Rich McLane for their quick thinking and lifesaving skills. On February 14<sup>th</sup>, these two members of the Three G Volunteer Fire Department noticed a fellow firefighter having a medical emergency. While they waited for an ambulance to arrive, they desperately performed CPR, checking for a pulse until one was regained and he began breathing on his own. The fellow firefighter was then taken to the hospital and has since made a full recovery.

A letter was received from Mr. Glen Gagnier of Croghan, NY who was in favor of the Homeless Housing and Assistance Program application by explaining that as responsible adults, we have a duty and moral obligation to help those less fortunate and we should not ignore a humanitarian problem because of some dissent. He closed by urging support for this project and application.

Senior Code Official Ward Dailey submitted a letter regarding a condemned property located at 10002 State Route 12 in the Village of Copenhagen that the owner of record be directed to obtain a building permit and complete alterations or be directed to demolish the single-family residence and to remediate and clear the site of any debris.

Real Property Tax Director, Candy Akin and County Treasurer, Eric Virkler submitted applications for refund or credit of real property taxes for property owned by Christmas & Associates and 3 properties owned by Peter & Sandra Jones. Sealer of Weights & Measures, Brian Mooney submitted his February Summary of Field Service Report which has been placed on file.

#### REPORTS OF STANDING COMMITTEES:

Legislator Osborne reported that the County Clerk's Office has completed 198 Passport transactions to date in 2023, which indicates people are once again comfortable with travel. The DMV did 2,072 in-person transactions in the month of March and have met the internet sales threshold of \$165,000 a month earlier than in 2022. The new online records access fees for the

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

public have been implemented, including the \$5.00 pay per view which requires no subscription. The Driver's License Suspension Reform Act that took effect no longer allows Town Justices to revoke a license for nonpayment of fines, instead they must convert the fines into Civil judgements to collect. County Clerk, Jake Moser is scheduled to give a presentation to County Magistrates on how to access and search for judgements on the county online record system.

Legislator Osborne moved to authorize the Insurance Renewal package policy from NYMIR at an annual cost of \$240,786.16 from April 5, 2023 to April 5, 2024, seconded by Legislator Virkler and carried.

Legislator Gilbert reported that after months of anticipation, the Solid Waste crew has moved into the new scale house at the Lowville Transfer Station. Director, Kip Turck moved into his office on Thursday, March 30<sup>th</sup>. The transfer station was temporarily closed on Friday, March 31<sup>st</sup> to move the computer equipment from the old scale house to the new scale house. The new scale house was open for business for the first day on April 1<sup>st</sup>. Principal Account Clerk, Denise Yost will be moving to her new office tomorrow. The best part about the department being in one place is that the communication will be improved, and public services made better. He thanked all the employees for their patience and hard work in getting this project completed. He was pleased to report another successful project has been completed for the taxpayers of Lewis County.

Legislator Gilbert moved to award the striping bid to Seneca Pavement Markings, Inc. in accordance with the tabulation of all bids prepared by the Highway Superintendent and placed on file with the Clerk of the Board for the period of April 1, 2023 through March 31, 2024, seconded by Legislator Osborne and carried.

Legislator Gilbert moved to award hot asphalt mix based on project location in accordance with the tabulation of all bids prepared by the Highway Superintendent and placed on file with the Clerk of the Board, for the period of April 1, 2023 to March 31, 2024, seconded by Legislator Moser and carried.

Legislator Gilbert moved to award bids for liquid bituminous to Midland Asphalt Materials, Inc., Vestal Asphalt, Suit-Kote, and Gorman Bros, Inc.; for re-profiling, filling cracks and quick set slurry seal to Suit-Kote and Gorman Bros, Inc.; and for micro-surfacing to Suit-Kote, all in accordance with the tabulation of all bids prepared by the Highway Superintendent and placed on file with the Clerk of the Board for the period of April 1, 2023 through March 31, 2024, seconded by Legislator Chartrand and carried.

Legislator Virkler started off by stating that it is National Public Health week and thanked the Lewis County team for keeping our community safe and healthy. She reported that Lewis County Community Services received funding from the NYS Office of Addictions and Supports (OASAS). These funds are intended to combat opiate addiction. In 2023, the dollars will be used to install Nalox boxes (Narcan Emergency kits) in all 5 school districts; to reduce barriers to accessing services by supporting transportation for people going to treatment; and a public service campaign intended to educate our residents and reduce stigma around opiate/drug addiction.

Legislator Chartrand announced that the January employee of the month for the hospital was Darcy Zehr, Physical Therapist. The 2022 employee of the year was Philip Snow, Leisure Time Activities. There was a proclamation in honor of retiree Michelle Beagle, Transcriptionist, who retired from the health system in February 2023. They wished Ms. Beagle a happy and healthy retirement and to enjoy her time volunteering, operating, and managing her Run Spirit Walk Orchards, writing and photography.

There were 17 cards that were presented that have not been used therefore they were abolished. The auditors from Fust Charles Chambers will be presenting the 2022 audit as the next Finance Committee meeting in April. There was a loss of \$63,235, compared to a budgeted loss of \$290,240 for the month of February. The year-to-date loss was \$414,290 versus a budgeted loss of \$644,849. Other operating revenue was under budget due to less 340b and prescriptions. Salaries were under budget due to fewer staff and supplies were over budget due to more implant costs.

The project oversight committee reported that the project remains on schedule with a completion date in early 2024. They continue to have scheduling issues with the electrical switches. The switches are scheduled to arrive on May 23<sup>rd</sup>. The fire proofing hurdle has been cleared and there has been a lot of progress on the new addition. The new addition having heat over the winter allowed them to get ahead on some of the interior work. Mr. Cayer received a letter from a grateful patient at LCHS who received excellent care. He especially wanted to thank Dr. Tuttle-Malone for coordinating his treatments with ENT surgeon Dr. Chahfe, the nursing staff in Ambulatory, East Wing and ICU, the hospital Pharmacy staff who coordinated with Dr. Tuttle-Malone to adjust the antibiotic dosage and finally a special thanks to the Admissions staff who worked through a raft of paperwork and doctor's orders. He truly felt like he was treated like family.

#### PROJECT MANAGERS REPORT:

Mr. Jim Garito reported that the atmosphere on the projects is good, which is great considering most contractors towards the end are ready to be done and move on but because this project means something to them as local workers, they are proud and take ownership in the new buildings. Mr. Nick Garito reported that the missing main breaker for the DSS building should be coming in any week. The furniture is being installed and finishing touches are going on in the DSS building. The Maintenance Garage is waiting for a main breaker but is otherwise coming along nicely. The new Highway Garage has gone up quickly with the exterior up and interior beginning soon, some of the site work has begun as well.

#### COUNTY MANAGER REPORT:

Ryan Piche reported that tentatively May 24<sup>th</sup> will be the ribbon cutting for the new DSS building with an open house to follow. The idea is to have these events take place prior to moving in employees so that all areas can be open for visitors to see.

#### COUNTY TREASURER REPORT:

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Eric Virkler reported that he would be available for any questions regarding his monthly report and that the Auditors were on site and everything went well.

REPORT OF THE FINANCE AND RULES COMMITTEE:

APRIL 4, 2023

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

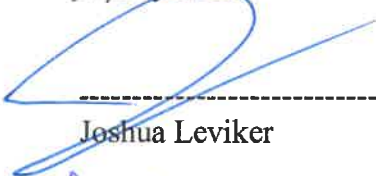
To: The Honorable County Legislators

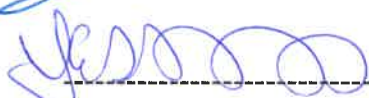
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 2,941,976.39 and recommend that they be audited and allowed for the amounts claimed.

  
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Thomas Osborne                      Chair

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Philip Hathway                      Vice-Chair

  
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Jeffrey Nellenback                      Committee

  
-----  
Joshua Leviker                      Committee

  
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Jessica Moser                      Committee

Dated: April 4, 2023

Approved on motion by Legislator Virkler , seconded by Legislator Nellenback , and carried.



**RESOLUTION NO. 61 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$2,941,976.39 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 Chartrand, seconded by Legislator Virkler. Legislator Moser stated that she would need to recuse herself with regards to any payments from the Public Defender's Office.

The resolution was then adopted on the 4<sup>th</sup> day of April 2023 pursuant to the following roll call vote:

AYES: Moser, Chartrand, Leviker, Osborne, Virkler, Gilbert, Moroughan, Nellenback, and Dolhof.

NAYS: None

ABSENT: Hathway

**RESOLUTION NO. 62 - 2023  
RESOLUTION URGING THE US DEPARTMENT OF AGRICULTURE TO ALLOW  
FOR MORE FLEXIBILITY WITH RESPECT TO PACKAGE AND CONTAINER  
SIZES WITHIN CERTAIN FOOD CATEGORIES UNDER THE SPECIAL  
SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND  
CHILDREN (WIC)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the agriculture industry, and in particular, the milk and dairy industry are of critical importance to Lewis County residents and farmers who also understand the nutritional values of dairy products; and

WHEREAS, the US Department of Agriculture (USDA) intends to issue updated rulemaking with respect to supplemental food packages for the Special Supplemental Nutrition Program for Women, Infants, and Children, a/k/a "WIC". This program currently provides redemptions for allowed dairy, including milk, yogurt (added in 2015) and cheese products by participants; and

WHEREAS, under the USDA strict guidelines on WIC eligible dairy foods and the package sizes for same, participants were restricted in accessing popular options commonly

stocked at retail stores, resulting in fewer benefits issued and fewer nutrients consumed by women, infants and children. Participants are required to purchase 32-ounce containers of yogurt as opposed to smaller, individual container sizes, which are more widely available and convenient to young children; and

WHEREAS, the WIC-specific package size restrictions are clearly arbitrary, since participants were able to have the flexibility to access different package sizes of eligible dairy products where State WIC waivers were obtain during the COVID-19 pandemic. These waivers allowed WIC participants to access foods that met WIC nutritional guidelines, but were more readily available and on store shelves in varieties in products and package size containers; and

WHEREAS, the USDA should enact rules which encourage and allow WIC participants to use their redemptions on more varieties and sizes of dairy products. This flexibility should apply to foods within the same food category that meet the supplemental nutritional profile, but that are otherwise in different package or container sizes. This flexibility will promote greater variety and accessibility, and allow for the essential nutrients which are a critical part of a healthy diet;

NOW, THEREFORE, be it resolved as follows:

Section 1. That the Lewis County Board of Legislators calls on the US Department of Agriculture to update its rules and regulations with respect to dairy product varieties and food package sizes to allow for more flexibility so that WIC participants may have better access and reap the nutritional benefits of these varied, essential dairy products under the WIC program.

Section 2. That the Clerk of the Board is directed to send a certified copy of this resolution to Thomas J. Vilsack, Secretary of the USDA, US Congresswoman Elise M. Stefanik, and all others the Board may deem appropriate.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Gilbert, seconded by Legislator Virkler.

Legislator Gilbert pointed out that this issue was brought to his attention by local farmers and has already garnered the support of Congresswoman Stefanik. This is an effort to address the updated rulemaking decision with respect to WIC and the requirement of purchasing 32-ounce containers of yogurt as opposed to allowing smaller child size containers. This doesn't change anything from a dietary standpoint, but it would be beneficial to our farmers who are involved in value-added dairy and for families who rely on WIC for their nutritional supplements.

The resolution was then adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 63 - 2023**  
**RESOLUTION AUTHORIZING RENEWAL/EXTENSION OF LEASE AGREEMENT**

**BETWEEN THE COUNTY OF LEWIS AND  
CORNELL COOPERATIVE EXTENSION OF LEWIS COUNTY**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Lewis County desires to renew the Lease Agreement with Cornell Cooperative Extension of Lewis County (“CCE LC”) to lease 2,000 square feet of office space and approximately 380 square feet of storage space for exclusive use in the Lewis County-Jefferson Community College Education Center (“LC-JCC-EC”) building located at 7395 East Road, Lowville, NY, at a monthly rental of \$2,450.00, (\$29,400.00 per year); said lease agreement to provide for the County to furnish heating, electric, plumbing, parking, cleaning service, and general maintenance and repair as part of the rental fee; and

WHEREAS, the Board of Legislators wishes to renew the lease agreement with CCE LC for the use of this space for another year upon the same terms and conditions.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a renewal/extension agreement to the lease by and between the County of Lewis and Cornell Cooperative Extension of Lewis County, to lease space in the LC-JCCEC building located at 7395 East Road, Lowville, NY 13367, for the term commencing February 1, 2023 through January 31, 2024, at a monthly rental of \$2,450.00.

Section 2. That the Chair of the Board of Legislators or the Vice-Chair be and the same is hereby authorized to execute and deliver such Renewal/Extension Agreement, upon such terms and conditions approved by the County Attorney.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 64 – 2023  
RESOLUTION AUTHORIZING CHANGE ORDERS TO THE AGREEMENTS WITH  
BETTE & CRING AND ENI FOR THE HIGHWAY GARAGE FACILITIES  
IMPROVEMENT PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Bette & Cring was awarded the general construction contracts for the Highway Garage and DSS Renovation Projects; and

WHEREAS, the NYS Department of Transportation (DOT) is requiring that new guiderails be placed along the new highway garage access entrance approved by DOT on Route

812. The County is responsible for the cost and installation of the required guardrails, at a cost of \$40,683.00, and listed as Change Order No. 13 to the contract with Bette & Cring; and

WHEREAS, the project team recommends adding air conditioning to the mezzanine section of the new highway building for future use, at a cost of \$23,064.00, and considered as Change Order No. 4 to the contract with ENI. This change order cost will be covered under the current allowance under the ENI contract; and

WHEREAS, these PCOs have been fully reviewed and vetted by C&S and KT Consulting, who recommend the Board's approval of same in order to move forward with the highway campus projects;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the following change orders for the highway garage renovation project: 1) Change Order No. 13 to the Agreement with Bette & Cring, for the purchase and installation of the guiderails along the new highway garage entrance on Rte 812 as required by DOT at a cost of \$ 40,683.00; and 2) Change Order No. 4 to the Agreement with ENI for the purchase of equipment and installation required for adding AC to the mezzanine in the new highway building, at a cost of \$23,064.00, to be deducted from ENI's current allowance balance; all as outlined in accordance with the documentation submitted by the contractors, at a total cost of \$63,747.00.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Orders as amendments to the Agreement with the above named contractors, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 65 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND C&S ENGINEERS, INC. TO PROVIDE**  
**PROFESSIONAL CONSTRUCTION OBSERVATION AND INSPECTION SERVICES**  
**OF ROADWAY IMPROVEMENTS FOR THE**  
**HIGHWAY GARAGE RENOVATION PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, as part of the Highway Garage Renovations under the County's Facilities Improvement Project, the NYS DOT requires professional engineers to observe and inspect the roadway improvements being undertaken on Route 812;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, C&S Engineers, Inc., (C&S), submitted a proposal with a scope of services designed to provide the observations and inspections required by DOT, at a cost not to exceed \$29,000.00 for the services outlined for 44 working days as set forth in their proposal with any additional services requested to be performed payable in accordance with their fee schedule, upon written modification of the agreement; and

WHEREAS, the Board of Legislators seeks to accept this proposal for required consultant observations and inspections of the roadway improvements approved by NYS DOT at the highway garage campus;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with C& S Engineers, Inc., 499 Col. Eileen Collins Blvd, Syracuse, NY 13212, to provide professional roadway improvement observation and inspection services at the highway garage renovation project, as required by the NYS DOT, and in accordance with the scope of services outlined by C&S in its proposal dated March 23, 2023, at a cost of \$29,000.00.

Section 2. That the cost of these services are payable under the County's Facilities Improvement Project account.

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 review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 66 - 2023**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**Community Services**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation for the 2023 budget take place in the Community Services Accounts to recognize the award of funds from NYS OASAS for funding related to the NYS opioid litigation settlements:

Increase Revenues:

|                                                         |              |
|---------------------------------------------------------|--------------|
| A0431600 334905 Community Services State Opioid Revenue | \$162,808.00 |
|---------------------------------------------------------|--------------|

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Increase Expenditures:

A0431600 488115 Community Services Opioid Expenses \$162,808.00

Section 2. That the Treasurer is hereby authorized to make any additional budget appropriation if and when additional opioid settlement funds are awarded to the Community Services Director as the Local Government Unit (LGU) for Lewis County.

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

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 67 – 2023  
RESOLUTION OPPOSING GOVERNOR HOCHUL’S  
PROPOSED PART N OF the SFY 24 EXECUTIVE REVENUE BUDGET  
PERTAINING TO RATIFICATION OF THE PRIOR SOLAR AND WIND ENERGY  
SYSTEM APPRAISAL MODEL PUBLISHED BY THE  
DEPARTMENT OF TAXATION AND FINANCE IN 2021**

Introduced by Legislator Thomas A. Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Governor Hochul’s proposed budget includes a provision known as Part N of Article VII of the Executive Revenue Budget, which effects Real Property Tax law (RPTL) 575-b. Part N essentially ratifies the prior adoption of the solar and wind energy system appraisal model developed and published by the Department of Taxation and Finance (DTF) in 2021, and seeks to determine that the proposed appraisal models are not subject to the requirements under the State Administrative Procedure Act (SAPA); and

WHEREAS, Lewis County prides itself in being one of the first “green communities” in the North Country, with numerous actions taken by its villages, towns and county to decrease their carbon footprints while simultaneously providing vital services to its residents and businesses through its taxing authority and ability to negotiate PILOT agreements with solar and wind developers based upon reasonable and realistic assessments; and

WHEREAS, the establishment by DTF of mandated low “appraisal models” for all solar and wind energy systems across the state, was an action designed to assist developers to meet the State’s green energy goals. This action however, essentially removes the right of the local municipalities to assess taxes for large-scale solar, wind and battery storage projects located within their jurisdictions and dismantles local municipalities’ ability to govern; a clear violation of “Home Rule” authority; and

WHEREAS, Lewis County and its local municipalities and school districts have entered into numerous PILOT agreements with solar and wind developers, with those agreements setting forth negotiated PILOT payments upon which the municipalities and school districts depend in

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

developing their annual budgets in order to reduce the property tax burdens. The mandated Part N model appraisals place all of these PILOTS and payments in jeopardy, with a serious, negative impact on the taxpayers in Lewis County; and

WHEREAS, the Lewis County and many of its towns have supported the efforts brought by the firm representing Town leaders in Schoharie County who challenged the implementation of DTF's state-mandated appraisal models for solar/wind projects in court. The law firm was successful in convincing the Court to issue a TEMPORARY STAY of the model appraisal implementation, arguing in part that the failure to follow or apply SAPA requirements essentially deprives local governments and communities of the right to even question or challenge the new model's application. If enacted, Part N will render this lawsuit moot; and

WHEREAS, Part N simply serves to provide a financial benefit to solar and wind developers, and speeds up the process of the State approval of these projects which the local governments and communities are forced to host without any say or proper tax assessments; and

WHEREAS, Part N demonstrates, once again, Albany's inability to understand or to outrightly refuse to consider the effects of this state-wide mandate upon small, rural communities in upstate New York.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators vehemently opposes the Governor's proposed Part N to the SFY 24 Executive State Budget which seeks to ratify the prior adoption of the solar and wind energy system appraisal model and not make same subject to the State Administrative Procedure Act.

Section 2. That the Lewis County Board of Legislators urges the Governor and New York State Legislature to examine the financial impacts of this legislation upon the local municipalities and school districts who have successfully and fairly determined appraisals for large scale solar and wind energy systems hosted in their local communities, and negotiated PILOTS based upon these assessments and appraisals, while further eroding the right of Home Rule by local governments.

Section 3. That the Lewis County Board of Legislators calls upon the New York State Senate and Assembly to oppose Part N of the Governor's SFY 24 Executive State Budget for the reasons set forth above.

Section 4. That this Resolution shall take effect immediately.

Section 5. That the Clerk of the Board is directed to forward certified copies of this resolution to Governor Hochul, Senator Mark Walczyk, Assemblyperson Kenneth Blankenbush, the Majority and Minority leaders of the State Senate and Assembly, New York State Association of Counties, and any other party deemed necessary and proper.

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Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 68 - 2023**  
**RESOLUTION TO REQUEST NYS HOME RULE LEGISLATION**  
**TO CONTINUE SALES TAX INCREASE**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, Tax Law §1210 (36), as added by Chapter 47 of the Laws of 2004 and as further amended by Chapter 251 of the Laws of 2011, authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional one percent (1%) sales and compensating use tax for the period ending November 30, 2023; and

WHEREAS, by Resolution No. 197-2020, the Board of Legislators implemented such additional sales tax, which pursuant to §1210 (36) of the Tax Law, will expire on November 30, 2023; and

WHEREAS, such additional sales tax revenue has enabled the Board of Legislators to mitigate the need for increased property taxes and the County of Lewis continues to experience such budgetary pressures as would justify an extension of the time in which it may impose such additional sales tax.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby finds and determines that:

- a) The Board of Legislators has worked diligently over the last several years to cut expenses in its budget wherever possible to contain both short term and long term expenses and reduce the burdens placed upon the local taxpayer. Despite such efforts, the Board finds that it must also look to increase revenues, if and when possible.
- b) That the Board is anticipating significant increases in capital expenditures over the next few years in order to repair, replace, and in some cases upgrade its infrastructure. The County is also anticipating other community projects to benefit the residents, businesses and visitors to the County which will require financial investment .
- c) That an increase of the allowable sales tax imposed by the County of Lewis of one percent (1%) will enhance County revenues while spreading the burden thereof over a greater portion of the populace, and therefore reduce the budgetary pressures that are placed upon the real property tax warrant.

Section 2. Therefore, the Lewis County Board of Legislators respectfully requests that the New York State Legislature pass such necessary and appropriate “Home Rule Legislation” as



PROCEEDINGS OF THE BOARD OF LEGISLATORS

would allow the County of Lewis to impose an additional one percent (1%) local sales tax for the period beginning December 1, 2023 and ending November 30, 2025.

Section 3. That the Board of Legislators respectfully requests that the New York State Legislature adopt such Home Rule Legislation at its earliest convenience to allow the Lewis County Board of Legislators sufficient time to plan for the 2024 budget year.

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

Moved by Legislator Osborne, seconded by Legislator Virkler.

Chairman Dolhof stated that there has been confusion on this resolution and went on to explain that this is only extending the additional 1% in county sales tax to be able to continue the standard 8% sales tax in Lewis County. Every few years Lewis County has to request the state to continue this. Legislator Gilbert pointed out that 8% sales tax is the lowest across the state, even though many states utilize 8%.

The resolution was then adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 69 - 2023**

**RESOLUTION URGING GOVERNOR HOCHUL AND THE NYS PUBLIC SERVICE COMMISSION TO DISMISS NYSEG AND RG&E RATE HIKE REQUESTS AND TO CORRECT THE BILLING PROBLEMS BEFORE RATE HIKES ARE CONSIDERED**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, Lewis County residents are served by NYSEG (with other Counties served by RG&E); and

WHEREAS, NYSEG has requested a 34.9% rate increase for electric and 14.9% for gas customers which together would result in an annual bill increase of approximately \$240 for the average residential customer;, and RG&E seeks a 21% rate increase for electric and 18.8% for gas customers, which combined would result in an annual bill increase of nearly \$260 for an average residential customer, and

WHEREAS, Governor Hochul called NYSEG and RG&E's rate hike request "outrageous and unacceptable" and urged her Department of Public Service (DPS) to "scrutinize every number and word of this proposal to protect New York families from unjustified and unfair rate increases"; and

WHEREAS, DPS staff experts have reviewed the NYSEG and RG&E rate filings, and as documented in public records, testified to the many deficiencies and errors contained in those filings. Staff further stated that the Companies have been vague and non-responsive to their

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questions, that this is the second successive rate filing in which these issues have occurred, with similar issues and concerns noted in a 2016 management audit as well; and

WHEREAS, State regulations governing rate proceedings (16 NYCRR §61) require the companies to provide “competent testimony” with detailed financial justification that is “neither speculative or conjectural” to support their rate requests, but these companies have failed to do so; and

WHEREAS, the NYS Public Service Commission is undertaking an investigation into the billing practices of NYSEG and RG&E because of the number of consumer complaints filed, to more than 4,700 in 2022; a 60% increase from the two previous years combined; and

WHEREAS, the billing problems as well as the inadequacies of the rate filings cause the Board of Legislators to call into question the administrative competence of these monopoly utilities and their claims for the necessity of such large rate increases;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators calls on the Public Service Commission and Governor Hochul to dismiss the NYSEG and RG&E rate increase requests and to protect the public interest by making sure these companies get their billing straightened out and submit proper, detailed rate filing data before substantive rate hikes are even considered.

Section 2. That the NYS PSC be mindful of the number of increased complaints by the end users of these utilities as well as the daily impacts of any rate increases on the consumers.

Section 3. That the Clerk of the Board is directed to send a certified copy of this resolution be sent to Governor Kathy Hochul, State Senator Mark Walczyk, State Assemblymember Kenneth Blankenbush, PSC Chair Rory Christian, and to Michelle Phillips, Secretary, Public Service Commission, with a request to file this resolution in each of the following Cases: 22-E-0317, 22-G-0318, 22-E-0319, 22-G-0320.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, Seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 70 - 2023**  
**RESOLUTION APPOINTING MEMBER TO**  
**OFFICE FOR THE AGING ADVISORY COUNCIL**

Introduced by Legislator Lawrence L. Dolhof, Chair off the Board of Legislators.

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby appoints Celia Bango of Harrisville, NY to fill the vacancy of District No. 1 representative on the Lewis County Office For Aging Advisory Council.

Section 2. The term of said appointment shall be effective from April 5, 2023 through December 31, 2025.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 71 - 2023**

**RESOLUTION TO SET PUBLIC HEARING FOR LEWIS COUNTY  
MICROENTERPRISE ASSISTANCE PROGRAM, NYS CDBG PROJECT #636ME980-21  
ADMINISTERED BY THE LEWIS COUNTY IDA, HOMEOWNERSHIP PROGRAM,  
NYS CDBG PROJECT #636HO133-20 ADMINISTERED BY SNOW BELT HOUSING,  
AND HOUSING REHABILITATION PROGRAM, NYS CDBG PROJECT #636HR134-  
20 ADMINISTERED BY SNOW BELT HOUSING**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, All recipients of NYS Community Development Block Grant (CDBG) funds must meet the citizen participation requirements at 24 CFR 570.486 and New York State's Citizen Participation Plan, as amended, which require recipients to follow a citizen participation plan for one public hearing prior to the submission of an application for funding, and one public hearing, if awarded to be held during the administration of the grant to solicit comments on the effectiveness of the program's administration; and

WHEREAS, the Board of Legislators duly held a public hearing on the 2<sup>nd</sup> day of March 2021, regarding a CDBG application for \$200,000 to be administered by the County of Lewis Industrial Development Agency ("IDA"), under the microenterprise program for small business grant activities in Lewis County; and

WHEREAS, the Board of Legislators duly held a public hearing on the 6<sup>th</sup> day of April, 2021, regarding community development housing needs and other possible development activities in preparation of a CDBG Application (Project # 636HR134-20 AND 636H0133-20) to be administered by Snow Belt Housing; and

WHEREAS, in 2021, the County, through the IDA as sub-recipient, received the CDBG Microenterprise award of \$200,000 and now seeks to hold the second public hearing to provide residents with the opportunity to offer any comments on the accomplishments and activities pertaining to the CDBG Project # 636ME980-21: the Microenterprise grant program for small business activities in Lewis County; and

WHEREAS, the County, through Snow Belt Housing as the sub-recipient, received an award of \$377,239 in Lewis County Homeownership Program funds and the Board of Legislators of Lewis County seeks to hold a second public hearing to provide residents with the opportunity to offer any comments on the accomplishments of the current Lewis County Homeownership Program; and

WHEREAS, the County, through Snow Belt Housing as the sub-recipient, received an award of \$610,064 in Lewis County Housing Rehabilitation Program funds and the Board of Legislators of Lewis County seeks to hold a second public hearing to provide residents with the opportunity to offer any comments on the accomplishments of the current Lewis County Housing Rehabilitation Program;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes a public hearing to be held and set for May 2<sup>nd</sup>, 2023 at 5:00 p.m. at the Lewis County Courthouse, Board of Legislators Chambers, 7660 North State Street, Lowville, New York, 13367 to provide residents of Lewis County with the opportunity to offer any comments on the accomplishments of the current CDBG Project # 636ME980-21, Lewis County Microenterprise Program, CDBG Project # 636HO133-20, Lewis County Homeownership Program, and CDBG Project # 636HR134-20, Lewis County Housing Rehabilitation Program.

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 any documents or writings as may be necessary to carry out the terms of this Resolution, pending approval of the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 72 - 2023**  
**RESOLUTION IN SUPPORT OF AMENDING THE VEHICLE AND TRAFFIC LAW**  
**TO RAISE THE MAXIMUM WEIGHT FOR ALL-TERRAIN VEHICLES TO**  
**INCLUDE SIDE-BY-SIDES/UTVs**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, outdoor recreation, including ATV/UTV recreational trail riding, is a vital part of the Lewis County economy; and

WHEREAS, New York State's definition of an all-terrain vehicle under the Vehicle and Traffic Law (VTL), which does not include UTV's/side-by-sides and restricts the weight limit to 1,000 pounds, is sorely obsolete and counter-productive in realizing the financial revenues which can be generated by lifting these limitations. Advances in technology and design have resulted

in these vehicles being of greater weight, but not posing any greater negative environmental impact by same. The primary causes of environmental damage from ATVs or UTVs or any off-highway vehicle are poor driving habits, riding in unsuitable areas and recklessness. Lewis County, working with its ATV club partners, has created an extensive, safe, and environmentally sound ATV trail system that is constantly repaired, maintained and inspected to eliminate environmental damage; and

WHEREAS, these simple definition changes will actually afford other populations, such as the elderly, families with young children, and the infirm to have the ability to ride safely as a passenger in a side-by-side/UTV and experience our beautiful trails, forests and wilderness. Further, these changes will increase sales revenue for both the State (sale of new vehicles in New York) and in our local economies. Because of NY's archaic definition and unrealistic weight restriction on these off highway vehicles, many UTV enthusiasts are purchasing and registering these vehicles out of state; a tremendous loss of sales tax revenue and registration fees to NYS. Increasing the weight limit to include UTVs/side-by-sides will allow users to register their vehicles in New York and generate more revenue to the State, and allow the numerous current owners of UTVs to register their vehicles and legally operate them on our safe trail systems; and

WHEREAS, all-terrain vehicles regardless of weight, are both a working tool and a means of recreation in Lewis County. ATV trail riding is a positive financial activity for both the State and local economies; and their legal use should be fully supported by the State regulatory structure; and

WHEREAS, the Board of Legislators seeks to support and grow its local economy, so dependent upon outdoor recreational activities, by urging the State to take the steps necessary for this recreational activity to prosper in New York State; and

WHEREAS, the first and simple step in growing this vital recreational activity (which is already taking place in New York), is for the State Legislature to change to the definition of an ATV under the Vehicle and Traffic Law ( §2281) to include ATV, UTV or side-by-side vehicles up to seventy inches in width and a weight of at least 2,000 pounds. This simple step will result in increased State revenue from registration and insurance fees and sales tax from purchases of these UTVs from New York dealerships and retailers;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby acknowledges its continued support for increasing the weight limit on the definition of an ATV under the VTL to include UTVs and/or Side-By-Sides with weights of 2,000 pounds, and encourages the State Senate, Assembly and Governor to act on this request with all due haste.

Section 2. That the Lewis County Board of Legislators directs that a copy of this resolution be forwarded to Governor Kathleen Hochul, Senator Mark Walzcak, Assemblyman Ken Blankenbush, the NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, NYSAC and any other State or Local Agencies or Municipalities the Chairman deems appropriate.

APRIL 4, 2023

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

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 73 - 2023**  
**RESOLUTION APPROVING**  
**2023 RESOURCE ALLOCATION PLAN**  
**WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, execution of a Resource Allocation Plan qualifies 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; and

WHEREAS, the Commissioner of Lewis County Social Services Department has developed a plan for youth services in accordance with NYS OCFS Resource Allocation Program, and requests that the Board of Legislators approves same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the 2023 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (“OCFS”) for the 2023 program year in the amount of \$ 29,610.00, and any additional funding which may subsequently awarded for this program year for comprehensive planning for youth services.

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, agreement, and any modifications or amendments thereto upon review by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 74 - 2023**  
**RESOLUTION AWARDBID AND AUTHORIZING AGREEMENT WITH**  
**ABSOLUTE AUCTIONS & REALTY, INC. FOR PROFESSIONAL AUCTIONEER**  
**SERVICES FOR THE COUNTY’S IN REM TAX FORECLOSURE AUCTIONS**

Introduced by Legislator Thomas A. Osborne, Chair of the Finance & Rules Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Treasurer and Purchasing Director sent out a Request for Proposals (RFP) for professional auctioneer services pertaining to the County's In Rem Tax Foreclosure sales of foreclosed properties; and

WHEREAS, the Clerk of the Board, Treasurer, Purchasing Director and other county employees were present on January 26, 2023 at 2:00 pm to open the four (4) bids received in response to the RFP; and

WHEREAS, after careful review and consideration of the proposals, in accordance with the specifications and professional scope of work set forth in the RFP, the Treasurer recommends awarding the bid to Absolute Auctions & Realty, Inc., (AAR) of 45 South Ave, PO Box 1739, Pleasant Valley, NY 12569, with all of the professional certifications, experience, and competitive pricing which is in the best interest of the County's in rem auctions proceedings; said bid including a 7% buyers premium, 9% buyers premium and 10% Redemption fee as more fully set forth and described in its bid dated January 23, 2023; and

WHEREAS, the Board of Legislators seeks to award the bid to AAR and authorizes a three (3) year agreement for the specified auction services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with Absolute Auctions & Realty, Inc., (AAR) of 45 South Ave, PO Box 1739, Pleasant Valley, NY 12569 for the professional auctioneer services related to the County's In Rem tax foreclosure auction sales as described in the RFP.

Section 2. That the Lewis County Board of Legislators authorizes a three year agreement with AAR to include all conditions and requirements set forth in the RFP together with inclusion of fee terms including 7% buyers premium (on line only), 9 % buyers premium (live with online bidding and 10% Redemption fee), together with any additional terms and conditions recommended by the County Attorney.

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

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

Moved by Legislator Virkler , seconded by Legislator Osborne , and adopted on the 4<sup>th</sup> day of April, 2023.

**RESOLUTION NO. 75 - 2023**  
**RESOLUTION IN MEMORIAM OF**

APRIL 4, 2023

**GARY F. BUCKINGHAM SR.**

Introduced by Legislator Lawrence Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, **Gary F. Buckingham, Sr.** of Lomber Road, New Bremen, New York, has recently departed this life on March 15, 2023; and

WHEREAS, **Gary F. Buckingham, Sr.** was chosen by the electorate to serve on the Lewis County Board of Legislators effective January 1, 1970 through February 2, 1989, as the District No. 1 representative; and

WHEREAS, during his tenure he served as Chairman of various Board committees, including Taxation, Transportation, and County Officers & Employees. He also represented the Board as Chairman of the Regional Planning Board, Chairman of the Regional Forest Practice Board, and President of the New York State Supervisors and County Legislators Association; and

WHEREAS, on February 7, 1989, he was appointed as Lewis County's first Solid Waste Coordinator and was responsible for developing the Lewis County Solid Waste and Recycling Program. In 1990, he was appointed Deputy County Highway Superintendent, then Highway Superintendent/Solid Waste Coordinator upon the retirement of Robert Archer.

WHEREAS, it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere, generous and valuable services rendered by our former colleague **Gary F. Buckingham, Sr.**

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That as an enduring record and mark of respect to the memory of **Gary F. Buckingham, Sr.**, a true friend and honorable public official, this resolution shall be printed in the official record of the proceedings of the Board of Legislators of the County of Lewis with a copy thereof forwarded to the family of **Gary F. Buckingham, Sr.**

Moved by Legislator Chartrand, seconded by Legislator Osborne, and unanimously adopted on the 4<sup>th</sup> day of April, 2023.

**OTHER BUSINESS:**

At 5:56 p.m. Legislator Virkler moved to enter into Attorney Client Privilege session at the recommendation of the County Attorney, Joan McNichol, for an update on legal matters, seconded by Legislator Nellenback and carried.

At 6:24 p.m. Legislator Chartrand moved to enter regular session, seconded by Legislator Virkler and carried.



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

There being no other business to come before the Board, Legislator Gilbert made a motion to adjourn the meeting at 6:25 p.m., seconded by Legislator Chartrand and carried.

MAY 2, 2023

**REGULAR MEETING  
May 2, 2023**

The meeting was called to order at 5:02 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, except Legislator Moser who had been excused. There were 19 other persons present.

Chairman Dolhof asked Legislator Hathway for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the April 4, 2023 meeting minutes approved by general consent.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Philip Hathway  
Jeffrey Nellenback  
Joshua Leviker

Dated: May 2, 2023

Legislator Virkler moved to waive the rules, seconded by Legislator Chartrand and carried.

**PROCLAMATIONS:**

Clerk of the Board read proclamations commemorating May as Mental Month and a certified copy was handed out to Lucy Jo Tuttle of NRCIL; commemorating May as National Foster Care month and a certified copy was handed out to Jennifer Jones, Social Services Commissioner; In Honor of National Hospital Week and a certified copy was handed out to Jerry Cayer, CEO of LCHS.

**PUBLIC HEARINGS:**

AT 5:10 p.m. Chairman Dolhof opened up the public hearings for CDBG Project# 636ME980-21, Lewis County Microenterprise Program; CDBG Project# 636HO133-20, Lewis County Homeownership Program; and CDBG Project# 636HR134-20, Lewis County Housing Rehabilitation Program.

Brittany Davis, with the Lewis County IDA, subrecipient of CDBG Microenterprise funds gave the following quick update on the program. In 2021, Lewis County was awarded \$200,000 in CDBG microenterprise funds. Under this program they were able to provide grants up to \$30,000.00 to microenterprises of 5 or fewer employees, meeting the National Objective of

## PROCEEDINGS OF BOARD OF LEGISLATORS

serving low to moderate income individuals, in priority industries of food and beverage, downtown business and tourism and recreation related business.

They rebranded the program and turned it into a business plan competition where the best plans had the chance at competing for grant funds to go towards the purchase of furniture, fixtures, equipment, or machinery. The Launch Lewis County Grant Program was initiated in early 2022. We received 21 short-form applications, to assess eligibility and project scope. We sent 21 applicants into the required Entrepreneurial Training Course through the Watertown Small Business Development Center, as required by New York State. We then received 13 final applications and business plans, which were reviewed by the Grant committee in June 2022.

From there the committee awarded the following 9 projects and grant awards based on project scope, feasibility and economic impact: \$30,000 to Sterling Valley Maple in Croghan; \$30,000 to the Tack Shack in Glenfield; \$20,000 to munch in Lowville; \$20,000 to Simmons Tree Farm in Copenhagen; \$20,000 to Randalls Corner General Store in Belfort; \$20,000 to Vanilla Bean Bake Shop in Lowville; \$20,000 to the World Famous Osceola Hotel in Osceola; \$10,000 to Cogumelo Mushrooms in Natural Bridge; and \$10,000 to Grassroot Meats in Lowville. There is a plan to file for a 6-month extension of the program with NYS to allow some of our projects more time for completion. Overall, it has been a successful process and we look forward to partnering with Lewis County to apply for more funding in the future.

Jaylyn Heames, Executive Director of Snow Belt Housing Company, Inc. read her public comments for CDBG Project# 636HO133-20. Lewis County entered into a subrecipient agreement with Snow Belt Housing Company, Inc. on June 24, 2021 in order to administer the 2020 Lewis County Direct Homeownership Assistance Community Development Block Grant ("CDBG"). The agreement stipulated that all funds must be expended within 24 months (by June 24, 2023).

The grant application was awarded in the amount of \$377,239.00 and anticipated that 9 low- and moderate-income households would be assisted with the purchase of their first home located in Lewis County by providing a buy-down on the mortgage, payment of most closing costs, and assistance to rehabilitate the housing unit to ensure that it meets code and HQS (Housing Quality Standards), as developed by the U.S. Department of Housing & Urban Development (HUD).

The grant was awarded for a total of \$225,000.00 to assist homeowners with the purchase of their home and awarded a total of \$96,000.00 dedicated to construction costs. The program is now nearing completion and 7 homeowners have closed on their homes, benefiting a total of 25 people, and all homes are in various stages of construction with scheduled completion dates by the end of June, 2023.

The following are details related specifically to the projects assisted with the 2020 Lewis County Direct Homeownership Assistance CDBG Funds:

- The average down payment and closing costs assistance provided was \$24,218.61.
- The average mortgage of \$86,532.57 and an average purchase price of \$104,071.43.
- The average repair cost for the seven homes is \$10,128.57 with ranges from \$1,500.00 to

\$15,500.00.

- There was no displacement as the homes that were purchased were all vacant.
- The program is truly a countywide program as two homes were located in the village of Castorland, one in Glenfield, two in Lowville, one in Port Leyden and one in Turin.

She then went on and read her public comments for CDBG Project# 636HR143-20. Lewis County entered into a sub recipient agreement with Snow Belt Housing Company, Inc. on June 24, 2021 in order to administer the 2020 Lewis County Housing Rehabilitation Community Development Block Grant (“CDBG”). The agreement stipulated that all funds must be expended within 24 months (by June 24, 2023).

The grant application was awarded in the amount of \$610,064.00 and anticipated that 14 substandard homes, located on scattered sites throughout the County, would be rehabilitated for a total construction cost of \$522,200. The program is now nearing completion and 13 rehabilitation projects have been completed and 4 more are scheduled to be completed by the end of June, 2023.

The Program’s purpose is to provide low- and moderate-income households with grant funding in order to improve the health, safety, energy efficiency and accessibility of their homes. All projects must meet NYS Code, the U.S. Department of Housing & Urban Development (HUD) Housing Quality Standards and the Environmental Protection Agency guidelines, to include Lead Based Paint Hazard regulations. Each project included an Energy audit in partnership with Lewis County Opportunities, lead based paint risk assessments and clearances for homes built prior to 1978, and also included radon testing.

The following are details related specifically to the projects completed with the 2020 Lewis County Housing Rehabilitation CDBG Funds:

- The rehabilitation work completed included all single-family housing units.
- All contractors live in Lewis County.
- There was no permanent displacement or relocation of homeowners.
- 70% of the projects consisted of female head of households, 35% were senior citizens and 2 of the projects included accessibility modifications.
- The construction costs ranged from \$10,175.00- \$39,000 and the average construction cost was \$21,803.32.
- Households that were assisted lived in the following municipalities: 2 Boonville, 2 Croghan, 1 Denmark, 1 Diana, 4 Lowville, 1 Lyonsdale, 3 Martinsburg, 1 New Bremen, 1 Osceola, 1 Port Leyden, and 1 in West Turin.

#### PRIVILEGE OF THE FLOOR:

Nichole Turck introduced herself and stated that she is running for Lewis County Sheriff, and she would be available after the meeting if anyone wanted to speak with her.

#### CLERK OF THE BOARD REPORT:

PROCEEDINGS OF BOARD OF LEGISLATORS

Cattaraugus County submitted a resolution titled – Opposing Senate Bill 6282, Franklin County submitted a resolution titled – In Support of Efforts to Improve Probation and Alternatives to Incarceration in New York State to Protect the Public and Reduce reliance on Prisons, Jails and Detention.

Legislators received the NYS Mortgage Tax Semi-Annual Report for the period of October 1, 2022 through March 31, 2023 in the total amount of \$172,032.35. The Chairman of the Lewis County Board of Legislators directs the County Treasurer to pay the respective amount due to the Towns, Villages, and County, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

**APPORTIONMENT OF MORTGAGE TAX  
October 1, 2022 through March 31, 2023**

|                        | <u>KEY</u>  | <u>VALUATION</u> | <u>AMOUNT</u>   |
|------------------------|-------------|------------------|-----------------|
| Town of Croghan        |             | 419,610,875      | 19,317.53       |
| Village of Croghan     | 0.025015888 | 20,993,877       | <u>495.64</u>   |
|                        |             |                  | 19,813.17       |
| Town of Denmark        |             | 337,786,467      | 15,080.73       |
| Village of Castorland  | 0.026026428 | 17,582,751       | 431.61          |
| Village of Copenhagen  | 0.064599514 | 43,641,683       | <u>1,071.30</u> |
|                        |             |                  | 16,583.64       |
| Town of Diana          |             | 206,006,373      | 12,822.07       |
| Town of Greig          |             | 266,263,292      | 14,836.22       |
| Town of Harrisburg     |             | 106,216,870      | 3,804.56        |
| Town of Lewis          |             | 88,611,069       | 1,158.76        |
| Town of Leyden         |             | 123,383,433      | 8,195.95        |
| Village of Port Leyden | 0.063821669 | 15,749,073       | <u>558.74</u>   |
|                        |             |                  | 8,754.69        |
| Town of Lowville       |             | 466,674,092      | 22,190.51       |
| Village of Lowville    | 0.291899685 | 272,444,041      | <u>9,147.58</u> |
|                        |             |                  | 31,338.09       |
| Town of Lyonsdale      |             | 127,464,428      | 9,985.25        |
| Village of Lyons Falls | 0.041397372 | 10,553,385       | 444.85          |

MAY 2, 2023

|                           |             |             |                            |
|---------------------------|-------------|-------------|----------------------------|
| Village of Port Leyden    | 0.029386129 | 7,491,372   | <u>315.78</u><br>10,745.88 |
| Town of Martinsburg       |             | 257,156,318 | 4,924.52                   |
| Town of Montague          |             | 41,907,003  | 429.90                     |
| Town of New Bremen        |             | 205,760,058 | 23,989.52                  |
| Village of Croghan        | 0.038609429 | 15,888,557  | <u>963.42</u><br>24,952.94 |
| Town of Osceola           |             | 60,678,017  | 1,245.71                   |
| Town of Pinckney          |             | 47,870,918  | 122.13                     |
| Town of Turin             |             | 114,741,473 | 4,928.80                   |
| Village of Turin          | 0.059882859 | 13,742,095  | <u>313.95</u><br>5,242.75  |
| Town of Watson            |             | 248,490,218 | 9,238.32                   |
| Town of West Turin        |             | 166,970,589 | 5,094.51                   |
| Village of Constableville | 0.051995486 | 17,363,434  | 312.96                     |
| Village of Lyons Falls    | 0.101599478 | 33,928,249  | <u>611.53</u><br>6,019.00  |
| <b><u>GRAND TOTAL</u></b> |             |             | <b><u>\$172,032.35</u></b> |
| To County of Lewis        |             |             | <u>\$86,016.24</u>         |

Thomas Osborne, Chair  
Philip Hathway  
Jeffrey Nellenback  
Joshua Leviker  
Finance & Rules Committee

Dated: May 2, 2023

Building and Fire Codes Official Jonathan Roes submitted a letter regarding a condemned property located at 4961 State Route 410 in the Village of Castorland. Sealer of Weights and Measures, Brian Mooney submitted his March Summary of Field Service Report which has been placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne reported that the Lewis County Board of Elections has been working on several projects over the last month. They have completed the redistricting of all election districts and updated 19,437 voter records for the upcoming 2023 election season. They have received and processed 141 designating petitions for county, town and village offices. The Office has started to distribute independent petition information which will be filed by candidates no later than May 30<sup>th</sup>. They have also programmed and held the Village of Lowville election on March 21<sup>st</sup> and have begun preparing for the Lewis County School District elections to be held on May 16<sup>th</sup> and the upcoming county wide primary election to be held on June 27<sup>th</sup>.

Legislator Gilbert reported that on April 17<sup>th</sup>, Elk Specialty Flooring was able to get started on the new epoxy floor for the inmate area of the jail. The project lasted 2 weeks and was finished on Friday, April 28<sup>th</sup>. The floor looks great and will hold up for a long time from the daily use of the building. Now that the floor is complete, ENI, our mechanical contractor is moving ahead with the replacement of the HVAC system. During that time, we will be working on numerous renovations including a new watch desk area for the corrections officers and changes for the bathroom in dispatch. Today in the packet as all of you know is a resolution awarding the bid for the replacement of the walk-in freezer and this is consistent with our goal to get as much work as possible while the inmates are out boarded. He is optimistic that once these projects are completed the jail will be a much nicer physical state than what it was before. Hopefully this will also create a better workplace for our correction officers and dispatch employees.

Legislator Virkler reported that the Lewis County Office for the Aging has partnered with Blooming Health which is an automated communication system. Enrollees in this platform can receive timely reminders about wellness programs or support groups, weather related delays or cancellations, and answer surveys to express their aging needs and provide feedback on OFA services. Enrollees choose how they wish to receive these reminders (landline, email, or text messages) or out at any time. There is no charge to the enrollees for this service or to the county. If it is a phone call it will come from Kaylee Rhodes at OFA. Lastly, OFA has great salads available for those over the age of 60 through their Free Evening Meal program.

Legislator Chartrand reported that the Fund for Hope has given \$40,000 to 57 people in 2022 for travel expenses related to their cancer treatment. Lewis County Hospice received \$14,051 in restricted donations for Lewis County Hospice in 2022. The Capital Campaign Quiet Phase is from May 2022 through May 2023 and the Public Phase is from June 2023 through June 2024. The Capital Campaign has raised \$1 million to date and have \$1.4 million left to raise. The hospital applied for a \$730,000 FEMA grant to purchase a new generator which should be announced soon.

The hospital is working on installing a new public address system, will replace medical air pumps facility wide, will add a new air conditioning unit in the lab area to accommodate the additional heat load of the new analyzer, is completing the cat scan room renovation, and has completed the radiology room renovations. In the Emergency Department the “Left Without

Being Seen” numbers in quarter 1 of 2023 have been reduced largely due to nurse rounding with patients and keeping them updated. The hospital is in the process of initiating a more robust discharge process with more of a “team approach”, including better communication for patients and families.

There was a gain of \$168,053 versus a budgeted loss of \$28,606 for the month of March. The year-to-date loss is \$246,237 versus a budgeted loss of \$673,455. Mr. Musnicki who is on the Project Oversight Committee reported a completion date in early 2024. Mr. Cayer offered to conduct tours of the project in groups of 2-3, if anyone is interested. The tours take about 45 minutes typically. Legislator Chartrand took part in one about a week ago and really enjoyed it and recommends that anyone interested just reach out to Mr. Cayer.

There is a current Lab Outreach Program which is regarding the lease at Lowville Medical Associates and the rumor is that the hospital took that away from them, which is not true. Lowville Medical Associates reached out to the hospital and asked for help because they weren’t making any money. The hospital will now share a phlebotomist, who will work at this location conducting blood draws. The samples will then be couriered back to the laboratory for on-site testing.

Mr. Jerry Cayer, LCHS CEO reported that he shared with the Board of Managers the 2023 – 2025 Strategic Priorities and the supporting document which is the 2023 Measures of Success and is waiting for their approval. He thanked the Board of Legislators for their support of the LCHS building project, that this is a generational investment to ensure that health care will be available to our community for decades not just for next year or the year after. There will be a new physician who will be joining LCHS later this summer or into early fall. The hospital needed to invest in this project for a couple of reasons, one being that the building was old and rather outdated, but also to be competitive when recruiting physicians, nurses and other ancillary support.

The judicious design of the addition and renovations has been focused more on what is necessary for safe patient care and quality patient care that’s appropriate for a rural health system, in other words not a lot of glass and brass. There has been an increase in our nurse recruiting efforts by Kerry Herbine, Marcy Teal and Jessica Skiff. He then introduced Kerry Herbine and his wife Denise, Chief Operating Officer to the committee members.

Legislator Hathway commented on the recruiting effort for maternity staff in urban areas was pretty cool and outside of the box thinking, Mr. Cayer responded that the goal is to use digital signage in Queens and the Elmhurst sector schools area which has about a dozen OB GYN practices and a large hospital. The focus is on why someone should consider Lewis County by promoting a safe community, fresh air, great schools, and a wonderful environment. This allows doctors and nurses who have just finished a tough shift to see that there is an alternative to being in a high stress environment in a large city. This media campaign just started but it will be interesting to see the results.

PROJECT MANAGERS REPORT:



## PROCEEDINGS OF BOARD OF LEGISLATORS

Mr. Jim Garito reported that the excellent quality of work up at the Social Services building is above industry standards and what he is used to. There are several reasons for this, one is that there is no stacking of trades, where the electrician is working on top of the plumber and carpenter in a small space. Another reason is the lack of worker density, not having a crowded job site. The building was finished under natural and permanent light versus poly on windows and temporary light bulbs in the middle of the room. The schedule is getting tighter and tighter on the buildings, but they are pushing hard on the contractors to get things finished up. He concluded by recommending that anyone who wants should visit the Social Services building to see the transformation as it is a very high-quality job.

Mr. Nick Garito reported that last week at the DMV project there was an inspection to ensure that the engineers are happy with the work above the ceiling before that gets buttoned up. This week the contractors will address any items and then ceilings will go up. Doors and finishes will be worked on and then the outside work will be started. At the Social Services Building minor finishing touches are happening but that project is mostly completed other than the last breaker which will hopefully be arriving soon. The Maintenance Garage is basically completed minus a few last-minute touches and finishings. The Highway facility is having walls and offices worked on, as well as site grading. The DOT work is in good shape too. In response to Legislator Hathway, Nick reported that the DOT does have a representative on site.

### COUNTY MANAGER REPORT:

Ryan Piche, County Manager reported that there is a deal in Albany and the specifics of the budget will be debated among the legislature, but he expects the NYS budget to pass soon. The Enhanced FMAP funding that NYSAC was fighting for and is anticipated to cost our county an additional \$750,000 to \$800,000 per year, is now being reduced in stages, 25% reduction in 2023; 50% reduction in 2024; and 100% in 2025. Our tax cap is only around \$400,000 each year so this could be tough but doable.

The other part of the budget that is important is Part N which establishes a standardized assessment model for green energy projects. Obviously, Lewis County is home to many windmill projects and have developed friendly energy policies here which has allowed for mutual benefit from developers. Part N is the state usurping our authority to negotiate tax assessments and PILOTS with developers and it appears they have included this in the budget. Now the fight becomes making sure the language is in there to grandfather in existing projects.

The ribbon cutting ceremony for the Health Services Building is now being planned for May 31<sup>st</sup> due to the breaker issue. Thursday there is a ribbon cutting ceremony for the Number Three Wind Farm at 10:30 a.m. He thanked Eric Virkler and his staff for all the work they did in preparation for the 2022 audit which is now complete. The Auditors will be at the June 6<sup>th</sup> Board meeting to share their report. On May 17<sup>th</sup> the Economic Development Conference will be held at the Three Willows Conference Center and the county once again has reserved two tables. If anyone wants to attend, they should reach out to the Clerk of the Board. He concluded by thanking Crystal Collette for all her hard work with Lewis County OFA but is proud that she is taking the next step and will be working for the State in Albany.

COUNTY TREASURER REPORT:

Eric Virkler, Treasurer reported that April is a busy month with the audit and other reporting requirements but is happy to put that behind him. He thanked Ryan for his kind words about his staff and all their hard work. He concluded by mentioning that even though the increase in health insurance premiums will begin the Health Insurance Fund will need to be watched because it is getting low.

Chairman Dolhof closed all three public hearings at 5:50 p.m. with no other comments being offered.

REPORT OF THE FINANCE AND RULES COMMITTEE:

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 3,279,666.28 and recommend that they be audited and allowed for the amounts claimed.



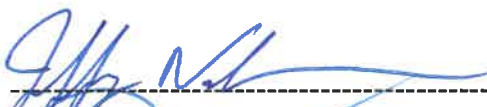
Thomas Osborne

Chair



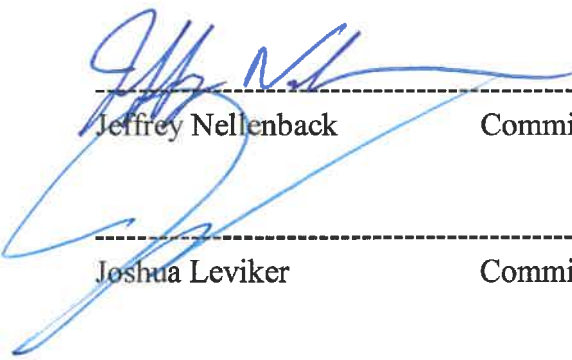
Philip Hathway

Vice-Chair



Jeffrey Nellenback

Committee



Joshua Leviker

Committee

Jessica Moser

Committee

Dated: May 2, 2023

Approved on motion by Legislator Virkler, seconded by Legislator Leviker, and carried.

MAY 2, 2023

**RESOLUTION NO. 76 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$3,279,666.28 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 Moroughan, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023 pursuant to the following roll call vote:

AYES: Virkler, Gilbert, Moroughan, Nellenback, Hathway, Chartrand, Leviker, Osborne, and Dolhof

NAYS: None

ABSENT: Moser

**RESOLUTION NO. 77 - 2023  
RESOLUTION TO TRANSFER & APPROPRIATE FUNDS  
Capital Reserve**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers take place in the Capital Reserve accounts from Fund Balance:

Transfer from:

|                        |                |
|------------------------|----------------|
| A0 005990 Fund balance | \$2,900,000.00 |
|------------------------|----------------|

Transfer to:

|                                      |                |
|--------------------------------------|----------------|
| A0990100 991200 To County Road       | \$1,200,000.00 |
| A0990100 992300 Building and Grounds | \$1,700,000.00 |

Section 2. In coordination with the transfer above, the following budget appropriations take place to establish the funding in the following Capital Reserve projects:

Increase Revenue:

|                       |                |
|-----------------------|----------------|
| D0501000 350310 Local | \$1,200,000.00 |
| H0162000 350310 Local | \$1,700,000.00 |

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Project HED PSB Parking Lot

Increase Expenditures:

D0515000 495151 County Road Surface Treatment \$1,200,000.00

H0162000 499900

\$1,700,000.00

Project HED PSB Parking Lot

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 78 - 2023**  
**RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS**  
**WITH REFERENCE TO DISTRICT ATTORNEY OFFICE**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the District Attorney's Office is tasked with increased discovery compliance demands in all criminal matters which require additional workloads; and

WHEREAS, legal related work experiences in the DA's office can benefit current and post college and graduate students interested in legal careers, and can build the pool of potential professionals to consider future public employment in Lewis County; and

WHEREAS, the District Attorney seeks to hire a temporary legal assistant with available personnel funds due to the resignation of the full-time Senior Assistant District Attorney that has created a need for additional staff given recruitment difficulty for that position;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the District Attorney's office to create the following temporary position through December 31, 2023, at the following compensation rate:

| <u>TITLE</u>    | <u>STATUS</u> | <u>SALARY</u> |
|-----------------|---------------|---------------|
| Legal Assistant | Temporary     | \$16.00/hour  |

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

MAY 2, 2023

**RESOLUTION NO. 79 - 2023  
RESOLUTION TO TRANSFER FUNDS  
Coroner's Department**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Health Systems has received a proposal from Mortech Manufacturing, of Azusa, CA for the specialized, upgraded equipment for the morgue required by the Coroner's office at the Lewis County General Hospital, in an amount of \$107,000.00, inclusive of equipment, shipping and installation;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes the following transfers to take place from Regular Contingency to Coroner Department accounts to provide funding for morgue equipment and installation costs for the renovated LCHS morgue:

From:

|                             |              |
|-----------------------------|--------------|
| A0199000 499900 Contingency | \$107,000.00 |
|-----------------------------|--------------|

To:

|                                         |              |
|-----------------------------------------|--------------|
| A0118500 290900 Coroner Misc. Equipment | \$107,000.00 |
|-----------------------------------------|--------------|

Section 2. That the Treasurer is authorized to reimburse the LCHS for its purchase and installation of this equipment using these funds from the Coroner Department.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 80 - 2023  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND SQUAD 9 LLC TO IMPLEMENT A DOMESTIC  
TERRORISM AND TARGETED VIOLENCE PREVENTION PLAN**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, New York State Governor Kathy Hochul signed Executive Order Number 18: Preventing and Responding to Domestic Terrorism. This Order mandates that every county in New York State develop and maintain a plan to identify and resolve threats of domestic terrorism; and

PROCEEDINGS OF BOARD OF LEGISLATORS

WHEREAS, NYS-DHSES provides the County, through its Emergency Management Department with Grant funds to develop a Domestic Terrorism Plan, which includes funding for professional consulting services; and

WHEREAS, Squad 9 LLC (Squad 9) has submitted a proposal to provide prevention strategies that include an awareness campaign, a reporting mechanism, and a management team that can identify, assess, and manage the potential risk posed by a person on a pathway to violence, as more fully set forth in its proposal service agreement dated March 10, 2023; and

WHEREAS, Squad 9's sole source proposal indicates provision of these services at a cost of \$ 23,600.00 for the scope of services described, with completion by December 31, 2023; and

WHEREAS, the Board of Legislators wishes to authorize such Services and Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with Squad 9 LLC of 65 Falling Brook Rd. Fairport, NY 14450 to develop and implement a Domestic Terrorism Plan required by the State at a cost of \$23,600.00 plus \$120.00/hour for consultation services commencing May 2, 2023 through December 31, 2023.

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

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 81 - 2023**  
**RESOLUTION TO SUBMIT APPLICATION AND PROJECT PLANS FOR**  
**FY2023 SHSP – SLETPP ALLOCATION GRANT**  
**AND APPROPRIATE FUNDS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Director of Emergency Management submits annual on-line applications for grant funding provided by the US Department of Homeland Security, Federal Emergency Management Agency (FEMA), administered through the NYS Division of Homeland Security and Emergency Services (DHSES), including the FY 2023 State Homeland Security Program grant (FY2023 SHSP); and

MAY 2, 2023

WHEREAS, the County received notification of an allocation amount of \$46,946.00 under the FY2023 SHSP (to include SLETPP), to be determined upon review of the application and project plans for said grant funds, consistent with the federal guidelines; and

WHEREAS, the Director of Emergency Management seeks the authorization to submit the application with a plan for these funds to be used for the livescan maintenance contract (\$3,051) and \$43,895 towards equipment by emergency management and law enforcement. Under the grant guidelines, 35% (\$16,431) of the grant funds must be allocated to support law enforcement terrorism prevention activities (SLETPP); and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the application submission, accept the award and appropriate the funds;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators acknowledges the FY2023 SHSP allocation notification by US Homeland Security and FEMA in the amount of \$46,946.00 for the identified activities set forth in the guidelines, and authorizes the Director of Emergency Management to submit the application and any proposed project uses for the grant funds.

Section 2. The Lewis County Board of Legislators authorizes the Chairman or Vice-Chairman to execute any grant contract and additional documents required upon notice of the grant award; authorizes the appropriation of the grant award amount and directs the Lewis County Treasurer to set up the appropriate accounts under the Emergency Management Department budget.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 82 - 2023**  
**RESOLUTION AUTHORIZING A FUEL STORAGE RENTAL AGREEMENT**  
**BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION**  
**AND THE LEWIS COUNTY HIGHWAY DEPARTMENT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Highway Department (“County”) wishes to provide fuel storage space in support of its highway maintenance responsibilities for the New York State Department of Transportation (“NYSDOT”) pursuant to Section 12 of the Highway Law; and



PROCEEDINGS OF BOARD OF LEGISLATORS

WHEREAS, the fuel stored will consist of both gasoline and diesel fuel to be stored at the County's facility located at Route 812, Lowville, NY and will be available to the State twenty-four hours per day; and

WHEREAS, the agree will contain a provision for the State to Pay the County for use of its fuel storage facilities the sum of the weighted monthly average cost per gallon paid by the county for such gasoline and diesel fuel actually used by the State, plus \$0.10 per gallon; not to exceed a total of \$905,000.00 for the five year period without further authorization, together with such other relevant terms and conditions to protect the County; and

WHEREAS, the Lewis County Board of Legislators seeks to enter into this fuel storage rental agreement with NYS DOT;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a five-year Fuel Storage Rental Agreement between the County of Lewis, by and through the Lewis County Highway Department, and the New York State Department of Transportation, pursuant to which NYSDOT will pay the sum of the weighted monthly average cost per gallon paid by the County for such gasoline and diesel fuel actually used by NYSDOT plus \$0.10 per gallon, stored at the County's facility located at Route 812, Lowville, NY, and available to the State twenty-four hours each day.

Section 2. That this Agreement is for the period commencing July 1, 2023 and ending June 30, 2028.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and all other ancillary documents related thereto, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 83 - 2023**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**Highway Department**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2023 budget appropriation take place in the Highway Department Accounts for additional revenue received from the sale of surplus equipment:

MAY 2, 2023

Increase Revenue:

|                                             |             |
|---------------------------------------------|-------------|
| DM513000 326650 Machinery Sale of Equipment | \$89,000.00 |
|---------------------------------------------|-------------|

Increase Expenditure:

|                                    |             |
|------------------------------------|-------------|
| DM513000 223300 Machinery Vehicles | \$89,000.00 |
|------------------------------------|-------------|

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 84 - 2023**  
**RESOLUTION AUTHORIZING INTERNSHIPS IN DEPARTMENTS UPON**  
**APPROVAL OF COUNTY MANAGER**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, various Departments in Lewis County government can provide work experiences to benefit current college and graduate students who may consider future public employment in their respective fields, while building the pool of potential young professionals to consider Lewis County as a career and life destination; and

WHEREAS, a Department Head who did not budget for an intern, but who has sufficient available personnel funds in his/her budget, may seek permission to hire an intern from the County Manager (whose position provides for hiring and firing responsibilities); and

WHEREAS, it is proposed that the Board authorize the County Manager to amend the County compensation plan to approve non-budgeted intern requests of a Department, provided that the Department Head brings the matter to the County Manager at a monthly pre-agenda meeting and demonstrates that the funding is available under his or her budget, or that it will be paid through another funding source such as Careers Here;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County Manager to amend the Compensation Plan of the County to approve and create non-budgeted, temporary intern position requests on a case-by-case basis, with the proof by the Department that funding for the intern is available under its budget or payable through another funding source.

Section 2. That the County Manager shall keep a record of such non-budgeted intern positions approved and provide same to the Board of Legislators on a monthly basis.

Section 3. That the County Attorney is directed to create any and all agreements and forms as may be required to give effect to these temporary intern positions.

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Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 85 - 2023  
RESOLUTION URGING APPROVAL OF HOME RULE REQUEST  
AND TO ADOPT NEW YORK STATE SENATE BILL NO. S06346  
AND ASSEMBLY BILL NO. A06552**

Introduced by Legislator Lawrence L. Dolhof, Chair of the Board of Legislators.

WHEREAS, by Resolution No. 68-2023, the Board of Legislators of Lewis County requested Home Rule Legislation that would allow the County of Lewis to continue to impose an additional one percent (1%) local sales tax for the period beginning December 1, 2023 and ending November 30, 2025; and

WHEREAS, the County of Lewis continues to experience budgetary pressures that justify an extension of the time in which it may impose such additional sales tax, and such additional sales tax revenue will enable the Board of Legislators to mitigate the need for increased property taxes; and

WHEREAS, said legislation has been introduced in both houses of the State Legislature, as Senate Bill No. S06346 and Assembly Bill No. A06552 respectively; and

WHEREAS, Article 9, § 2(B) (2) of the New York State Constitution and Section 40 of the Municipal Home Rule Law require a home rule request be made to the State Legislature before the bills may become law;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby makes this Home Rule request to the State Legislature to enact the following: New York State Senate Bill No. S06346 and the Assembly Bill No. A06552:

TITLE OF BILL: An act to amend the tax law, in relation to extending the authorization granted to the County of Lewis to impose an additional one percent of sales and compensating use taxes.

PURPOSE: To authorize Lewis County to impose an additional one percent of sales and compensating use taxes.

SUMMARY OF PROVISIONS: Authorizes Lewis County to impose an additional one percent sales and compensating use tax until November 30, 2025. Effective date is December 1, 2023.

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Section 2. The Clerk of the Board is hereby directed to forward certified copies of this Resolution to State Senator Mark Walczyk and Assemblyman Kenneth Blankenbush.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 86 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT WITH DEVELOPMENT AUTHORITY**  
**OF THE NORTH COUNTRY FOR PROFESSIONAL CONSULTANT AND PROJECT**  
**MANAGEMENT SERVICES IN POTENTIAL REDEVELOPMENT OR DEMOLITION**  
**OF THE FORMER LYONS FALLS SCHOOL**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis, by and through the Planning Department, seeks to secure the professional services of DANC in its decision to move forward with final environmental assessment of the former Lyons Falls School located at 6832 McAlpine Street, Lyons Falls, NY 13368, to determine its potential redevelopment and rehabilitation or its demolition, depending upon the environmental and structural analysis ; and

WHEREAS, the County has an Order from the Supreme Court allowing for its legal access of the building for environmental and structural testing and assessment; and

WHEREAS, DANC is familiar with the structure and has the expertise to assist the County in its plan to redevelop this condemned structure, if warranted, or to have it demolished if final analysis and assessment so indicate; and

WHEREAS, DANC has submitted a proposal to the County to offer its technical services in analysis of this building and its potential remediation or demolition, with a scope of services outlined in three (3) phases as a path to redevelopment:

Phase 1: includes property visual assessment to determine what if any additional hazardous material testing and engineering services may be required depending upon the condition and contents; consultant services for material testing company, assisting county staff with procuring the services identified; and analysis of the results of the previously completed environmental reports and tests to generate redevelopment alternatives, with a report generated with project scope and budge estimates.

Phase 2: assist in bid phase services if remediation of the building is determined to be appropriate, including compiling bid documents and facilitating in the bid process.

Phase 3: construction phase services in which the DANC will oversee the demolition or remediation contract, provide periodic inspections of construction along with other duties through closeout as set forth in the Proposal; and

PROCEEDINGS OF BOARD OF LEGISLATORS

WHEREAS, the costs outlined by DANC for Phase 1 services will not exceed \$8,000.00, and would be completed within ninety days of notice to proceed. Phase 2 and Phase 3 services are to be determined, depending upon the assessment analysis and decision on whether to redevelop/remediate or demolish and the estimated costs of each; and

WHEREAS, the Planning Director and County Attorney request and recommend that the Board authorize Phase 1 of this proposal, with the option to return to the Board for further authorization of additional services outlined by DANC under Phases 2 and or 3, after completion and analysis of Phase 1 assessments;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with DANC to provide assessment and project management services to assist in the County's decision to finalize the foreclosure on the Lyons Falls School, in the Village of Lyons Falls, New York and take title to same in order to take the steps for redevelopment and remediation or demolition of the building, as the analysis and cost estimates may dictate.

Section 2. That the Lewis County Board of Legislators authorizes the Phase 1 scope of services outlined by DANC, for a total cost not to exceed \$8000.00, payable from the Planning Department budget. Any additional services as outlined for Phase 2 and or 3 shall be brought forth to the committee and Board for further discussion and authorization, including the source of funding for any additional services proposed by DANC.

Section 3. That the Chair or Vice-Chair 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 this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 87 - 2023**  
**RESOLUTION AUTHORIZING NBRC CATALYST GRANT APPLICATION FOR**  
**BROADBAND INFRASTRUCTURE EXPANSIONS BY DANC**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Development Authority of the North Country (DANC) seeks to submit an NBRC Catalyst Grant Application for up to \$3,000,000.00 in broadband infrastructure expansion projects on behalf of Lewis, Jefferson, and St. Lawrence Counties; and

WHEREAS, it is anticipated that the costs of the Lewis County projects planned to be funded under this Grant should not exceed \$1,000,000.00, with the County's local share match not to exceed \$250,000.00; and

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WHEREAS, if awarded funding under this grant, the Planning Department envisions projects to expand fiber optic systems in the town of Diana, Low Orbit Satellite Equipment for unreachable, unserved households and/or businesses, and installation of fixed wireless equipment on the Lewis County 911 Gomer Hill Tower; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize DANC to submit the application, with the County's local share cost commitment capped at \$250,000.00; and if awarded said funding to authorize the agreements for same and appropriate the funds;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes DANC to apply for an NBRC Catalyst Grant on behalf of Lewis County for broadband infrastructure expansion projects in order to advance broadband services to households and businesses for Lewis County Projects for up to \$1,000,000.00 in grant funding, with up to \$250,000.00 as the Lewis County local share cost commitment (a combination of in-kind services and cash).

Section 2. That the Director of Planning or the Chair of the Board of Legislators be and the same is hereby authorized to execute the application and any other documents required for submission of the application by DANC.

Section 3. That in the event the County is awarded grant funds, the Board of Legislators hereby authorizes acceptance of the award and authorizes the Chair or Vice Chair to execute the grant agreement with NBRC, an agreement with DANC, and any other documents required to give effect to this Project, upon review and approval of the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 88 - 2023**  
**RESOLUTION AUTHORIZING GRANT APPLICATION TO**  
**UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) FOR COSTS OF**  
**PURCHASING AND INSTALLING ELECTRIC VEHICLE (EV) CHARGING**  
**STATIONS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Planning and Community Development Department, desires to apply for the USDOT Charging and Fueling Infrastructure (CFI) Discretionary Grant Program to assist with the costs of purchasing and installing EV Charging stations across Lewis County; and

PROCEEDINGS OF BOARD OF LEGISLATORS

WHEREAS, the proposed grant funding will assist the Planning and Community Development Department to construct EV Charging infrastructure along public roads and in publicly accessible locations to provide an alternative fuel transportation system; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application, and if awarded funding, to appropriate the funds;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County of Lewis, by and through the Lewis County Planning and Community Development Department, to submit a grant application to USDOT to secure funding (ranging from \$500,000.00 to \$15,000,000.00) to assist with the costs of purchasing and installing EV Charging Stations throughout Lewis County.

Section 2. That the Chair or Vice Chair of the Board of Legislators be and the same is hereby authorized to sign and authorizes the Director of Planning and Community Development to submit the application and any required documents under the application upon review of the Director of Planning and Community Development.

Section 3. That in the event the County is awarded grant funds, the Board of Legislators hereby, authorizes the Chair or Vice-Chair to execute any grant agreement and other documents required to accept the award upon review and approval of the County Attorney; and directs the Treasurer to appropriate the awarded funds into approved accounts.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 89 - 2023**  
**RESOLUTION ADJUSTING PRESCHOOL PROVIDER SERVICE RATES**  
**WITH LEWIS COUNTY PUBLIC HEALTH DEPARTMENT**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Board of Legislators is authorized to approve a rate list for Preschool Special Education Service Providers; and

WHEREAS, in order to meet the growing demand of children that need these services in the County, the changes are provided as such to make the rates competitive with the intention of enticing other providers to contract with the County to combat the waitlist of students. The former and proposed rates are as such:

| Service | Former Rate | Proposed Rate | Former Rate | Proposed Rate |
|---------|-------------|---------------|-------------|---------------|
|---------|-------------|---------------|-------------|---------------|

MAY 2, 2023

|                               | Individual | Individual | Group    | Group    |
|-------------------------------|------------|------------|----------|----------|
| Aid 1:1                       | \$9.00     | \$17.00    | \$7.00   | \$8.50   |
| Audiology                     | \$355.00   | \$177.50   | \$300.00 | \$100.00 |
| Psychological                 | \$64.00    | \$100.00   | \$53.00  | \$75.00  |
| Occupational<br>Therapy       | \$64.00    | \$74.00    | \$54.00  | \$65.00  |
| Physical Therapy              | \$64.00    | \$74.00    | \$54.00  | \$65.00  |
| Physical Therapy<br>Assistant | \$43.00    | \$55.00    | \$27.00  | \$47.00  |
| Speech Therapy                | \$64.00    | \$74.00    | \$53.00  | \$65.00  |

WHEREAS, the Director of Public Health seeks to have the Lewis County Board of Legislators authorize and approve this list of proposed rates for preschool related services, effective July 5, 2023;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes and approves an amendment to the Preschool Special Education Provider Agreements to change their pay rates, effective July 5, 2023.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

**RESOLUTION NO. 90 - 2023**  
**RESOLUTION AWARDDING BID AND AUTHORIZING AN AGREEMENT WITH**  
**CLIMATE CONTROL MECHANICAL OF NY FOR PURCHASE OF**  
**WALK-IN FREEZER FOR JAIL KITCHEN**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Purchasing Director recently sent out a Request for Proposals (RFP) for the purchase of a walk-in freezer for the jail kitchen; and

WHEREAS, the Clerk of the Board and Purchasing Director were present on April 12, 2023 at 2:00 pm to open one (1) bid received in response to the RFP; and

WHEREAS, after review and consideration of the proposal, in accordance with the specifications and scope of work set forth in the RFP, the Purchasing Director recommends awarding the bid to Climate Control Mechanical of NY, 3751 Woodpecker Lane, Mannsville, NY 13661, the only bidder, at \$31,647.00 for a walk-in freezer in accordance with specifications set forth in the RFP; and



## PROCEEDINGS OF BOARD OF LEGISLATORS

WHEREAS, the Board of Legislators seeks to award the bid to Climate Control Mechanical of NY and authorizes an agreement for the specified walk-in freezer and related services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with Climate Control Mechanical of NY, of Lowville, NY, 13367 for the walk-in freezer described in the RFP for the jail kitchen, in accordance with the specifications and requirements set forth in the RFP.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost not to exceed \$31,647.00 and warranty on labor, and factory warranty on equipment for one year, panels for fifteen years after installation, payable \$15,823.50 down, and 15,823.50 after completion.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2<sup>nd</sup> day of May, 2023.

### **RESOLUTION NO. 91 - 2023 RESOLUTION IN SUPPORT OF NORTHERN FEDERAL CREDIT UNION'S APPLICATION FOR DESIGNATION OF A BANKING DEVELOPMENT DISTRICT IN THE TOWN OF DIANA AREA**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

WHEREAS, the Lewis County Board of Legislators is aware of Northern Federal Credit Union's ("BANK") intent to open a full-service banking facility in Harrisville, New York, and its plan to apply to the NYS Department of Financial Services for a Banking Development District ("BDD") designation in the Town of Diana, NY area; and

WHEREAS, the designation and approval of the BDD by New York State will provide the Bank with a NYS deposit of up to \$10 million at the new branch to assist in supporting its financial viability in the short term; and

WHEREAS, Northern Federal Credit Union provides a source of capital for local businesses to promote job creation; provides a source of capital for mortgages, to increase home ownership and allow for home improvement; provides services that allow individuals to cash checks, pay bills and transmit money more readily and cheaply than other types of financial

institutions such as check cashers; and helps people create wealth through savings programs and other banking services; and

WHEREAS, the NYS Banking Development District (BDD) program aims to reduce the number of unbanked and underbanked New Yorkers, to enhance access to credit for consumers and small businesses, to reduce the reliance on alternative providers of financial services and to promote an asset building consciousness; and

WHEREAS, the Lewis County Board of Legislators supports the Bank's application for NYS BDD designation approval and is desirous of Northern Federal Credit Union opening a full-service branch office in Harrisville to service the residents and businesses in this area of the County; and

WHEREAS, such designation will not prohibit other financial institutions from opening offices/branches in the Town of Diana area, nor prohibit other banks from applying for and receiving approval for an additional BDD designation.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators supports Northern Federal Credit Union's application to New York State Department of Financial Services for a Banking Development District designation in the Town of Diana, New York area.

Section 2. That the Chairman or Vice Chairman is authorized to execute any documents which may be required to indicate the County's support of the Bank's application, upon review and approval of the County Attorney.

Section 3. That the Clerk of the Board is directed to forward a certified copy of this Resolution to the President and CEO of Northern Federal Credit Union.

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

Moved by Legislator Chartrand, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of May, 2023.

OTHER BUSINESS:

At 5:53 p.m. Legislator Chartrand moved to enter executive session at the recommendation of the County Attorney, Joan McNichol, for a personnel matter and potential property sale after a 5-minute break, seconded by Legislator Nellenback and carried.

At 6:40 p.m. Legislator Chartrand moved to enter regular session, seconded by Legislator Virkler and carried.

PROCEEDINGS OF BOARD OF LEGISLATORS

There being no other business to come before the Board, Legislator Nellenback made a motion to adjourn the meeting at 6:41 p.m., seconded by Legislator Osborne and carried.

JUNE 6, 2023

**REGULAR MEETING**  
**June 6, 2023**

The meeting was called to order at 5:03 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, except Legislator Nellenback who had been excused. There were 28 other persons present.

Chairman Dolhof asked Legislator Gilbert for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the May 2, 2023 meeting minutes approved by general consent.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Philip Hathway  
Jessica Moser  
Joshua Leviker

Dated: June 6, 2023

Legislator Virkler moved to waive the rules, seconded by Legislator Moroughan and carried.

**PROCLAMATIONS:**

The Clerk to the Board read a proclamation in honor of World Elder Abuse Awareness Day and certified copies were handed out to Christine Baker, Office For the Aging Coordinator of Services; Shannon Frappeir-Farney, Office For the Aging Services Specialist; Patricia Mooney, Social Services Adult Protective Caseworker; and Elana Hoppel, Social Services Adult Protective Caseworker. Another proclamation was read by the Clerk to the Board commemorating June as Dairy Month and a certified copy was handed out to Megan Klossner, Lewis County Dairy Ambassador, who then handed out cheese sticks donated by Kraft to all the Legislators.

**PRIVILEGE OF THE FLOOR:**

Nichole Turck introduced herself as a candidate running for election as Lewis County Sheriff, stating she is here to show the importance of these meetings and that she is ready to lead. She will be available after the meeting for anyone who would like to speak with her.

**PRESENTATIONS:**

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Mr. Jeff Jones of EFPR Group introduced himself and stated that he has been working with Lewis County for the past several years on audits. He reviewed the Audit Summary of 2022 with the board. Financial statements and auditors' reports were previously reviewed with county management. An unmodified or "clean" opinions were issued on the financial statements.

No material weaknesses or significant deficiencies were noted on the internal controls over financial reporting or in the compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. Management provided everything that was requested in a timely manner. The County took advantage of the interest rates in the market issuing two bonds during the 2022 year. With the bond issuances, the County was able to stay under the current debt limit of \$163 million dollars, having a general obligation debt of \$55.9 million for 2022, which includes both the hospital and County Government.

The total governmental fund balances increased \$15.1 million to a total of \$43.7 million in 2022. The general fund balance increased \$3.3 million to a total of \$24.8 million as of December 31, 2022. This equates to roughly 41% of the 2023 years budget. Mr. Jones finished his report by going over the non-spendable, restricted funds, assigned funds, unassigned funds, and then the total fund balance of \$24,757,503.00.

Responding to questions, Mr. Jones explained that a good fund balance would be 25% of the next years budget, so 41% is great. He also stated that the County took advantage of the interest rates when they issued the two bonds because at that point interest rates had fallen due to the pandemic and were just starting to rise, now they are much higher than the roughly 3.4% of the bonds. Treasurer Eric Virkler commented that Mr. Jones and his colleagues have been a pleasure to work with over the years and that he can get hard copies of the audit report for anyone who would like one.

Highway Superintendent Tim Hunt gave a presentation explaining what Chip Seal is, the process and what went wrong with it on the Pine Grove Road. The goal of chip sealing is to improve the infrastructure in Lewis County with preventative maintenance by sealing in the current condition of the road, prolonging the life span for 6 to 7 years, and preventing further oxidization of the asphalt. It essentially creates a "wearing" layer to avoid damaging the asphalt further.

Chip sealing is accomplished by having a spray bar put down a layer of asphalt binder, then spreading a layer of stone over top and rolling it. This process should allow the asphalt binder to lay beneath the layer of stone therefore causing the stone to be the layer that will get damaged over time, protecting the asphalt. From May 15<sup>th</sup> to May 24<sup>th</sup> there was 46.6 miles of chip sealing done using stone from Barrett's quarry without any issues or complaints.

On Wednesday, May 24<sup>th</sup>, with 11.45 miles from Burdick's Crossing to the Number Four Road left to chip seal, Suite-Kote had to switch to Virkler's quarry to finish the job. The stockpile was wet and at the time it was not apparent that the stone was dirty. Due to the very hot temperatures and heavy traffic, the asphalt emulsion began to rise to the surface. When

Suite-Kote went to reapply a second layer of stone their machine broke down creating a two hour wait for a new one.

On Thursday, May 25<sup>th</sup>, the asphalt emulsion looked to be contained but the second application of dirty stone caused some extremely dusty conditions, so Tim Hunt contact Suite-Kote letting them know. Suite-Kote then tested the stone and found out it was 50% stone dust but decided not to sweep the extra stone off the road because they were afraid that the asphalt emulsion would rise to the surface again. On Friday, May 25<sup>th</sup>, the decision was made to spray a tack coat on the road to mitigate the dust for Memorial Weekend travel, however due to heavy traffic and high temperatures combined with the undersized stone, once again the asphalt emulsion rose to the surface over the weekend.

Tuesday, May 30<sup>th</sup>, the Highway Department hauled clean washed appropriately sized stone from Watertown which was then spread on the road. The road was temporarily closed to local traffic only to try and mitigate the heavy traffic. The insurance claim process was started. On Wednesday, May 31<sup>st</sup>, a newspaper article appeared in the Watertown Daily Times, which then increased the number of claims received. As the temperature increased to 94 degrees, Suite-Kote decided to add stone dust to the road to make sure the asphalt emulsion did not rise up, which in turn made the road extremely dusty again. After speaking with Tim Hunt about the conditions, they sent a water truck to keep the dust down.

On Thursday, June 1<sup>st</sup> another water truck was sent as the first one made little impact and help of the fire department to finally get the dust under control. The decision was then made to apply a layer of Magnesium Chloride as a dust control element which happened around 5:30 p.m. that day and it immediately stopped the dust from rising. On Friday, June 2<sup>nd</sup> Suite-Kote watered the road and used a vacuum truck to sweep up the loose stone. The road then remained in good condition without showing any issues. Suite-Kote and Tim Hunt will continue to monitor the road. The County will not be responsible for any additional costs other than the original surface treatment. To date 62 people have filed insurance claims.

Tim Hunt apologized to Legislator Moroughan as her location had it the worst. County Manager, Ryan Piche spoke up and stated that the county isn't abandoning chip sealing as the process works and there are 18 to 19 miles left to do over the summer. Tim explained that when chip sealing is done poorly is when it gets a bad name, but when done correctly it is a good preventative maintenance on roads. Quality aggregate is vital and in Lewis County unfortunately there isn't much available.

Legislators Moroughan and Osborne thanked Tim Hunt for all he has done to help mitigate the problem and work with both of them on what was happening and why. They both felt they were very informed on how the problem was being corrected.

#### CLERK OF THE BOARD REPORT:

A letter was received from Mr. Glen Ganier, of the Town of Croghan, in support of the application to the Office of Community Renewal for a housing rehabilitation program to benefit Lewis County residents. As a former Board of Director member of Snow Belt Housing he has

read numerous letters of appreciation from residents who have received housing rehab assistance in Lewis County through the efforts of Now Belt Housing, Lewis County Opportunities, and the Lewis County Board of Legislators. He asks that the board continue to support housing rehabilitation in Lewis County.

Senior Building and Fire Codes Official, Ward Dailey, submitted a letter regarding a condemned property located at Lot 1, 6604 Widrick Trailer Park, Town of New Bremen. Sealer of Weights and Measures, Brian Mooney, submitted the April Summary of Field Services report which had been placed on file.

#### REPORTS OF STANDING COMMITTEES:

Legislator Osborne reported that the Information Technology department has recently implemented the new Lewis County website with increased focus on accessibility and mobile friendliness. The team is continually driving progress towards an improved cyber security posture – with new county policies to go before the board later this summer. They're also committed to responding in a timely fashion to departmental requests to help ensure our employees are empowered with the technology needed to serve our residents.

Legislator Gilbert reported that while the Jail has been shut down for the recent renovations the Correction Officers have been doing the following:

- Transports: They currently have 33 inmates spread out over seven facilities. The furthest one being over 2.5 hours away. Even though the inmates are not being housed at our facility we are still responsible for their court appearance or other scheduled events. There could be up to seven transports going on at one time.
- Booking Duty: They are still required to have two Officers on Duty 24 hours a day assigned to do bookings for incoming prisoners. These are generated through criminal arrest, warrants and other types of commitments.
- Training: They have been going through various trainings including but not limited to CPR, First Aid, Article 35, etc.
- Garden: They planted the garden, which all the produce harvested from it goes to feeding the inmates and any extra goes to local food pantry.
- Cleaning: When there is nothing else going on they are cleaning.
- Some Officers have taken this opportunity to utilize vacation time.

Legislator Gilbert concluded by acknowledging the hard work that the Correction Officers have been doing during this renovation period.

Legislator Virkler reported that the Department of Social Services, Child Support Enforcement Unit, has been chosen as a Pilot County to implement a Point of Service Device.

The POS device is a small debit/credit card reader, like you see in stores, that parents owing child support can make direct payments using debit or credit cards. This device is a secure transmission to the Child Support Unit. Parents will need to input their case number. DSS expects the device in the next few days and the data drop has already been installed in the new Human Services Building.

A celebration of Adoption happened on June 2<sup>nd</sup>. A child placed from birth was adopted by her foster parents after 2 years of being in foster care. Finally, a reminder that the Human Services Ribbon Cutting is scheduled for June 22<sup>nd</sup> at 1:00 pm with an Open House to follow. DSS and OFA will start moving on July 5<sup>th</sup> and should be open for business in Lowville on Friday July 7<sup>th</sup>.

Legislator Chartrand reported that Mr. Rob Uttendorfsky, Director of Information Systems shared an update with the board regarding Ransomware Rapid Response. The hospital's currently in the process of developing a rapid response plan for the facility to be best prepared in the event of a ransomware attack. Maintaining operations in support of patient safety for their patients and residents will be a priority during a cybersecurity event. The hospital finances show a loss of \$265,733 versus a budgeted loss of \$268,103 for the month of April. The year-to-date loss is \$511,970 versus a budgeted loss of \$941,558. Outpatient gross revenue was higher in ER, Drugs Sold, Lab-Chemistry, Radiology, and Ultrasound.

Legislator Chartrand stated that Mr. Musnicki shared that good progress continues to be made on the project. He noted there will be a critical pathway with the project timeline in the next 60 days as they transition surgeries into the new building in August. The NYS DOH is scheduled for an on-site inspection for the new building in July. Currently all of the contractors are on the same page as to what has to happen in the next 60 days to make this transition a success. Legislator Chartrand concluded by asking on behalf of the Hospital Board of managers that the Board of Legislators exercise their authority and approve a contract of sale for the purchase of the 7777 N. State Street, Lowville, NY property in consideration of \$240,000 from Lewis County Health System's financial resources.

Jerry Cayer reported that on Wednesday last week the Hospital Board of Managers approved their Strategic Priorities for the next three years, including the measures of success which outline the 2023 goals. Management will be hard at work implementing these measures and will be reporting back to the Board of Managers every two months on their progress, per Chairman Young's request. In response to Legislator Hathway, Jerry confirmed that it was approved as presented. He concluded by stating that he would be happy to present the approved Strategic Priorities and Measures of Success with the Legislative Board in an executive session anytime. The plan does recommend a clinic in Harrisville again.

#### PROJECT MANAGERS REPORT:

Mr. Jim Garito reported that everything is coming along good with the capital projects, except of course the missing panel breaker. In order to get the Human Services building to completion a breaker was taken from another project. The hope is, that by the time other project is nearing completion the missing panel breaker will have arrived.



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Mr. Nick Garito reported that the breaker that was borrowed came from the new Highway Garage, and he continues to look into what happened with the missing breaker and finding a solution so it will arrive in time for the completion of the Highway project. The Human Services building is just about done, as they work on balancing the building, and pour the concrete pad for the outdoor patio. The Maintenance Garage is basically completed as well. The DMV/Board of Election building is progressing along with exterior work being done this month. The Highway Facility is having site work done, rough ins on electrical and plumbing, windows & doors installed, and sheetrock. The Cold Storage building and the Wash Bay building are basically finished except for power.

### COUNTY MANAGER REPORT:

County Manager, Ryan Piche reported that he attended a recent County Administrators meeting in Oswego County. The 5-year outlook on the NYS Budget last year showed a large surplus, however this year the outlook shows a large deficit. One of the big topics of conversation was the reduction and elimination of enhanced FMAP funding. It is likely that the state will eventually come to counties for additional money to help fund the ever-increasing Medicaid costs. Medicaid alone has increased 48% in the last 5 years and is likely to grow another 50% over the next 5 years. The “Keep the Cap” fight that counties have taken to Albany will likely be something that will need to be fought for again.

NYSAC projects 14,000 bills will be proposed by the legislature this year, among them is the extension of Lewis county’s 1% additional sales tax and increasing the weight of ATV’s. Hopefully both of those bills will pass. These items along with others will need to continue to be monitored. He attended Fort Drum Day in Albany, hosted by Senator Walczyk, Assemblyman Blankenbush and Assemblyman Gray. The entire day was devoted to lobbying for Fort Drum and trying to convey the important, size and economic impact the base has on several northern counties.

Community Cup was started in Lewis County by past Human Resources Director Chis Boulio, in 2018. Anna Platz, Deputy Director of Public Health has been key to continuing this fun event each year. Over the 5 years that this event was held, Lewis County has never won. However, this year that all changed as Lewis County finally took home the trophy! Legislator Virkler quickly corrected Mr. Piche by stating “co-champions with Beaver River Central School”. Ryan went on to show a brief slide show of pictures from several of the events. He concluded by thanking Anna Platz, Conner Biolsi, Information Technology Director and Kaylee Rhodes from Office For the Aging for all their help and organization this year.

### COUNTY TREASURER REPORT:

Eric Virkler, Treasurer, reported that the county has a very health fund balance and is in a great financial position as proven by the auditor’s report earlier on. He thought in light of the state likely needing more money and going to counties to get it, a well-funded reserve is going to be essential in the future. The Health Insurance fund continues to struggle, even with the new increased rates, it will be something to keep a close eye on. Eric concluded by quickly touching

JUNE 6, 2023

on the foreclosure process and how the state is trying to pass legislation that will require the county to give any money collected, over what is due in back taxes and expenses for going through the foreclosure process, to the property owner. This will likely affect the amount of money that the county would receive in revenue from the tax auction, but it isn't a huge part of our budget.

REPORT OF THE FINANCE AND RULES COMMITTEE:

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 3,971,362.85 and recommend that they be audited and allowed for the amounts claimed.



Thomas Osborne

Chair



Philip Hathway

Vice-Chair

Jeffrey Nellenback

Committee



Joshua Leviker

Committee



Jessica Moser

Committee

Dated: June 6, 2023

Approved on motion by Legislator Virkler, seconded by Legislator Chartrand, and carried.

JUNE 6, 2023

**RESOLUTION NO. 92 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$3,971,362.85 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 Hathway, seconded by Legislator Virkler. Legislator Moser stated that she would need to recuse herself with regards to any payments pertaining to her position as an Attorney.

The resolution was then adopted on the 6<sup>th</sup> day of June 2023 pursuant to the following roll call vote:

AYES: Osborne, Hathway, Virkler, Leviker, Moser, Moroughan, Gilbert, Chartrand, and Dolhof.

NAYS: None

ABSENT: Nellenback

**RESOLUTION NO. 93 - 2023  
RESOLUTION AWARDED BID AND AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND CENTRAL PAVING INC. FOR THE  
PSB PARKING LOT RENOVATION PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County (with the assistance of its engineering consultant, GYMO) sent out a Request for Proposals to qualified companies for general construction and rock removal services for the repair and renovation of the PSB parking lot, as more fully described in the RFP; and

WHEREAS, bid proposals were returnable on May 25, 2023 at 2:00 pm, at which time they were opened by the GYMO Consultant, with the Purchasing Director, Clerk of the Board, Director of Buildings and Grounds, and others present; and

WHEREAS, the three (3) bids received were reviewed and analyzed by GYMO Architecture, Engineering and Land Surveying DPC with the Director of Buildings & Grounds, with the Director recommending that the bid be awarded to Central Paving Inc., 4247 Acme Road, Frankfort, NY 13340, as the qualified, responsive low bidder in the amount of \$800,000.00 for general construction and rock removal services as more fully set forth in the bid proposal dated May 25, 2023;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid for parking lot renovation and improvements at the PSB pursuant to the RFP to Central Paving Inc., 4247 Acme Road, Frankfort, NY in the amount of \$800,000.00 (General Construction- \$730,000.00; Rock Removal-\$70,000.00).

Section 2. That the Lewis County Board of Legislators hereby authorizes a contract to be entered into with Central Paving Inc, for the identified professional services in each listed phase in accordance with the specifications, conditions, start and completion dates set forth in the RFP.

Section 3. That the Chair, or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 94 - 2023  
RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT  
BETWEEN THE COUNTY OF LEWIS AND INDEPENDENT COMMERCIAL  
CONTRACTORS, INC. FOR DEMOLITION AND SITE CLEANUP  
OF THE CONDEMNED PROPERTY ON TRINITY AVENUE**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to resolution number 250-2022 the Board of Legislators direct the demolition, removal and site cleanup of Tax Map No. 212.08-01-06.000, 5507 Trinity Avenue, Lowville NY, as an unsafe structure and danger to the community. Upon the Owner's failure to remedy the unsafe structure, the Board directed the Code Department to issue an RFP for demolition and site cleanup services; and

WHEREAS, 5 bids received were opened on May 18, 2023 at 2:00 pm. The County Purchasing Director, Clerk of the Board, County Attorney, County Manager and two (2) Legislators were present to open the bids. After careful review of the bids the Code Enforcement Officer recommends that the Board award the contract to the lowest bidder, Independent Commercial Contractors, Inc., of Lorraine, NY, to provide the services at a cost of \$19,800.00 according to the terms and specifications as set forth in the RFP; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

JUNE 6, 2023

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Independent Commercial Contractors, Inc., with offices at 27004 Loomis Road, Lorraine, NY 13659, to provide demolition, proper removal and site cleanup for Tax Map No. 212.08-01-06.000, 5507 Trinity Avenue, condemned site in Lowville, NY, in accordance with the terms and conditions of the RFP and all Federal, State and Local laws and regulations, at a cost of \$19,800.00.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions, requirements and terms recommended by the County Attorney, with the services to be undertaken and completed on or before July 31, 2023.

Section 3. That the Lewis County Board of Legislators authorizes the County to pay the tipping fee costs for removal of the hazardous material and debris and the Air Monitoring testing expenses required for demolition and removal.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreements and any amendments or change orders thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 95 - 2023**  
**RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007**  
**FINDING AND DETERMINING THAT AN UNSAFE STRUCTURE**  
**SHALL BE DEMOLISHED AND REMOVED**  
**AND TO SET HEARING FOR FINAL ORDER**  
**(VILLAGE OF PORT LEYDEN)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2–2007, entitled, “A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES,” the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 353.12-02-14.000, 7091 West Main Street, in the Village of Port Leyden, owned by Green Chip Investors LLC, and determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on December 12, 2022, with an updated statement dated May 8, 2023, including a recommendation, *inter alia*, that the structure be demolished and removed; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Section 4 of the Law states that the provisions of the law apply to any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s). The County performs enforcement services of the uniform code(s) on behalf of the Village of Port Leyden; and

WHEREAS, the Code Enforcement Officer reported that the commercial building is unsafe, in disrepair, damaged; with a failing foundation and an outward bulge in the east wall creating an unsafe condition and potential collapse. Due to roof leaks and lack of repairs, the second floor system has failed. The structure is unfit for human occupancy and is definable as unsafe. This building is a danger to anyone who may attempt to enter and has the potential of a complete or partial collapse. More than 18 months have passed since the structure was condemned with no regular communication from the owner, nor any indicated efforts showing any repairs to the structure. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the conclusion and recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators to determine and find that the building is an unsafe and dangerous structure as described in the Local law; that it cannot be safely repaired and should be demolished, with the debris properly removed, together with any other service which may subsequently be deemed necessary for the health and safety of the public.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with the reports of the Lewis County Code Enforcement Officer that:

1. The herein described building is unsafe and constitutes a public nuisance and a danger to the safety, health and welfare of the community; and
2. It is the opinion of the Board of Legislators that the building must be properly demolished and removed from the premises.
3. Directs that a Notice as described in Section 7 of Local Law No.2-2007 and copy of this Resolution and Decision be served upon Greenchip Investors, LLC and all others deemed appropriate who may have an interest in the property.

Section 2. That by reason of such findings, the Board of Legislators hereby:

**ORDERS**, that members of Greenchip Investors, LLC appear before this Board of Legislators on July 5, 2023 at 5:00 p.m. to Show Cause before this Board why it should not Order the owner to hire a company to 1) Close and secure the structure, if exposed, and to property demolish and remove the building located on parcel Tax Map No. 353.12-02-14.000, 7091 West Main Street, in the Village of Port Leyden, Town of Leyden, Lewis County, New York in accordance with all laws and regulations, including

any regulations required by the NYS Department of Environmental Conservation; and further

**ORDERS AND DECREES**, that in the event that the Owner fails to appear before this Board or fails to comply with any Orders of this Board, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located, and to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

**ORDERS AND DECREES** that Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the owner of record and any other interested parties not less than five (5) business days prior to the hearing date set forth above, in accordance with Section 8 of the Local Law, said notice to contain as follows:

1. a description of the premises;
2. a statement of the particulars in which the building or equipment is deemed unsafe or dangerous;
3. an order outlining the manner in which the building or equipment is to be made safe and secure, or demolished and removed;
4. a statement that the securing or removal of such building shall commence within thirty (30) days of the service of the notice and shall be completed within sixty (60) days thereafter, unless, for good cause shown, such time shall be extended;
5. a date, time and place for a hearing before the Board of Legislators in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the notice; and
6. a statement that in the event of neglect or refusal to comply with the order to secure or demolish and remove the building or equipment, the Board of Legislators is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and if required, to institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 3. A copy of the notice served as provided herein shall be filed in the office of the Lewis County Clerk.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 96 - 2023**  
**RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007**  
**FINDING AND DETERMINING THAT AN UNSAFE STRUCTURE**  
**SHALL BE DEMOLISHED AND REMOVED**  
**AND TO SET HEARING FOR FINAL ORDER**



**(TOWN OF WATSON)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2–2007, entitled, “A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES,” the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 214.03-01-15.000, 312 Number Four Road, in the Town of Watson, owned by Joseph P. Mathys, and determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on October 28, 2021 with an updated report on May 8, 2023, including a recommendation, *inter alia*, that the structure be demolished and removed; and

WHEREAS, Section 4 of the Law states that the provisions of the law apply to any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s). The County performs enforcement services of the uniform code(s) on behalf of the Town of Watson; and

WHEREAS, the Code Enforcement Officer reported that the residential building is unsafe, in disrepair, damaged; with a partially collapsed roof and open doors and windows. The structure is unfit for human occupancy and is definable as unsafe. This building is a danger to anyone who may attempt to enter. More than 18 months have passed since the structure was condemned with no communication from the owner and no visual efforts showing any repairs to the structure. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the conclusion and recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators to determine and find that the building is an unsafe and dangerous structure as described in the Local law; that it cannot be safely repaired and should be properly demolished with the debris properly removed, together with any other service which may subsequently be deemed necessary for the health and safety of the public.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with the report of the Lewis County Code Enforcement Officer that:

1. The herein described building is unsafe and constitutes a public nuisance and a danger to the safety, health and welfare of the community; and

2. It is the opinion of the Board of Legislators that the building must be properly demolished and removed from the premises.
3. Directs that a Notice as described in Section 7 of Local Law No.2-2007 and copy of this Resolution and Decision be served upon Joseph P. Mathys and any others deemed appropriate who may have an interest in the property.

Section 2. That by reason of such findings, the Board of Legislators hereby:

**ORDERS** that Joseph P. Mathys appear before this Board of Legislators on July 5, 2023 at 5:00 p.m. to Show Cause before this Board why it should not Order said Owner to hire a company to 1) to close and secure the structure, if exposed, and to properly demolish and remove the building located on the parcel identified as Tax Map No. 214.03-01-15.000, 312 Number Four Road in the Town of Watson, in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and further

**ORDERS AND DECREES**, that in the event that the Owner fails to appear before this Board or fails to comply with any Orders of this Board, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located, and to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

**ORDERS AND DECREES** that Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the Joseph P. Mathys not less than five (5) business days prior to the hearing date set forth above, in accordance with Section 8 of the Local Law, said notice to contain as follows:

1. a description of the premises;
2. a statement of the particulars in which the building or equipment is deemed unsafe or dangerous;
3. an order outlining the manner in which the building or equipment is to be made safe and secure, or demolished and removed;
4. a statement that the securing or removal of such building shall commence within thirty (30) days of the service of the notice and shall be completed within sixty (60) days thereafter, unless, for good cause shown, such time shall be extended;
5. a date, time and place for a hearing before the Board of Legislators in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the notice; and
6. a statement that in the event of neglect or refusal to comply with the order to secure or demolish and remove the building or equipment, the Board of Legislators is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 3. A copy of the notice served as provided herein shall be filed in the office of the Lewis County Clerk.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Moser , seconded by Legislator Chartrand , and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 97 - 2023  
RESOLUTION AMENDING THE COMPENSATION PLAN  
WITH REFERENCE TO COMMUNITY SERVICES DEPARTMENT**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Community Services Department (“CS”), the Local Government Unit (“LGU”) is tasked with development and administration of a local comprehensive plan for services for mentally challenged residents and other in need of services who are identified as high-need patients as such term is defined by the Commissioner of Mental Health, including but not limited to programs under assisted outpatient treatment and single point of access (SPOA); and

WHEREAS, since 2022, CS has been assigned to oversee additional programs including but not limited to NYS OMH Vet Peer-to-Peer Program, OASAS Opioid Settlement Abatement Funds, and the County Opioid settlement fund distributions, and assistance in development of the Medication Assisted Treatment (“MAT”) program mandated for the incarcerated in the Lewis County Jail; and

WHEREAS, the Community Services Director seeks to hire a permanent Mental Health Program Coordinator position, payable from funds made available from: NYS Federal Salary sharing, OMH Vet Peer -to- Peer funds, OASAS Opioid Abatement Litigation funds and the County Opioid Litigation funds;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Community Services Department to create the following permanent position at the following compensation rate:

| <u>TITLE</u>                         | <u>STATUS</u> | <u>SALARY</u>                                    |
|--------------------------------------|---------------|--------------------------------------------------|
| Mental Health<br>Program Coordinator | Full-time     | Grade 5 Management Exempt<br>\$47,082 - \$59,286 |

Section 2. That the Lewis County Board of Directors authorizes and directs the Treasurer to make the appropriate budget transfers from the identified funding sources into the proper expense lines under Community Services.

Section 3. That this resolution shall take effect immediately.

JUNE 6, 2023

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6th day of June, 2023.

**RESOLUTION NO. 98 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT FOR PER DIEM NURSING SERVICES**  
**UNDER THE MEDICATION-ASSISTED TREATMENT (MAT) PLAN FOR**  
**INCARCERATED INDIVIDUALS SUFFERING FROM**  
**SUBSTANCE ABUSE DISORDERS**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Director of Community Services sent out a Request for Proposals for qualified entities to provide services outlined in chapter 432 of the 2021 Laws of New York, which require the County to develop a medication-assisted treatment and transition services plan for incarcerated persons (IP) who suffer from substance abuse disorders as defined under the law; and

WHEREAS, pursuant to Resolution No. 34- 2023, the Board of Legislators authorized agreements with Credo for MAT counseling, inmate assessment, treatment planning, and prescribing and monitoring of methadone to IPs in that program; and

WHEREAS, the CS Director seeks to have an agreement with the Lewis County Health System (LCHS) to provide nurses from its staff who volunteer their nursing services at the Lewis County Jail under the MAT program, on a per diem basis, to dispense and monitor medications prescribed to IPs. It is anticipated that each session will be from 2-6 hours, with request for coverage generally on weekends, holidays, and on days during the week when the jail nurse is on benefit time. LCHS will be paid \$150.00 per hour for a nurse provided; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement with LCHS and the County of Lewis o/b/o the Lewis County Sheriff's Department to provide volunteer nurses from its nursing staff to serve for daily sessions from 2-6 hours as needed, to monitor and dispense medications prescribed to IPs under the MAT program. The expected need for these nurses are for weekends, holidays and on days during the week when the jail nurse is on benefit time.

Section 2. That the agreement for these per diem nursing services shall provide for the County to pay to LCHS the sum of \$150.00 per hour, for a one-year term commencing upon full execution of the agreement, with the right to annual renewals upon mutual written agreement.

Section 3. That the Chair, or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, together with

execution of the Agreement(s) by the Lewis County Sheriff, upon such terms and conditions as may be recommended by the County Attorney and as may be required under the MAT program.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 99 - 2023**  
**RESOLUTION TO ADOPT CERTAIN RECOMMENDATIONS OF THE**  
**EMS AD HOC COMMITTEE**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, in January, 2022, the Chairman of the Lewis County Board of Legislators formed the Ad Hoc Committee for Emergency Medical Services (EMS) to study the issues driving the significant decline in the number of EMS volunteers in recent years, and with issuing specific recommendations to improve the sustainability of local EMS services in Lewis County; and

WHEREAS, the Ad Hoc Committee submitted its report dated May 9, 2023 to the General Services Committee for discussion at the May 12, 2023 meeting. The Ad Hoc Committee found, *inter alia*, that the six (6) in-county EMS agencies and four (4) outside agencies who also cover parts of Lewis County, respond to approximately 2,600 EMS call per year in Lewis County - 1,500 of which are handled by volunteers; that EMS calls outpace fire calls in the County six-to-one. In addition, the volume and length of each EMS call has increased considerably along with the increase in time and reporting requirement burdens on the time commitment of EMS providers. In considering potential solutions, the Ad Hoc Committee reviewed numerous strategies and plans implemented by other counties, recognizing, however, that the uniqueness of Lewis County in its geography, low call volume and high percentage of Medicaid/Medicare patients would not lend itself to a centralized EMS provider with “stations”; and

WHEREAS, the Ad Hoc Committee found that the best model for rural, sparsely populated Lewis County is continuation of the volunteer EMS model, with specific provisions of support from the County as set forth in the Report; and

WHEREAS, the General Services Committee recommends that the Board of Legislators adopt the specific legally authorized policies and goals in its report, after review by the County Attorney;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators applauds the hard work and thoughtful analysis of the Ad Hoc Committee members in tackling a comprehensive, forward-looking plan for the provision of EMS services in Lewis County.

Section 2. The Lewis County Board of Legislators salutes all of the volunteer EMS providers who service Lewis County residents in their time of need and encourages other residents to devote their time to train and volunteer for this necessary service.

Section 3. The Lewis County Board of Legislators hereby adopts the following goals and policies identified by the Ad Hoc Committee to support and sustain volunteer EMS services in Lewis County, with the intention of periodically reviewing and developing additional actions which may be taken to sustain volunteer EMS services. The Board authorizes the following expenditures in attaining said goals:

**Goal #1) Support volunteer EMS services and agencies by:**

a. A one-time disbursement of \$245,000.00 to the eight (8) EMS agencies in Lewis County toward capital expenditures. Said disbursement to be determined by the number of ambulances owned by each agency:

|                                     |                         |
|-------------------------------------|-------------------------|
| <i>Beaver Falls Amb (1)</i>         | <i>\$ 17,500</i>        |
| <i>Constableville Amb (1)</i>       | <i>\$ 17,500</i>        |
| <i>Harrisville Rescue Squad (1)</i> | <i>\$ 17,500</i>        |
| <i>JS Koster Hose Co. Amb (1)</i>   | <i>\$ 17,500</i>        |
| <i>LC Search &amp; Rescue (7)</i>   | <i>\$122,500</i>        |
| <i>Lyons Falls Amb (1)</i>          | <i>\$ 17,500</i>        |
| <i>Turin Amb (1)</i>                | <i>\$ 17,500</i>        |
| <i>West Leyden Amb (1)</i>          | <i><u>\$ 17,500</u></i> |
| <b>Total One-Time Distribution:</b> | <b>\$ 245,000</b>       |

b. County will engage a county-wide consultant for a county-wide EMS Medical Director, at a cost of **\$5,000.00 per year**, to manage and administer medical director sign-off on PCRs and narcotic inventories under the Lewis County Emergency Management Department budget.

c. Update and amend Lewis County Local Law, effective January 1, 2024, which allows for a 10% non-capped reduction in assessed real property valuation for volunteer firefighters and EMS providers, with all updated State law changes.

**Goal #2) Increase the number of EMS service providers in Lewis County by:**

a. Assist BOCES with a one-time capital cost payment of **\$60,000.00** to assist in the launch and implementation of a new two-year EMS program for high school juniors and seniors.

b. Continue supporting new EMS providers by annual reimbursement **up to \$5,000.00/yr** for classroom materials, textbooks, workbooks and other training and class study materials required for certification of EMS providers. (The County already implemented this through the Lewis County Emergency Management Department budget).

Section 4. This Resolution shall take effect immediately.

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Section 5. The Clerk of the Board is directed to forward copies of this Resolution to the Lewis County EMS providers, the clerks of the Towns and Villages, Stephen J. Todd, District Superintendent of Jefferson-Lewis BOCES, and all others the Board may designate.

Moved by Legislator Moroughan, seconded by Legislator Virkler.

Legislator Hathway stated that he would like to include the outside agencies on the EMS portion because they have assisted our own EMS agencies by responding to 130 calls so far this year. He felt that we should be giving them half of what we are giving our own departments which would be \$8,750.00 each. Chairman Dolhof verified that there were only four outside agencies.

Legislator Hathway moved to amend section 3, goal #1, paragraph a, to include the four (4) outside EMS agencies that respond to calls within Lewis County, Natural Bridge Ambulance, Carthage Area Rescue, Camden Ambulance, and Boonville Ambulance for a one-time disbursement of \$8,750.00 each, seconded by Legislator Chartrand, and carried.

The amended resolution was then adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 100 - 2023  
RESOLUTION APPROVING AGREEMENT BETWEEN  
COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY DEPARTMENT  
AND C&S ENGINEERS, INC. FOR ENGINEERING SERVICES FOR THE  
COMPLETE STREETS PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Highway Department desires to enter into an agreement with C&S Engineers, Inc. ("C&S"), authorized on the New York State list of professional engineers for engineering services for the design and other services for the rehabilitation of Blue Street/ Main Street/ CR 41 under this Complete Streets Project; and

WHEREAS, the Lewis County Highway Superintendent budgeted this project under its CHIPS funding. C&S has provided a detailed proposal dated April 13, 2023, with the professional scope of basic services proffered for this project in an amount not to exceed \$171,724. The scope of work includes preliminary design, concept design with public information meeting, report on Design and Environmental Screening, Final Design Activities, and Grant Administration assistance; and

WHEREAS, the Lewis County Board of Legislators wishes to accept such services and authorize the Professional Services Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

JUNE 6, 2023

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Highway Department and C&S Engineers, Inc. to provide the design and other scope of services related to the Complete Streets Project on Blue Street and Main Street/ CR 41 in the Hamlet of Glenfield, New York, at a cost of \$171,724 as more fully set forth in the proposal dated April 13, 2023.

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

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 101 - 2023**  
**RESOLUTION TO AWARD BID TO TIOGA CONSTRUCTION CO., INC.**  
**FOR THE REPLACEMENT OF WEST ROAD CULVERTS OVER**  
**MILL CREEK AND MILL CREEK TRIBUTARY**  
**IN THE TOWN OF TURIN**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County has commenced a project known as the replacement of West Road Culverts over Mill Creek and Mill Creek Tributary and sent out request for bids; and

WHEREAS, six (6) sealed bids received were publicly opened on May 2, 2023 at 10:00 a.m. on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York; and

WHEREAS, the Highway Superintendent recommends that the County award the bid to Tioga Construction Co., Inc. the lowest qualified bidder, to perform the culvert replacements outlined in the bid specifications in the total amount of \$825,000.00 (\$313,000.00 over Mill Creek Tributary and \$512,000.00 over Mill Creek); and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid to and authorizes a contract with Tioga Construction Co., Inc., Herkimer, NY in the amount of \$825,000.00 (\$313,000.00 for Mill Creek Tributary, \$512,000.00 for Mill Creek), payable through CHIPS reimbursement, for the replacement of West Road Culverts over Mill Creek and Mill Creek Tributary in the Town of Turin.

Section 2. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto pending approval by the County Attorney.



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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 102 - 2023  
RESOLUTION AUTHORIZING SUPPLEMENT 1 TO AGREEMENT BETWEEN  
LEWIS COUNTY o/b/o HIGHWAY DEPARTMENT  
AND FISHER ASSOCIATES FOR MARSHEY ROAD OVER WEST BRANCH  
OSWEGATCHIE BRIDGE PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Resolution No. 38-2021, the Lewis County Board of Legislators authorized consultant agreements necessary for the Marshey Road over West Branch Oswegatchie River Bridge Replacement Project (PIN 775399, BIN 3339960) in the Town of Diana, County of Lewis to widen the single-lane Pony Steel truss bridge into two lanes of traffic, accommodate pedestrians and allow for full load capacity of the bridge. Resolution No. 284-2022 included additional funding from Marchiselli funds which lower the County's local share amount; and

WHEREAS, the County contracted with Fisher Associates for consulting services on December 15, 2021 to provide surveys, environmental screenings, preliminary and final design development, right of way services, SEQRA compliance assistance, and site plan submission and approval from NYS DOT, at a cost not to exceed \$290,000.00; and

WHEREAS, Fisher Associates has provided the Highway Superintendent with Supplement No. 1, dated April 24, 2023 to add costs and expenses for Sub-Consultant Services of Hartgen Archeological Associates, Inc., including mitigation services required and related to compliance under the National Historic Preservation Act; at a cost not to exceed \$26,000.00; and

WHEREAS, the Board of Legislators wishes to accept such services and authorize this supplement to the consultant contract;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Supplement No. 1 to the Agreement between the County of Lewis by and through the Lewis County Highway Department and Fisher Associates, Rochester, NY 14607 to provide Sub-Consultant Services related to National Historic Preservation Act compliance for this bridge as set forth in the April 24, 2023 proposal, at a cost not to exceed \$26,000.00; (\$20,800.00 (80%) payable from federal funds, \$3,900.00 (15%) payable from Marchiselli funds, and \$1,300.00 (5%) payable from the Highway Capital Projects account.)

JUNE 6, 2023

Section 2. That pursuant to Resolution No. 38-2021, the Lewis County Highway Superintendent is hereby authorized to make, execute, seal, and deliver such amendment to the Consultant Agreement, pending approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 103 - 2023**  
**RESOLUTION AUTHORIZING PURCHASE OF 7777 N. STATE STREET,**  
**LOWVILLE, NY BY THE COUNTY OF LEWIS**  
**ACTING ON BEHALF OF THE LEWIS COUNTY HEALTH SYSTEM**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Health System (LCHS) CEO and Board of Managers seek to have the Lewis County Board of Legislators purchase the residential property adjoining the LCHS campus, known as 7777 N. State Street, Lowville, NY, identified as Tax Map Parcel # 195.19-01-05.000, approximately 0.34 acres in size, including the single-family ranch structure with an attached garage, fixtures and any other improvements thereon, for the intended hospital use under its Capital Plan, including its use house per diem medical professionals working at LCHS; and

WHEREAS, the property was recently appraised for \$230,000.00, with the hospital and owner agreeing to a purchase price of \$240,000.00; and

WHEREAS, the LCHS Board of Managers, by Resolution has approved the purchase of this property at the above negotiated price, payable from the LCHS's financial resources as recommended by the hospital's Capital Improvement Oversight Committee, and request the Lewis County Board of Legislators to exercise its authority pursuant to the General Municipal Law and County Law to approve this purchase and enter into a contract of sale for same;

NOW THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves and authorizes the purchase of the approximately 0.34-acre residential property located at 7777 N. State Street, Lowville, NY, Tax Map No. 195.19-01-05.000, including the buildings, fixtures and improvements thereon, on behalf of and for continued use and operation by the Lewis County Health System (Lewis County General Hospital), for its intended uses under the hospital's Capital Improvement Plan.

Section 2. The Board of Legislators hereby directs the County Attorney to take all customary action and legal steps for the purchase of the property and transfer of title for same by means of a Warranty or Bargain and Sale Deed, at a price of \$240,000.00, with customary

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adjustments and expenses associated thereto for the protection of the County's acquisition, payable by and from LCHS financial resources.

Section 3. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to execute and deliver such purchase contract and other transfer documents as may be required, upon such form(s) as approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Osborne. Legislator Moser abstained.

The resolution was then adopted on the 6<sup>th</sup> day of June, 2023 by the following roll call vote:

AYES: Chartrand, Gilbert, Hathway, Leviker, Moroughan, Osborne, Virkler, and Dolhof.

NAYS: None

ABSENT: Nellenback

**RESOLUTION NO. 104 - 2023  
RESOLUTION APPOINTING MEMBER TO  
JUNKYARD REVIEW BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints James Dicob of New Bremen, New York, as a member of the Lewis County Junkyard Review Board.

Section 2. That the 5-year term of said appointment shall be retro-active from January 1, 2023 through December 31, 2027.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 105 - 2023  
RESOLUTION AUTHORIZING THE SALE OF FORMER GLENFIELD SCHOOL  
PROPERTY (5960 MAIN STREET, GLENFIELD, NY) TO ROCHESTER'S  
CORNERSTONE GROUP LTD. FOR HOUSING DEVELOPMENT**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to Resolution No. 31-2022, the County of Lewis purchased the Glenfield Elementary School property, 5960 Main Street, Glenfield, NY, approximately 8 acres of land now identified as Tax Map No. 259.04-04-08.100 (herein, the “Property”) in 2022 for temporary public use for the County’s operations and services while renovations and improvements are made to its existing buildings; and

WHEREAS, the County purchased the property from LasComp Institute of IT for \$315,000.00. Since the purchase, the County housed the Social Services and Office for the Aging Departments, along with the Soil and Water District offices at this location while the major renovations were undertaken at the Social Services building on Outer Stowe Street; and

WHEREAS, pursuant to Resolution No. 288 – 2022, the Board authorized an MOU with the Lewis County Development Corporation (LCDC) to market this property for innovative economic development and re-uses for this property and structure. The LCDC sent out a Request for Expressions of Interest (RFEI) and received a formal proposal from Rochester’s Cornerstone Group Ltd. (“Cornerstone”), of Rochester, NY, for development of the property for a minimum of 50 affordable housing units; and

WHEREAS, Cornerstone’s proposal is contingent upon *inter alia* its ability to obtain necessary governmental approvals, tax credits and funding awards to acquire, develop and operate its intended development of the property for a minimum of 50 affordable residential units, at a purchase price of \$300,000.00, but with closing and transfer of title not likely to close until on or about December 31, 2024 given the complex funding applications anticipated; and

WHEREAS, the County anticipates its Social Services and OFA Departments to be relocated into the newly renovated Human Services building in Lowville in or about June, 2023, with the Soil and Water District office remaining at the Glenfield School until the end of 2023, with the building thereafter no longer necessary for public use; and

WHEREAS, the LCDC and Naturally Lewis request that the Board of Legislators enter into this conditional sale of the Glenfield School Property to Cornerstone for \$300,000.00 and provide for this opportunity for needed affordable housing and the economic benefits of this development in Lewis County;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and declares that the County’s property located at 5960 Main Street, Glenfield, NY, identified as tax map parcel # 259.04-04-08.100 on the March 1, 2023 roll, commonly referred to as the Glenfield School Property will no longer be necessary for public use by the end of 2023, and therefore desires to grant, sell, convey and transfer the same pursuant to Local Law No. 1-1991 and County Law §215.

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Section 2. That the Lewis County Board of Legislators hereby authorizes and approves the sale of the Glenfield School Property, identified as Tax Map No. 259.04-04-08.100 to Rochester's Cornerstone Group LTD, Rochester, NY for the sum of \$300,000.00, contingent upon governmental approvals, tax credits and grant fundings for which the Purchaser will apply in order to develop the property for affordable housing units for seniors.

Section 3. That the transfer of title shall be by quitclaim deed and shall take place on or about December 31, 2024, pursuant to conditions and provisions to be more formally set forth in a Purchase Agreement acceptable to both parties.

Section 4. That the County Attorney is directed to negotiate and prepare a purchase agreement with the Cornerstone, and take all necessary steps for same and the final closing of title and transfer of ownership.

Section 5. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver any and all contracts, deeds, easements, or other papers and documents necessary to complete the transaction.

Section 6. That the within Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of June, 2023 by the following roll call vote:

AYES: Osborne, Chartrand, Virkler, Leviker, Moser, Moroughan, Gilbert, Hathway, and Dolhof.

NAYS: None

ABSENT: Nellenback

**RESOLUTION NO. 106 - 2023  
RESOLUTION IN SUPPORT OF REMOVAL OF RPTL §480-a  
TAX BURDEN ON LOCAL TOWNS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, section 480-a of the Real Property Tax Law (RPTL) allows for a substantial real property tax exemption to property owners who have privately owned forest land in New York State, through enrollment in a program administered by the New York State Department of Environmental Conservation; and

WHEREAS, forest lands provide benefits statewide (clean water, clean air, open space), however, the local municipality has no discretion to approve, deny or limit the exemption, regardless of local impacts; and there is no statewide provision for reimbursement of lost property tax revenue from the exempted forested property; and

WHEREAS, the cost-shift burden of this property tax exemption is borne entirely by the other taxable property owners in each of the towns where the 480-a lands are located; and

WHEREAS, the current 480-a program was enacted in 1976 and has not been updated since, even though over the last 30 years, several reports have documented the issues with forest tax laws and proposed recommendations to improve the program and lessen the burden on the Town; and

WHEREAS, Lewis County local municipalities that have high amounts of forest land generally have smaller tax bases, such as in the Town of Osceola, making it more difficult for the remaining non-exempt property owners to absorb the lost taxes from the exempted properties; and

WHEREAS, increasing taxes on other forest landowners in towns with high 480-a enrollment has the unintended consequence of causing those forest landowners to subdivide and sell lots to pay for increasing property taxes, or to enroll in the program themselves, if eligible, therein exacerbating the impact of the program on the local municipalities; and

WHEREAS, rising property values may increase the value exempted year after year, making the shifted property tax burden even greater; and

WHEREAS, in the Town of Osceola, (the Lewis County Town most impacted by 480-a because of its large forest parcels and lack of other taxable industry), 61 parcels are currently enrolled in 480-a, with \$57,952.63 in town property tax revenue being shifted to non-480-a owners in the town, representing 15.9% of Osceola's entire tax levy; and

WHEREAS, the Town Board in Osceola has adopted a Resolution requesting that the State of New York amend 480-a of the RPTL and remove the property tax burden of this exemption from local taxing jurisdictions and place it on all New York taxpayers who benefit from these lands remaining in forested conditions;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators supports the Town of Osceola position on RPTL § 480-a, which calls on the NYS Governor and Legislature to amend this law and remove the property tax burden from the local town and other taxing jurisdictions as a result of the tax exemptions provided therein, and disperse the tax burden from these exemptions upon on all New York taxpayers who benefit from the intended environmental benefits of these lands remaining in forested conditions, i.e., clean air, clean water, and open spaces for wildlife.

Section 2. The Lewis County Clerk of the Board is directed to provide copies of this Resolution to Governor Kathleen Hochul, State Senator Mark Walczyk, Assemblyperson Ken Blankenbush, and all others the Board deems appropriate.

Section 3. This Resolution shall take effect immediately.

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Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 107 - 2023  
RESOLUTION TO APPROPRIATE FUNDS  
Planning Department**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place for payback funds in the CDBG account (CL 069100) to the Planning Department to be used for various community projects:

Increase Revenue:

|                                      |            |
|--------------------------------------|------------|
| A0802000 327088 Planning Admin Other | \$1,021.47 |
|--------------------------------------|------------|

Increase Expenditure:

|                                   |            |
|-----------------------------------|------------|
| A0802000 495500 Planning Projects | \$1,021.47 |
|-----------------------------------|------------|

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 108 - 2023  
RESOLUTION AUTHORIZING FIRST AMENDMENT TO PAYMENT IN LIEU OF  
TAX AGREEMENT (PILOT) BY AND WITH THE COUNTY OF LEWIS INDUSTRIAL  
DEVELOPMENT AGENCY (IDA), PPM ROARING BROOK LLC (COMPANY), AND  
THE AFFECTED TAXING JURISDICTIONS (COUNTY OF LEWIS, TOWN OF  
MARTINSBURG AND LOWVILLE CENTRAL SCHOOL DISTRICT)  
FOR THE ROARING BROOK WIND FARM PROJECT**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, PPM ROARING BROOK, LLC, an affiliate of Iberdrola (the “Company”) entered into a PAYMENT IN LIEU OF TAX AGREEMENT (PILOT) with the County of Lewis Industrial Development Agency (IDA) and the affected tax jurisdictions, i.e., the County of Lewis, the Town of Martinsburg and the Lowville Central School District, dated November 12, 2012 for the installation and acquisition of up to an 80.0 megawatts (MW) wind turbine project in the Town of Martinsburg known as the ROARING BROOK WIND FARM PROJECT; and

WHEREAS, the Company sought to renegotiate the financial terms of the Pilot Agreement in order to better position itself for funding so that the Project could move forward.

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The IDA and taxing jurisdictions agreed to an amendment to the financial terms of the PILOT in 2016; said terms including but not limited to a base annual PILOT payment of \$8,000 per MW for thirty (30) year payments; an escalator increase to the base payment of 10% in five-year increments commencing with the sixth PILOT payment; an increase in the base PILOT payment of 2% per year commencing with the 21<sup>st</sup> year; and an additional incentive payment of \$400 per MW in any calendar year where the average annual real-time locational based marginal price for electricity in Zone E is in excess of \$45 per MWh; all as more fully set forth in the proposed Financial Term Sheet; and

WHEREAS, the IDA and Roaring Brook seek to enter into certain modifications to the existing PILOT in order to change the initial payment date of the PILOT payment to correspond with appropriate taxable status dates for the town/county and school, i.e., May 31, 2023, and thereafter for the payment date to be January 31<sup>st</sup> commencing in 2024, all as set forth in the 1<sup>st</sup> Amendment to Payment in Liew of Tax Agreement dated April 1, 2023; and

WHEREAS, the Board of Legislators seeks to accept said modifications and execute the First Amendment PILOT.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the 1<sup>ST</sup> Amendment to Payment in Liew of Tax Agreement dated April 1, 2023, which modifies the payment dates for the annual PILOT payments from Roaring Brook to and for the IDA and taxing jurisdictions therein named.

Section 2. The Chair or Vice-Chair, of the Lewis County Board of Legislators is hereby authorized to execute, seal and deliver such 1<sup>st</sup> Amendment to PILOT dated April 1, 2023 and any other instruments as may be necessary to effectuate inclusion of the Amendment, subject to review by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 109 - 2023**  
**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN LEWIS COUNTY**  
**DEPARTMENT OF PUBLIC HEALTH**  
**AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK, INC.**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Public Health wishes to enter into an Agreement with Transitional Living Services of Northern New York, Inc. ("TLS") to provide psychological services to qualifying children in the preschool special education program at the pre-approved NYSED rates; and



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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 with Transitional Living Services of Northern New York, Inc. ("TLS") for the purpose of providing psychological services to qualifying children in the preschool education program.

Section 2. That the term of this agreement shall be from July 5, 2023 through July 4, 2024 under the pre-approved NYSED rates for same, with automatic annual renewal unless either party notifies the other in advance.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments/extensions thereto, pending approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 110 - 2023  
RESOLUTION AUTHORIZING SETTLEMENT AGREEMENT IN PENDING TAX  
ASSESSMENT CHALLENGES BY CITY OF ROME AGAINST TOWN OF LEWIS  
ASSESSOR, BOARD OF ASSESSORS AND BOARD OF ASSESSMENT REVIEW AND  
APPROPRIATING REFUND**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, in 2012, the County established a policy for County participation in legal challenges related to large commercial/industrial real property tax assessments brought against local Towns, Town Assessors and Town Boards of Assessment Review; and

WHEREAS, the Board of Legislators authorized the County Attorney to continue participation with counsel for the Town of Lewis and Adirondack Central School District in the on-going tax assessment complaints brought by the City of Rome (City) in Supreme Court, County of Lewis, challenging the assessments on the Boyd Dam and Reservoir located in the Town of Lewis (Tax Map Nos. 416.00-01-27.100 and 416.00-01-04.000) for property tax years 2018 through 2022; and

WHEREAS, the matter has been scheduled for trial in September, 2023. The parties reached a tentative settlement of the pending tax year challenges, with settlement of the fair market value of the parcels (subject to application of the annual equalization rate) through 2037. The settlement includes outstanding refunds payable to the City by the three (3) taxing

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jurisdictions for the years 2018 – 2022 set at \$750,000.00; said stipulation of settlement to be “SO ORDERED” by the Court;

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby accepts and approves a stipulation of settlement of the pending tax assessment challenges brought by the City of Rome against the Town of Lewis, et al, for the 2018 through 2022 assessment years, with refunds for overpayment of same established at \$750,000.00 at no interest, with the County’s share determined to be \$190,158.00.

Section 2. The Lewis County Board of Legislators approves the settlement terms to include establishment of the fair market value amounts of said parcels for the 2023 through 2037 assessment years (to be subject to application of the annual equalization rate to arrive at the actual annual assessment for each year) in the following amounts:

|      |                |      |                |      |                |
|------|----------------|------|----------------|------|----------------|
| 2023 | \$9,530,000.00 | 2028 | \$7,500,000.00 | 2033 | \$6,300,000.00 |
| 2024 | \$9,000,000.00 | 2029 | \$7,100,000.00 | 2034 | \$6,100,000.00 |
| 2025 | \$8,500,000.00 | 2030 | \$7,100,000.00 | 2035 | \$5,950,000.00 |
| 2026 | \$8,000,000.00 | 2031 | \$6,600,000.00 | 2036 | \$5,850,000.00 |
| 2027 | \$7,500,000.00 | 2032 | \$6,450,000.00 | 2037 | \$5,800,000.00 |

Section 3. The Lewis County Board of Legislators authorizes and directs the Treasurer to appropriate sufficient funds from the Fund Balance for Surety Aid to pay the County’s share of the refunds owing to the City of Rome (\$ 190,158.00) under the terms of the So Ordered settlement after Notice of Entry; and to pay the County’s one-third (1/3) share of any outstanding balances owing to the taxing jurisdictions’ retained experts in the matter for trial reports, testimony and expert consultation, upon review of said bills and fees by the County Attorney.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to execute the stipulation of settlement and any other required documents to give effect to this settlement, upon review and approval of the County Attorney as to its terms and conditions.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 111 - 2023**  
**RESOLUTION IN SUPPORT OF NYS SENATE BILL NO. S7024 AMENDING**  
**VARIOUS LAWS TO RAISE THE MAXIMUM WEIGHT LIMIT FOR ALL-TERRAIN**  
**VEHICLES AND UPDATE FEE SCHEDULE FOR ATV REGISTRATION**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

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WHEREAS, outdoor recreation, including ATV/UTV recreational trail riding, is a vital part of the Lewis County economy; and

WHEREAS, the Lewis County Board of Legislators has advocated for years for the NYS Legislature to amend the State Finance and Vehicle & Traffic Laws to address this vital and growing industry throughout the State, and in particular, the upstate counties in New York; and

WHEREAS, the current weight limit of 1,000 pounds for ATVs as defined under the VTL , is sorely obsolete and counter-productive in realizing the financial revenues which can be generated by increasing the weight limit for these off road vehicles which are prevalent throughout the state. Advances in technology and design have resulted in these vehicles being of greater weight, but not posing any greater negative environmental impact by same. The primary causes of environmental damage from ATVs or UTVs or any off-highway vehicle are poor driving habits, riding in unsuitable areas and recklessness. Lewis County, working with its ATV club partners, has created an extensive, safe, and environmentally sound ATV trail system that is constantly repaired, maintained and inspected to eliminate environmental damage; and

WHEREAS, the increase in weight limitation to 2,000 pounds will actually afford other populations, such as the elderly, families with young children, and the infirm to have the ability to ride safely as a passenger in a side-by-side/UTV and experience our beautiful trails, forests and wilderness. Further, these changes will increase sales revenue for both the State (sale of new vehicles in New York) and in our local economies. Because of NY's obsolete 1,000 pound weight limitation, many ATV enthusiasts are purchasing and registering these vehicles out of state; a tremendous loss of sales tax revenue and registration fees to NYS. Increasing the weight limit and increasing the fee registration will result in more users registering their vehicles in New York and will generate more revenue to the State; and

WHEREAS, ATVs both a working tool and a means of recreation in Lewis County. ATV trail riding is a positive financial activity for both the State and local economies; and their legal use should be fully supported by the State regulatory structure; and

WHEREAS, NYS Senator John W. Mannion, representing the 50<sup>th</sup> Senate District, has introduced Senate Bill No. 7024 to amend State Finance Law § 95-e and Vehicle & Traffic Law §§ 2281 & 2282 to raise the weight limit for ATVs to 2,000 pounds, and to update and increase the registration fees of ATVs as follows:

|                             |                                                       |
|-----------------------------|-------------------------------------------------------|
| 1,000 lbs or less vehicle - | \$15.00/yr - each individual resident registration    |
|                             | \$19.50/yr - each individual nonresident registration |
| 1,100-1,500 lbs -           | \$40.00/yr – resident registration                    |
|                             | \$52.00/yr – nonresident registration                 |
| 1,500- 2,000 lbs -          | \$60.00/yr – resident registration                    |
|                             | \$78.00/yr - nonresident registration                 |

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Portions of the difference collected in the fee amounts in the former laws and the new laws will be deposited into the NYS autism awareness and research fund and some into the dedicated highway and bridge trust fund; and

WHEREAS, the Board of Legislators seeks to support Senator Mannion and others who recognize the need for changes to the laws which are having an adverse effect on this growing industry and the upstate local economies who depend upon outdoor recreational activities, including ATV recreational riding;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby applauds NYS Senator John W. Mannion and supports the amendments he proposes to the laws which will increase ATV weight limits to 2,000 pounds and adjust registration fees as set forth in Bill Number S7024, and encourages the State Senate, Assembly and Governor to act on this Bill with all due haste.

Section 2. That the Lewis County Board of Legislators directs that a copy of this resolution be forwarded to Governor Kathleen Hochul, Senators John W. Mannion and Mark Walzcak, Assemblypersons Ken Blankenbush and Billy Jones, the NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, NYSAC and any other State or Local Agencies or Municipalities the Chairman deems appropriate.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 112 - 2023**  
**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN**  
**LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND**  
**CORNELL COOPERATIVE EXTENSION OF LEWIS COUNTY**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into a renewal Agreement with Cornell Cooperative Extension of Lewis County (“Cooperative Extension”) to provide supportive and rehabilitative services that include parent education services to families whose children have been named in a child abuse and/or maltreatment report, who have been assessed at risk of foster care placement, who are in foster care and whose placements could be shortened through the provision of such services, or families who are below 200% of the Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by Department Regulations; and

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WHEREAS, Cooperative Extension is a recognized agency with the experience and capacity to offer parenting programs, at a flat fee of \$5,125.00 per month, per family. Total payments under the agreement would not exceed \$61,500.00 per calendar year; 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 renewal Agreement between the County of Lewis, by and through the Lewis County Department of Social Services and Cornell Cooperative Extension of Lewis County to provide supportive and rehabilitative services that may include:

- parent education services to families whose children have been named in a child abuse and/or maltreatment report.
- children who have been assessed at risk of foster care placement,
- children who are in foster care and whose placements could be shortened through the provision of such services.
- families who are below 200% of the Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by Department Regulations.

Section 2. That the term of this Agreement shall be from June 1, 2023 through May 31, 2024 at a flat fee of \$5,125.00 per month per family for all clients referred by DSS with an open case, with the total amount not to exceed \$61,500.00 per year. The local share cost of these services is 38% after Federal and State (62%) reimbursements.

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

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted by the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 113 - 2023  
RESOLUTION TO APPROPRIATE FUNDS FOR  
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Service Committee.

BE IT RESOLVED, as follows:

NOA#PY-21-2 thru 22-4

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Section 1. That the following funds be appropriated for Program Year 2021 and 2022 for the period July 1, 2021 through June 30, 2024 for the Adult and Dislocated Worker programs per the Notice of Obligational Authority (NOA), #PY21-2 thru 22-4, dated May 02, 2023 through the New York State Department of Labor.

Increase Expenditures:

DISLOCATED WORKER

|                 |            |             |
|-----------------|------------|-------------|
| CD629100.110100 | Wages      | \$ 8,500.00 |
| CD629100.801000 | Retirement | \$ 900.00   |
| CD629100.803000 | FICA       | \$ 500.00   |
| CD629100.499900 | OJT/CRT    | \$ 7,624.51 |

ADULT

|                 |                 |              |
|-----------------|-----------------|--------------|
| CD629200.110100 | Wages           | \$ 40,500.00 |
| CD629200.490900 | Contractual exp | \$ 1,300.00  |
| CD629200.801000 | Retirement      | \$ 10,000.00 |
| CD629200.803000 | FICA            | \$ 4,500.00  |
| CD629200.804000 | Workers Comp    | \$ 800.00    |
| CD629200.806000 | Health Ins      | \$ 13,000.00 |
| CD629200.807000 | Dental Ins      | \$ 150.00    |
| CD629200.499900 | OJT/CRT         | \$ 57,604.03 |

Increase Revenue:

|              |                 |              |
|--------------|-----------------|--------------|
| WIOA REVENUE | CD629300.347910 | \$145,378.54 |
|--------------|-----------------|--------------|

Section 2. That the following funds be appropriated for Program Year 2022 for the period April 1, 2022 – June 30, 2024 for Youth Services per the Notice of Obligational Authority (NOA PY22-01), dated 07/07/2022 through the New York State Department of Labor, in the amount of \$48,688.85.

Increase Expenditures:

|                 |                          |              |
|-----------------|--------------------------|--------------|
| CD629000.110100 | WIA Youth Personal Serv. | \$ 27,000.00 |
| CD629000.490900 | Youth WIA                | \$ 330.00    |
| CD629000.801000 | WIA Youth Retirement     | \$ 2,400.00  |
| CD629000.803000 | WIA Youth FICA           | \$ 2,400.00  |
| CD629000.804000 | WIA Youth Workers Comp   | \$ 450.00    |
| CD629000.806000 | WIA Youth Health         | \$ 1,500.00  |
| CD629000.807000 | WIA Youth Dental         | \$ 150.00    |
| CD629000.499900 | WIA Youth Expenditures   | \$ 14,458.85 |

Increase Revenue:

|                 |              |              |
|-----------------|--------------|--------------|
| CD629300.347910 | WIOA Revenue | \$ 48,688.85 |
|-----------------|--------------|--------------|

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

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Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 114 - 2023  
RESOLUTION TO APPOINT MEMBER TO  
SOIL AND WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Fred Munk of Lowville, New York to fulfill the un-expired term of Jennifer Myers as the Member-at-Large to the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointment shall be from June 7, 2023 through December 31, 2023, with the intention of re-appointment for another 3 year term.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

**RESOLUTION NO. 115 - 2023  
RESOLUTION IN OPPOSITION TO DRAFT LEGISLATION THAT AMENDS  
NEW YORK STATE SOIL AND WATER CONSERVATION DISTRICT LAW**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Watershed Health Coalition (WHC) has drafted legislation proposing sweeping changes to New York State Soil and Water Conservation District Law, Environmental Conservation Law, and Agriculture and Markets Law; and

WHEREAS, the Lewis County Legislature was notified by the Lewis County Soil and Water Conservation District (LCSWCD) of the proposed amendments to New York State Soil and Water Conservation District Law that governs the established bylaws for all 58 Districts in New York State; and

WHEREAS, the WHC has proposed amendments shifting priorities of Soil and Water Conservation Law by replacing the Grange voting member with a Northeast Organic Farming Association member; the non-inclusionary act of eliminating Grange and Farm Bureau members from Soil and Water Conservation District boards, and moving from two appointed County

Legislative representatives on SWCD boards to an open election, as well as the refocusing of priorities to "Watershed Health"; and

WHEREAS, the proposed District law amendments would adversely impact the Lewis County Soil and Water Conservation District's management of environmental issues, local land and watershed stewardship, and county operations; and

WHEREAS, New York State's Soil and Water Conservation Districts have existed for over 70 years, are governed locally by a Board of Directors with local representation, and were established to implement local needs throughout the diverse geographical regions of the state. These Conservation Districts provide all counties in New York State with environmental services, including but not limited to, climate resiliency; watershed monitoring; soil health protection; sediment and erosion control; nutrient reduction; stormwater management; invasive species management; forestry health, water quality improvement, education and technical training, green infrastructure; and technical assistance for landowners, municipalities, and the state; and

WHEREAS, Soil and Water Conservation Districts have been and are both inclusionary and equitable in their assistance of farms, landowners, and other beneficiaries of their programs; and

WHEREAS, waves of legislation and outside influence continue to increase the level of difficulty faced by agricultural producers in creating food for the population and the ability of Soil and Water Conservation Districts to implement best management practices, programs, and services; and

WHEREAS, altering the structure of Soil and Water Conservation District boards would have a negative impact on the ability to make decisions through informed, local partners on the very issues that these Districts address daily; and

WHEREAS, Conservation District Law was established to provide a framework that allows the County to choose its unique representation. Any change to the current form of Soil and Water Conservation Districts and the Soil and Water Conservation Committee as proposed by the WHC would be detrimental not only to the agricultural community, but to landowners and the larger business community in Lewis County; and

WHEREAS, the New York Association of Conservation Districts passed a resolution mandating their consultation, and that of the New York Conservation District Employees' Association, when an agency or group proposes amendments to District Law; and

WHEREAS, the New York State Grange established policy opposes changing the current make-up of Soil and Water Conservation District boards and any regulations that would change the scope of their work; and

WHEREAS, the New York State Farm Bureau opposes any alteration to New York State Law that would change the mission and function of Soil and Water Conservation Districts



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without input from County Boards of Supervisors, County Legislatures, New York Farm Bureau, the New York State Grange, New York State Department of Agriculture and Markets, and the four-way partnership (Natural Resources Conservation Service, New York Association of Conservation Districts, Soil and Water Conservation Committee, and Conservation District Employees' Association) of the Soil and Water Conservation District system;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators supports the work of the Soil and Water Conservation District in its current form.

Section 2. The Lewis County Board of Legislators emphatically opposes the changes to the Soil and Water Conservation Law, Environmental Conservation Law, and Agriculture and Markets Law proposed by the Watershed Health Coalition because of the devastating effect of same on producers, landowners, businesses, and the environment in Lewis County.

Section 3. This Resolution shall take effect immediately.

Section 4. The Clerk of the Board is directed to forward certified copies of this resolution to the NYS Governor Kathy Hochul, NYS Senator Mark Walczyk, NYS Assemblypersons Ken Blankenbush and Robert Smullen, Commissioner Richard Ball, NYS Department of Agriculture and Markets, and any others the Board deems appropriate.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of June, 2023.

### **RESOLUTION NO. 116 - 2023 STANDARD WORK DAY AND REPORTING RESOLUTION**

Introduced by Legislator Lawrence Dolhof, Chairman of the Lewis County Board of Legislators.

BE IT RESOLVED, that the County of Lewis hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by this official to the Clerk of this body:

| <b>Title</b>               | <b>Name</b>       | <b>Standard Work Day</b> | <b>Term Begins/Ends</b> | <b>Days/Month</b>    |
|----------------------------|-------------------|--------------------------|-------------------------|----------------------|
| <b>Elected Officials</b>   |                   |                          |                         |                      |
| Legislator                 | Joshua P. Leviker | 6                        | 1/1/2022–12/31/2023     | 3.56                 |
| Legislator                 | Jessica L. Moser  | 6                        | 8/3/2022-12/31/2023     | <b>Not Submitted</b> |
| <b>Appointed Officials</b> |                   |                          |                         |                      |
|                            |                   |                          |                         |                      |

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Moved by Legislator Virkler , seconded by Legislator Gilbert . Legislator Moser abstained.

The resolution was then adopted on the 6<sup>th</sup> day of June, 2023.

OTHER BUSINESS:

Legislator moved to change the date of the July monthly board meeting to Wednesday, July 5<sup>th</sup> due to the holiday, seconded by Legislator Osborne, and carried.

There being no other business to come before the Board, Legislator Osborne moved to adjourn the meeting at 6:09 p.m., seconded by Legislator Virkler, and carried.

**REGULAR MEETING**

**July 5, 2023**

The meeting was called to order at 5:00 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present and there were 22 other persons present.

Chairman Dolhof asked Legislator Hathway for the Invocation, followed by the Pledge of Allegiance to the Flag.

**RECOGNITIONS:**

Chairman Dolhof stated that the Board of Legislators recognizes members of the Naturally Lewis staff, Chamber of Commerce Executive Director, and the county's Planning and Community Development Director for their exceptional work the past few years in bringing to fruition many of this Board's financial investment and visions pertaining to economic development, including the investment to beautify our downtown area and hamlets for residents and visitors alike.

In the audience tonight is Brittany Davis and Cheyenne Steria, the Executive Director and Director of Finance and Incentives, respectively, for Naturally Lewis and the Lewis County IDA; Kristen Aucter, Executive Director of the Chamber of Commerce, and coordinator of the Lewis County Leadership Academy; and Casandra Buell the Director of Planning and Community Development for Lewis County.

This group of professionals have done a tremendous job working as a team over the last few years to bring great programs, marketing strategies, financial resources and opportunities to Lewis County businesses, entrepreneurs, visitors, and property owners. A sampling of the great programs include:

- The Façade and Streetscape Improvement program
- The Home Based Childcare Training program
- The Launch Lewis County Microenterprise grant program
- The Vacant Property Revitalization program

Their hard work and dedication to make these, and other programs come to life are making a difference in our communities and for the betterment of all our residents. Our downtowns look more vibrant and inviting; properties that have long been left in disrepair are being fixed up; our residents have more childcare options; and development of large old structures, such as the Glenfield School and Lyons Falls School are on their way to being back on the tax rolls for appropriate repurposed uses. This group has assisted the County and will continue to assist the County in the public recreational uses of the rail corridors.

Three of these ladies are awardees under NNY's "20 under 40" business leaders. In addition, Brittany was recently recognized as a "Rising Star" by the NYS Economic Development Council. This award is given annually to an individual under the age of 40 who

JULY 5, 2023

has made a significant contribution to the economic development profession. Congratulations, Brittany – well deserved.

The team of Kristen, Cheyenne, Casie and Brittany, with the help of their respective staffs, is doing exceptional work to benefit Lewis County and its citizens. The Board would like to take this public moment to recognize all four of you, and to thank you for implementing our visions for a better Lewis County. We appreciate each of you and are proud of your accomplishments. Keep up the good work! Chairman Dolhof handed each of them a certificate of recognition.

Chairman Dolhof declared the June 6, 2023 meeting minutes approved by general consent.

#### REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne  
Philip Hathway  
Jessica Moser  
Joshua Leviker  
Jeffrey Nellenback

Dated: July 5, 2023

Legislator Virkler moved to waive the rules, seconded by Legislator Moser, and carried.

#### PUBLIC HEARINGS:

At 5:10 p.m., Chairman Dolhof opened the public hearing on unsafe structures for the demolition of 7091 West Main Street, Port Leyden property owned by Greenchip Investors LLC – William Martin. Ward Dailey, Senior Code Official stated that he had spoken with Mr. Martin shortly before the meeting and he was planning on attending but thought he might be 40 minutes late and was requesting a 45-day extension, but entire building will not be down at that time. The second public hearing was for the demolition of 6551 Number Four Road, Watson owned by Joseph Mathys.

County Attorney, Joan McNichol requested that Ward Dailey and David Brown come forward as the code officers who worked on this property. Each Legislator was given a packet on each property showing exhibits. Joan went through each of the exhibits on the 6551 Number Four Road property as follows: A was the Local Law 2-2007; B was the Notice of Hearing documents; C was Resolution 96-2023, which set the public hearing for tonight; D was the affidavit of personal service; E was the August 2021 letter giving notice to owner of unsafe property violation; F was the Code Department reports to the Board of Legislators; and G was the pictures of the structure taken by a Codes Officer. Mr. Dailey reported that Mr. Mathys did come into his office and obtain a demolition permit and is in the process of taking the property down but had indicated that he is waiting on National Grid to disconnect the electrical so he can

finish the process. Mr. Dailey reported that as of this morning that structure is still there, but the windows have been removed, the property has been gutted and the brush has been cut. It looks like at this time Mr. Mathys intent is to take the current building down and possibly put a new building back, which will require obtaining a building permit. When asked about what his recommendation is, Mr. Dailey reported that he thought more time should be allowed for Mr. Mathys as he just recently received the demolition permit which is good for three years.

Chairman Dolhof stated that he believes sticking with the August deadline in the resolution is best and wait to see if Mr. Mathys has made significant progress. Mr. Dailey agreed that the structure absolutely needs to come down but feels that Mr. Mathys is making a valid attempt. Joan McNichol requested that the public hearing remain open for 30 minutes to see if Mr. Mathys shows up.

#### CLERK OF THE BOARD REPORT:

Three resolutions were received from Orleans County: Supporting Essential Caregivers Act to Protect Humane Visitation Policies as Long-Term Care Facilities; Decry Lack of Transparency and Impact Analysis in Renewal of Compact with Seneca Nation; and Urging The Governor to Veto A.04282B/S.3505B To Move Certain Local Elections to even-numbered years.

Sealer of Weights & Measures, Brian Mooney submitted the May Summary of Field Service Report which has been placed on file.

#### REPORTS OF STANDING COMMITTEES:

Legislator Osborne reported that the Workers' Compensation department has started working on the 2024 budget assessments for all the participating entities. In line with the past, the assessment is comprised of 20% property valuation, 30% payroll, and 50% loss experience over the period of 2020, 2021, and 2022. The goal is to keep the budget stable and use the Self-Insurance fund balance to settle out claims. The agreement with NCA Comp, our third-party administrator, was renewed back in March and they continue to be an invaluable asset with claims.

Legislator Gilbert reported that there have been recent changes to the training requirements of new Probation Officers. The state has mandated that they undergo the Basic Course for Police Officers (BCPO). In the past they were only required to attend Peace Officer training and Fundamentals of Probation Practice for three weeks in Albany. The new course will require nine weeks of training which will be a significant expense increase. This is just another example of a needless unfunded mandate imposed on counties.

Legislator Virkler reported that Zoie Lehman is the summer intern for Public Health. She will be working on death certificate, communicable disease, and chronic disease data analysis. She has been studying Forensic Anthropology with a minor in Public Health and has joined us to learn more about epidemiology. Outreach season is picking up, Public Health recently participated in Farm Safety Day and educated 270 children on Ticks and Lyme Disease as well as Poison Prevention.

Legislator Chartrand reported that the March hospital employee of the month was Kristina Boucher, Respiratory Therapist. There was a proclamation in honor of Mrs. Michelle Virkler, HIM Codes, who is retiring from the health system after 25 years of service. Mrs. Virkler obtained her Certified Tumor Registrar credential in 2011, a great accomplishment for her and the health system. Mrs. Virkler is wished a happy and healthy retirement enjoying her time with her husband, traveling, and volunteering. They have already planned their first trip to Alaska in August.

There was a year-to-date loss of \$590,064 versus a budgeted loss of \$764,037. Inpatient revenue was higher in MRI and Ultrasound; Outpatient gross revenue was higher in ER, Lab-Chemistry, Lab Hematology, Radiology, Ultrasound, and CATScan. Other operation revenue was over budget due to more 340B revenue at Kinney's and Walmart. Nursing Home occupancy was the highest it has been in 2.5 years; Women's Health is the highest it has been in 1.5 years. Salaries were underbudget due to fewer staff members, supplies were over budget due to more lab reagents, purchased services were over budget due to traveling nurses.

Mr. Musnicki shared with the Hospital Board of Managers that everyone continues to work hard towards the goal of completing the Surgical Addition. Several of the contractors are now working extra hours and Saturdays to meet their obligations and the completion date. The rock removal portion of the project has been completed.

#### PUBLIC HEARINGS (con't):

At 5:23 p.m. Mr. Mathys was asked to step forward to make comments on the property he owns at 6551 Number Four Road, Watson. Mr. Mathys stated that he was in the process of tearing down the building but is now waiting on National Grid to come out and disconnect the electrical. He has called National Grid three times and finally was able to get confirmation that he is on their work list but there was no set date and time. He has a vendor ready to come and take the rest of the building down but is waiting on National Grid. He stated that he has a building permit for demolition that is good for three years. Joan McNichol clarified that the structure has been unsafe since 2021 and that he was notified back then that the building needed to come down. Mr. Mathys stated that he started to tear it down last year by removing the contents of the inside, however he did not have a permit at that time because he was unaware that he needed one.

In response to Joan McNicol asking about the outside of the building Mr. Mathys stated that he had cleaned up the debris a couple weeks ago. He also responded when asked that there was nothing further, he could do at this point to remedy the problem until the electrical was disconnected. Joan McNichol requested that Mr. Dailey step forward and asked him if there was anything further that could be done to remedy the problem while waiting for National Grid to disconnect the power. Mr. Dailey responded that there wasn't, but he was willing to call National Grid himself and ask that the work order be a priority due to the situation.

Legislator Hathway questioned Mr. Mathys on how long it would take to demo the building once the power was disconnected, Mr. Mathys responded that depending on the weather it could be as quick as a few days. When asked if the August 31<sup>st</sup> date (60 days) for completion

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would be sufficient, Mr. Mathys responded that it all depends on National Grid. The Chairman stated that the August 31, completion date should be sufficient and if Mr. Mathys is still waiting on National Grid at the time, it can be addressed further. Mr. Mathys was thanked for coming to the hearing.

### PROJECT MANAGERS REPORT:

Mr. Jim Garito introduced his son Anthony Garito who is planning on studying Civil Engineering at Syracuse University but is getting “boots on the ground experience” through the County’s ongoing projects. Unfortunately, the work on the DMV is behind schedule. The contractor is waiting on the case work to be delivered. The old DSS building, now referred to as the Human Services Building, is at substantial completion. The ribbon cutting and open house were a great success and many of the retirees complimented on how nice the building is now. The architects need to issue significant completion paperwork to start the warranty period.

Mr. Nick Garito reported that there a few minor touch ups being done on the Maintenance Garage on Outer Stowe Street. While the DMV project waits for the case work to be delivered the contractors are working on the exterior work, including the sidewalks and parking lot. The Highway Garage is coming along great, and paving should be happening by the end of this month.

### COUNTY MANAGER REPORT:

County Manager Ryan Piche reported that Human Services staff are moving back into the building and should be moved in completely by July 7<sup>th</sup>. The NYSAC Fall Conference is going to be held at Turning Stone Casino, so if any legislators are interested in attending, even for a day, please reach out to let and let the Clerk of the Board know. The dates are September 13<sup>th</sup> through the 15<sup>th</sup>. Ryan explained how much he enjoys going each year and the benefits of networking.

### COUNTY TREASURER REPORT:

County Treasurer Eric Virkler reported that sales tax for 2023 is trending close to what it was in 2022. This is a good sign, and he hopes it continues in that position. The Health Insurance Fund is not doing well and there is a meeting set up for tomorrow with the consultants to look into what should be done. There is money being moved into contingency which should cover any expenses for the remained of the year.

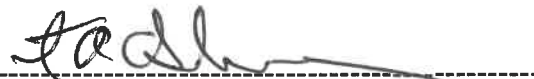
### REPORT OF THE FINANCE AND RULES COMMITTEE:

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**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

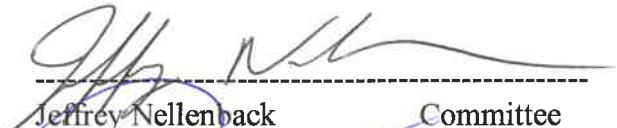
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 3,437,845.15 and recommend that they be audited and allowed for the amounts claimed.



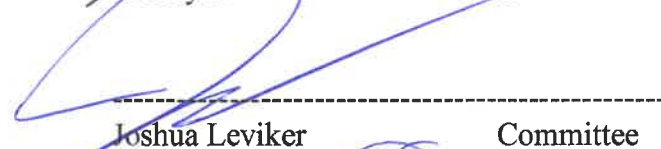
Thomas Osborne Chair



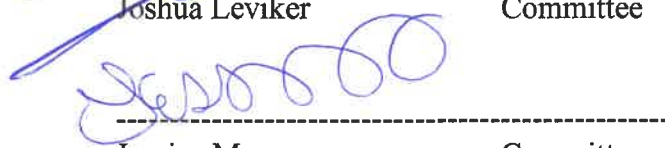
Philip Hathway Vice-Chair



Jeffrey Nellenback Committee



Joshua Leviker Committee



Jessica Moser Committee

Dated: July 5, 2023

Approved on motion by Legislator Hathway, seconded by Legislator Leviker, and carried.



**RESOLUTION NO. 117 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$3,437,845.15 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 Virkler, seconded by Legislator Hathway. Legislator Moser recused herself from any payment pertaining to her position as an Attorney.

The resolution was then adopted on the 5<sup>th</sup> day of July, 2023 pursuant to the following roll call vote:

AYES: Virkler, Chartrand, Gilbert, Osborne, Leviker, Moroughan, Nellenback, Hathway, Moser, and Dolhof.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 118 - 2023  
RESOLUTION AUTHORIZING PROFESSIONAL ARCHITECTURAL AND  
ENGINEERING DESIGN AND COST ESTIMATES FOR RE-ORGANIZATION AND  
USE OF COUNTY'S COURTHOUSE OFFICES AND SPACE**

Introduced by Legislator Ian W. Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators, with various participants from county departments and other interested parties, have invested considerable time in review of THE County Courthouse offices, space needs and potential upgrades required to the existing HVAC, plumbing and electrical systems; and

WHEREAS, BCA Architects and Engineers (BCA) has submitted a proposal dated June 19, 2023 to the County Manager to provide the following services as a Phase 1 scope of services in assessing re-organization and best utilization of office spaces, upgrades to HVAC, plumbing and electrical systems:

- Prepare updated floor plans of the existing building including on-site verifications of the existing conditions.
- Prepare an updated assessment of the existing HVAC, Plumbing and Electrical systems including on-site verification of those systems.

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- Prepare Schematic Space Plan options utilizing the information provided and our experience with office design.
- Meet with County Manager and team to review the space plan options.
- Review the HVAC assessment and recommendations with County.
- Prepare Budget Cost Estimates for the proposed options.
- Look at Clean Energy options as they relate to proposed work.

BCA proposes to provide this scope of work under Phase 1 at a lump sum fee of \$29,000, and provide the County with a \$20,000 credit toward a Phase 2 fee, to be negotiated for construction documents for bidding; and

WHEREAS, the Board of Legislators seeks to accept this professional service proposal and authorize an agreement with BCA for Phase 1 design of existing office space, system upgrades and cost estimate services as outlined in its proposal, with anticipated negotiation of a Phase 2 fee for preparation and services related to construction documents and bidding;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with BCA Architects & Engineers, 15 Public Square, Watertown, NY 13601, to provide professional architectural/engineering schematic concept design and cost estimates for re-organization and re-use of office space and system upgrades in the County Courthouse Building Elections, at a cost of \$29,000.00, as a Phase 1 scope of services as set forth in its proposal dated June 19,2023, with the County Manager and BCA to develop and negotiate a Phase 2 scope of services for construction and bidding documents services based upon the Phase 1 assessments and recommendations to be considered by the Board.

Section 2. That the Board of Legislators directs that this fee be paid from HAC Capital Reserve.

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 review and approval by the County Attorney.

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

Moved by Legislator Osborne , seconded by Legislator Gilbert .

County Manager Ryan Piche explained that this resolution was not discussed at the June Committee meetings, which was an oversight on his part. He went on to explain the purpose of this resolution is that in 2024 the Courthouse is scheduled for an HVAC upgrade and the building is currently divided into many offices which makes the HVAC configuration inefficient. The idea, now that a few departments have moved or will be moving, is to rearrange offices in the Courthouse for better efficiency and flow, then proceed with the HVAC project to have the correct configuration.

Legislator Gilbert stated that a friend of his had told him that there is an incredible amount of federal money available for green energy heating and cooling systems right now, perhaps something like that could work for the Courthouse building. Ryan stated that it will be looked in to.

The resolution was then adopted on the 5<sup>th</sup> day of July, 2023. Legislator Hathway was opposed.

**RESOLUTION NO. 119 – 2023**  
**RESOLUTION AUTHORIZING CHANGE ORDERS TO THE AGREEMENT WITH**  
**BETTE & CRING FOR THE HIGHWAY GARAGE AND NEW MAINTENANCE**  
**BUILDING PROJECTS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Bette & Cring was awarded the general construction contracts for the Highway Garage and DSS Renovation Projects, which included the building of a new maintenance building on the Human Services Campus; and

WHEREAS, the project team recommends adding change orders to Bette & Cring's agreement including 1) concrete pads (aprons) at the new Highway Garage structures, at a cost of \$24,725, and 2) a water runoff drainage installation system at the New Maintenance Building on the Human Services Campus at a cost of \$26,315 since there was no drainage system in the design; and

WHEREAS, these PCOs have been fully reviewed and vetted by C&S and KT Consulting, who recommend the Board's approval of same in order to move forward with completion of the projects;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the following change orders to the agreement with Bette & Cring: 1) concrete pads (aprons) at the new Highway Garage structures, at a cost of \$24,725, and 2) a water runoff drainage installation system at the New Maintenance Building on the Human Services Campus at a cost of \$26,315 as outlined in accordance with the documentation submitted by the contractor.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Orders as amendments to the Agreement with Bette & Cring, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

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**RESOLUTION NO. 120 - 2023**  
**RESOLUTION DIRECTING DEMOLITION, REMOVAL AND SITE CLEAN UP**  
**OF AN UNSAFE BUILDING PURSUANT TO LOCAL LAW NO. 2-2007,**  
**(VILLAGE OF PORT LEYDEN)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2-2007, entitled, “A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES,” (herein “Unsafe Building Law”), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 353.12-02-14.000, 7091 West Main Street, in the Village of Port Leyden, owned by Green Chip Investors LLC, who determined that the structure is unsafe, issued a Notice of Condemnation that it is structurally unsound, and submitted a comprehensive report to the Board of Legislators on December 12, 2022, with a recommendation, *inter alia*, that the structure be demolished and removed; and

WHEREAS, by Resolution No. 95-2023, the Board of Legislators ordered that William Martin, sole member of Greenchip Investors LLC, and/or his legal representatives, appear before the Board of Legislators on July 5, 2023 at 5:00 p.m. to Show Cause why the Board should not Order said owner or his legal representative to: 1) immediately remove all violations and defects and secure said structure, and 2) demolish and remove the structure in question located on the parcel, in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and

WHEREAS, pursuant to Local Law No. 2-2007, the owner was served with due notice of the hearing. A Notice of the Hearing was securely affixed upon the unsafe building/structure; and

WHEREAS, on July 5, 2023, the Board of Legislators heard from the Code Enforcement Officer(s) on the status and condition of this property and any additional communication and actions taken by the owner, received the written documentation from the Code Enforcement Department on this property, and any other persons who appeared to be heard on the matter. The County Attorney spoke on behalf of the Lewis County Code Enforcement Department and read into the record a summary of the information and action taken by the Code Enforcement Department on this property, together with the procedural steps and notice requirements followed to provide the owner of record with this proceeding and lawful remedies under the Local Law, and the final recommendation by Code Enforcement to the Board to find that this is an unsafe structure and requires an order for its demolition and removal, with the costs and expenses of same to be assessed against the property as additional taxes, if the owner does not

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demolish and properly remove the debris in accordance with Federal and State regulations for same, as more fully set forth in Local Law No. 2-2007;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with Local Law No. 2-2007, the report of the Lewis County Code Enforcement Officer, and after the opportunity of the owner or his representative to be heard at the hearing on July 5, 2023, that:

1. The herein described structure known as Tax Map No. 353.12-02-14.000, 7091 West Main Street, in the Village of Port Leyden, owned by Green Chip Investors LLC, has been condemned since October 4, 2021, is unsafe and unfit for human occupancy, is structurally unsound, and a danger to any who may enter it, and poses imminent danger to the public from total or partial collapse due to the visible bulging to the east wall of the structure, has a failing foundation, and that the building constitutes a public nuisance and a danger to the safety, health and welfare of the community; and
2. The structure has suffered from lack of repairs for an extended period of time. Windows have been broken, there is missing siding and possible roof leaks have caused the second floor system to fail. Nearly 20 months have passed since the structure was formally condemned, with no visible efforts shown to repair the structure, but with visible observations that the bulge in the wall has increased, with visible further deterioration of the structure causing continued danger to the public and causing blight within the Village; and
3. Notice as described in Section 7 of Local Law No. 2-2007 and copy of Resolution No. 95-2023 was duly served upon William Martin, sole member of Green Chip Investors LLC, the owner.
4. That consistent with the information contained in the Report of the Code Enforcement Officer, the Board finds and determines that the commercial structure located at 7091 West Main Street, in the Village of Port Leyden, NY is abandoned, unsecured, is open at doors and windows, has a partially collapsed roof and is unfit for its intended purpose and is unsafe, and therefore should be demolished and removed as set forth in Local Law No. 2-2007.

Section 2. That by reason of the Board's findings, and upon the Lewis County Board of Legislators authority, it is hereby:

ORDERED AND DECREED, that this building located at 67091 W. Main Street, Port Leyden, NY 13433 shall immediately be demolished and properly removed by the owner, William Martin, sole member of Greenchip Investors LLC and/or his contractors,

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pursuant to the regulations and requirements for such demolition and removal as required by the Lewis County Code Enforcement Department and all Federal, State and local regulations pertaining to said action on or before August 30, 2023; and it is further

ORDERED AND DECREED, that upon the owner's failure to demolish and remove the debris from said structure, the Code Enforcement Department is authorized to take all steps for its demolition and removal, with all costs and expenses of same to be assessed against the land on which it is located as additional assessed taxes as more fully set forth in Local Law No. 2-2007, with the right of the County to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and it is further

ORDERED AND DECREED that in the event the owner fails to take the required steps for demolition and removal of this structure, the Code Enforcement Officer shall cause such building to be demolished and removed either by County employees or by contract, provided that any contract for demolition and removal of a building in excess of \$20,000.00 shall be awarded through competitive bidding; and it is further

ORDERED AND DECREED that Notice of this Decision and Order shall be served upon the owner and/or any legal representative by mailing a certified copy of this Resolution to him, at any known addresses, including the last known address according to the records on the property.

Section 3. A copy of these Findings and Decision of the Board of Legislators shall be filed in the office of the County Clerk.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 121 - 2023**  
**RESOLUTION DIRECTING DEMOLITION, REMOVAL AND SITE CLEAN UP**  
**OF AN UNSAFE BUILDING PURSUANT TO LOCAL LAW NO. 2-2007,**  
**(TOWN OF WATSON)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2-2007, entitled, "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES," (herein "Unsafe Building Law"), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

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WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 214.03-01-15.000, 6551 Number Four Road, in the Town of Watson, owned by Joseph P. Mathys, who determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on October 28, 2021, with status updates thereafter, including a recommendation, *inter alia*, that the structure be demolished and removed; and

WHEREAS, by Resolution No. 96-2023, the Board of Legislators ordered that Joseph P. Mathys and/or his legal representatives, appear before the Board of Legislators on July 5, 2023 at 5:00 p.m. to Show Cause why the Board should not Order said owner or his legal representative to: 1) immediately remove all violations and defects and secure said structure, and 2) demolish and remove the structure in question located on the parcel, in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and

WHEREAS, pursuant to Local Law No. 2-2007, the owner was served with due notice of the hearing, by personal service and by regular mail. A Notice of the Hearing was securely affixed upon the unsafe building/structure; and

WHEREAS, on July 5, 2023, the Board of Legislators heard from the Code Enforcement Officer(s) on the status and condition of this property and any additional communication and actions taken by the owner, received the written documentation from the Code Enforcement Department on this property, and any other persons who appeared to be heard on the matter. The County Attorney spoke on behalf of the Lewis County Code Enforcement Department and read into the record a summary of the information and action taken by the Code Enforcement Department on this property, together with the procedural steps and notice requirements followed to provide the owner of record with this proceeding and lawful remedies under the Local Law, and the final recommendation by Code Enforcement to the Board to find that this is an unsafe structure and requires an order for its demolition and removal, with the costs and expenses of same to be assessed against the property as additional taxes, as more fully set forth in Local Law No. 2-2007, if the owner fails to demolish and properly remove the debris;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with Local Law No. 2-2007, the report of the Lewis County Code Enforcement Officer, and after the opportunity of the owner or her representative to be heard at the hearing on July 5, 2023, that:

3. The herein described structure at 6551 Number Four Road, Town of Watson, New York, Tax Map No. 214.03-01-15.000, is unsafe and unfit for human occupancy, and a danger to any who may enter it in its open state; is open and unsecured serving as an attractive nuisance and a place for rodent infestation creating a health menace; and that the building constitutes a public nuisance and a danger to the safety, health and welfare of the community; and

4. A Notice as described in Section 7 of Local Law No. 2-2007 and copy of Resolution No. 96-2023 was duly served upon Joseph P. Mathys, the owner.
3. That consistent with the information contained in the Report of the Code Enforcement Officer, the Board finds and determines that the residential structure located at 6551 Number Four Road, Town of Watson, NY is abandoned, unsecured, is open at doors and windows, has a partially collapsed roof and is unfit for its intended purpose and is unsafe, and therefore should be demolished and removed as set forth in Local Law No. 2-2007.
4. That the owner has applied for a demolition permit from the Code Enforcement Department.

Section 2. That by reason of the Board's findings, and upon the Lewis County Board of Legislators authority, it is hereby:

ORDERED AND DECREED, that this residential structure located at 6551 Number Four Road, Town of Watson, NY shall be demolished and properly removed by the owner, Joseph P. Mathys and/or his contractors, pursuant to the regulations and requirements for such demolition and removal as required by the Lewis County Code Enforcement Department and all Federal, State and local regulations pertaining to said action on or before August 30, 2023; and it is further:

ORDERED AND DECREED, that upon the owner's failure to demolish and remove the debris from said structure, the Code Enforcement Department is authorized to take all steps for its demolition and removal, with all costs and expenses of same to be assessed against the land on which it is located as additional assessed taxes as more fully set forth in Local Law No. 2-2007, with the right of the County to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and it is further

ORDERED AND DECREED that in the event the owner fails to take the required steps for demolition and removal of this structure, the Code Enforcement Officer shall cause such building to be demolished and removed either by County employees or by contract, provided that any contract for demolition and removal of a building in excess of \$20,000.00 shall be awarded through competitive bidding; and it is further

ORDERED AND DECREED that Notice of this Decision and Order shall be served upon the owner and/or any legal representative by mailing a certified copy of this Resolution to him, at any known address, including the last known address according to the records on the property.

Section 3. A copy of these Findings and Decision of the Board of Legislators shall be filed in the office of the County Clerk.



Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Gilbert, seconded by Legislator Virkler, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 122 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT FOR PER DIEM NURSING SERVICES**  
**UNDER THE MEDICATION-ASSISTED TREATMENT (MAT) PLAN FOR**  
**INCARCERATED INDIVIDUALS SUFFERING FROM**  
**SUBSTANCE ABUSE DISORDERS**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Director of Community Services sent out a Request for Proposals for qualified entities to provide services outlined in chapter 432 of the 2021 Laws of New York, which require the County to develop a medication-assisted treatment and transition services plan for incarcerated persons (IP) who suffer from substance abuse disorders as defined under the law; and

WHEREAS, pursuant to Resolution No. 34- 2023, the Board of Legislators authorized agreements with Credo for MAT counseling, inmate assessment, treatment planning, and prescribing and monitoring of methadone to IPs in that program; and

WHEREAS, pursuant to Resolution No. 98 - 2023, the Board of Legislators authorized an agreement with the Lewis County Health System (LCHS) to provide nurses from its staff who volunteer their nursing services at the Lewis County Jail under the MAT program, on a per diem basis, to dispense and monitor medications prescribed to IPs. It is anticipated that each session will be from 2-6 hours, with request for coverage generally on weekends, holidays, and on days during the week when the jail nurse is on benefit time; and

WHEREAS, depending upon the availability of LCHS nurses to provide these volunteer services, the County seeks to contract with other outside per diem nurse services to do all that it can to have qualified nursing professionals available to dispense and monitor medications prescribed to Ips; and

WHEREAS, WorkFit Medical Staffing, PLLC (WFMS), with offices at 1160 Chili Avenue, Rochester, NY 14624, can offer such backup per diem RN services for this particular service at the Lewis County Jail, at a minimum hourly rate of \$75.00 ( depending upon particular candidates skill and experience level, plus travel and over time on holidays and any work over 40 hours per week, as more fully set forth in their proposal;

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. The Lewis County Board of Legislators hereby authorizes an agreement with WorkFit Medical Staffing, PLLC, of Rochester, NY and the County of Lewis o/b/o the Lewis County Sheriff's Department to provide registered nurses from its nursing staff to provide per diem sessions at the Lewis County Jail (from 3-6 hours as needed), and monitor and dispense medications prescribed to IPs under the MAT program. The expected need for these nurses are for weekends, holidays and on days during the week when the jail nurse is on benefit time.

Section 2. That the agreement for these per diem nursing services shall provide for the County to pay to WFMS at the minimum rate of \$75.00 per hour for the registered nurses services, at an estimate of 3-6 hours per session, and with rates determined by the experience of the per diem worker, whether it is a holiday, and whether the person has worked over 40 hours that week, plus mileage for travel to and from the jail, as more fully set forth in the agreement.

Section 3. That the Chair, or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, together with execution of the Agreement(s) by the Lewis County Sheriff, upon such terms and conditions as may be recommended by the County Attorney and as may be required under the MAT program.

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 123 - 2023**  
**RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 2 TO**  
**CONTRACT NO. D0403994 BETWEEN NEW YORK STATE DEPARTMENT OF**  
**TRANSPORTATION AND LEWIS COUNTY FOR THE TRANSPORTATION**  
**FEDERAL-AID BRIDGE REPLACEMENT PROJECT**  
**(PIN 775399) KNOWN AS MARSHEY ROAD**  
**OVER WEST BRANCH OSWEGATCHIE RIVER**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as Marshey Road over West Branch Oswegatchie River (PIN 775399; BIN 3339960) (the "Project") in the Town of Diana, County of Lewis, 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, as provided for in the Agreement with NYS DOT, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by DOT, applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non- Marchiselli eligible project elements) shall be

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credited following FHWA's construction phase closeout audit of the Project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the County of Lewis advanced the Project by its commitment of 100% of the federal and non-federal share of project costs. NYSDOT now requires Supplemental Agreement No. 2 to incorporate additional cost of \$26,000.00 for the Preliminary Engineering phase and to include SPHO/MOA processes funds to the project; and

WHEREAS, pursuant to this Supplemental Agreement, the Preliminary Engineering costs are increased by \$26,000.00 (\$20,800 Federal Share; \$3,900.00 State Share; \$1,300.00 County Share).

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chair of the Board of Legislators to execute Supplemental Agreement No. 2 to the Agreement with NYS DOT for Bridge Contract No. D040399, known as Marshey Road over West Branch Oswegatchie River, PIN 775399/BIN3339960, to add funding to the Preliminary Engineering design to cover SHPO/MOA processes.

Section 2. That the total estimated Preliminary Engineering costs is now \$216,000.00 (Federal share of \$172,800; State Marchiselli share of \$32,400; and County local share cost of \$10,800).

Section 3. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate the additional cost of \$26,000.00 for this project, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 4. That in the event the full federal and non-federal share costs of the project exceed the amount appropriated, the Chair shall convene the Lewis County Board of Legislators as soon as possible to appropriate said excess amount upon notification from the NYS DOT.

Section 5. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is authorized to execute Supplemental Agreement No. 2 and all necessary agreements, certifications or reimbursement requests with the NYSDOT in connection with this Project.

Section 6. 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 7. That the within Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

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**RESOLUTION NO. 124 - 2023**  
**RESOLUTION TO APPROPRIATE FUNDS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation takes place utilizing fund balance into Legislative Contingency to support the recommendations of the Ad Hoc Committee for Emergency Medical Services and authorizes the Treasurer to transfer these funds from Legislative Special Contingency into the specific expense accounts to process payments.

Decrease:

|                        |               |
|------------------------|---------------|
| A0 005990 Fund balance | \$ 345,000.00 |
|------------------------|---------------|

Increase:

|                                                 |               |
|-------------------------------------------------|---------------|
| A0101000 419900 Legislators Special Contingency | \$ 345,000.00 |
|-------------------------------------------------|---------------|

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

Moved by Legislator Virkler, seconded by Legislator Leviker, and adopted on the 5<sup>th</sup> day of July, 2023. Legislator Nellenback abstained.

**RESOLUTION NO. 125 – 2023**  
**RESOLUTION URGING THE GOVERNOR TO VETO A.04282B/S.3505B**  
**(To Move Certain Local Elections to Even-Numbered Years)**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board.

WHEREAS, the Lewis County Board of Legislators believes that increasing participation in the election process and reducing costs of government operations is good for our republic; and

WHEREAS, Assembly Member Amy Paulin and State Senator James Skoufis reintroduced legislation that would move **local** elections to even-number years during the 2023 legislative session; and

WHEREAS, versions of this legislation were introduced in previous years and failed to reach the floor for a vote due to lack of support; and

WHEREAS, after the 2022 session concluded, the bill sponsor indicated that hearings would be held on the proposal through the Election Committee process; however, there were no hearings held; and

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WHEREAS, the legislation passed in the middle of the night on the last days of the legislative session which is counter to the idea of an open and transparent government; and

WHEREAS, the Lewis County Board of Legislators has several concerns with this bill, including the following:

- 1) this legislation usurps the Home Rule powers reserved by local governments and protected by the Constitution of the State of New York, raising questions of legality and constitutional authority;
- 2) local municipalities have had the ability to change their elections to even-number years for decades, and chose not to do so;
- 3) establishing the schedule of local elections is the right of the local government, and has been for more than 100 years;
- 4) the Assembly Bill sponsor indicated that she had not received any messages of support for this proposal from any of the 57 Counties and 933 Towns across New York State impacted by this legislation; and yet, the legislative bodies circumvented their own legislative committee process during this session, limiting public input and understanding of the impacts before pushing through this legislation;
- 5) this legislation excludes more than half of all New Yorkers who vote in cities and villages from the changes to election law, as well as certain offices within all counties and towns;
- 6) there has been no financial analysis or operational analysis of the impacts on local Boards of Elections by this proposed change;
- 7) this will create confusion amongst voters in towns and counties across New York State. Separating the elections affords voters more time and focus to better understand important local issues and provides candidates the appropriate platforms to explain their stance on issues without having to compete against national and state level campaigns;
- 8) moving local elections to even-numbered years would increase the cost of campaigns for local office, reducing the number of candidates willing to invest funds into their own campaign, because the cost of media will increase to compete with national and state level campaign advertisements; and
- 9) there are significant legal and constitutional questions regarding the legality of this measure that have not been adequately vetted and addressed;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators urges the Governor to oppose this legislation and utilize her veto authority to reject it.

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Section 2. This Resolution shall take effect immediately.

Section 3. The Clerk of the Board is directed to forward copies of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, Senate Minority Leader Robert Ort, Assembly Minority Leader William Barclay, Assembly Bill Sponsor Amy Paulin, Senate Bill Sponsor James Skoufis, and all others the Board deems appropriate to receive same.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 126 - 2023  
RESOLUTION APPOINTING  
OFFICE FOR THE AGING DIRECTOR**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Human Resources Director, County Manager and Health & Human Services Legislative Committee members conducted interviews of potential qualified candidates to fill the open position of Office for the Aging Director, and recommend the appointment of Carla M. Hellinger by the Board of Legislators;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints Carla M. Hellinger of Lowville, NY as the Lewis County Office for the Aging Director, retroactive to June 26, 2023.

Section 2. That the annual salary for the appointee to this position is hereby established at \$70,027.25.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 127 - 2023  
RESOLUTION APPROVING COUNTY'S COMMITMENT  
TO COMPLETE STREETS PLAN AND POLICY**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

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WHEREAS, "Complete Streets" are defined as streets that are safe, convenient and comfortable for all ages and abilities using any mode of transportation (motor vehicle, public transportation, foot, bicycle, etc); and

WHEREAS, Complete Streets design features and practices include, but are not limited to sidewalks, paved shoulders suitable for cycling, designated bike lanes, lane striping, share the road signage, crosswalks, curb ramps, audible pedestrian signals, pedestrian crossing signage, traffic calming measures such as curb bump-outs, center islands and pavement markings, sidewalk snow removal and routine shoulder and bike lane maintenance; and

WHEREAS, Complete Streets has been recognized and adopted as policy and law at federal, state, county, town, village and city levels in the interest of improving multi-modal transportation options, safety and accessibility for all users; and

WHEREAS, Lewis County recognizes that Complete Streets will increase improved transportation options, limit greenhouse gas emissions, improve rates of physical activity and related health outcomes, improve neighborhood vitality, social interaction and economic development, and improve the general quality of life for people in the community; and

WHEREAS, the Lewis County has the ability to work with the local municipalities to explore the maintenance and enhancement of pedestrian, bicycle and trail connections within hamlet centers and address issues of these amenities as needed; and

WHEREAS, Lewis County has the ability to work with the local municipalities and other community partners to educate the community about the rules of roads and paths for all users including laws, safety, and courtesy.

NOW, THEREFORE IT BE RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby recognizes the importance of creating and engaging in the "Complete Streets" Plan developed by the Planning and Community Development Department , including but not limited to practices through the planning, design and construction of new streets and streets reconstruction undertaken by and participating with local municipalities to enable safe travel by all users including pedestrians, bicyclists, public transportation riders, and drivers, and for people of all ages and abilities, including children, families, older adults and individuals with disabilities.

Section 2. The Lewis County Board of Legislators hereby approves and adopted the attached Complete Streets Plan and Policy developed by the Planning and Community Development Department.

Section 3. The Lewis County Board of Legislators will attempt to draw upon all possible funding sources to plan and implement Complete Streets elements to make implementation economically feasible and will approach every transportation project and program as an opportunity to improve public (and private) streets and the transportation network for all users,

and will work in coordination with other departments, agencies and municipalities to achieve Complete Streets.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

## **Lewis County Complete Streets Plan**

### **Complete Streets Policy**

Lewis County is developing a county-wide Complete Streets Plan and seeks to adopt the policy of "Complete Streets" as a guiding principle for County infrastructure development. Complete Streets are defined as facilities that are designed and operated to enable safe access for all users including, but not limited to, pedestrians, bicyclists, motorists, and users of public transportation. Complete Streets enable safe access for users of all ages and abilities to safely move along and across a complete street.

The Complete Streets Policy advocates transportation facility design with all users in mind utilizing practical transportation planning methods and traffic control measures as appropriate.

Lewis County and its participating local municipalities support the development of a complete system of bikeways, pedestrian facilities and shared use paths, bicycles parking and safe crossings connecting residences, businesses, and public places. Lewis County promotes bicycling and walking for health, environmental sustainability, exercise, transportation, and recreation.

Bicycle and pedestrian facilities shall be considered in all new construction, reconstruction, and maintenance projects in the County unless:

- Bicyclists and pedestrians are prohibited by law from using the roadway.
- The cost of establishing bikeways or walkways would be prohibitive.

In cases where the existing right-of-way does not allow for sidewalks, bike lanes, paths or other improvements, potential alternatives will be examined including the appropriate use of paved shoulders, signage, traffic calming and/or enhanced education and enforcement.

New bicycle and pedestrian facilities will be constructed and maintained in accordance with guidelines adopted by the United States Department of Transportation (USDOT), New York State Department of Transportation (NYSDOT) and the American Association of State Highway & Transportation Officials (AASHTO). Such facilities will be considered in the County's site plan review and GML-239m review process as appropriate.



**RESOLUTION NO. 128 - 2023**

**RESOLUTION AUTHORIZING 2023 PROGRAM YEAR CDBG APPLICATIONS,  
APPOINTING THE PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR AS  
THE CERTIFYING OFFICER FOR ALL COMMUNITY DEVELOPMENT BLOCK  
GRANTS, AND DECLARING PROPOSED PROJECTS AS TYPE II ACTIONS WITH  
NO SIGNIFICANT ENVIRONMENTAL IMPACTS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Board of Legislators has heretofore duly advertised and held a public hearing on the 3<sup>rd</sup> day of January 2023 and has considered the comments presented thereat regarding housing, economic development, microenterprise, community planning, public infrastructure, and public facilities needs; and

WHEREAS, the County of Lewis is submitting several Community Development Block Grant (CDBG) Applications; and

WHEREAS, these projects are subject to environmental review under the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA); and

WHEREAS, the designation of a Certifying Officer to sign the Environmental Review is required; and

WHEREAS, the Lewis County Board of Legislators seeks to designate the Director of Planning and Community Development as the Certifying Officer for all Community Development Block Grants; and

WHEREAS, the Director of Planning and Community Development, as the designated Certifying Officer, is responsible for the environmental review process for all NYS CDBG applications outlined in the program year 2023 CDBG application guidelines. The Director recommends that the Board conclude that the projects submitted within the applications will not have a significant environmental impact and that as Type II actions, no further procedure under SEQRA is required.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. That the Lewis County Board of Legislators hereby authorizes, by and through the Planning and Community Development Department, the filing of a 2023 Program Year CDBG applications that include housing rehabilitation and microenterprise programs within Lewis County in amounts not to exceed \$1,000,000 and \$200,000 respectively and other such related activities, such as small business and economic development programs, and amounts as may be determined.

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Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such applications and, if awarded, to accept the funding, sign contract documents, and appropriate the funding to the appropriate account.

Section 3. That the Board of Legislators hereby declares and appoints the Lewis County Director of Planning and Community Development as the Certifying Officer for all CDBG applications and awarded programs in which the Director will sign the Environmental Review documents, as required by the administering agency, New York State Office of Community Renewal.

Section 4. That the Director of Planning and Community Development is herein designated as the Certifying Officer and is authorized to execute any required documents as the Certifying Officer in order to advance each CDBG application and secure the release of Grant Funds for each project.

Section 5. The Lewis County Board of Legislators hereby determines that the proposed CDBG funding applications, which include housing, microenterprise, small business and economic development, public facilities, and public infrastructure projects, constitute Type II actions as defined by the regulations promulgated under the State Environmental Quality Review Act (SEQRA) of the State of New York; that the projects will not have significant impacts upon the environment; and there is no further procedure required under SEQRA.

Section 6. That this Resolution shall take effect immediately.

Move by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 129 - 2023**  
**RESOLUTION AUTHORIZING GRANT APPLICATION FOR**  
**2023 OFFICE OF COMMUNITY RENEWAL**  
**NY MAIN STREET GRANT FUNDING TO CREATE AND ESTABLISH**  
**COUNTY-WIDE DESIGN GUIDELINES**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis through the Planning Department, desires to apply for up to \$20,000 in financial assistance through the 2023 Consolidated Funding Application (CFA) under the New York State Office of Community Renewal New York Main Street Program; and

WHEREAS, if awarded, the grant requires a commitment of a 5% match from the County which will be provided by the Planning Department through its Community Development line item; and

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WHEREAS, the application proposes funding to develop “Lewis County Design Guidelines” that can be implemented in each of the villages and hamlets throughout the County; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. The Lewis County Board of Legislators hereby authorizes the Planning Department to submit the online application to the New York State Office of Community Renewal for up to \$20,000.00 in 2023 New York Main Street funding for a Technical Assistance project to develop county-wide design guidelines.

Section 2. The Director of Planning, the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to sign and submit the application prepared by the Planning Department for the above-named project.

Section 3. In in the event the County is awarded grant funds, the Board of Legislators hereby authorizes acceptance of the award, authorizes the Chairman or Vice-Chairman to execute any grant agreement and other documents required to accept the award upon review and approval of the County Attorney; and directs the Treasurer to appropriate the awarded funds into the correct accounts.

Section 4. That this Resolution shall take effect immediately.

Move by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 130 - 2023**  
**RESOLUTION AUTHORIZING LEWIS COUNTY TO APPLY FOR 2023 OFFICE OF**  
**COMMUNITY RENEWAL NEW YORK MAIN STREET (NYMS) PROGRAM GRANT**  
**DOWNTOWN STABILIZATION PROJECT FUNDING**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis, by and through the Planning and Community Development Department, desires to apply for 75% of project costs or up to \$500,000 including administrative expenses in financial assistance through the 2023 Consolidated Funding Application (CFA) under the New York State Office of Community Renewal, New York Main Street (NYMS) Program; and

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WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on North State Street between Parkway Drive and Dayan Street in the Village of Lowville; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts. The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the Planning and Community Development Department to submit the online application to the New York State Office of Community Renewal for up to \$500,000 in 2023 New York Main Street funding for a Downtown Stabilization project located at 7623 North State Street in the Village of Lowville.

Section 2. That the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to sign and submit the application and, if awarded, to accept the funding, sign contract documents, and appropriate the funding to the Lewis County Planning and Community Development Department.

Section 3. That this resolution shall take effect immediately.

Move by Legislator Virkler , seconded by Legislator Moser , and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 131 - 2023**  
**RESOLUTION AUTHORIZING LEWIS COUNTY TO APPLY FOR 2023-2024 SMART GROWTH COMMUNITY PLANNING AND ZONING GRANT PROGRAM FUNDS TO ADVANCE THE PREPARATION AND ADOPTION OF UPDATED ZONING REGULATIONS ON BEHALF OF THE TOWN OF DIANA**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Planning and Community Development Department, on behalf of the Town of Diana, desires to apply for up to \$100,000 in financial assistance to update the Town’s current zoning laws through the 2023 Consolidated Funding Application (CFA) under the New York State Office of Planning, Development & Community Infrastructure; and

WHEREAS, if awarded, the grant requires a commitment of a 10% match from the County and Town, not to exceed \$10,000; a portion of which will be provided by the Planning and Community Development Department through its Land Use Planning Policies line item; and

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WHEREAS, the application allows for up to 15% of the award amount to be attributed toward grant administration; and

WHEREAS, the County of Lewis, as lead applicant, will include eligible grant administration costs in the application for Planning and Community Development Department reimbursable expenses; and

WHEREAS, the Lewis County Board of Legislators sees to authorize this application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis county Board of Legislators hereby authorizes the Lewis County Planning and Community Development Department to submit the online Consolidated Funding Application through the Smart Growth Community Planning and Zoning Grant Funds Program, on behalf of the Town of Diana for updated land use and zoning regulations with the County and Town of Diana to be responsible for each entity's portion of the local share match requirement.

Section 2. The Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to sign and submit the application and, if awarded, to accept the funding, sign contract documents, and appropriate the funding to the Lewis County Planning and Community Development Department.

Section 3. If awarded, the Board of Legislators authorizes the Lewis County Planning and Community Development Department to create and post an RFP for a consultant to complete the zoning update and work with the Town of Diana to complete the zoning updates and determine the Town of Diana's portion of the required 10% local match; and submit grant administrative reimbursement requests to the NYS Office of Planning, Development & Community Infrastructure throughout the process.

Section 4. That this resolution shall take effect immediately.

Move by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 132 - 2023  
RESOLUTION AUTHORIZING SNOWMOBILE TRAIL 2023-2024  
GRANT-IN-AID APPLICATION TO THE OFFICE OF PARKS, RECREATION &  
HISTORIC PRESERVATION FOR TRAIL MAINTENANCE  
EXPENSES IN LEWIS COUNTY**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) provides grant-in-aid financial assistance in maintaining snowmobile trails included in the

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statewide trail system upon submission of an application by the Local Sponsor/Authorized Local Official; and

WHEREAS, under this grant program, if funds are sufficient (accumulated in the Statewide Trail Fund based upon projected registrations), the County, as the Local Sponsor Applicant, may receive a sum not to exceed the prorated amount based upon total trail mileage in the County previously established by OPRHP; and

WHEREAS, the application requires that the authorized Official for the County of Lewis execute the application and certify that grant funds received will be managed and expended in accordance with the applicable laws, regulations and program guidelines for submission to the OPRHP Director of the program. The Director of Recreation, Forestry and Parks has filled out the grant application and requests the Board authorize the Chairman to execute same and submit the application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes submission of the 2023-2024 Snowmobile Trails Grant-In-Aid Application through the Director of Recreation, Forestry & Parks.

Section 2. That the Board of Legislators authorizes the Chair of the Board to execute the Local Sponsor Signature Form Application and any other agreements related to same. If awarded grant funds, the Board hereby authorizes the Treasurer as the County's Chief Fiscal Officer, to execute the state aid voucher required to accept and receive such funding and to disburse the funds in accordance with the grant program requirements.

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 133 - 2023**  
**RESOLUTION TO AWARD BID AND AUTHORIZE**  
**CONTRACT WITH PRENTISS AND CARLISLE MANAGEMENT COMPANY, INC.**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County through the Recreation, Forestry, & Parks Department has commenced the Lewis County Timber Sale, No. 2023-106 for the sale of forest products located on the Lewis County reforestation area at 601 Cronk Road in the Town of Pinckney, Tax Map Parcel No. 137.00-01-22.000 by sending out a request for bids; and

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WHEREAS, three (3) sealed bids received were publicly opened on June 8, 2023 at 10:00 a.m. on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York; and

WHEREAS, the Director of Recreation, Forestry & Parks recommends that the County award the bid to Prentiss and Carlisle Management Company, Inc., 9866 Starr Hill Road, Remsen, NY 13438 the highest qualified bidder for the Lewis County Timber Sale, No. 2023-106 for the sale of forest products located at 601 Cronk Road in the Town of Pinckney, Tax Map Parcel No. 137.00-01-22.00 outlined in the bid specifications in the total amount of \$142,300.00; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes a contract with Prentiss and Carlisle Management Company, Inc., Remsen, NY for the term of July 6, 2023 through September 1, 2025, and in the amount of \$142,300.00 payable to the county, for the harvesting of timber at 601 Cronk Road, in the Town of Pinckney, Tax Map Parcel No. 137.00-01-22.00.

Section 2. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto pending approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 134 - 2023  
RESOLUTION TO TRANSFER FUNDS  
I Love NY - Tourism**

Introduced by Legislator Ian Gilbert, Chairman of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes the following 2023 budget transfer from regular contingency to the I Love NY Tourism account line. This is to provide the necessary level of funding agreed upon in 2022, but the amount was budgeted incorrectly:

|                 |             |             |
|-----------------|-------------|-------------|
| <u>From:</u>    |             |             |
| A0199000 499900 | Contingency | \$10,000.00 |

To:

JULY 5, 2023

A0641000 441100 I Love NY

\$10,000.00

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

**RESOLUTION NO. 135 – 2023  
RE-APPOINTING MEMBERS TO  
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals to a two-year term on the Lewis County Youth Bureau Advisory Board:

John Exford  
4010 Edgewood Drive  
Lyons Falls, NY 13368

Michael Leviker  
7538 Cascade Street  
Lowville, NY 13367

Lisa Rennie  
2400 County Route 194  
Copenhagen, NY 13626

Cassie Forbus  
5437 Stowe Street  
Lowville, NY 13367

Section 2. That the term of said appointments shall be effective July 1, 2023 through June 30, 2025.

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 5<sup>th</sup> day of July, 2023.

Chairman Dolhof requested a 15-minute recess at 5:40 p.m. to give time for Mr. Martin to make it to the meeting.



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

At 5:56 p.m. the meeting was called back to order. Mr. Martin had not shown up at this time so County Attorney Joan McNichol requested Mr. Ward Dailey and Mr. David Brown to step forward to discuss the handout of exhibits A through F on the Port Leyden property owned by Green Chip Investors. Exhibit A was a copy of the Local Law No. 2-2007; B was the Notice of Hearing documents with affidavit of email service; C was Resolution 95-2023, which set the public hearing for tonight; D was the affidavit of posting of property with Notice of Hearing; E was the August 2021 Notice of Condemnation with letter to owner and pictures; F was the Building Codes reports to the Board of Legislators.

Then there were several photos of the property that showed the broken windows, bulge in the exterior wall, leaking roof, wood missing and falling from façade, missing metal siding that had blown off, and pulled away foundation, all pointing to the need for demolition. The opinion of Codes officer David Brown was that the building needs to be demolished and removed. Ward Dailey stated that Mr. Martin did get an engineer to come out and take a look at the building and the engineer even pointed out that structure had major problems and that it was not worth trying to repair. Joan McNichol expressed that she had stated to Mr. Martin that it was not fair to Lewis County residents for the tax payers to foot this bill.

Legislator Hathway questioned if the property taxes were paid or delinquent, Eric Virkler responded that the taxes are paid to date. Ryan pointed out that the Village of Port Leyden supports the position of the board that the property needs to be demolished as it is unsafe. Legislator Chartrand suggested that perhaps the board should look into the demolition permit and see if the 3-year period should be reduced. Legislator Gilbert agreed but stated that issue wouldn't affect what is happening with these two properties.

Chairman Dolhof closed both public hearings at 6:08 p.m.

### OTHER BUSINESS:

Legislator Moser moved to cancel the July Legislative Committee meetings due to the Lewis County Fair, seconded by Legislator Osborne and carried.

At 6:17 p.m. Legislator Virkler moved to enter Attorney Client Privilege session for update on labor negotiations and litigation matters, seconded by Legislator Nellenback, and carried.

At 6:40 p.m., Legislator Chartrand moved to enter regular session, seconded by Legislator Hathway, and carried.

There being no other business to come before the Board, Legislator Virkler moved to adjourn the meeting at 6:41 p.m., seconded by Legislator Leviker, and carried.

AUGUST 1, 2023

**REGULAR MEETING**  
**August 1, 2023**

The meeting was called to order at 5:00 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, except Legislator Nellenback who was excused, and there were 20 other persons present.

Chairman Dolhof asked Legislator Gilbert for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the July 5, 2023 meeting minutes approved by general consent.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Philip Hathway  
Jessica Moser  
Joshua Leviker

Dated: August 1, 2023

Legislator Virkler moved to waive the rules, seconded by Legislator Moroughan, and carried.

**PRIVILEGE OF THE FLOOR:**

Michelle Ledoux of Cornell Cooperative Extension shared a short video that is being used as a commercial to advertise for the First Annual Open Farm Day. This event is being held on Saturday, August 12<sup>th</sup> beginning at 10:00 a.m. and ending at 3:00 p.m. This event will highlight the many different types of agriculture in Lewis County with thirteen different stops. Any participant who goes to three or more stops and completes a survey form will receive a gift.

Leroy Mashaw of 6171 Pine Grove Road introduced himself as a 67-year-old, two-time cancer survivor who suffers from COPD. He has been a NYS Department of Transportation worker for 32 years and has lived here for over 40. He has a fence on his property that is 6 ½ feet off the blacktop that has too much stone on it to do any lawn work in that area. He can see that many residents' lawns are a mess from all the stone that has been put on the Pine Grove Road. He asked that someone cleans this mess up for the residents before winter arrives.

Connie Peters of 6626 Pine Grove Road explained that she is 67 and has health problems, suffering from asthma and COPD. She closes her house up to prevent poor air from coming in, but since the beginning of the work on the Pine Grove Road it is seeping in and causes her to

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

have a terrible time with her breathing. She is here tonight in hopes that someone can take care of the Pine Grove Road mess.

### CLERK OF THE BOARD REPORT:

A resolution was received from Cattaraugus County urging Governor Hochul and the New York State Legislature to properly fund New York State mandated local programs. Sealer of Weights & Measures, Brian Mooney submitted the June 2023 Summary of Field Service Report which has been placed on file.

### REPORTS OF STANDING COMMITTEES:

Mr. Pepper, Mr. Nolan, and Mr. Timothy Hunt, Highway Superintendent were asked to come forward for a discussion on the Pine Grove Road. Chairman Dolhof asked them to speak on the dissatisfied and upset residents of the Pine Grove Road who have been dealing with this mess for over two months and what their resolution to the matter might be. Mr. Mike Nolan introduced himself as the President of Suite-Kote Corporation. It is a 102-year-old company, and they are very thankful for all their New York State customers and proud of the hundreds of thousands of miles of roads they have successfully taken care of.

The Pine Grove Road was deteriorated and rutted prior to the beginning of the sealing process which is why it was being taken care of. This process was to seal the road to preserve it enough until it could be re-paved a future date. Sealing requires a layer of emulsion to be laid on the road and then a layer of stone. As you can image stone is crucial to this process. To date Suite-Kote has spent over \$50,000.00 on the issue which was caused by massively out of spec stone and a large utility project which had large trucks going across this road at a rate of about 200 trucks per hour. Suite-Kote values its relationship with the county and have tried to mitigate this problem using several resources.

Legislator Hathway inquired what the \$50,000.00 was used on, Mr. Nolan responded that it was used on adding more clean stone, fine sand, magnesium chloride, steel drum roller, heavy duty wheeled roller, and having employees continuously checking on the road condition. He went on to explain his recommendation for resolution to this is to micro-pave the road. This would use a micro emulsion that is applied wet to the surface, and it hardens like asphalt. It would be a temporary fix until the road can be re-paved but should last 7 to 10 years and would be able to handle the truck traffic.

In response to a question about the loose stone on the road and along the roadside, Mr. Nolan stated that Suite-Kote would work with Highway Superintendent, Tim Hunt to use the county's sweeping equipment to take care of the roadside. The road wouldn't need to be swept prior to the micro-paving. Legislator Moroughan questioned why the stone wouldn't be swept before micro-paving, Mr. Nolan explained that this emulsion would cover the whole road and fill in any holes, he doesn't want to aggravate the road any further. There was further discussion on the massively out of speck stone that was used. It was tested prior to beginning the project but after the project was started it was tested again and failed by a large margin.

Joan McNichol, County Attorney explained that if the board approves moving forward with the micro-paving solution, will there be any assurance that the materials used will not come from V.S. Virkler. Mr. Nolan responded that the materials will not come from that vendor. Joan then asked if the material will be tested prior to starting this project, Mr. Nolan responded that the stockpile of material will be tested prior to the start. Tim Hunt was satisfied with the arrangement once he confirmed that both the stockpile and the job site pile will be tested. After the micro-paving any loose stone will be cleaned up. Suite-Kote will walk away once the project is completed having spent several hundred thousand dollars.

In response to the question of a timeline, Mr. Nolan explained that once the micro-paving has been done within a couple of weeks the cleanup of any loose stone will happen. Legislator Moroughan voiced her concern again about not understanding why the loose stone would remain on the road prior to micro-paving. Mr. Nolan stated that he will work with Tim Hunt to let the utility company know that there will be work on the road but this time it should just be a lane closure as the micro-paving hardens very quickly. This should get the county the desired results and resolution to the issue.

Legislator Gilbert moved to enter into an agreement with Suite-Kote to micro-pave the Pine Grove Road from the Number Four Road to Burdick's Crossing for an approximate amount of \$370,000.00, with the County paying 50% and Suite-Kote paying the other 50%, seconded by Legislator Chartrand.

Legislator Moroughan stated that this wasn't the county's fault, Mr. Nolan responded that Suite-Kote agreed to pay 50% of the solution but never asked the County to pay 50%. If there are other entities who are willing to participate in the cost, then they should. Legislator Moser felt that something should be done now but then the issue should be taken up with V.S. Virkler through litigation. Joan McNichol agreed that this agreement is just to get the final fix now and then the county can work with other parties for reimbursement. Ryan Piche, County Manager stated that the utility company had New York State approval to use that route for their project so the county didn't have a choice, but the company is likely to contribute but we should wait until next year when the utility project is finished.

In response to Legislator Chartrand, Mr. Nolan stated that Suite-Kote, no matter what the final cost is, will keep their 50% share.

The motion was then carried.

Legislator Gilbert reported that the Office of Building & Fire Codes, to-date, have issued 488 permits totaling \$18,477,692.00 in project values. They have conducted 192 State mandated Life Safety and Property Maintenance inspections of commercial properties, responded to 6 chimney fires, and responded to 37 complaints. To-date the office has issued 232 Certificates of Completion/Occupancy and researched 7 record requests. They continue to remain busy throughout the summer months with all the economic activity it is good to see the expansion made in that department.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Osborne reported that the Planning and Community Development Department is working with the Village of Lowville, LaBella, and Naturally Lewis to complete a Master Plan for developing the Trinity Ave./Forest Ave./Shady Ave. corridor. Barton & Loguidice has finished the PER for the Village of Turin and the Town of Turin and is assisting on a WIIA grant application. Bernier Carr Associates (BCA) is beginning to work with the Village of Copenhagen water district in preparation for various grant applications. The office is in the process of developing four CFA grant applications: two NYMS projects; one CDBG Public Facilities project; and one Smart Growth Comprehensive Planning project, as well as continuing to work on several existing broadband projects throughout Lewis County.

Legislator Virkler reported that Community Services has moved to the new Human Services building on Outer Stowe Street and is enjoying the space and AC. The 2024 Local Services plan was granted an extension, and the search for a Mental Health Program Coordinator continues. The Request for Proposal (RFP) for OASAS Prevention is being reviewed prior to publication. Transitional Living Services (TLS) has recently recruited a psychiatric nurse practitioner for the ACT team, which is a vital position and very hard to recruit for. Credo is making leadership adjustments within the organization. The Office of Mental Health and OASA have facilitated regular meetings with Credo, TLS, Tim Ruetten and Patricia Fralick to monitor the merging process of TLS and Credo.

Legislator Chartrand reported that Heather Bates, Surgical Technician, was the April Employee of the Month and Emily Paulsen, Staff Development Coordinator, was the May Employee of the Month. If you see these employees around, please congratulate them on a job well done.

Mr. Jerry Cayer, LCHS CEO, reported that at the last Board of Managers meeting Dr. Harney gave a report on the overview of Medical Practices. The hospital is actively recruiting for two Primary Care Physicians, they will be identifying a Family Nurse Practitioner for the Copenhagen Health Center and appointed two Family Nurse Practitioners for the Beaver River Health Center. Considering Legislator Hathway's insistence they will likely be looking for a Family Nurse Practitioner for the Harrisville Health Center. On the operations side they did have the Joint Commission 3-year re-accreditation survey completed. On the finance side, inpatient revenue was higher in ICU, OR, Medical Surgical Supply, CatScan, and MRI. Outpatient gross revenue was higher in ER, OR, Lab, Radiology, Ultrasound, CatScan, and Sleep Lab. Total OR cases are the highest they have been in the last 1.5 years and Surgical services have the highest number of visits in the last 7 years.

Employee Benefits were over budget due to the increase in health insurance premiums as well as an adjustment to the workers comp reserve totaling \$174,000.00. Purchased services were over budget due to traveling nursing staff totaling \$127,000.00. The Fiscal Year 2024 Budget is almost completed, which will likely have \$3.5 million in Capital requests. The FTD Budgets are being reviewed tomorrow, and the volume projections are almost complete which show some projected increases for 2024. The current thought is not to raise the rates in the Nursing Home or the Hospital, but possible reduce a few of the rates for certain Hospital services if possible. Mr. Cayer concluded by stating he left a copy of the Lewis County Health Systems annual report for each of them.

PROJECT MANAGERS REPORT:

Mr. Jim Garito thanked the County Manager and the Board of allowing him the opportunity to report. Progress is happening, maybe not quite as fast as he would like. He has handled many projects and reported to their boards, but this is the first time he has had the opportunity to work with both of his sons and truly appreciates that.

Mr. Anthony Garito reported that he has learned quite a bit on the ups and downs of the projects. He realizes the importance of informative meetings, having a good working relationship with contractors, and being on the job site. He finished by stating how thankful he is for the opportunity to learn on this project and to get the hands-on experience.

Mr. Nick Garito reported that the Human Services building, and Maintenance Garage only have minor things left outside to do. The DMV is moving along nicely. The Highway site is taking shape and currently is having the floor grinded, sheetrock hung, and electrical run.

COUNTY MANAGER REPORT:

Mr. Ryan Piche reported that the NYSAC Fall Conference is September 13<sup>th</sup> through the 15<sup>th</sup> in Oneida County. He always feels like he gets great take aways from the NYSAC conferences. Budget season has officially kicked off with all departments who have capital requests meeting with Brian Hanno, personnel requests meeting with Caitlyn Smith, and I.T. requests meeting with Conner Biolsi. Over the next month each department will meet with himself and Treasurer Eric Virkler to go over all their budget requests. The initial reports of assessed value in Lewis County have increased significantly so that allows an opportunity to lower taxes and not have to cut any programs.

COUNTY TREASURER REPORT:

Mr. Eric Virkler referenced his written report on sales tax and reserve balances which had been handed out earlier to board members, if there are any questions, please feel free to contact him. On August 24<sup>th</sup> the tax auction will be held online. He will be required to hold the proceeds. There are twelve properties as of now to be included in the auction, however any property owner can pay their balance up until 5 days prior to the auction. Health insurance claims have settled down a bit and the county did receive a stop loss payment which has helped the balance.

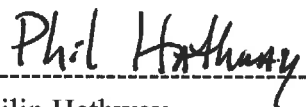
REPORT OF THE FINANCE AND RULES COMMITTEE:

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 3,076,276.00 and recommend that they be audited and allowed for the amounts claimed.

  
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Thomas Osborne                      Chair

  
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Philip Hathway                      Vice-Chair

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Jeffrey Nellenback                      Committee

  
-----  
Joshua Leviker                      Committee

  
-----  
Jessica Moser                      Committee

Dated: August 1, 2023

Approved on motion by Legislator Virkler , seconded by Legislator Moroughan , and carried.

AUGUST 1, 2023

**RESOLUTION NO. 136 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$3,076,276.00 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 Virkler, seconded by Legislator Leviker. Legislator Moser recused herself from any payments that pertain to her job as an attorney.

The resolution was then adopted on the 1<sup>st</sup> day of August, 2023, pursuant to the following roll call vote:

AYES: Moser, Chartrand, Gilbert, Hathway, Leviker, Moroughan, Osborne, Virkler, and Dolhof.

NAYS: None.

ABSENT: Nellenback.

**RESOLUTION NO. 137 - 2023  
RESOLUTION APPOINTING MEMBER TO  
COMMUNITY SERVICES BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

WHEREAS, a seat became open upon the early resignation of Scott Mathys; and

WHEREAS, the Community Services Board recommends Mark Waterhouse due to his experience in the field of mental hygiene, including mental health, alcohol and substance abuse, and developmental disabilities to fill the unexpired term of Scott Mathys;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Mark Waterhouse, as a member of the Lewis County Community Services Board to fill the un-expired term of Scott Mathys.

Section 2. That the term of said appointment shall be effective August 1, 2023 through December 31, 2024.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 138 - 2023  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO THE HIGHWAY DEPARTMENT**

Introduced by Legislator Ian Gilbert, Chair of the General 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 Highway department for the following:

| <u>ABOLISH</u>                 | <u>STATUS</u> | <u>SALARY</u>                   |
|--------------------------------|---------------|---------------------------------|
| Carpenter                      | Full-time     | Grade 21<br>(\$21.10 - \$24.65) |
| <u>CREATE</u>                  | <u>STATUS</u> | <u>SALARY</u>                   |
| Heavy Equipment Operator (HEO) | Full-Time     | Grade 21<br>(\$21.10 – \$24.65) |

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 139 - 2023  
RESOLUTION TO TRANSFER FUNDS  
Human Resources Department**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved to transfer funds in the amount of \$50,000.00 from Contingency to Human Resources Legal account line for increased negotiation and arbitration costs.

|                             |              |
|-----------------------------|--------------|
| <u>From:</u>                |              |
| A0199000 499900 Contingency | \$ 50,000.00 |

AUGUST 1, 2023

To:

A043100 490200 HR Legal

\$ 50,000.00

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

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 140 - 2023  
RESOLUTION RE-APPOINTING DIRECTOR OF  
HUMAN RESOURCES/PERSONNEL OFFICER**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the term of the Director of Human Resources/Personnel Officer is six (6) years, by appointment of the Board of Legislators pursuant to CSL § 15(1)(b); and

WHEREAS, the term of the current Director, Caitlyn K. Smith will expire on August 18, 2023, and the Board seeks to re-appoint her to a full six (6) year term;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby re-appoints Caitlyn K. Smith of Turin, NY as the Lewis County Director of Human Resources/Personnel Officer, for a six (6) year term commencing on August 19, 2023 and terminating on August 18, 2029.

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

Moved by Legislator Chartrand, seconded by Legislator Moroughan.

Several of the legislators commented on the great job they felt Caitlyn Smith has been doing.

The resolution was then adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 141 - 2023  
RESOLUTION AUTHORIZING APPLICATIONS AND AWARDS, IF GRANTED, BY  
THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT UNDER NY  
FOWARD AND NATIONAL GRID BROWNFIELD PROJECT FUNDING**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Planning and Community Development Department seeks to submit applications to NY Forward (NYF) and National Grid Brownfield Project (NGBP) Funding for contaminated and abandoned properties, specifically including but not limited to the County's recently acquired decommissioned Lyons Falls School on McAlpine Street, Lyons Falls by Tax Foreclosure; and

WHEREAS, the NGBP funding is geared towards assisting with demolition, clean-up and reuse of contaminated and abandoned properties in order to progress redevelopment because left untouched, such sites pose continuing environmental, legal and financial burdens to the community and taxpayers; and

WHEREAS, the NYF Program goals include growth in local property tax base, creating an active downtown with a strong sense of place, and building a diverse population, with residents and workers supported by complementary diverse housing and employment opportunities; and

WHEREAS, the maximum allowable Grant under the NGBP funding is \$300,000; and the NYF grant application amount will be based upon the estimates developed by DANC for roof replacement, debris removal, and focused remediation of the decommissioned Lyons Falls School; and

WHEREAS, if awarded funding under these grants, the Planning and Community Development Department envisions use of these funds to include, but not limited to remediation activities, roof replacement, stabilization, debris clean-up, re-use expenses, electric and gas infrastructure improvements, and Phase I and II environmental site assessments, as necessary, for the decommissioned Lyons Falls School remediation; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the Planning and Community Development Director to submit the applications online and, if awarded such funding, to authorize the agreement(s) for same and appropriate the funds;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Planning and Community Development Director to submit the applications for the NY Forward and National Grid Brownfield Project grant funding programs on behalf of Lewis County for remediation, roof replacement, stabilization, debris clean-up, and reuse activities for the decommissioned Lyons Falls School on McAlpine Street, Lyons Falls, NY, up to the maximum amount of funding under each grant based upon the cost estimates developed by DANC.

Section 2. That the Director of Planning and Community Development or the Chair of the Board of Legislators be and the same is hereby authorized to execute the applications and any other documents required for submission.

Section 3. That in the event the County is awarded grant funds under either or both of these funding streams, the Board of Legislators hereby authorizes acceptance of the award(s),

authorizes the Treasurer to appropriate the funds, and authorizes the Chair or Vice Chair to execute the grant agreement(s), and any other documents required to give effect to this Project, upon review and approval of the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 142 - 2023**  
**RESOLUTION AUTHORIZING LEWIS COUNTY TO APPLY FOR USDOT RURAL**  
**AND TRIBAL ASSISTANCE PILOT PROGRAM**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis, by and through the Planning and Community Development and Highway Departments, desires to apply for up to \$320,000 to complete engineering designs on complete streets projects as well as trail and active transportation infrastructure under the USDOT Rural and Tribal Assistance Pilot Program; and

WHEREAS, the application proposes funding to assist the Lewis County Highway Department in the design and engineering of complete streets projects in pre-identified communities with Lewis County infrastructure and/or rights-of-way; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization, infrastructure upgrades, and pedestrian safety efforts and does not require cost-sharing or matching of the grant funds; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application by and through the Director of Planning and Community Development;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the Planning and Community Development Department to sign and submit the online application to USDOT for up to \$320,000 in Rural and Tribal Assistance Pilot funding for the design and engineering of complete streets projects as well as trail and active transportation infrastructure.

Section 2. That the Chair or Vice Chair of the Board of Legislators be and the same is hereby authorized to, if awarded, accept the funding, sign contract documents, and appropriate the funding to the Lewis County Highway Department.

Section 4. That this resolution shall take effect immediately.

Move by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 143 -2023**  
**RESOLUTION AUTHORIZING FUNDING APPLICATION TO NEW YORK STATE**  
**DEPARTMENT OF TRANSPORTATION ACCELERATED TRANSIT CAPITAL (ATC)**  
**PROGRAM FOR THE LEWIS COUNTY PUBLIC TRANSPORTATIONS SYSTEM**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Accelerated Transit Capital (ATC) program administered by the New York State Department of Transportation (NYSDOT) provides funding intended to support capital projects for public transportation to rehabilitate, restore and modernize public transit assets; and

WHEREAS, under the Lewis County Public Transportation System (LCPT), the Planning and Community Development Department seeks to submit an application to NYSDOT under the ATC program to use the \$44,220 already allocated to the system towards the match requirements of three (3) new buses and any other system capital needs; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application and accept said funding upon approval from NYSDOT.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an application to the NYSDOT Accelerated Transit Capital (ATC) program for funding to be used towards the purchase of three (3) new bus and any other system capital needs as identified by the Lewis County Planning and Community Development Department.

Section 2. That the Chair or Vice Chair of the Board of Legislators be and the same is hereby authorized to executive, seal and deliver such online application and other required documents for this funding and, if awarded, accept the funding, sign contract documents, and appropriate the funding to Bus Operations.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 144 - 2023**  
**RESOLUTION AWARDING BID AND AUTHORIZING CONTRACT BETWEEN**  
**THE COUNTY OF LEWIS AND GILL CREATIVE INDUSTRIES TO PROVIDE**  
**PROFESSIONAL DESIGN, PRODUCTION, AND INSTALLATION**

AUGUST 1, 2023

**OF 6 FULL BUS WRAPS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Director of Planning and Community Development Department, in consultation with the Purchasing Department sent out an RFP for professional design, production, and installation of six (6) full vinyl bus wraps that meet NYSDOT and USDOT standards for vehicle wraps with an optional price per bus in 2024 and 2025, as more fully outlined and set forth in the RFP; and

WHEREAS, five (5) bid proposals were opened on July 27, 2023, at 10:00 am. The Planning Director, Director of Purchasing, Clerk of the Board, and County Attorney carefully reviewed the bid submissions and assessed the criteria. After careful consideration and review, the Planning Director recommends that the Board of Legislators award the bid and contract to the lowest bidder, Gill Creative Industries, of 1040 Bradley Street, Watertown, NY 13601 to provide the bus wrap services at a cost not to exceed \$36,000.00, with the project expected to conclude on or about September 1, 2023; and

WHEREAS, the Board of Legislators seeks to accept this recommendation, award the bid and contract with Gill Creative Industries for design, production, and installation services for six (6) buses to be vinyl wrapped to cover 3 sides of each vehicle;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid to and authorizes an agreement with Gill Creative Industries, of Watertown, NY 13601, to provide design, production, and installation of bus wrap services as outlined in the RFP in accordance with their bid proposal dated July 27, 2023, at a cost of \$36,000.00, to be completed on or about September 1, 2023.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement and any extensions or modifications thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 145 – 2023**  
**RESOLUTION AUTHORIZING AND SETTING A PUBLIC COMMENT PERIOD FOR**  
**LEWIS COUNTY AGRICULTURAL DISTRICT NUMBER 6 EIGHT-YEAR REVIEW,**  
**WITH INCORPORATION OF THE 2023 ANNUAL INCLUSION REVIEW**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

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WHEREAS, the County of Lewis has approximately 246,809 acres in its NYS-certified agricultural district designated as “Lewis County Agricultural District No. 6”. In accordance with Chapter 303a of the NYS Agricultural and Markets Law, Lewis County Agricultural District No. 6 is required to undergo review and modification as part of the eight-year review process; and

WHEREAS, as part of the eight-year review process, the Lewis County Agricultural Development Board (Agriculture and Farmland Protection Board- “LCAFPB”) members seek public comment, *inter alia*, on the nature and status of farming and farm resources within the District, objectives of the District, the degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in such district, and review of lands to be removed and added to the District as a result of this review and landowner’s written requests for same; and

WHEREAS the County of Lewis seeks to conduct its 2023 annual inclusion process and thirty-day open enrollment period (Ag & Markets Law § 303b) during and simultaneously with the eight-year review process, and will provide information and notice to landowners wishing to add land to the agricultural district to submit the request during the eight-year review period; and

WHEREAS, the LCAFPB, through the Lewis County Director of Planning and Community Development, seeks to have the Lewis County Board of Legislators set the public comment period for Lewis County Agricultural District No. 6 and incorporate proper notice of the 2023 annual inclusion process therein; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis authorizes and sets the Public Comment Period for the “Lewis County Agricultural District No. 6” eight-year review process for September 1, 2023 through September 30, 2023.

Section 2. That the Board of Legislators of the County of Lewis hereby further authorizes the incorporation of the 2023 annual inclusion process and thirty-day open enrollment period to coincide with the eight-year review process and directs that all public notices for the eight-year review contain notice of incorporation of the 2023 annual inclusion process.

Section 3. That the Board of Legislators of the County of Lewis authorizes the Lewis County Director of Planning and Community Development to receive and answer any questions pertaining to the Agricultural District No. 6 Review and Modification process and timelines, and to post all public notices in a timely fashion required to give effect to this Resolution.

Section 4. That the resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

AUGUST 1, 2023

**RESOLUTION NO. 146 - 2023**  
**RESOLUTION AWARDDING BID AND AUTHORIZING AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND PARAGON CONSTRUCTION**  
**FOR THE CONSTRUCTION OF A PAVILION AT**  
**SINGING WATERS PARK**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Recreation, Forestry and Parks Department sent out a Request for Proposals for the construction of a pavilion at Singing Waters Park, a County owned facility, according to the terms and specifications as set forth in the RFP, returnable on July 20, 2023; and

WHEREAS, present for the bid openings were the Clerk of the Board, Director of Purchasing, the County Legislators, and County Attorney, with 5 bid responses received and opened; and

WHEREAS, after review and consideration of the proposals, the Director of Recreation, Forestry and Parks recommends awarding the bid to Paragon Construction, the lowest bidder at a price of \$48,500.00, in accordance with the specifications and scope of work set forth in the RFP; and

WHEREAS, the Board of Legislators seeks to award the bid to Paragon Construction and authorizes an agreement for the specified services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Paragon Construction, Brantingham, NY 13312, to construct a pavilion at Singing Waters Park in the Town of Greig, in accordance with the specifications and requirements set forth in the RFP.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost of \$48,500.00 for the term commencing upon execution of the agreement through October 31, 2023.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.



**RESOLUTION NO. 147 2023  
RESOLUTION TO APPROPRIATE FUNDS  
FOR SNOWMOBILE TRAIL PROGRAM  
2022-2023 Season**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriations take place in the Snowmobile Trails account for the 2022-2023 Snowmobile Award:

Increase Revenue:

|                           |              |
|---------------------------|--------------|
| A0714100 338202 State Aid | \$154,149.00 |
|---------------------------|--------------|

Increase Expenditure:

|                         |              |
|-------------------------|--------------|
| A0714100 499900 Expense | \$154,149.00 |
|-------------------------|--------------|

Section 2. That the funds will be passed on the Snowmobile Association when received.

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

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 148 - 2023  
RESOLUTION TO TRANSFER FUNDS  
Sheriff's Office - Jail**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes the following 2023 budget transfer from Contingency to the Jail Inmate Board account. This is to provide additional funding due to high costs for boarding out inmates due to the Jail HVAC project and the new MAT program:

From:

|                 |             |              |
|-----------------|-------------|--------------|
| A0199000 499900 | Contingency | \$100,000.00 |
|-----------------|-------------|--------------|

To:

|                 |                   |              |
|-----------------|-------------------|--------------|
| A0315000 450800 | Jail Inmate Board | \$100,000.00 |
|-----------------|-------------------|--------------|

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

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 149 - 2023**  
**RESOLUTION AUTHORIZING SALE OF TAX FORECLOSED, LAND-LOCKED**  
**PARCEL TO NEW OWNER**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, in accordance with Real Property Tax Law Section 1166 (RPTL §1166) and Lewis County Local Law No. 6-2004, the County, as a tax district, is authorized to sell and convey real property it acquires by virtue of a foreclosure proceeding brought pursuant to Article 11 of the RPTL, upon approval by a majority of the governing body; and

WHEREAS, in 2012, the County became vested with the title to real property tax parcel no. 322.00-01-16.000 in the Town of West Turin, as part of property on Cherry Street assessed to Joanne Ostrander, along with tax map parcel no. 322.14-03-02.100); and

WHEREAS, the owner had two (2) tax bills for this property because one parcel was in the Village and one parcel was in the Town; and

WHEREAS, the owner of the main parcel listed the property (including the small land-locked piece) for sale, with a tentative closing date in the beginning of September, 2023. Upon notice of the County's title to the small parcel, the prospective new owner, Oliver Beckford Jr., of Great Bend, NY, seeks to pay the past due taxes owing on same (\$232.58), and have the County provide a quitclaim deed transferring its interest in this small parcel to him; and

WHEREAS, The County seeks to comply with same since this small parcel is landlocked, was originally part of the property of the prior owner, and serves no County interest and should be placed back on the tax rolls; and

WHEREAS, the Board of Legislators seeks to approve this transfer of title to Oliver Beckford Jr. for land-locked parcel no. 322.00-01-16.000;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Lewis County Board of Legislators hereby approves and authorizes the transfer by Quitclaim Deed, of land-locked tax map parcel # 322.00-01-16.000, Town of West Turin, County of Lewis, to Oliver Beckford Jr., in consideration of the payment of \$232.58 for delinquent taxes owing on same, in accordance with RPTL and Lewis County Local Law No. 6-2004.

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Section 2. That the County Attorney is directed to prepare the quitclaim deed and other documents required for said transfer, and deliver same to the named purchaser upon payment in full of the outstanding delinquent taxes, i.e., \$232.58.

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 Deed and transfer documents approved and prepared by the Lewis County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 150 - 2023  
RESOLUTION SETTING 2024  
WORKERS' COMPENSATION APPORTIONMENT  
FOR LEWIS COUNTY SELF-INSURANCE PLAN**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Board of Legislators recognizes the importance to foster an overall safety culture by emphasizing workplace safety and injury prevention; and

WHEREAS, in accordance with that philosophy the Board of Legislators allocates a proportionate assessment based on reported claims experience for employer accountability; and

WHEREAS, as a standard industry practice, 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 for the 2024 workers' compensation participant assessments of the Lewis County Self-Insurance Plan; et al 50% of the assessment shall be apportioned to claims experience based on actual expenses in 2020, 2021 and 2022, hereby capped at \$55,000 for any one claim per annum; 30% shall be based on proportionate 2022-2023 gross payroll figures, and the remaining 20% shall be computed on proportionate full property valuation.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 1<sup>st</sup> day of August, 2023.

AUGUST 1, 2023

**RESOLUTION NO. 151 - 2023**  
**RESOLUTION INCREASING TAXES ON SALES AND USES OF TANGIBLE**  
**PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF**  
**HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF**  
**THE TAX LAW OF THE STATE OF NEW YORK**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, a sales tax extender pertaining to the County of Lewis for the additional one percent (1%) rate of sales and compensating use taxes for a two year period ending November 30, 2025 was enacted by the State Legislature as Senate Bill No. S 6346 (Assembly Bill No. A 6552), and recently signed into law by the Governor; and

WHEREAS, Senate Bill 6346 Section 1 reads: “Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of item W of subpart C of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

(36) the county of Lewis is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is one percent (1%) additional to the three percent (3%) rate authorized above in this paragraph for such county for the period beginning June first, two thousand four, and ending November thirtieth, two thousand twenty-five;”

NOW, THEREFORE, BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

Section 1. Section 4-A of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and compensating use taxes, as amended, is further amended to read as follows:

**Section 4-A. Imposition of additional rate of sales and compensating use taxes.**

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning December 1, 2023, and ending November 30, 2025. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as set forth in this resolution, with the same force and effect as if those provisions had been incorporated

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in full into this section and had expressly referred to the additional taxes imposed by this section.

Section 2. Paragraph (c) of subdivision (1) of section 11 of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and compensating use taxes, as amended, is further amended to read as follows:

(c) With respect to the additional tax of one percent for the period beginning December 1, 2023 and ending November 30, 2025, in respect to the use of property used by the purchaser in this county prior to December 1, 2020.

Section 3. This enactment shall take effect December 1, 2023.

Moved by Legislator Leviker, seconded by Legislator Gilbert, and adopted on the 1<sup>st</sup> day of August, 2023.

**RESOLUTION NO. 152 - 2023  
RESOLUTION AUTHORIZING AND RATIFYING  
TENTATIVE AGREEMENT AND FINAL CONTRACT  
BETWEEN THE COUNTY OF LEWIS AND  
LOCAL 825 OF THE CIVIL SERVICE  
EMPLOYEES ASSOCIATION, INC. (SHERIFF EMPLOYEES UNIT # 7250-03)**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the existing contract between the County of Lewis and Local 825 of the Civil Service Employee's Association ("CSEA") for the County's Sheriff's Employees unit expired on December 31, 2020; and

WHEREAS, the negotiating teams representing the County of Lewis and CSEA, reached a Tentative Agreement dated June 29, 2023, encompassing a summary of the changes agreed to for a four-year final Agreement to be effective January 1, 2021 through December 31, 2024; said Tentative Agreement ratified by the Local CSEA membership vote ending on July 31, 2023.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby ratifies the agreement developed by the negotiating teams, accepted by the CSEA Local 825 for the County's Sheriff's Employees on July 31, 2023, and memorialized as the Tentative Agreement.

Section 2. That the Chairman, or the Vice-Chairman of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver the final contract between the County of Lewis and the Civil Service Employee's Association (Sheriff's Employees Unit)

based upon the terms of the Tentative Agreement, for the period retroactive to January 1, 2021 through December 31, 2024, upon such form as may be approved by the County Attorney.

Section 3. That a copy of the final executed agreement shall be filed in the Office of the Clerk of the Board of Legislators, with copies produced for distribution to employees of the CSEA Local 825 (Sheriff's Employees Unit).

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 1<sup>st</sup> day of August, 2023.

OTHER BUSINESS:

Ms. Joan McNichol reminded everyone that the Employee Appreciation event is this Thursday, and she hopes that the legislators will attend. Ryan Piche stated that this year there will be a Price is Right game for employees to try and guess the price of government products.

There being no other business to come before the Board, Legislator Chartrand moved to adjourn the meeting at 6:07 p.m., seconded by Legislator Leviker, and carried.

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**REGULAR MEETING**

**September 5, 2023**

The meeting was called to order at 5:00 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, except Legislator Osborne who was excused, and there were 44 other persons present.

Chairman Dolhof asked Legislator Hathway for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the August 1, 2023 meeting minutes approved by general consent.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Philip Hathway  
Jessica Moser  
Joshua Leviker  
Jeffrey Nellenback

Dated: August 1, 2023

Legislator Virkler moved to waive the rules, seconded by Legislator Nellenback, and carried.

**PRESENTATION:**

Chairman Dolhof apologized for the confusion regarding the Medicare Advantage Plan, as this was brought up quickly based on the required timeline to join. The September 15<sup>th</sup> deadline is just when the application needs to be submitted by, which is why the resolution tonight is to approve applying for this program. There will be plenty of time over the next few months to continue to vet this program and ask questions. This Medicare Advantage doesn't affect Medicare Parts A & B coverage. This is an opportunity for the county to provide retirees better coverage at a lesser cost than the current plan. Over the next few months there will be many meetings for retirees to attend and learn more about the plan and coverages. At this time, he felt that forming an Ad Hoc Committee of retirees isn't necessary as he would rather see everyone attend the meetings to ask their own questions. If this plan was not investigated, it would be a disservice to taxpayers as it is estimated to save a considerable amount of money. The savings comes from being part of a much larger group that can negotiate pricing.

County Manager Ryan Piche began his presentation on Medicare Advantage by going over the agenda which consisted of Big Picture & Terminology; Current Status of Health Insurance Fund; Current Plan for Retirees over 65; Medicare Advantage; and Next Steps. The Administrations goal is to provide excellent coverage at an affordable price, which has been

done for years but now the price is continuing to go up for the group; stabilize future premium rate increases; save money for employees and retirees; save money for the taxpayers; and save money for the health system. What is not a goal and has not been a goal is to save money at the expense of retirees or to pull-a-fast-one on our retirees.

The contractual and moral obligation is listed right in the CSEA Local 825 General Unit Contract under Article IX, Section 5, page 19 as “The County has the right to change to a health care plan providing basically equivalent or better coverage with existing eligibility rules if CSEA does not object to any such change within sixty (60) calendar days.” The County legally cannot save money at the expense of our retirees, nor should they.

Lewis County is “self-insured,” meaning they manage their own premiums and claims. The premiums they collect completely support their claims. Lewis County employees, spouses, dependents, and retirees are eligible for health insurance. Excellus administers our claims, network, and customer service. GKG is our consultant for plan design and insurance management. Strategic Purchasing Alliance of New York (SPANY) is a health care consultant company that will manage the Medicare Advantage Plan in partnership with United Health Care. Premiums are the monthly payment made by employees and employer to cover health insurance expenses. Claims are the expenses incurred when one of our insured individuals received medical care. Deductibles are expenses paid out of pocket before insurance coverage kicks-in. A Copay is an out-of-pocket payment made by the insured individual for medical expenses.

There are 915 employees insured, 400 retirees of which 280 were hired before 1991, totaling 1,750 covered lives under our current health insurance program. Currently there are 284 Retirees and 61 spouses over the age of 65. The Health Insurance Fund Balance is currently at \$825,244.00 which is much lower than the recommended level of \$2,000,000.00. The employees and employer have taken a 15% rate increase effective June 1, 2023, to try and stabilize the fund. The current premium for a family on the PPO plan is \$2,628.00, with the employee paying 25%; the premium for a single individual on the PPO plan is \$996.00, with the employee paying 25%.

The Broome County Alliance, established in 2018, has over 1.8 million members which gives them the ability to negotiate much better rates than a group of only 345 retirees. They are currently over 40 municipalities that have joined this alliance for the Medicare Advantage program. Medicare Part A is basically for Inpatient coverage for hospital care, skilled nursing facility, hospice, and home health; Part B is basically for Outpatient coverage like physician services, preventative care, durable medical equipment, and some drugs; Part D is basically for Outpatient drug coverage. Part C is the Medicare Advantage which includes drug coverage and enhanced benefits. Retirees already have Medicare Part A and Part B which is their primary coverage, the current county health insurance plan acts like Part D to cover prescription drugs except it is primary. Research has shown that new drugs are incredibly expensive which is one reason that health care premiums continue to rise.

Retirees currently have Part A coverage, and they will keep their Part A coverage, they currently have Part B coverage and they will keep their Part B coverage, they have prescription drug coverage under the Lewis County Health Insurance Plan so that will stop and they will now



have Part C which is Medicare Advantage which will combine with Parts A & B and will have prescription drug coverage. Medicare Advantage with United Health Care under Plan 1 is better coverage than what the County's Excellus PPO offers retirees. It is accepted by any provider that accepts Medicare, including St. Joe's. Everyone's health needs are different so there will be lots of additional information available in the weeks ahead.

A summary of Plan 1 is that there is no annual medical deductible; zero dollar annual medical out-of-pocket maximum; zero dollar primary care physicians office visit, zero dollar specialist office visit; zero dollar per admittance for inpatient hospital stay; zero dollar outpatient hospital services; zero dollar ambulance services; zero dollar emergency room visits, including worldwide coverage; zero dollar urgent care, including worldwide coverage; zero dollar outpatient x-ray services; \$70.00 vision hardware allowance for eye glasses; \$105.00 vision hardware allowance for contact lenses, both of which are every 24 months.

The cost savings for Medicare Advantage is significant. The current cost for retirees is \$249.00 for a single and \$657.00 with a dependent, the new cost would be \$69.00 for a single and \$138.00 with a dependent. The current cost for a retiree hired before 1991 is \$0.00 and \$351 with a dependent, the new cost would be \$0.00 for a single and \$72.00 with a dependent. Looking at all the different plans that the county currently offers both pre 1991 and after 1991 the total annual members retiree savings would be \$466,779.00. For Prescription Drug coverage the current co-pays are \$5.00 for tier one – generic; \$20.00 tier two – preferred brand; \$50.00 tier three – non-preferred brand; and \$50.00 tier four – specialty drugs. Medicare Advantage offers zero co-pay for tier one; \$5.00 for tier two; \$20.00 for tier three and tier four. Just last year retirees paid out \$307,547.00 out of pocket for prescription drugs. By joining the negotiation power of 1.8 million people the retirees can significantly reduce their costs.

Lewis County and retirees are projected to save \$2.3 million in the first year, just the Lewis County retirees are projected to save over \$466,000.00 in the first year. There is a one-time matching grant from New York State Shared Services initiative for \$2.2 million which will be deposited into the Health Insurance Fund to mitigate future premium increases when it is received in spring of 2025. The next steps are to have the Board of Legislators consider an application to Broome County Alliance tonight; September 15<sup>th</sup> is the application deadline; November 1<sup>st</sup> is the final program deadline; and January 1<sup>st</sup> is when the Medicare Advantage plan would begin. There will be educational sessions scheduled for mid-October 2023 that retirees will be encouraged to attend to learn more.

Some of the frequently asked questions are: Will my current provider be covered under the Medicare Advantage Plan? Yes, if your current provider accepts Medicare, they will accept Medicare Advantage, 99% of providers nationwide accept Medicare. What if my provider doesn't accept United Health Care? That doesn't matter. Your coverage is Medicare Advantage; United Health Care is just the plan administrator. Where do the savings come from? The savings come from a larger pool of covered lives (1.8 million members versus 345 members) negotiating lower rates, government incentivizes privately managed Medicare Advantage plans because they take pressure off publicly managed Medicare Parts A, B, and D. Why is the County moving so quickly, I've only just heard of this? The County has been studying Medicare Advantage with Union leadership since May 2023; we assumed any change

to Medicare Advantage would align with our plan year, which begins June 1<sup>st</sup>; The Broome County Alliance has a September 15<sup>th</sup> application deadline, forcing us to move quickly. Once the County joins the plan, can they ever get out? Yes, the County can go back to our self-insured PPO at any time in the future, as long as we give proper notice to the Alliance. Why not just wait until next year once we've had time to learn more? Waiting another year would mean forgoing savings in 2024 and would likely lead to another sharp premium increase this January; waiting another year may help everyone become more comfortable with the change, but waiting might not be fair to our current employees who would bear the cost of another premium increase.

Legislator Gilbert questioned how secondary insurance works with Medicare, Ryan responded that Medicare pay for services first and if there is a portion that is not covered by Medicare then the balance would be billed to the private insurance company, however for prescription drug coverage our Excellus plan is primary. Medicare Advantage is Parts A, B, C & D. The Broome County Alliance began with a three-year negotiated contract with United Health Care which will end by December 31, 2024. They will have to re-negotiate another three-year contract at that time, so right now they are trying to increase their negotiating power by adding more members.

Legislator Gilbert questioned why the County never investigated this previous to now, Benefits Specialist Joyce Hodkinson spoke up that up until now our plan coverage was always better and the premium was slightly lower. Ryan stated that with all the new drugs that are being introduced, with the high price tag it seems to have tipped the scale and made the math work out for looking at other plans. In taking this step it should also help the health insurance Plan out by slightly increasing the balance.

#### PRIVILEGE OF THE FLOOR:

South Lewis Central School Superintendent Douglas Premo introduced himself and Mr. Barry Yette as the Business Administrator. He was glad to announce that the first day of school was great and everything went smoothly. He explained that he was here tonight to talk about an upcoming Capital Project that will be up for vote on Thursday, October 12<sup>th</sup>. The project is focused on the original building and renovating things that need replacement. The \$28,995,900.00 project will replace boilers, windows, air handlers, exterior doors, and several elements of the bus garage. There will be many public town hall meetings between now and October 12<sup>th</sup> so residents can gather information and ask questions. This project is funded by \$5,200,00.00 of the Capital Reserve fund as well as 85% coverage from State Aid, therefore it will have no impact on school taxes. The previous project to bring all grades to one campus was done with such efficiency that it was less than a 2% tax increase.

Susan Ross – Ross Road, Town of Lowville addressed the board as a retiree that is not yet Medicare eligible. She first found out about this potential change by reading and watching a recorded online presentation by County Manager Ryan Piche. She feels uninformed about the new plan and feels that it would have been much better to have had retirees on the committee that researched this potential change. She would like to see more specific information on the Medicare Advantage plan and drug formulary. She also pointed out that the resolution being

presented tonight is to participate in the plan, not just apply. She knows and understands that change is difficult for most people and the unknown can cause fear, so please don't rush this.

Mike Tabolt – Route 812, Town of New Bremen, addressed the board by stating that they are moving way too fast on this Medicare Advantage Plan. He was not impressed with the representative from SPANY when he informed the board that the members would need to learn how to inform their doctors about the change. When he was in Florida, not too long ago, he and his wife had appointments and in three different types of health care setting there were notices posted in plain view that United Health Care was not accepted. Medications are incredibly important to retirees; the idea that one of their monthly prescriptions wouldn't be covered is fearful. He worked for the County for 37 years and he feels that retirees are being treated as baggage. He pleaded for the board to look and listen to the retirees.

Vicki Roy – Pine Grove Road, Town of Watson, addressed the board by first agreeing with what had already been said and that there was so much uncertainty with what is happening. The letter that was mailed out to all retirees was appreciated, but retirees still don't know what the Medicare Advantage Plan looks like. She agrees that it would be nice to save retirees money and of course the taxpayers money, but at what cost. Medicare has always been the primary insurance at age 65 and retirees will still be required to pay their premiums for Part A & B, so what does that cover. There are still so many unanswered questions.

Brenda Bourgeois – River Road, Town of Lowville, addressed the board by asking why there wasn't a plan document sent out to retirees. How can you compare the new plan to the current plan without a plan document. There are just too many unanswered questions. Everyone has their own healthcare needs and therefore their own concerns and questions. She pointed out that one retiree received an empty envelope. The letter and other information would have been much more appreciated had it been sent out months ago. She asked the board to slow down and take time to investigate this further before participating in this new Medicare Advantage Plan.

Wendy Sweet – Hoch Road, Town of Lowville, addressed the board by stating that she was shocked to see the information for the first time on Channel 7 News, as most people no longer get a newspaper instead, they use the internet news sites like Newzjunky or linkinglewiscounty. Medicare Advantage is different from Medicare. Is there a lifetime limit on certain services, is there a deductible or an out-of-pocket maximum, so many unanswered questions. Medicare pays for hospice, but Medicare Advantage doesn't. What about medi-gap insurance which isn't available if you go with a Medicare Advantage Plan. The drug formulary is important to retirees, and they deserve to be able to look it over. These retirees have been loyal to the County for many years but now it feels like they are not getting the respect they deserve. Due to the number of unanswered questions, it feels like retirees don't even know what they are going to be getting. Most plans don't allow you to just leave at any time, there are usually enrollment periods that allow people to join and leave. She appreciated the conversation she had with County administration, but this is all still very upsetting.

Chairman Dolhof reiterated that the goal tonight is not to commit us to move forward with this plan, but it authorizes us to submit an application to join the Alliance. The wording does state that if the application is acceptable and the plan, after continued research is acceptable,

the board can move forward with another resolution to join. Medicare A and B remain, they will stay the same as the Medicare Advantage is coverage beyond that. There are a lot people who have questions including the board but this is an opportunity to learn and be able to get a better product and save money. The only way to get answers is to get them the information they need in the application and attend the meetings. Chairman Dolhof stated that he is hesitant on the committee because he would much rather see everyone attend the meetings and ask their individual questions than leave it up to a small group to decide for the whole. The only way that the county will join this plan is if it is better or equal to what coverage the county offers now.

#### CLERK OF THE BOARD REPORT:

Resolutions were received from Green County titled: Resolution In Opposition to Senate Bill S6637 Regarding Amending Section 606 of the Tax Law; and Resolution In Opposition to New York State Senate Bill S139B & New York Assembly Bill A1358B An Act to Amend the Uniform Justice Court Act, The Town Law and The Village Law, In Relation to Requiring Certain Town and Village Justices be Admitted to Practice Law in the State.

A proclamation was received by Lewis County Department of Social Services from Governor Kathy Hochul for Child Support Awareness Month. Sealer of Weights & Measures, Brian Mooney submitted the July and August 2023 Summary of Field Service Report which have been placed on file.

#### REPORTS OF STANDING COMMITTEES:

Legislator Hathway reported that the Real Property Tax Services Department has submitted the final taxable values to the school districts and created the September 1, 2023 school tax bills which have been mailed out. Legislator Hathway can attest to that fact because he had already received his. The Town of Lewis and the State settled on a final equalization rate of 73.12% for 2023. A new final assessment roll has been prepared and is available on the county website. The Stipulation Order was filed for the City of Rome parcels, and the assessments have been updated accordingly. Sales are continually updated and are posted on the website around the 15<sup>th</sup> of the month. The office continues to assign and/or correct 911 numbers.

Legislator Hathway moved to authorize a Request for Expressions of Interest (RFEI)0 and an MOU with the Lewis County Development Corporation (LCDC), to prepare and develop the RFEI for innovative sustainable development ideas, concepts and re-uses for the former Lyons Falls School in Lyons Falls; with the LCDC staff to work with County employees on the RFEI and any analysis of the proposals received, seconded by Legislator Virkler. Chairman Dolhof pointed out that this is the same process that the County used for the Glenfield Elementary School. The motion was then carried. Legislator Gilbert abstained.

Legislator Gilbert reported that Recreation, Forestry and Parks Department has bee busy with their trail crew, brushing and mowing trails while working on new trails in the Commons. The young men on the crew will be leaving soon for school, which will leave a smaller crew for the remainder of the year. There is lots of work just clearing trails from the recent wind damage over the last month. OHV permit sales are currently at \$176,953.84, which is \$18,407.26 over

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last years figures. A public meeting regarding Community Connectors for the OHV trail system at the West Leyden fire hall has been set for September 27<sup>th</sup> at 6:00 p.m. to discuss connectors in Leyden, Lewis and Osceola.

Legislator Virkler reported that the Office For the Aging has 224 clients who received home delivered meals, and 180 people who attended the community dining sites. There are currently 34 people who are getting personal care and housekeeping services for a total of 409.75 hours, and 8 people who are getting services through Consumer Directed for a total of 86 hours. Caregiver Respite is provided for 11 people totaling 172 hours. Health Insurance Counseling services were provided to 40 clients, and 1 client received legal assistance. NY Connects was able to serve information and referrals to 139 clients.

### PROJECT MANAGERS REPORT:

Mr. Jim Garito thanked the Board of allowing him the opportunity to report. He explained that the County is on the home stretch with most of the projects. He has been working with Social Services to make sure the new building and layout is working well for them. He thanked Ryan Piche and Legislator Hathway for their support in pushing to get the casing for the DMV in a much timelier manner.

Mr. Nick Garito reported that the Highway Facility should be ready for paving in the very near future. The wall is all painted, fixtures are being installed and the whole project should be completed by the end of the month. The DMV should be turned over in the next few weeks so that they can move to the new portion of the building, then renovation of the existing building will begin for Board of Elections.

### COUNTY MANAGER REPORT:

Mr. Ryan Piche reported that due to his presentation earlier in the meeting he was going to forgo any further reporting.

### COUNTY TREASURER REPORT:

Mr. Eric Virkler referenced his written report that had been given to legislators and was available for any questions they might have; however, no one had any questions.

### REPORT OF THE FINANCE AND RULES COMMITTEE:

SEPTEMBER 5, 2023

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

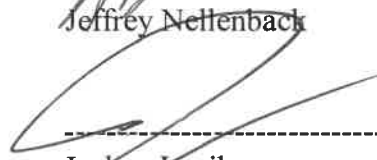
To: The Honorable County Legislators

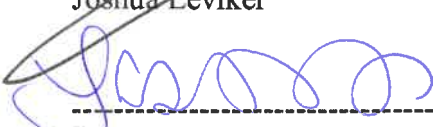
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 4,200,338.61 and recommend that they be audited and allowed for the amounts claimed.

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Thomas Osborne                      Chair

  
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Philip Hathway                      Vice-Chair

  
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Jeffrey Nellenback                      Committee

  
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Joshua Leviker                      Committee

  
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Jessica Moser                      Committee

Dated: September 5, 2023

Approved on motion by Legislator Hathway, seconded by Legislator Leviker, and carried.

**RESOLUTION NO. 153 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$4,200,338.61 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 Virkler, seconded by Legislator Gilbert. Legislator Moser recused herself from any payments processed that were related to her position as an attorney.

The resolution was then adopted on the 5<sup>th</sup> day of September, 2023 pursuant to the following roll call vote:

AYES: Hathway, Nellenback, Virkler, Leviker, Moser, Moroughan, Gilbert, Chartrand, and Dolhof

NAYS: None

ABSENT: Osborne

**RESOLUTION NO. 154 - 2023  
RESOLUTION AUTHORIZING FIVE-YEAR  
AGREEMENT BETWEEN COUNTY OF LEWIS AND  
THE UNIFIED COURT SYSTEM  
FOR COURT CLEANING AND MINOR REPAIRS SERVICES**

Introduced by Legislator Ian Gilbert, Chair of General Services Committee.

WHEREAS, the NYS Unified Court System (“UCS”) seeks to enter into a five-year agreement with the County of Lewis for the purpose of providing cleaning services for the interior of the Lewis County Court House (“Court Facilities”), as well as minor and emergency repairs, and preventive building and property maintenance services for the facility; and

WHEREAS, counties and cities are required by law to furnish and maintain adequate court facilities for use by trial courts in the State of New York; and

WHEREAS, Chapter 686 of the Laws of 1996 invests the State of New York with the fiscal responsibility of managing the interior cleaning and maintenance of Court Facilities, and with the ability to cover the costs of same. Further, these laws require the State to contract with political subdivisions of the State to compensate the municipality for cleaning and repairs of court facilities; and

WHEREAS, the proposed five-year agreement proffered by NYS Unified Court System would be effective and retroactive to April 1, 2023 for a maximum of five (5) years through March 31, 2028 unless terminated sooner or extended. The five-year term shall consist of annual periods, each of which shall have its own maximum amount of monetary reimbursement by UCS to the County established by mutual agreement; and

WHEREAS, the County has provided and submitted the annual compensation reimbursement budget and scope of services the County shall perform for the first year (April 1, 2023 through March 31, 2024), at a cost of \$114,639.00, which has been accepted by UCS; and

WHEREAS, the Board of Legislators seek to authorize and approve this five-year Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a five-year Agreement between the County of Lewis, by and through the Buildings and Grounds Department, and the NYS Unified Court System, for the provision of cleaning services for the interior of the Lewis County Court House (“Court Facilities”), as well as minor and emergency repairs, and preventive building and property maintenance services for the period retroactive to April 1, 2023 through March 31, 2028, with annual periods, and an annual compensation amounts payable to the County. The first annual amount for the period of April 1, 2023-March 31, 2024 is approved at \$114,639.00.

Section 2. That the Chair or Vice-Chair 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 this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Leviker, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 155 - 2023**  
**RESOLUTION AUTHORIZING A CHANGE ORDER TO THE AGREEMENT WITH**  
**BETTE & CRING FOR THE DSS BUILDING RENOVATION UNDER THE**  
**FACILITIES IMPROVEMENT PROJECTS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Bette & Cring was awarded the construction contracts for the DSS Renovation Project; and

WHEREAS, Bette & Cring submitted a potential change order (#057), to address changing the door handles to panic bars and adding a handicapped accessible door opener to the



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new DSS facilities, at a cost of \$22,958.00 for the additional labor, materials and expenses as outlined in its revised proposal dated July 26, 2023; and

WHEREAS, the Board of Legislators seeks to authorize the change order;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a Change Order to the Agreement with Bette & Cring, and the changing of the door handles to panic bars and adding a handicapped accessible door opener required on the DSS building, at a cost of \$22,958.00, as set forth in the submitted documentation.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Order as amendments to the Agreement with Bette & Cring upon review and approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 156 - 2023  
RESOLUTION AUTHORIZING EXTENSION OF KT CONSTRUCTION &  
CONSULTING CO., INC. AGREEMENT AND AUTHORIZING LUMP SUM  
PAYMENT FOR ADDITIONAL PROFESSIONAL SERVICES**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis contracted with KT Construction & Consulting Co., Inc. ("KT") to provided professional services as the Resident Project Representative for the County's various facilities projects commencing December 1, 2021 through November 30, 2023; and

WHEREAS, KT provided additional services outside the identified scope of services set forth in the agreement, including generating month progress reports, change orders, etc; and

WHEREAS, the County seeks to, modify the agreement to : 1) extend the term from November 30, 2023, by having KT continue to provide the services on a monthly basis commencing December 1, 2023, at the rate of \$21,305.00 per month until final close out by the County, anticipated to be in or about the end of February, 2024; and 2) to pay KT the sum of \$14,025.00 as a lump sum payment for past and future additional services provided outside the scope set forth in the agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a modification of the Agreement with KT Construction & Consulting Co, Inc., to extend the term beyond November 30, 2023, by KT continuing to provide said professional services on a monthly basis commencing December 1, 2023 until the County determines final close out of their services, at the monthly compensation rate of \$ 21,305.00.

Section 2. That the Lewis County Board of Legislators authorizes an immediate lump sum payment to KT in the amount of \$14,025.00 for past and future additional services outside the contracted scope of services it has and will continue to provide until final termination of the modification agreement.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Modification/Extension Agreement, upon review and approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 157 - 2023**  
**RESOLUTION AUTHORIZING ONE-YEAR RENEWAL**  
**AGREEMENTS BETWEEN THE COUNTY OF LEWIS AND**  
**ICU SECURITY & PRIVATE INVESTIGATIONS FOR**  
**UNARMED SECURITY GUARD SERVICES AT THE**  
**DEPARTMENT OF MOTOR VEHICLES AND THE SOCIAL SERVICES BUILDING**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee, and Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the County of Lewis, on behalf of the Lewis County Department of Motor Vehicles (“DMV”) and Lewis County Department of Social Services (“DSS”), desires to renew the agreements with ICU Security & Private Investigations (“ICU”) for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY and the DSS building located on Outer Stowe Street, Lowville, NY; and

WHEREAS, the Lewis County Clerk and the Lewis County Commissioner of DSS desire to enter into one-year renewal agreements for security guard services in 2023 at a rate of \$33.50 per hour year at the DMV and \$36.50 per hour at the DSS building, the prevailing wage rate for security guards in the North Country area, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said service. The hours for DMV are 8:30 a.m. to 4:00 p.m. Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week. The hours for DSS are 8:30 a.m. to 4:30 p.m. Monday through Friday on the days the DSS building is open or as the

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Commissioner may otherwise direct, inclusive of 2,080 hours at regular pay and no more than 20 hours of overtime pay; and

WHEREAS, the Board of Legislators wishes to authorize the agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes separate one-year renewal agreements between the Lewis County Clerk, and the Lewis County Commissioner of the Department of Social Security, with ICU Security & Private Investigations for unarmed security guard services at their respective buildings.

Section 2. That the term of the Agreement with the DMV shall be from January 1, 2024 through December 31, 2024, at a cost not to exceed \$33.50 per hour, all inclusive of taxes, insurance, disability, benefits, and any other costs and expenses associated with providing said service, 8:30 a.m. to 4:00 p.m., Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week.

Section 3. The term of the Agreement with DSS shall be from November 1, 2023 through December 31, 2024 (14 months to end at same date as DMV Agreement), at a cost not to exceed \$36.50 per hour, all inclusive of taxes, insurance, disability, benefits, and any other costs and expenses associated with providing said service, 8:30 a.m. to 4:30 p.m., Monday through Friday on the days the DSS building is open or as the Commissioner may otherwise direct.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement, pending approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 158 - 2023  
RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007  
FINDING AND DETERMINING THAT AN UNSAFE STRUCTURE  
SHALL BE DEMOLISHED AND REMOVED  
AND TO SET HEARING FOR FINAL ORDER  
(VILLAGE OF TURIN)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2-2007, entitled, "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES," the Board of Legislators is empowered to

take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 321.15-01-11.000, 6314 East Main Street, in the Village of Turin, owned by Ignacio Ahumada, and determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on July 24, 2023, including a recommendation, *inter alia*, that the structure be demolished and removed; and

WHEREAS, Section 4 of the Law applies to any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s). The County performs enforcement services of the uniform code(s) on behalf of the Village of Turin; and

WHEREAS, the Code Enforcement Officer reported that the Residential building is abandoned, unsafe, in disrepair, and damaged; with a failing foundation and structural damage to the roof, creating an unsafe condition. The structure is unfit for human occupancy and is definable as unsafe. This building is a danger to anyone who may attempt to enter. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the conclusion and recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators to determine and find that the building is an unsafe and dangerous structure as described in the Local law; that it cannot be safely repaired and should be demolished, with the debris properly removed, together with any other service which may subsequently be deemed necessary for the health and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with the reports of the Lewis County Code Enforcement Officer that:

1. The herein described building is unsafe and constitutes a public nuisance and a danger to the safety, health and welfare of the community; and
2. It is the opinion of the Board of Legislators that the building must be properly demolished and removed from the premises.
3. Directs that a Notice as described in Section 7 of Local Law No. 2-2007 and copy of this Resolution and Decision be served upon Ignacio Ahumada and all others deemed appropriate who may have an interest in the property.

Section 2. That by reason of such findings, the Board of Legislators hereby:

**ORDERS**, that Ignacio Ahumada appear before this Board of Legislators on October 4, 2023 at 5:00 p.m. to Show Cause before this Board why it should not Order the owner to hire a company to 1) Close and secure the structure, if exposed, and to

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property demolish and remove the building located on parcel Tax Map No. 321.15-01-11.000, 6314 East Main Street, in the Village of Turin, Lewis County, New York in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and further

**ORDERS AND DECREES**, that in the event that the Owner fails to appear before this Board or fails to comply with any Orders of this Board, the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located, and to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

**ORDERS AND DECREES** that Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the owner of record and any other interested parties not less than five (5) business days prior to the hearing date set forth above, in accordance with Section 8 of the Local Law, said notice to contain as follows:

1. a description of the premises;
2. a statement of the particulars in which the building or equipment is deemed unsafe or dangerous;
3. an order outlining the manner in which the building or equipment is to be made safe and secure, or demolished and removed;
4. a statement that the securing or removal of such building shall commence within thirty (30) days of the service of the notice and shall be completed within sixty (60) days thereafter, unless, for good cause shown, such time shall be extended;
5. a date, time and place for a hearing before the Board of Legislators in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the notice; and
6. a statement that in the event of neglect or refusal to comply with the order to secure or demolish and remove the building or equipment, the Board of Legislators is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and if required, to institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 3. A copy of the notice served as provided herein shall be filed in the office of the Lewis County Clerk.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 159 - 2023**  
**RESOLUTION APPOINTING MEMBER TO**  
**COMMUNITY SERVICES MENTAL HEALTH SUBCOMMITTEE**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

WHEREAS, a seat became open on the Community Services Mental Health Disorder Subcommittee upon the early resignation of Crystal Collette; and

WHEREAS, the Community Services Board recommends Ashley Wilson due to fill the unexpired term of Crystal Collette;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Ashley Wilson, as a member of the Lewis County Community Services Mental Health Subcommittee to fill the un-expired term of Crystal Collette.

Section 2. That the term of said appointment shall be effective September 5, 2023 through December 31, 2024.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 160 - 2023**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**Community Services Department**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Community Services account line to appropriate Fund balance for current and future care, maintenance and examination services to patients placed in NYS Office of Mental Health psychiatric facilities pursuant to County Criminal or Family Court Orders:

Decrease:

|                        |              |
|------------------------|--------------|
| A0 005990 Fund balance | \$200,000.00 |
|------------------------|--------------|

Increase:

|                                       |              |
|---------------------------------------|--------------|
| A0433500 490100 Professional Services | \$200,000.00 |
|---------------------------------------|--------------|

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted. On the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 161 - 2023**  
**RESOLUTION AUTHORIZING LEWIS COUNTY FIRE COORDINATOR**  
**TO FORM A COUNTY-WIDE FIRE POLICE TASK FORCE**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee

WHEREAS, the assistance of volunteer Fire Police at dangerous scenes and fireground operations can benefit the safety of residents in the community, and free up fire department volunteers; and

WHEREAS, the Lewis County Fire Coordinator seeks to form a County-Wide Fire Police Task Force from volunteer fire departments to respond to firegrounds and emergency scenes as needed, to assist in restricting, re-routing, and guiding citizens around dangerous scenes and fireground operations, thereby keeping fire department volunteers and emergency responders focused on the emergency at hand; and

WHEREAS, the volunteer members of this task force will be individuals highly trained and dedicated to the safety of Lewis County residents by performing duties related to securing areas around firegrounds and emergency scenes to keep all safe; and

WHEREAS, members of this task force would respond when the Lewis County Dispatch Center summons the Fire Police Task Force to respond to emergency scenes;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Fire Coordinator to form a County-Wide Volunteer Fire Police Task Force from trained volunteers in the County to perform the duties to secure and protect emergency responders, firefighters and the general public around emergency scenes and fireground operations, including but not limited to temporary restriction of road use, re-routing of traffic, and general guidance and safety.

Section 2. That this volunteer Task Force shall be reportable to the Lewis County Fire Coordinator and the Lewis County Fire Police Association. The Fire Coordinator shall develop the requirements of said volunteers and the expected duties and procedures to be followed when called to respond to emergency situations. The Fire Coordinator shall maintain annual statistics as to the activities of the Task Force and provide same to the Board of Legislators and County Manager.

Section 3. That the Lewis County Manager is hereby authorized to execute any documents to promote the formation of the Lewis County Fire Police Task Force, upon review by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 162 - 2023**  
**RESOLUTION AUTHORIZING SUPPLEMENT AGREEMENT NO. 1 BETWEEN**  
**LEWIS COUNTY HIGHWAY DEPARTMENT AND**  
**BARTON & LOGUIDICE FOR CR 21 OVER GULF STREAM**  
**(PIN 7753.95; BIN 1039780)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 158 - 2020 authorizing the Bridge Replacement on CR 21 over Gulf Stream (PIN 775395; BIN 1039780) in the Town of Pinckney, County of Lewis for the Barton & Loguidice to provide Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases of the Project at a cost of \$253,000.00; and

WHEREAS, the Lewis County Highway Department (hereinafter “Highway Department”) desires to enter into Supplemental Agreement No. 1 with Barton & Loguidice (hereinafter “B&L”), for additional engineering for the Design and Construction phases of the project for the anticipated 20-week construction duration at an additional cost of 240,000.00 as set forth in Supplemental No. 1; and

WHEREAS, in connection with a federal-aid project funded through the New York State Department of Transportation (“NYSDOT”) identified as CR 21 over Gulf Stream, the Lewis County Highway Department desires to have B&L provide additional engineering services for the Design and Construction Phases regarding the bridge replacement project (PIN 775395; BIN 1039780); 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 Supplemental Agreement No. 1 between the County of Lewis and Barton & Loguidice to provide additional engineering services for the Design and Construction Phases regarding the bridge replacement project identified as CR 21 over Gulf Stream (PIN 775395; BIN 1039780).



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Section 2. That the term of the Agreement is from July 6, 2023 through December 31, 2024 for the additional amount not to exceed \$240,000.00( with 80% eligible for Federal funds and 20% non-federal funds), for a total cost of \$493,000.00 to Barton & Loguidice for this project.

Section 3. That the Chair or Vice-Chair 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 Moser , seconded by Legislator Chartrand , and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 163 - 2023**  
**RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 2 TO THE**  
**CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF**  
**TRANSPORTATION (NYSDOT) AND LEWIS COUNTY FOR THE**  
**TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT**  
**(PIN 7753.95) KNOWN AS CR 21 OVER GULF STREAM**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as CR 21 over Gulf Stream (PIN 775395; BIN 1039780) (the “Project”) in the Town of Pinckney, County of Lewis, 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, pursuant to Highway Law § 10 (34-a) and section 15 of Chapter 329 of the Laws of 1991 as amended by section 9 of Chapter 330 of the Laws of 1991, as further amended by chapter 57 of the Laws of New York of 2014, the State has established the “Marchiselli” Program, which provides certain State-aid for Federal aid highway projects not on the State highway system with project eligibility for Marchiselli Program funds determined by NYS DOT. This project is being funded with Federal Surface Transportation Program (STP) and Marchiselli funds; and

WHEREAS, the County of Lewis advanced the Project by authorizing a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases of the Project by Resolution No. 140-2020 adopted June 2, 2020; and

WHEREAS, the Superintendent of Highways received notice from the NYS DOT that the County will receive additional funding of \$25,000.00 Engineering/Design Phase of the project for Final Design, which covers eligible costs incurred on or after September 5, 2023; and

WHEREAS, in order for the County to receive the full, additional reimbursement, a “Supplemental Agreement No. 2 to D040143” must be executed;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chair of the Board of Legislators to execute “Supplemental Agreement No. 2 to D040143” for the Final Design Phase funding of the project.

Section 2. That the Chair of the Lewis County Board of Legislators, or in his absence, the Vice-Chair of the Board, is authorized to execute all additional necessary supplemental agreements on behalf of the Lewis County Board of Legislators with the New York State Department of Transportation in connection with this Project.

Section 3. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to Supplemental Agreement No. 2 to D040143, in connection with the Project.

Section 4. That \$25,000.00 shall be appropriated in the Capital Bridge Program to facilitate the Final Design Phase for the Bridge Replacement on CR 21 Over Gulf Stream (PIN 775395; BIN 1039780) in the Town of Pinckney. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenues:

|                         |              |
|-------------------------|--------------|
| H0512000 345970 Federal | \$ 20,000.00 |
| H0512000 335910 State   | \$ 3,750.00  |
| H0512000 350310 Local   | \$ 1,250.00  |
| Project HAQ             |              |

Increase Expenditures:

|                 |              |
|-----------------|--------------|
| H0512000 499900 | \$ 25,000.00 |
| Project HAQ     |              |

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 164 - 2023**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**Highway Department**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following budget appropriation be approved in the County Road accounts for additional revenue expected from the NYS CHIPS program:

Increase Revenue:

|                               |               |
|-------------------------------|---------------|
| D0501000 335011 CHIPS revenue | \$ 222,600.00 |
|-------------------------------|---------------|

Increase Expenditure:

|                                               |               |
|-----------------------------------------------|---------------|
| D0512000 485120 Capital Improvement Materials | \$ 222,600.00 |
|-----------------------------------------------|---------------|

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 165 - 2023  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY DEPARTMENT  
AND BARTON & LOGUIDICE FOR DESIGN AND BIDDING  
PROFESSIONAL SERVICES AND TO SEND OUT AN RFP FOR  
THE CULVERT REPLACEMENT PROJECT  
- PINE GROVE ROAD -**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Highway Department desires to enter into an agreement with Barton & Loguidice (B&L), authorized on the New York State list of professional engineers with the engineering expertise for culvert repair projects, to provide design and construction bidding documents services with respect to the box culvert replacement project located on Pine Grove Road in Watson, NY; and

WHEREAS, Barton & Loguidice has provided a detailed proposal dated June 26, 2023, with the professional scope of services and phases proffered for this project at maximum compensation of \$35,800.00; and

WHEREAS, the Highway Superintendent seeks to have the Board of Legislators authorize a contract with B&L for these professional services, and to authorize an RFP for public bidding of the construction phase of the project with the assistance of B&L; and

WHEREAS, the Lewis County Board of Legislators wishes to accept such services and authorizes a contract with B&L and bidding for this project;

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 by and through the Lewis County Highway Department and Barton & Loguidice to provide engineering services necessary for the design, bidding and construction phases of the culvert replacement project located on Pine Grove Road in Watson, New York, at a cost of \$35,800.00 as more fully set forth in the proposal dated June 26, 2023.

Section 2. That the Lewis County Board of Legislators authorizes the Highway Superintendent to send out an RFP for public construction bidding of the project with the professional assistance of Barton & Loguidice.

Section 3. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto pending approval by the County Attorney

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 166 - 2023**  
**RESOLUTION AUTHORIZING PARTICIPATION IN BROOME COUNTY**  
**PURCHASING ALLIANCE FOR MEDICARE DRUG BENEFIT PLANS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Broome County has secured contracts with United Health Care for Medicare Advantage and Prescription Drug Benefit Plans (MAPD plans) for Medicare primary retirees of the participating entities of the Broome County Purchasing Alliance (BCPA); and

WHEREAS, Broome County allows participation of other interested municipalities pursuant to General Municipal Law § 119-o; and

WHEREAS, each participating municipality who joins the BCPA will enter into its own contract with United Health Care to receive the preferred pricing and coverage provided to the alliance; and

WHEREAS, the Lewis County Treasurer seeks to have the County of Lewis participate in the BCPA MAPD Program in order to receive the preferred pricing and coverage for Medicare primary retirees;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes and agrees to have the County participate and join with Broome County and other participating municipalities in the BCPA for Medicare Advantage and Prescription Drug Benefit Services for its eligible retirees.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the Lewis County Board of Legislators directs and authorizes the Lewis County Treasurer to provide Broome County, via its secure and confidential BCPA Portal, with the information required to facilitate account registration including, but not limited to, census information of Medicare primary retirees including date of birth, gender and zip code; a copy of current Plan Description and Benefit Summary along with this resolution.

Section 3. That the Treasurer, Chairman or Vice-Chairman is authorized to execute any agreements, documents, or papers as may be necessary to implement the intent of this resolution, and to protect the privacy and confidentiality of information being provided, upon review by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Gilbert.

Legislator Hathway moved to amend the current resolution to insert a new Section 4, which reads “That the initial shared services match refund from the Department of State will go directly to the Health Plan Fund balance to insure its’ health. If any future match refunds of this type are received, they will be considered independently for best use.” Section 5, will read “That this Resolution shall take effect immediately.”, seconded by Legislator Chartrand and carried.

Legislator Moser questioned if keeping the language in Section 1 is appropriate as the board is just submitting the application at this point and will continue to review the plan with the retirees to make sure it is similar or better coverage than what is currently offered. There was further discussion about the time frame needed for Broome County to pull all the documents together, more of an enrollment period to get all the figures and analysis done. Legislator Gilbert moved to amend the current resolution by changing the language in Section 1 to reflect the application being submitted. County Attorney Joan McNichol suggested there would be language added that references the application process now and other language that alludes to joining pending final approval of the board. Legislator Gilbert withdrew his motion to amend the resolution.

Legislator Gilbert moved to amend the revised resolution so that Section 1 would read “That they Lewis County Board of Legislators authorizes and agrees to have the County participate with Broome County and other participating municipalities in the BCPA for Medicare Advantage and Prescription Drug Benefit Services for its eligible retirees by submission of the required application.”, seconded by Legislator Moser and carried.

After further discussion from the County Attorney, Legislator Hathway withdrew his original motion to amend the resolution.

The resolution was then adopted on the 5<sup>th</sup> day of September, 2023. Legislator Moroughan was opposed.

SEPTEMBER 5, 2023

**RESOLUTION NO. 167 - 2023**  
**RESOLUTION ESTABLISHING AND ADOPTING**  
**INFORMATION SECURITY POLICIES**

Introduced by Legislator Thomas Osborne, Chair, Finance & Rules Committee.

WHEREAS, the Information Technology Director, in consultation with the County Manager, Human Resources Director, Clerk of the Board, and County Attorney have developed comprehensive Information Security and Use policies, which are commonly followed in the public sector; and

WHEREAS, the attached policies, address general Information Security principles and practices, acceptable use of technology, security awareness training, data classification, active monitoring on premises, and electronic systems, and are recommended for adoption by the Lewis County Board of Legislators for approval; and

WHEREAS, the Board of Legislators wishes to accept and adopt said policies;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and adopts the attached Information Security for Lewis County Employees as presented and recommended to the Board of Legislators by the Director of Information Technology.

Section 2. That the Clerk of the Board is directed to add the policies to the administrative and employee handbooks, upon such form as may be approved by the County Attorney and Human Resource Director.

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

Moved by Legislator Moser , seconded by Legislator Chartrand , and adopted on the 5<sup>th</sup> day of September, 2023.

# Employee Acknowledgement

LEWISPOL-CS100

## 1. Overview

The Information Security policies implemented by Lewis County are meant to be understood and acknowledged by all Lewis County employees.

Additionally, in accordance with the NYS Civil Rights laws, employees are to be advised that Lewis County reserves the right to monitor all information technology activity on and within county premises and electronic systems (telephones, computers, e-mail accounts, social media, internet, etc.).

Reference: Civil Rights (CVR) CHAPTER 6, ARTICLE 5, SECTION 52-C\*2

## 2. Acknowledgement

Please sign this form to acknowledge that you've read the required Information Security material and that you are committed to following related policies. If you need any clarifications, please contact the Human Resources department.

X

Print Name

X

Date: / /

Signature

# Information Security Policy

## LEWISPOL-CS101

### Notice

This document contains proprietary information of Lewis County and is issued for **internal use only**. It shall not be disclosed to any third-party or be used for any purpose other than for which it was supplied. This document may not, in whole or in part, be copied, photocopied, reproduced, translated, or reduced to any electronic medium or machine-readable form without the written consent of Lewis County.

### Related Policies

All other policies beginning with "LEWISPOL-CSxxx".

LEWISPOL – Lewis Policy

CS – Cyber Security

## 1. Overview

Information Security Policies serve as the backbone of any mature Information Security Program. The Information Technology Department is committed to protecting Lewis County and its employees, partners, and constituents from illegal or damaging actions, either knowingly or unknowingly. Lewis County's Information Security Policy supports the organization's business objectives and adheres to industry standards.

## 2. Purpose & Benefits

This policy defines the mandatory minimum information security requirements for Lewis County as defined below in Section 3. Scope. Any department may, based on its individual business needs and specific legal and federal requirements, exceed the security requirements put forth in this document, but must, at a minimum, achieve the security levels required by this policy. This policy serves as an umbrella document to all other security policies and associated standards.

### 2.1. This policy defines the responsibility to:

2.1.1. Protect and maintain the confidentiality, integrity, and availability of information and related infrastructure assets.

2.1.2. Manage the risk of security exposure or compromise.



- 2.1.3. Assure a secure and stable information technology (“IT”) environment.
- 2.1.4. Identify and respond to events involving information asset misuse, loss, or unauthorized disclosure.
- 2.1.5. Monitor systems for anomalies that might indicate compromise.
- 2.1.6. Promote and increase the awareness of information security.

Failure to secure and protect the confidentiality, integrity, and availability of information assets in today’s highly networked environment can damage or shut down systems that operate critical infrastructure, financial and business transactions, and vital government functions; compromise data; and result in legal and regulatory non-compliance. This policy benefits Lewis County by defining a framework that will assure appropriate measures are in place to protect the confidentiality, integrity, and availability of data. It will assure staff and all other affiliates understand their role and responsibilities, have adequate knowledge of security policy, procedures, and practices, and know how to protect information.

### 3. Scope

This policy applies to all staff throughout the organization as part of the corporate governance framework. It applies regardless of whether staff work in the office, remotely, full-time, part-time, or temporarily. Employees must apply this policy to all information, electronic and computing devices, and network resources that may conduct or contain secured business information. All employees are responsible for protecting any forms of information assets including computer data, written materials/paperwork, and intangible forms of knowledge and experience. The organization may impose restrictions, at the discretion of their executive management, on the use of a particular IT resource.

Lewis County departments that utilize systems, accounts, or networks not managed by Lewis County (Social Services, Public Health, etc.) must also adhere to the policies of those systems’ owners. In cases where Lewis County’s policy overlaps or conflicts with outside organizations, employees are expected to adhere to the stricter of the two policies. For example, Social Services employees will generally need to comply with the New York State information security policies. Questions on interpretation of scope can be directed to the Information Technology or Human Resource Departments.

### 4. Policy

#### 4.1. Organizational Security

Information security requires both an information risk management function and an information technology security function. Depending on the structure of the entity, an individual or group can serve in both roles, or a separate individual or group can be

designated for each role. It is recommended that these functions be performed by a high-level executive or a group that includes high level executives.

**4.1.1. Lewis County must designate an individual or group to be responsible for the risk management function assuring that:**

- 4.1.1.1. Risk-related considerations for information assets and individual information systems, including authorization decisions, are viewed as an enterprise regarding the overall strategic goals and objectives of carrying out its core missions and business functions.
- 4.1.1.2. The management of information assets and information system-related security risks is consistent, reflects the risk tolerance, and is considered along with other types of risks, to ensure mission/business success.
- 4.1.1.3. Lewis County must designate an individual or group to be responsible for the technical information security function. For purposes of clarity and readability, this policy will refer to the individual, or group, designated as the Director of Information Technology (IT Director) or designated security representative. This function will be responsible for evaluating and advising on information security risks.
- 4.1.1.4. Although the technical information security function may be outsourced to third parties, the county retains overall responsibility for the security of the information that it owns.

**4.2. Functional Responsibilities**

**4.2.1. Executive Management Team is responsible for:**

The Executive Management Team is comprised of the County Manager, the Corporate Compliance Committee, and any other executives (teams or individuals) that make risk and incident management decisions.

- 4.2.1.1. evaluating risk on behalf of Lewis County;
- 4.2.1.2. identifying information security responsibilities and goals and integrating them into relevant processes;
- 4.2.1.3. supporting the consistent implementation of information security policies and standards;
- 4.2.1.4. supporting security through clear direction and demonstrated commitment of appropriate resources;
- 4.2.1.5. promoting awareness of information security best practices through the regular dissemination of materials provided by the IT Director/designated security representative;
- 4.2.1.6. implementing or supporting the process for determining information classification and categorization, based on industry recommended practices, organization directives, and legal and regulatory requirements, to determine the appropriate levels of protection for that information;

- 4.2.1.7. implementing or supporting the process for information asset identification, handling, use, transmission, and disposal based on information classification and categorization;
- 4.2.1.8. determining who will be assigned and serve as information owners
- 4.2.1.9. participating in security incident response;
- 4.2.1.10. complying with notification requirements in the event of a breach of private or protected information;
- 4.2.1.11. adhering to specific legal and regulatory requirements related to information security;
- 4.2.1.12. communicating legal and regulatory requirements to the IT Director /designated security representative; and
- 4.2.1.13. communicating requirements of this policy and the associated standards, including the consequences of non-compliance, to the workforce and third parties, and addressing adherence in third party agreements.

**4.2.2. The Chief Information Security Officer (ie. The IT Director if Lewis County does not have a separate position) is responsible for:**

- 4.2.2.1. providing in-house expertise or security consultants as needed;
- 4.2.2.2. developing the security program and strategy, including measures of effectiveness;
- 4.2.2.3. establishing and maintaining enterprise information security policy and standards;
- 4.2.2.4. assessing compliance with security policies and standards;
- 4.2.2.5. advising on secure systems engineering;
- 4.2.2.6. providing incident response coordination and expertise;
- 4.2.2.7. maintaining ongoing contact with security groups/associations and relevant authorities;
- 4.2.2.8. providing timely notification of current threats and vulnerabilities; and
- 4.2.2.9. providing awareness materials and training resources.

**4.2.3. The IT Director or designated security representative (if different) is responsible for:**

- 4.2.3.1. maintaining familiarity with business functions and requirements;
- 4.2.3.2. maintaining an adequate level of relevant knowledge and proficiency in information security through annual Continuing Professional Education (CPE) credits directly related to information security;
- 4.2.3.3. assessing compliance with information security policies and legal and regulatory information security requirements;
- 4.2.3.4. evaluating and understanding information security risks and how to appropriately manage those risks;
- 4.2.3.5. representing and assuring security architecture considerations are addressed;

- 4.2.3.6. advising on security issues related to procurement of products and services;
- 4.2.3.7. escalating security concerns that are not being adequately addressed according to the applicable reporting and escalation procedures;
- 4.2.3.8. disseminating threat information to appropriate parties;
- 4.2.3.9. participating in the response to potential security incidents;
- 4.2.3.10. participating in the development of enterprise policies and standards that consider the entity's needs; and
- 4.2.3.11. promoting information security awareness.

#### **4.2.4. IT Management and Personnel is responsible for:**

- 4.2.4.1. supporting security by providing clear direction and consideration of security controls in the data processing infrastructure and computing network(s) which support the information owners;
- 4.2.4.2. providing resources needed to maintain a level of information security control consistent with this policy;
- 4.2.4.3. identifying and implementing all processes, policies, and controls relative to security requirements defined by the county and this policy;
- 4.2.4.4. implementing the proper controls for information owned based on the classification designations;
- 4.2.4.5. providing training to appropriate technical staff on secure operations (e.g., secure coding, secure configuration);
- 4.2.4.6. fostering the participation of information security and technical staff in protecting information assets, and in identifying, selecting, and implementing appropriate and cost-effective security controls and procedures; and
- 4.2.4.7. implementing business continuity and disaster recovery plans.

#### **4.2.5. The workforce is responsible for:**

- 4.2.5.1. understanding the baseline information security controls necessary to protect the confidentiality, integrity, and availability of information entrusted;
- 4.2.5.2. protecting information and resources from unauthorized use or disclosure;
- 4.2.5.3. protecting personal, private, sensitive information from unauthorized use or disclosure;
- 4.2.5.4. abiding by the Acceptable Use Policy **[LEWISPOL-CS201]**
- 4.2.5.5. reporting suspected information security incidents or weaknesses to the appropriate manager and IT Director/designated security representative.

### 4.3. Separation of Duties

- 4.3.1. To reduce the risk of accidental or deliberate system misuse, separation of duties and areas of responsibility must be implemented where appropriate.
- 4.3.2. Whenever separation of duties is not technically feasible, other compensatory controls must be implemented, such as monitoring of activities, audit trails, and management supervision.
- 4.3.3. The audit and approval of security controls must always remain independent and segregated from the implementation of security controls, whenever possible.

### 4.4. Information Risk Management

- 4.4.1. Any system or process that supports county functions must be appropriately managed for information risk and undergo information risk assessments, at a minimum annually, as part of a secure system development life cycle.
- 4.4.2. Information security risk assessments are required for new projects, implementations of new technologies, significant changes to the operating environment, or in response to the discovery of a significant vulnerability.
- 4.4.3. Risk assessment results, and the decisions made based on these results, must be documented.

### 4.5. Information Classification and Handling

- 4.5.1. All information created, acquired, or used in support of county activities must be used only for its intended organizational purpose.
- 4.5.2. All information assets must have an information owner established within the department(s).
- 4.5.3. Sensitive Information, such as PII and PHI (as defined in the Data Classification Policy **[LEWISPOL-CS102]**) must not be retained longer than necessary for the purpose for which it was originally collected without documented business purpose or legal obligation to do so.
- 4.5.4. Information must be properly managed from its creation, authorized use, and disposal.
- 4.5.5. All information must be classified on an ongoing basis based on its confidentiality, integrity, and availability characteristics.
- 4.5.6. An information asset must be classified based on the highest level necessitated by its individual data elements.
- 4.5.7. If the entity is unable to determine the confidentiality classification of information or the information is personal identifying information (PII) the information must have a high confidentiality classification and, therefore, is subject to high confidentiality controls.

- 4.5.8. Merging of information which creates a new information asset or situations that create the potential for merging (e.g., backup tape with multiple files) must be evaluated to determine if a new classification of the merged data is warranted.
- 4.5.9. All reproductions of information in its entirety must carry the same confidentiality classification as the original. Partial reproductions need to be evaluated to determine if a new classification is warranted.
- 4.5.10. Each classification has an approved set of baseline controls designed to protect these classifications and these controls must be followed.
- 4.5.11. An electronic inventory of all information assets must be maintained.
- 4.5.12. Content made available to the general public must be reviewed according to a process that will be defined and approved by the county. The process must include the review and approval of updates to publicly available content and must consider the type and classification of information posted.

#### 4.6. IT Asset Management

- 4.6.1. All IT hardware and software assets must be assigned to a designated departmental unit or individual.
- 4.6.2. Lewis County is required to maintain an inventory of hardware and software assets, including all system components (e.g., network address, machine name, software version) at a level of granularity deemed necessary for tracking and reporting. This inventory must be automated where technically feasible.
- 4.6.3. Processes, including regular scanning, must be implemented to identify unauthorized hardware and/or software and notify appropriate staff when discovered.

#### 4.7. Personnel Security

- 4.7.1. The workforce must receive general security awareness training, to include recognizing and reporting insider threats, within 30 days of hire. Additional training on specific security procedures, if required, must be completed before access is provided to sensitive information not covered in the general security training. All security training must be reinforced at least annually and must be tracked by the county.  
**[LEWISPOL-CS103]**
- 4.7.2. Lewis County must require its workforce to abide by the Acceptable Use Policy **[LEWISPOL-CS201]**, and an auditable process must be in place for users to acknowledge that they agree to abide by the policy's requirements **[LEWISPOL-CS100]**.
- 4.7.3. All job positions must be evaluated to determine whether they require access to sensitive information and/or sensitive information technology assets.



- 4.7.4. For those job positions requiring access to sensitive information and sensitive information technology assets, the county must conduct workforce suitability determinations, unless prohibited from doing so by law, regulation, or contract. Depending on the risk level, suitability determinations may include, as appropriate and permissible, evaluation of criminal history record information or other reports from federal, state, and private sources that maintain public and non-public records. The suitability determination must provide reasonable grounds for the county to conclude that an individual will likely be able to perform the required duties and responsibilities of the subject position without undue risk to the county.
- 4.7.5. A process must be established within Lewis County to repeat or review suitability determinations periodically and upon change of job duties or position.
- 4.7.6. Lewis County is responsible for ensuring all issued property is returned prior to an employee's separation and accounts are disabled and access is removed immediately upon separation.

#### 4.8. Cyber Incident Management

- 4.8.1. Lewis County must have an Incident Response Plan **[LEWISPLA-CS801]** to effectively respond to security incidents.
- 4.8.2. All observed or suspected information security incidents or weaknesses are to be reported to appropriate management and the IT Director/designated security representative as quickly as possible. If a member of the workforce feels that cyber security concerns are not being appropriately addressed, they may confidentially contact the IT Director directly and/or escalate to executive management, accordingly.
- 4.8.3. IT Operations must be notified of any cyber incident which may have a significant or severe impact on operations or security, or which involves digital forensics, to follow proper incident response procedures, and guarantee coordination and oversight.

#### 4.9. Physical and Environmental Security

- 4.9.1. Information processing and storage facilities must have access controls.
- 4.9.2. A periodic risk assessment must be performed for information processing and storage facilities to determine whether existing controls are operating correctly and if additional physical security measures are necessary.
- 4.9.3. Information technology equipment must be physically protected from security threats and environmental hazards. Special controls may also be necessary to protect supporting infrastructure and facilities such as electrical supply and cabling.

- 4.9.4. All information technology equipment and information media must be secured to prevent compromise of confidentiality, integrity, or availability in accordance with the classification of information contained therein.
- 4.9.5. Visitors (non-Lewis County Employees) to information processing and storage facilities, including maintenance contractors, must always be escorted.

#### 4.10. Account Management and Access Control

- 4.10.1. All accounts must have an individual employee or group assigned to be responsible for account management. This may be a combination of the business unit and information technology (IT).
- 4.10.2. Except as described in the Access Control Standard **[LEWISPOL-CS902]**, access to systems must be provided through individually assigned unique identifiers, known as user-IDs.
- 4.10.3. Associated with each user-ID is an authentication token (e.g., password, key fob, biometric) which must be used to authenticate the identity of the person or system requesting access.
- 4.10.4. Automated techniques and controls must be implemented to lock a session and require authentication or re-authentication after a period of inactivity for any system where authentication is required. Information on the screen must be replaced with publicly viewable information (e.g., screen saver, blank screen, clock) during the session lock.
- 4.10.5. Automated techniques and controls must be implemented to terminate a session after specific conditions are met as defined in the Access Control Standard **[LEWISPOL-CS902]**.
- 4.10.6. Tokens used to authenticate a person or process must be treated as confidential and protected appropriately.
- 4.10.7. Tokens must not be stored on paper, or in an electronic file, hand-held device, or browser, unless they can be stored securely and the method of storing (e.g., password vault) has been approved by the IT Director/designated security representative. Reference the Password Standards Policy for more detail **[LEWISPOL-CS301]**.
- 4.10.8. Information owners are responsible for determining who should have access to protected resources within their jurisdiction, and what those access privileges should be (read, update, etc.).
- 4.10.9. Access privileges will be granted in accordance with the user's job responsibilities and will be limited only to those necessary to accomplish assigned tasks in accordance with entity missions and business functions.
- 4.10.10. Users of privileged accounts must use a separate, non-privileged account when performing normal county operations (e.g., accessing the Internet, e-mail).



- 4.10.11. Logon banners must be implemented on all systems where that feature exists to inform all users that the system is for county business or other approved use consistent with policy, that user activities may be monitored, and that the user should have no expectation of privacy.
- 4.10.12. Advance approval for any remote access connection must be provided by the county. An assessment must be performed and documented to determine the scope and method of access, the technical and business risks involved, and the contractual process and technical controls required for such connection to take place.
- 4.10.13. All remote connections must be made through managed points-of-entry reviewed by the IT Director/designated security representative.
- 4.10.14. Working from a remote location must be authorized by management and practices which assure the appropriate protection of data in remote environments must be shared with the individual prior to the individual being granted remote access. Detailed further in the Remote Access Policy [LEWISPOL-CS303].

#### 4.11. Systems Security

- 4.11.1. Systems include but are not limited to servers, platforms, networks, communications, databases, and software applications.
- 4.11.2. An individual or group must be assigned responsibility for maintenance and administration of any system deployed on behalf of the entity. A list of assigned individuals or groups must be centrally maintained.
- 4.11.3. Security must be considered at system inception and documented as part of the decision to create or modify a system.
- 4.11.4. Each system must have a set of controls commensurate with the classification of any data that is stored on or passes through the system.
- 4.11.5. All system clocks must synchronize to a centralized reference time source set to UTC (Coordinated Universal Time) which is itself synchronized to at least three synchronized time sources.
- 4.11.6. Formal change control procedures for all core systems must be developed, implemented, and enforced. At a minimum, any change that may significantly affect the production environment and/or production data must be included.

#### 4.12. Collaborative Computing Devices

- 4.12.1. Collaborative computing devices must prohibit remote access, other than by IT Administration;
- 4.12.2. Devices must have users physically present at the devices with an explicit indication of use.
- 4.12.3. Devices must provide simple methods to physically disconnect collaborative computing devices.

#### 4.13. Vulnerability Management

- 4.13.1. All systems must be scanned for vulnerabilities before being installed in production and periodically, thereafter.
- 4.13.2. All systems are subject to periodic penetration testing.
- 4.13.3. Penetration tests are required periodically for all critical environments/systems.
- 4.13.4. Where the county has outsourced a system to another entity or a third party, vulnerability scanning/penetration testing must be coordinated.
- 4.13.5. Scanning/testing and mitigation must be included in third party agreements.
- 4.13.6. The output of the scans/penetration tests will be reviewed in a timely manner by the system owner. Copies of the scan report/penetration test must be shared with the IT Director/designated security representative for evaluation of risk.
- 4.13.7. Appropriate action, such as patching or updating the system, must be taken to address discovered vulnerabilities. For any discovered vulnerability, a plan of action and milestones must be created, and updated accordingly, to document the planned remedial actions to mitigate vulnerabilities.
- 4.13.8. Any vulnerability scanning/penetration testing must be conducted by individuals who are authorized by the IT Director/designated security representative. The Director of Information Technology (IT Director) must be notified in advance of any such tests. Any other attempts to perform such vulnerability scanning/penetration testing will be deemed an unauthorized access attempt.
- 4.13.9. Anyone authorized to perform vulnerability scanning/penetration testing must have a formal process defined, tested, and followed at all times to minimize the possibility of disruption.

#### 4.14. Operations Security

- 4.14.1. All systems and the physical facilities in which they are stored must have documented operating instructions, management processes and formal incident management procedures related to information security matters which define roles and responsibilities of affected individuals who operate or use them.
- 4.14.2. System configurations must follow approved configuration standards.
- 4.14.3. Preemptive planning and preparation must be performed to ensure the availability of adequate capacity and resources. System capacity must be monitored on an ongoing basis.
- 4.14.4. Where the entity provides a server, application, or network service to another entity, operational and management responsibilities must be coordinated by all impacted entities.

- 4.14.5. Host-based firewalls must be installed and enabled on all workstations to protect from threats and to restrict access to only that which is needed.
- 4.14.6. Controls must be implemented (e.g., anti-virus, software integrity checkers, web filtering) across systems where technically feasible to prevent and detect the introduction of malicious code or other threats.
- 4.14.7. Controls must be implemented to disable automatic execution of content from removable media.
- 4.14.8. Controls must be implemented to limit storage of information to authorized locations.
- 4.14.9. Controls must be in place to allow only approved software to run on a system and prevent execution of all other software.
- 4.14.10. All systems must be maintained at a vendor-supported level to ensure security, accuracy, and integrity.
- 4.14.11. All security patches must be reviewed, evaluated, and appropriately applied in a timely manner. This process must be automated, where technically possible.
- 4.14.12. Systems which can no longer be supported or patched to current versions must be removed. Exceptions must be documented and approved by the IT Director and reviewed annually, at minimum. **[See 5.3]**
- 4.14.13. Systems and applications must be monitored and analyzed to detect deviation from the access control requirements outlined in this policy and the Security Logging Standard **[not yet established]**, and record events to provide evidence and to reconstruct lost or damaged data.
- 4.14.14. Audit logs recording exceptions and other security-relevant events must be produced, protected, and kept consistent with record retention schedules and requirements.
- 4.14.15. Monitoring systems must be deployed (e.g., intrusion detection/prevention systems) at strategic locations to monitor inbound, outbound, and internal network traffic.
- 4.14.16. Monitoring systems must be configured to alert incident response personnel to indications of compromise.
- 4.14.17. Contingency plans (e.g., business continuity plans, disaster recovery plans, continuity of operations plans) must be established and tested regularly.
- 4.14.18. An evaluation of the criticality of systems used in information processing (including but not limited to software and operating systems, firewalls, switches, routers, and other communication equipment) must be conducted on an annual basis, at minimum, to establish:
  - 4.14.18.1. Recovery Time Objectives (RTO)/Recovery Point Objectives (RPO) for all critical systems ;

4.14.18.2. Frequency and extent of backup copies of entity information, software, and system images in accordance with the entity's defined Backup Policy **[not yet established]**;

4.14.18.3. Restoration capabilities of backed up data and systems. Separation of duties must be applied to these functions.

4.14.19. Procedures must be established to maintain information security during a security incident. For those controls that cannot be maintained, compensatory controls must be in place.

## 5. Policy Compliance

### 5.1. Compliance Measurement

The Information Technology team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.

### 5.2. Non-Compliance

An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

### 5.3. Exceptions

Any exception to the policy must be approved by the Information Technology Team / Director Information Technology Officer in advance. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken by the IT Department, initiatives, actions, and a timeframe for achieving the minimum compliance level with the policies set forth herein.

## 6. Reporting Misuse

Any allegations of non-compliance should be promptly reported to the Information Technology Director and/or the Human Resources Director at Lewis County.

## 7. Definitions & Terms

Definition and terms can be found in the SANS Glossary located at:

<https://www.sans.org/security-resources/glossary-of-terms/>

## 8. Revision History

| Version | Change                                                      | Author                                        | Date of Change |
|---------|-------------------------------------------------------------|-----------------------------------------------|----------------|
| 1       | Initial draft submission to Lewis                           | J Isherwood, M.A. Polce Consulting, Inc.      | 12/2/2022      |
| 1.1     | Revisions between MAP & Lewis                               | C Biolsi, Lewis County Information Technology | 12/8/2022      |
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| 1.3     | Second internal revision with IT                            | C Biolsi, Lewis County Information Technology | 5/16/2023      |
| 1.4     | Revised after consulting internal legal and executive team. | C Biolsi, Lewis County Information Technology | 7/10/2023      |

# Data Classification Policy

## LEWISPOL-CS102

### Notice

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### Related Policies

LEWISPOL-CS101: Information Security Policy

LEWISPOL-CS201: Acceptable Use Policy

LEWISPOL-CS202: Email and Messaging Acceptable Use Policy

## 1. Overview

Data classification is a foundational step in cybersecurity risk management. It involves identifying the types of data that are being processed and stored in an information system owned or operated by an organization. It also involves deciding on the sensitivity of data and potential impact should the data face compromise, loss, or misuse. As used in this document, the term “classification” implies a holistic approach inclusive of taxonomy, schemes, and categorization of data for confidentiality, integrity, and availability.

## 2. Purpose & Benefits

The objective is to establish a framework for classifying Lewis County data based on its level of sensitivity, value, and criticality. Classification of data will aid in determining baseline security controls for the protection of the data.

## 3. Scope

This policy applies to all staff throughout the organization as part of the corporate governance framework. It applies regardless of whether staff work in the office, remotely, full-time, part-time, or temporarily. Employees must apply this policy to all

information, electronic and computing devices, and network resources that may conduct or contain secured business information. All employees are responsible for protecting any forms of information assets including computer data, written materials/paperwork, and intangible forms of knowledge and experience. The organization may impose restrictions, at the discretion of their executive management, on the use of a particular IT resource.

Lewis County departments that utilize systems, accounts, or networks not managed by Lewis County (Social Services, Public Health, etc.) must also adhere to the policies of those systems' owners. In cases where Lewis County's policy overlaps or conflicts with outside organizations, employees are expected to adhere to the stricter of the two policies. For example, Social Services employees will generally need to comply with the New York State information security policies. Questions on interpretation of scope can be directed to the Information Technology or Human Resource Departments.

## 4. Policy

### 4.1. Data Classification

Lewis County has adopted the following four (4) classifications of data:

4.1.1. **Sensitive Data:** any information protected by federal, state, or local laws and regulations or industry standards, such as HIPAA, HITECH, PCI-DSS, CIPS, the New York State Information Security Breach and Notification Act, and similar state laws. For purposes of this Policy and the other Information Security Policies, Sensitive Data includes, but is not limited to:

4.1.1.1. Personally Identifiable Information (PII)

Any information about an individual that (a) can be used to distinguish or trace an individual's identity, such as name, date and place of birth, mother's maiden name or biometric records, (b) is linked or linkable to an individual, such as medical, educational, financial and employment information, which if lost, compromised or disclosed without authorization, could result in harm to that individual and (c) is protected by federal, state, or local laws and regulation or industry standards.

4.1.1.2. Protected Health Information (PHI)

Any information processed, transmitted, or stored by an organization that relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual or the past, present, or future payment for health care and (a) identifies the individual or (b) with respect to which there is a reasonable basis to believe that the information can be used to identify the individual.



- 4.1.2. **Confidential Data:** any information that is contractually protected as confidential by law or by contract and any other information that is considered by Lewis County as appropriate for confidential treatment and is not classified as sensitive data.
- 4.1.3. **Internal Data:** any information that is proprietary or produced only for use by employees and entities working on behalf of Lewis County who have a legitimate purpose to access such data.
- 4.1.4. **Public Data:** any information that may be or is to be made available to the public, with no legal restrictions on its access or use.

#### 4.1.5. Special Circumstances

- 4.1.5.1. Email Consideration - some emails may have information deemed as Confidential or Sensitive. Though they may be a breach of the Email and Messaging Acceptable Use [LEWISPOL-CS202] or other policies, if data that has been classified as Sensitive or Confidential must be emailed, then those emails must be encrypted to avoid disclosure. When in doubt, or if there are any questions about the data's classification, consult with the Director of Information Technology.
- 4.1.5.2. Freedom of Information Law (FOIL) consideration: data that has been labeled as Sensitive, Confidential, or Internal must be protected, however, this information may also be FOIL-able and might be disseminated if a proper request is submitted. The Organization's FOIL Officer has the final determining say on whether information can be released under FOIL. Always consult with the FOIL Officer before releasing FOIL Information. If the information must be emailed the message must be encrypted.

## 4.2. Data Classification Examples

The following table presents common data types with their corresponding classifications. This is not an exhaustive list of data types. The purpose of providing the examples is to provide clarity and a general framework for day-to-day data understanding and classification for employees.

| Sensitive                                                                                                                               | Confidential                                                                                                                              | Internal                                                                                                                           | Public                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• PII (Name, DOB, SSN)</li> <li>• PHI</li> <li>• PCI</li> <li>• HIPAA</li> <li>• CJIS</li> </ul> | <ul style="list-style-type: none"> <li>• IP addresses</li> <li>• Usernames</li> <li>• Passwords</li> <li>• Network information</li> </ul> | <ul style="list-style-type: none"> <li>• Internal policies</li> <li>• Internal procedures</li> <li>• Operations manuals</li> </ul> | <ul style="list-style-type: none"> <li>• Press releases</li> <li>• Marketing materials</li> <li>• Public entity meeting minutes</li> </ul> |



|                                                                                                                              |                                                                                                                                                                                                                                              |                                                                                                                                                                                                                        |                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Financial &amp; banking information (ACH information, Tax Returns, etc.)</li> </ul> | <ul style="list-style-type: none"> <li>• Configuration backups</li> <li>• Public safety policy and strategy</li> <li>• Login info for third-party sites</li> <li>• Job performance evaluations</li> <li>• Disaster recovery plans</li> </ul> | <ul style="list-style-type: none"> <li>• Internal memoranda</li> <li>• Emails</li> <li>• System configuration documentation</li> <li>• Salary information</li> <li>• Employee benefits</li> <li>• Contracts</li> </ul> | <ul style="list-style-type: none"> <li>• General website data</li> <li>• Contact Info</li> </ul> |
|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|

### 4.3. Access Controls

#### 4.3.1. **Sensitive Data** must be:

- 4.3.1.1. Stored only on approved and encrypted corporate network resources. This includes both network shares, employee laptops, and other portable media devices issued by the county.
- 4.3.1.2. Protected by multi-factor authentication if accessed remotely.
- 4.3.1.3. Encrypted in transit, and only to authorized individuals within the client organization or to another third-party upon written consent of the client.
- 4.3.1.4. Accessed only by authorized employees or entities of Lewis County.
- 4.3.1.5. Never be put into or on unapproved media.

#### 4.3.2. **Confidential Data** must be:

- 4.3.2.1. Stored on approved corporate network resources only. This includes network shares, employee laptops, and other portable media devices issued by the county. If unencrypted, this means only network shares.
- 4.3.2.2. Remote access is protected by multi-factor authentication.
- 4.3.2.3. \*May be\* stored and/or transmitted unencrypted as needed.  
For example - passwords are to only be stored encrypted within a password management tool while user information (e.g., IP addresses and usernames) do not need to be stored encrypted but must be transmitted encrypted.
- 4.3.2.4. Accessed by individuals based on least privilege.  
For example - the Human Resources directory must only be accessed by individuals within that department who need access to complete their job functions.
- 4.3.2.5. Never be put into or on unapproved media.

#### 4.3.3. **Internal Data** must be:

- 4.3.3.1. Stored on corporate network resources only. This includes both network shares, employee laptops, and other portable media devices issued by the company.
- 4.3.3.2. Never be put into or on unapproved media.

## 5. Policy Compliance

### 5.1. Compliance Measurement

The Information Technology team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.

### 5.2. Non-Compliance

An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

### 5.3. Exceptions

Any exception to the policy must be approved by the Information Technology Team / Director Information Technology Officer in advance. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken by the IT Department, initiatives, actions, and a timeframe for achieving the minimum compliance level with the policies set forth herein.

## 6. Reporting Misuse

Any allegations of non-compliance should be promptly reported to the Information Technology Director and/or the Human Resources Director at Lewis County.

## 7. Definitions & Terms

Definition and terms can be found in the SANS Glossary located at:  
<https://www.sans.org/security-resources/glossary-of-terms/>

## 8. Revision History

| Version | Change                            | Author                                   | Date of Change |
|---------|-----------------------------------|------------------------------------------|----------------|
| 1       | Initial draft submission to Lewis | J Isherwood, M.A. Polce Consulting, Inc. | 1/9/2023       |

PROCEEDINGS OF THE BOARD OF LEGISLATORS

|     |                                                                |                                                  |           |
|-----|----------------------------------------------------------------|--------------------------------------------------|-----------|
| 1.1 | Revisions between MAP & Lewis                                  | C Biolsi, Lewis County<br>Information Technology | 1/23/2023 |
| 1.2 | First internal revision and<br>formatting                      | C Biolsi, Lewis County<br>Information Technology | 4/14/2023 |
| 1.3 | Revised after consulting internal<br>legal and executive team. | C Biolsi, Lewis County<br>Information Technology | 7/10/2023 |

Internal Use Only

# Security Awareness Training Policy

LEWISPOL-CS103

## Notice

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## Related Policies

LEWISPOL-CS100: Employee Acknowledgement

LEWISPOL-CS101: Information Security Policy

## 1. Overview

Technical security controls are a vital part of any information security framework but are not in themselves sufficient to secure all information assets. Effective information security also requires the awareness and proactive support of all staff, supplementing and making full use of the technical security controls. This is especially apparent in the case of social engineering attacks and other exploits which specifically target vulnerable humans rather than IT and network systems. A robust security awareness and training program is essential to the successful defense of the Lewis County network and its resources.

Staff that are lacking adequate Information Security awareness are less likely to recognize or react appropriately to Information Security threats and incidents and are more likely to place information assets at risk of compromise. To protect information assets, all workers must be informed about relevant, current Information Security matters and motivated to fulfill their Information Security obligations.

## 2. Purpose & Benefits

This policy specifies the Lewis County internal Information Security Awareness and Training Program to inform and assess all staff regarding their information security obligations.

### 3. Scope

This policy applies to all staff throughout the organization as part of the corporate governance framework. It applies regardless of whether staff work in the office, remotely, full-time, part-time, or temporarily. Employees must apply this policy to all information, electronic and computing devices, and network resources that may conduct or contain secured business information. All employees are responsible for protecting any forms of information assets including computer data, written materials/paperwork, and intangible forms of knowledge and experience. The organization may impose restrictions, at the discretion of their executive management, on the use of a particular IT resource.

Lewis County departments that utilize systems, accounts, or networks not managed by Lewis County (Social Services, Public Health, etc.) must also adhere to the policies of those systems' owners. In cases where Lewis County's policy overlaps or conflicts with outside organizations, employees are expected to adhere to the stricter of the two policies. For example, Social Services employees will generally need to comply with the New York State information security policies. Questions on interpretation of scope can be directed to the Information Technology or Human Resource Departments.

### 4. Policy

This policy is applicable to all departments and users of Lewis County's IT resources and assets. Staff will be given a reasonable amount of time to complete each course to avoid disruptions to business operations.

#### 4.1. Security Awareness Training for New Employees

When new accounts are created within the domain, the AD Sync feature in the Security Awareness platform will schedule new users for the preselected Initial Security Awareness Training. Once completed, they will be included with the rest of the Lewis County staff for regularly scheduled training.

#### 4.2. Continued Security Awareness Training for All Employees

- 4.2.1. Certain staff may be required to complete additional training modules depending on their specific job requirements. Information Technology will schedule specialized Security Awareness Training on a semiannual or quarterly basis to address ongoing and new security threats.
- 4.2.2. Information Technology shall determine the appropriate content of Security Awareness Training and Security Awareness techniques based

on the specific organizational requirements and the information systems to which personnel have authorized access.

4.2.3. Training content shall include a basic understanding of the need for information security and user actions to maintain security and to respond to suspected security incidents.

4.2.4. Content shall increase awareness of the need for operations security. Security awareness techniques can include, for example, displaying posters, offering supplies inscribed with security reminders, generating email advisories/notices from senior organizational officials, displaying logon screen messages, and conducting information security awareness events.

#### 4.3. Simulated Social Engineering Exercises

The Lewis County Information Technology department or its agents, will conduct periodic simulated social engineering exercises, including but not limited to; phishing (e-mail), USB testing, and physical assessments. These tests will be conducted at random throughout the year without a published schedule or frequency. Targeted exercises may be conducted on specific departments or individuals based on a risk determination.

#### 4.4. Remedial Training Exercises

From time to time, staff may be required to complete remedial training courses or may be required to participate in remedial training exercises with members of the Information Technology department as part of a risk-based assessment.

## 5. Policy Compliance

### 5.1. Compliance:

Compliance with this policy is mandatory for all staff with network access. The Information Security department will monitor compliance and non-compliance with this policy and report to the executive team with the results of training and social engineering exercises. The Information Security team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.

5.1.1. Certain actions or non-actions by Lewis County personnel may result in a compliance event (Pass Test). Passing includes, but is not limited to:

5.1.1.1. Successfully identifying a simulated social engineering exercise.

5.1.1.2. Not having a Failure during a social engineering exercise (non-action).

5.1.1.3. Reporting real social engineering attacks to the IT department.

#### 5.1.2. Security Training Records

5.1.2.1. Lewis County shall designate personnel to document and monitor individual information system security training activities including basic security awareness training and specific information system security training.

5.1.2.2. Retain individual training records for the duration of an employee's time of employment and for up to 6 years following termination of employment.

#### 5.2. Exceptions:

Any exception to the policy must be approved by the Information Technology Department / Director of Information Technology in advance. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken by the IT Department, initiatives, actions, and a timeframe for achieving the minimum compliance level with the policies set forth herein.

#### 5.3. Non-Compliance:

An employee found to have violated this policy may be subject to additional training and exercises and to disciplinary action, up to and including termination of employment.

5.3.1. Failing to complete assigned training within the allotted time period may be considered non-compliance.

5.3.2. Certain actions or non-actions by Lewis County personnel may result in a non-compliance event (Failure). A Failure includes but is not limited to:

- 5.3.2.1. Clicking on a URL within a phishing test,
- 5.3.2.2. Replying with any information to a phishing test,
- 5.3.2.3. Opening an attachment that is part of a phishing test,
- 5.3.2.4. Enabling macros that are within an attachment as part of a phishing test,
- 5.3.2.5. Allowing malicious code to run as part of a phishing test,
- 5.3.2.6. Entering any data within a landing page as part of a phishing test,
- 5.3.2.7. Failing to follow company policies during a physical social engineering exercise.

5.3.3. Certain social engineering exercises can result in multiple failures being counted in a single test.

5.3.4. The Information Security Department may also determine, on a case-by-case basis, that specific failures are a false positive and should be removed from that staff member's total failure count.

## 6. Reporting Misuse

Any allegations of non-compliance should be promptly reported to the Information Technology Director and/or the Human Resources Director at Lewis County.

## 7. Definitions & Terms

Definition and terms can be found in the SANS Glossary located at:

<https://www.sans.org/security-resources/glossary-of-terms/>

## 8. Revision History

| Version | Change                                                      | Author                                        | Date of Change |
|---------|-------------------------------------------------------------|-----------------------------------------------|----------------|
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| 1.3     | Revised after consulting internal legal and executive team. | C Biolsi, Lewis County Information Technology | 7/10/2023      |



# Acceptable Use Policy

## LEWISPOL-CS201

### Notice

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### Related Policies

All other policies beginning with "LEWISPOL-CSxxx".  
LEWISPOL – Lewis Policy  
CS – Cyber Security

## 1. Overview

The Information Technology Department's intentions for publishing an Acceptable Use Policy is not to impose restrictions that are contrary to Lewis County's established culture of openness, trust, and integrity. IT is committed to protecting Lewis County's employees, partners, and the company from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP, are the property of Lewis County. These systems are to be used for business purposes in serving the interests of the county and of its clients and customers during normal operations.

Effective security is a team effort involving the participation and support of every Lewis County employee and affiliate who deals with information and/or information systems. It is the responsibility of every technology user to know these guidelines, and to conduct their activities accordingly.

## 2. Purpose & Benefits

The purpose of this policy is to outline the Acceptable Use of computing resources at Lewis County. These rules are in place to protect the employee and Lewis County. Inappropriate use exposes Lewis County to risks including malware attacks, compromise of network systems and services, and legal issues. Appropriate organizational use of information and Information Technology (“IT”) resources and effective security of those resources require the participation and support of the organization’s workforce (“users”).

## 3. Scope

This policy applies to all staff throughout the organization as part of the corporate governance framework. It applies regardless of whether staff work in the office, remotely, full-time, part-time, or temporarily. Employees must apply this policy to all information, electronic and computing devices, and network resources that may conduct or contain secured business information. All employees are responsible for protecting any forms of information assets including computer data, written materials/paperwork, and intangible forms of knowledge and experience. The organization may impose restrictions, at the discretion of their executive management, on the use of a particular IT resource.

Lewis County departments that utilize systems, accounts, or networks not managed by Lewis County (Social Services, Public Health, etc.) must also adhere to the policies of those systems’ owners. In cases where Lewis County’s policy overlaps or conflicts with outside organizations, employees are expected to adhere to the stricter of the two policies. For example, Social Services employees will generally need to comply with the New York State information security policies. Questions on interpretation of scope can be directed to the Information Technology or Human Resource Departments.

## 4. Policy

### 4.1. General Use and Ownership

- 4.1.1. Lewis County’s proprietary information stored on electronic and computing devices whether owned or leased by Lewis County, the employee, or a third party, remains the sole property of Lewis County. You must ensure through legal or technical means that proprietary information is protected in accordance with all Information Security Policies.

- 4.1.2. Every employee of Lewis County has a responsibility to promptly report the theft, loss, or unauthorized disclosure of Lewis County proprietary information.
- 4.1.3. Employees may access, use, or share Lewis County proprietary information only to the extent it is authorized and necessary to fulfill their assigned job duties.
- 4.1.4. Employees are responsible for exercising good judgment regarding personal use of county equipment and network resources. It is expected that these resources will be used, on an infrequent basis, for personal life tasks. This exception and understanding shall not be abused and the remaining policies and provisions should be respected.
- 4.1.5. Each department may create their own supplemental guidelines concerning personal use of Internet/Intranet/Extranet systems. These departmental suplications cannot be less strict or contradictory to county policies, but may impose increased strictness.
- 4.1.6. For security and network maintenance purposes, authorized individuals within Lewis County may monitor computing resources, systems, and network traffic at any time.
- 4.1.7. All employees, regardless of whether staff work in office or remote, full-time, part-time, or temporarily, as well as third-party vendors and users, are subject to monitoring of all electronic communication (i.e., telephone, email accounts, internet access, etc.) at any and all times by any lawful means by Lewis County or authorized agents thereof. Employees are required to acknowledge that they are aware of Lewis County's right to monitor by signing the Employee Acknowledgement Form **[LEWISPOL-CS100]**.

## 4.2. Security and Proprietary Information

- 4.2.1. All mobile and computing devices that connect to the Lewis County internal network or are utilized for Multi-Factor Authentication, must comply with the Mobile Device Security Policy **[LEWISPOL-CS401]**.
- 4.2.2. System level and user level passwords must comply with the Password Standards Policy **[LEWISPOL-CS301]**. Providing access to another individual, either deliberately or through failure to secure its access, is prohibited.
- 4.2.3. All computing devices must be secured with a password-protected screensaver with the automatic activation feature set to 10 minutes or less. Employees should lock their screens or log off when the device is unattended.

- 4.2.4. Postings or publications by employees from a Lewis County email address to newsgroups, websites, blogs, and social media is prohibited, unless the postings are authorized as part of the employee's business duties.
- 4.2.5. Employees must use extreme caution when opening e-mail attachments and clicking hyperlinks in emails received from unknown senders, which may contain malware.
- 4.2.6. Utilization and installation of personal software and hardware (storage devices, routers, switches, hubs, computers etc.) is prohibited without prior and express permission from the Information Technology Department.

### 4.3. Email and Communication Activities

- 4.3.1. When using county resources to access and use the Internet, users must realize they represent the county government. Whenever employees state an affiliation to Lewis County, they must also understand that the opinions expressed are their own and are not necessarily those of the county. Questions may be addressed to the Human Resources Department. Proper email use is detailed further in the Email and Messaging Acceptable Use Policy **[LEWISPOL-CS202]**.

### 4.4. Blogging and Social Media

Concerning the social activities of employees on county-owned devices and during hours in which employees are being paid by Lewis County.

- 4.4.1. Blogging, posting to online forums, and social media by employees, whether using Lewis County's property and systems or personal computer systems, are subject to the terms and restrictions set forth in this Policy. Limited and occasional use of Lewis County's systems to engage in blogging is acceptable, if it is done in a professional and responsible manner, does not otherwise violate Lewis County's policy, is not detrimental to Lewis County's best interests, and does not interfere with an employee's regular work duties. Blogging from Lewis County's systems is also subject to monitoring.
- 4.4.2. Lewis County's Data Classification Policy **[LEWISPOL-CS102]** also applies to blogging, posting to online forums, and social media. As such, Employees are prohibited from revealing any Lewis County confidential or proprietary information, trade secrets or any other material covered

by Lewis County's Confidential Information Policy when engaged in blogging, posting to online forums, and social media.

- 4.4.3. Employees shall not engage in any blogging, posting to online forums, and social media that may harm or tarnish the image, reputation, and/or goodwill of Lewis County and/or any of its employees. Employees are also prohibited from making any discriminatory, disparaging, defamatory, or harassing comments when blogging, posting to online forums, and social media or otherwise engaging in any conduct prohibited by Lewis County's Non-Discrimination and Anti-Harassment Policies **[contact HR for referenced policies]**.
- 4.4.4. Employees may also not attribute personal statements, opinions, or beliefs to Lewis County when engaged in blogging, posting to online forums, and social media. If an employee is expressing their beliefs and/or opinions in blogs, the employee may not, expressly, or implicitly, represent themselves as an employee or representative of Lewis County. Employees assume all risk associated with blogging, posting to online forums, and social media.

#### 4.5. Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions if required by legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services).

Under no circumstances is an employee of Lewis County authorized to engage in any activity that is illegal under local, state, federal, or international law while utilizing Lewis County-owned resources.

The lists below are not exhaustive but attempt to provide a framework for activities which fall into the category of Unacceptable Use. The following system and network activities are strictly prohibited:

- 4.5.1. Violations of the rights of any person or Lewis County protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Lewis County.
- 4.5.2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, and the installation of

any copyrighted software for which Lewis County or the end user does not have an active license.

- 4.5.3. Accessing data, a system, or account for any purpose other than conducting Lewis County business, even with authorized access. (See provision in 4.1.4)
- 4.5.4. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws. The appropriate management should be consulted prior to export of any material that is in question.
- 4.5.5. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
- 4.5.6. Revealing account passwords to others or allowing use of accounts by others. This includes family and other household members when work is being done at home.
- 4.5.7. Using a Lewis County computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
- 4.5.8. Making fraudulent offers of products, items, or services originating from any Lewis County account.
- 4.5.9. Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
- 4.5.10. Performing work or activities for an outside business or organization using Lewis County resources unless authorized by executive management.
- 4.5.11. Unauthorized port scanning or security scanning is expressly prohibited unless prior permission is attained from Information Technology.
- 4.5.12. Executing any form of network monitoring which will intercept data not intended for the employee's host unless this activity is a part of the employee's normal job/duty.
- 4.5.13. Circumventing user authentication or security of any host, network, or account.
- 4.5.14. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, ping floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

- 4.5.15. Consumption of any content that could be categorized as being pornographic or “not suitable for the workplace” (NSFW).
- 4.5.16. Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
- 4.5.17. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
- 4.5.18. Disclosing sensitive, confidential, or internal information to any party without role-specific authorization or other, formal permission.  
**[LEWISPOL-CS102]**
- 4.5.19. Providing information about, or lists of, Lewis County employees to parties outside Lewis County.

## 5. Policy Compliance

### 5.1. Compliance Measurement

The Information Technology team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.

### 5.2. Non-Compliance

An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

### 5.3. Exceptions

Any exception to the policy must be approved by the Information Technology Department / Director Information Technology in advance. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken by the IT Department, initiatives, actions, and a timeframe for achieving the minimum compliance level with the policies set forth herein.

## 6. Reporting Misuse

Any allegations of non-compliance should be promptly reported to the Information Technology Director and/or the Human Resources Director at Lewis County.



## 7. Definitions & Terms

Definition and terms can be found in the SANS Glossary located at:

<https://www.sans.org/security-resources/glossary-of-terms/>

## 8. Revision History

| Version | Change                                                      | Author                                        | Date of Change |
|---------|-------------------------------------------------------------|-----------------------------------------------|----------------|
| 1       | Initial draft submission to Lewis                           | J Isherwood, M.A. Polce Consulting, Inc.      | 12/2/2022      |
| 1.1     | Revisions between MAP & Lewis                               | C Biolsi, Lewis County Information Technology | 12/8/2022      |
| 1.2     | First internal revision and formatting                      | C Biolsi, Lewis County Information Technology | 4/13/2023      |
| 1.3     | Second internal revision with IT                            | C Biolsi, Lewis County Information Technology | 5/16/2023      |
| 1.4     | Revised after consulting internal legal and executive team. | C Biolsi, Lewis County Information Technology | 7/10/2023      |



# Software Installation Policy

## LEWISPOL-CS305

### Notice

This document contains proprietary information of Lewis County and is issued for **internal use only**. It shall not be disclosed to any third-party or be used for any purpose other than for which it was supplied. This document may not, in whole or in part, be copied, photocopied, reproduced, translated, or reduced to any electronic medium or machine-readable form without the written consent of Lewis County.

### Related Policies

LEWISREF-CS305A: Approved Software Table  
LEWISPOL-CS101: Information Security Policy  
LEWISPOL-CS201: Acceptable Use Policy

## 1. Overview

The purpose of software in a county government context is to improve operational efficiency, enhance service delivery, enable data-driven decision-making, and ensure compliance with regulations, ultimately aiming to better serve the needs of the community and constituents. It is important to protect the data used by software and ensure proper access controls. Additionally, the code used to create the functionality must be maintained to prevent the introduction of additional risk to the county network. This policy establishes the guidelines and procedures for software installation within Lewis County. As software is increasingly used to aid government functions, it is important to implement safeguards to minimize risk of adverse results to the County, its employees, and its residents.

## 2. Purpose & Benefits

The purpose of this policy is to:

- Establish a standardized process for software installation across all county departments.
- Ensure compliance with software licensing agreements, copyrights, and intellectual property rights.

- Mitigate the risks associated with unauthorized or unsupported software installations.
- Safeguard the confidentiality, integrity, and availability of sensitive information and data.

### 3. Scope

This policy applies to all staff throughout the organization as part of the corporate governance framework. It applies regardless of whether staff work in the office, remotely, full-time, part-time, or temporarily. Employees must apply this policy to all information, electronic and computing devices, and network resources that may conduct or contain secured business information. All employees are responsible for protecting any forms of information assets including computer data, written materials/paperwork, and intangible forms of knowledge and experience. The organization may impose restrictions, at the discretion of their executive management, on the use of a particular IT resource.

Lewis County departments that utilize systems, accounts, or networks not managed by Lewis County (Social Services, Public Health, etc.) must also adhere to the policies of those systems' owners. In cases where Lewis County's policy overlaps or conflicts with outside organizations, employees are expected to adhere to the stricter of the two policies. For example, Social Services employees will generally need to comply with the New York State information security policies. Questions on interpretation of scope can be directed to the Information Technology or Human Resource Departments.

### 4. Policy

This policy is applicable to all departments and users of Lewis County's IT resources and assets. It encompasses the installation of commercially licensed software, open-source software, and any other software utilized by county government departments.

#### 4.1. Approval and Installation

- 4.1.1. All software installations must be authorized and approved by the Information Technology department. A list of approved software is maintained in the Approved Software Table [LEWISREF-CS305A].
- 4.1.2. Employees or department managers must submit a request for software installation, including relevant details such as the name of the software, version, and purpose for installation.
- 4.1.3. The IT department will review and validate the software request, considering compatibility, licensing compliance, security implications, and impact on existing systems.

- 4.1.4. Only software with valid licenses and appropriate usage rights may be installed and utilized on county technology systems.
- 4.1.5. Approved software installations will be performed by the IT department or authorized personnel.

## 4.2. Software Updates and Patches

- 4.2.1. Software updates, security patches, and bug fixes must be promptly installed to maintain a secure computing environment.
- 4.2.2. The information technology department must update as many software solutions automatically as possible. Employees should comply and allow updates on their devices.
- 4.2.3. Departments with specialized software negotiated through vendors not managed by the Information Technology department should regularly check with the software provider for updates.

## 4.3. Removal of Software

- 4.3.1. Unused or unnecessary software should be promptly removed to reduce potential security vulnerabilities and optimize system performance.

## 4.4. Prohibited Software

- 4.4.1. Employees are strictly prohibited from installing or using software that is not authorized for county government purposes.
- 4.4.2. Any software not included in the Approved Software Table **[LEWISREF-CS305A]** is prohibited and the following categories of software, if installed, introduce increased security consequences to the county environment and systems:
  - 4.4.2.1. Peer-to-Peer File Sharing Software: P2P file sharing software can introduce security vulnerabilities and increase the risk of malware infections. It can facilitate the unauthorized sharing of sensitive or copyrighted materials, leading to legal and reputational consequences.
  - 4.4.2.2. Remote Access and Remote Desktop Software: Remote access and remote desktop software can provide a gateway for unauthorized access if not properly secured. Weak authentication or misconfigurations may result in unauthorized individuals gaining control over organizational resources.
  - 4.4.2.3. Freeware or Shareware from Untrusted Sources: Downloading and installing freeware or shareware from untrusted sources can expose organizations to malware, spyware, or adware. Such software may contain hidden malicious code or collect sensitive information without consent.

- 4.4.2.4. **Unsupported or Outdated Software:** Using software that is no longer supported by the vendor or has reached its end-of-life can leave organizations vulnerable to unpatched security vulnerabilities. Attackers may exploit these vulnerabilities to gain unauthorized access or disrupt network operations.
- 4.4.2.5. **Web Browsers and Browser Extensions:** Web browsers and their extensions can introduce security risks if not properly configured or if users unknowingly install malicious extensions. Browser vulnerabilities can be exploited for phishing attacks, malware injection, or unauthorized data exfiltration.
- 4.4.2.6. **Email Clients and Email Plugins:** Email clients and plugins can be susceptible to various email-borne threats such as phishing, malware attachments, or malicious links. Inadequate filtering or user awareness can increase the risk of successful attacks through emails.
- 4.4.2.7. **Virtual Private Network (VPN) Software:** While VPN software can enhance security by encrypting network traffic, using insecure or compromised VPN software can expose sensitive data or provide unauthorized access to organizational networks.
- 4.4.2.8. **Cloud Storage and File Sharing Services:** Improperly configured or unsecured cloud storage and file sharing services can lead to unauthorized access, data leakage, or accidental exposure of sensitive information. Organizations should carefully evaluate and secure such services.
- 4.4.2.9. **Open-Source Software with Unverified Integrity:** Open-source software can be an excellent resource, but using packages or libraries from unverified sources can introduce risks. Malicious actors may inject backdoors or vulnerabilities into open-source software, which can compromise organizational networks.

## 4.5. Proactive Software Security Measures

- 4.5.1. The Information Technology Department should prevent installation of unapproved software on county systems and automate these controls, when possible.
- 4.5.2. The IT Department must remove unapproved software on county systems and automate these controls, when possible.

## 5. Policy Compliance

### 5.1. Compliance Measurement

The Information Technology team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.

### 5.2. Non-Compliance

An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

### 5.3. Exceptions

Any exception to the policy must be approved by the Information Technology Department / Director Information Technology in advance. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken by the IT Department, initiatives, actions, and a timeframe for achieving the minimum compliance level with the policies set forth herein.

## 6. Reporting Misuse

Any allegations of non-compliance should be promptly reported to the Information Technology Director and/or the Human Resources Director at Lewis County.

## 7. Definitions & Terms

Definition and terms can be found in the SANS Glossary located at:

<https://www.sans.org/security-resources/glossary-of-terms/>

## 8. Revision History

| Version | Change                                                      | Author                                        | Date of Change |
|---------|-------------------------------------------------------------|-----------------------------------------------|----------------|
| 1       | Initial draft submission to Lewis                           | L Stoio, M.A. Polce Consulting, Inc.          | 4/25/2023      |
| 1.1     | Revisions made by Conner with ChatGPT                       | C Biolsi, Lewis County Information Technology | 6/6/2023       |
| 1.2     | Revised after consulting internal legal and executive team. | C Biolsi, Lewis County Information Technology | 7/10/2023      |

**In accordance with the NYS Civil Rights laws, employees are advised that Lewis County reserves the right to monitor all activity on the premises and electronic systems (telephones, computers, e-mail accounts, social media, internet, etc.).**

Employees will be required to acknowledge this notice in written or electronic form. Any questions or concerns should be addressed to the Human Resources Director.



**RESOLUTION NO. 168 - 2023**  
**RESOLUTION AWARDED BID AND AUTHORIZING CONTRACT BETWEEN**  
**THE COUNTY OF LEWIS AND CLOUDPERMIT SOFTWARE TO PROVIDE**  
**PERMITTING COMMUNITY DEVELOPMENT SOFTWARE**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Director of Planning and Community Development Department and the Code Enforcement Department, in consultation with the Purchasing and Information Technology Department sent out an RFP for professional software development to manage building permits, code enforcement, and planning/zoning applications, as more fully outlined and set forth in the RFP; and

WHEREAS, six (6) bid proposals were opened on April 6, 2023, at 2:00 pm. The Director of Purchasing, Planning Director and Senior Codes Enforcement Officer reviewed the bid submissions and assessed the criteria. After careful consideration and review, the IT Director, Planning Director and Code Enforcement Officer recommend that the Board of Legislators award the bid and contract to the most qualified bidder, whose product and price addresses the best interests of the County and its security needs. CloudPermit Software, of 11911 Freedom Drive, Reston, Virginia 20190 to provide this multi-departmental software at a cost not to exceed \$47,900.00 for the first year, and \$44,000.00 for years 2-5; and

WHEREAS, the Board of Legislators seeks to accept this recommendation, award the bid and contract to CloudPermit Software for the purchase of community development software to manage building permits, code enforcement, and planning/zoning applications;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid to and authorizes an agreement with CloudPermit, of Reston, Virginia 20190, to provide community development software as outlined in the RFP in accordance with their bid proposal dated April 6, 2023, at a cost of \$47,900.00 for year 1, and \$44,000.00 for years 2-5, commencing September 1, 2023.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement and any extensions or modifications thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 169 - 2023**

**RESOLUTION AUTHORIZING COUNTY PARTICIPATION AND EXPENSE SHARING IN  
TAX ASSESSMENT LEGAL CHALLENGES BY ERIE BOULEVARD HYDROPOWER, LP,  
AND LAKESIDE BEAVER FALLS, LLC AGAINST TOWN OF CROGHAN AND BOARD OF  
ASSESSMENT REVIEW**

Introduced by Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to Resolution 269-2012, the County established a policy for County participation in legal challenges to real property tax assessments brought against local Towns, Town Assessors and Town Boards of Assessment Review; the County can play an important and additional role in defending legal challenges to valid real property tax assessment through participation in the defense of said assessments; and

WHEREAS, two (2) separate assessment challenges have been brought against the Town of Croghan, Town Assessor and Board of Assessment Review in the Supreme Court, County of Lewis by: 1) Erie Boulevard Hydropower, L.P., for parcels identified as Tax Map Nos. 119.00-01-01.000; 102.00-02-13.100; 103.00-01-18.210; 103.00-01-29.100; 104.00-01-21.000; and 118.00-01-30.100, with total assessments of \$19,602,856 alleging that the total assessment on all of the six (6) identified parcels should be reduced to \$9,039,699; a difference of \$10,563,157 in assessment; and by 2) Lakeside Beaver Falls, LLC, for parcels identified as Tax Map Nos. 128.00-04-15.300; 128.16-03-08.112; and 651.05-08-02.260, with total assessments of \$3,399,980 alleging that the total assessments should be reduced to \$1,902,375; a difference of \$1,497,605; and

WHEREAS, the Town of Croghan and the Beaver River Central School District have appeared in the actions and have requested that the County join the actions as a third party Intervenor, and share in the expert and appraisal costs; and

WHEREAS, the Town and School have secured the expert appraisal services of Brian D. Fogg, LLC, of Whitefield, New Hampshire as the taxing jurisdictions' expert appraiser experienced in hydro-powered property appraisals; and

WHEREAS, the Lewis County Attorney has reviewed these two (2) assessment challenges and is of the opinion that they meet the criteria set forth in the County's policy, that participation is in the best interests of the County and its taxpayers, and thereby requesting that the Board affirmatively act by resolution to participate in these assessment challenge matters;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the County Attorney to represent the County and appear in the two separate, pending tax assessment challenges brought by and pending by Erie Boulevard Hydropower, L.P. and Lakeside Beaver Falls, LLC against the Town of Croghan, Town Assessor and Board of Assessment Review, for the 2023 tax year (and any additional years which may be filed), and to have the County execute an expense sharing agreement with the other taxing jurisdictions affected, whereby the County



will pay one-third of the expert fees, and the County's pro rata share of any refunds determined to be owing in the matter.

Section 2. Any amounts payable by the County for its share of the expert fee costs or refunds, if any, shall be payable from

Section 3. The Chairman, or the Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver such documents or instruments as may be necessary to effectuate such agreements, subject to the approval of the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 170 - 2023**  
**RESOLUTION AWARDDING BID AND AUTHORIZING AN AGREEMENT**  
**BETWEEN THE COUNTY OF LEWIS AND**  
**ALTA PLANNING + DESIGN, INC. FOR MASTER PLAN & DESIGN SERVICES**  
**FOR COUNTY'S RAIL TRAIL DEVELOPMENT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County has contracted with Mohawk, Adirondack & Northern Railroad Corporation and The Lowville & Beaver River Railroad Company to purchase the rail corridors that span from the Village of Lowville, Lowville North to Croghan, Lowville North to Carthage, and parcels in the Village of Lyons Falls, to develop these rail lines into a combination of recreational trails that preserve the County's rich history of recreational activity, that stimulate economic and community development, and that provide a safe space for residents and visitors recreate; and

WHEREAS, the Recreation, Forestry, and Parks Department and Planning Department sent out a Request for Proposals to qualified and experienced design/engineering firms to provide professional services for the development of a Rail Trail Master Plan for the approximate 31 miles of abandoned rail corridors the County seeks to develop, including but not limited to a feasibility study to address potential segmenting for best uses, environmental and structural reviews, community input, and 30% engineering design; and

WHEREAS, the County received eight (8) bids in response, which were opened on June 8, 2023 with the Director of the Recreation, Forestry and Parks, Lewis County Highway Superintendent, Director of Planning, Purchasing Director, County Manager, Clerk of the Board, County Treasurer, a few County Legislators, and County Attorney all present; and

WHEREAS, after initial review of the submissions in accordance with the criteria matrix developed by the County for review of these professional services for this long-term project, the

reviewing team then narrowed the field to four (4) potential candidates for further analysis and interviews; and

WHEREAS, after further inquiry and interviews of 4 bidders, and after carefully considering their proposals, experience, community outreach and participation strategy methods, and scope of work in accordance with the criteria developed by the County in determining its best interests, the reviewing team recommends that the Board award the bid to Alta Planning + Design, Inc., Troy, NY, at a cost not to exceed of \$579,560.00; as the most qualified bidder in the best interests of the County in accordance with the specifications and scope of work set forth in the RFP; and

WHEREAS, the Board of Legislators seeks to award the bid to Alta Planning + Design, Inc., and authorizes an agreement for the specified services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with Alta Planning + Design, Inc., 1801 6<sup>th</sup> Ave, Suite 204, Troy, NY 12180, to provide professional design, consultation and engineering services in completing a Rail Trail Master Plan in accordance with the specifications and requirements set forth in the RFP and all tasks and scope of services as outlined it scope of services/tasks and proposal.

Section 2. That the award herein is for professional services and based upon all criteria in the best interests of the County, in accordance with the detailed criteria developed by County staff to properly assess and analyze the professional services proposals, including but not limited to consideration of bid amount, in order to make an award in the best interests of the County.

Section 3. That the Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost not to exceed \$579,560.00 for all tasks and scope of services with a final version of the Master Plan to be completed within twelve (12) months from commencement.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement, pending approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 171 - 2023  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO THE SHERIFF'S OFFICE**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the impending retirement of the 911 Operations Coordinator has created the opportunity for succession planning and job reclassification within the Dispatch unit; and

WHEREAS, certain duties shall be separated to create a position in which the primary duties would be to supervise and support the day-to-day operations of 911 dispatch with backup to the 911 Operations Coordinator;

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 Sheriff's Office to:

| <u>CREATE</u>                  | <u>STATUS</u>       | <u>SALARY</u>     |
|--------------------------------|---------------------|-------------------|
| Dispatcher-Corrections Officer | Permanent Full-Time | Grade 20          |
| Working Supervisor             |                     | (\$23.31-\$25.56) |

Section 2. That the Sheriff is hereby authorized to fill the Dispatcher-Corrections Officer Working Supervisor position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 172 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY**  
**OBO THE DEPARTMENT OF SOCIAL SERVICES AND NRCIL**  
**FOR A WARMING CENTER FACILITY AND SERVICES FOR**  
**THE 2023/2024 "CODE BLUE" SEASON**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Commissioner of the Department of Social Services (DSS) sent out a Request For Proposals (RFP) to obtain Warming Center Facility and Staffing Services to provide homeless with a warm location overnight for up to 12 hours, 7 days a week, when the temperature is below 32 degrees, pursuant to NYS Office of Temporary and Disability Assistance "Code Blue" mandate for the 2023/24 season, as outlined in the RFP for Lewis County DSS; and

WHEREAS, one (1) bid proposal was received and opened on August 22<sup>nd</sup>, 2023 at 2:00 p.m. After careful consideration and review, the Commissioner of DSS recommends that the Board of Legislators award the bid to Northern Regional Center for Independent Living, Inc.

(NRCIL) with offices in Watertown and Lowville, NY, to provide the facility, staffing services and amenities of a Warming Center as outlined in the RFP at a cost not to exceed \$140,314.00, with the center and services open and available from October 1, 2023 to May 1, 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a contract between the County o/b/o LC DSS and NRCIL to provide facility, amenities, and staffing services for a Warming Center for overnight stays by the homeless for up to 12 hours, 7 days a week, from October 1, 2023 to May 1, 2024, at a cost not to exceed \$140,314.00; the warming center will assist in meeting the NYS Code Blue mandates required to be provided by LC DSS.

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

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 173 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENTS**  
**BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES**  
**AND VARIOUS FOSTER CARE AGENCIES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into agreements with various foster care agencies to utilize their services of foster care, emergency respite care, post placement, residential, educational and treatment services; and

WHEREAS, the following agencies are authorized by the New York State Office of Children and Family Services to provide these services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes agreements between the County of Lewis, by and through the Department of Social Services, and the following agencies for the provision of foster care services, emergency respite care, post placement, and residential, educational and treatment services:

Berkshire Farm Center & Services for Youth – Located in Canaan, NY  
Cayuga Home for Children – Located in Auburn, NY  
Children’s Home of Jefferson County – Located in Watertown, NY

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Elmcrest Children's Center – Located in Syracuse, NY  
Hillside Children's Home – Located in Rochester, NY  
House of the Good Shepherd – Located in Utica NY  
Northeast Parent & Child Society- Located in Albany, NY  
St. Anne Institute – Located in Albany, NY  
William George Agency – Located in Freeville, NY

Section 2. That the term of these agreements shall be from January 1, 2024 through December 31, 2025 at a per diem cost not to exceed the Maximum Aid Rate established by the State. There is no local share cost until costs exceed the foster care block grant and then the local share is approximately 25% for residential foster care and is based on the eligibility of the client. The State share is approximately 25% and Federal share is approximately 50%.

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

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 174 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND THREE + ONE, LLC**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, professionals from Three + One, LLC, presented an overview of their “Cash Vest” program to the Lewis County Treasurer, which provides a liquidity and treasury analysis of the County's cash accounts along with management data to assist in earning the maximum amount of interest possible without sacrificing safety or liquidity; and

WHEREAS, Three + One will provide quarterly liquidity analysis and reports to enable the County to obtain maximum returns on investments and bank products, at a cost of \$17,775.00 per year (payable in quarterly installments). Termination of the agreement can be imposed after the first twelve months with 30-day notice; and

WHEREAS, the Board of Legislators wishes to authorize the agreement for such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the contract with THREE + ONE, LLC, 180 Office Parkway, Pittsford, NY 14534, to provide liquidity and treasury analysis and management data and programming outlined in its “CashVest” program

proposal, to assist the County Treasurer in the management of the County's cash investments for maximum return.

Section 2. That the annual cost of this service is \$17,775.00, payable in four (4) quarterly installments, from the County Treasurer's budget, with the first installment due after the initial CashVest analysis is presented, and quarterly thereafter. The agreement may be terminated after the first 12 months upon 30 days' notice.

Section 3. That the Chair or Vice-Chair 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 Moser, seconded by Legislator Chartrand, and adopted on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 175 - 2023**  
**RESOLUTION IN MEMORIAM OF**  
**CRAIG P. BRENNAN**

Introduced by Legislator Lawrence Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, **Craig P. Brennan**, of Deer River, New York, recently departed this life on August 23, 2023 surrounded by his loving family; and

WHEREAS, **Craig P. Brennan** served as the Lewis County Legislator for District 3 by appointment on September 23, 2013, and thereafter went on to be elected and re-elected as District 3 Representative from January 1, 2014 through December 31, 2017; and

WHEREAS, during his legislative tenure Craig served as Chairman of various Board committees, including Transportation and Solid Waste, Taxation, Information Management, Elections, Agriculture, Ways & Means, Buildings & Grounds, and County Clerk. He also represented the County on the Industrial Development Agency (IDA) Board, and served as its Chair for a period of time; and

WHEREAS, Craig was congenial, respectful, and open to fresh ideas and visions that would increase economic development in the County and improve the lives of its residents; and

WHEREAS, it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere, generous and valuable services rendered by our former colleague **Craig P. Brennan**.

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That as an enduring record and mark of respect to the memory of **Craig P. Brennan**, a true friend and honorable public servant and official, this resolution shall be printed in the official record of the proceedings of the Board of Legislators of the County of Lewis with a copy thereof forwarded to the family of **Craig P. Brennan**.

Moved, seconded, and unanimously adopted by all ten legislators on the 5<sup>th</sup> day of September, 2023.

**RESOLUTION NO. 176 - 2023**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**Capital Project Account**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes the following budget appropriation from the environmental reserve fund to cover the expenses incurred for demolition of the building on Trinity Avenue in Lowville as per Resolution No. 94-2023.

Increase Revenue:

|                 |             |
|-----------------|-------------|
| H0809000 350310 | \$35,000.00 |
| Project HAL     |             |

Increase Expenditure:

|                 |             |
|-----------------|-------------|
| H0809000 499900 | \$35,000.00 |
| Project HAL     |             |

Section 2. In addition to the authority provided under Resolution No. 94-2023, the expenditures incurred for the actual demolition contractor ICC are authorized for payment.

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

Moved by Legislator Virkler, seconded by Legislator Leviker, and adopted on the 5<sup>th</sup> day of September, 2023.

**OTHER BUSINESS:**

At 6:36 p.m. Legislator moved to enter executive session regarding potential property acquisitions, seconded by Legislator Nellenback and carried.

At 7:07 p.m. Legislator Leviker moved to enter regular session, seconded by Legislator Moser and carried.

SEPTEMBER 5, 2023

There being no other business to come before the Board, Legislator Moser moved to adjourn the meeting at 7:07 p.m., seconded by Legislator Leviker, and carried.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING  
October 3, 2023**

The meeting was called to order at 5:00 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, and there were 16 other persons present.

Chairman Dolhof asked Legislator Gilbert for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the September 5, 2023 meeting minutes approved by general consent.

**PROCLAMATION:**

The Clerk of the Board read a proclamation commemorating Lead Poisoning Prevention Week as October 22<sup>nd</sup> through the 28<sup>th</sup>, 2023.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Philip Hathway  
Jessica Moser  
Joshua Leviker  
Jeffrey Nellenback

Dated: October 3, 2023

Legislator Virkler moved to waive the rules, seconded by Legislator Moroughan, and carried.

**CLERK OF THE BOARD REPORT:**

A resolution was received from Orleans County titled: "Supporting Senate Bill S7645 That Repeals Certain Provisions of the Executive Law Establishing a Fee for Background Checks on Certain Firearm and Ammunition Purchases."

**REPORTS OF STANDING COMMITTEES:**

Legislator Osborne reported that the Human Resources and Civil Service Office has been busy with ongoing negotiations for the CSEA General Unit, assisting in the 2024 personnel budget requests, and supporting the retiree health insurance change. The team recently updated the orientation process, planned leadership training for department managers and supervisors, and has organized a benefits fair for employees to learn about the various benefits offered beyond medical, dental and vision coverage. They have given 16 Civil Service exams,

onboarded 36 employees for full-time and seasonal positions, and continue working to fill 15 vacancies. Anyone interested can go to the county website at [lewiscountyny.org](http://lewiscountyny.org) for job postings and exam announcements.

Legislator Gilbert announced that today marked the official opening of the new Highway Garage facility on the East Road. This facility is an enormous step forward for the county. Trucks and equipment have gotten bigger and more sophisticated since the original garage was built over 100 years ago. The new facility will allow the Highway Department to better wash and maintain the county assets and will allow us to bring the work place up to today's standards for safety and excellence. He concluded by thanking everyone who came out today especially the Highway Workers.

Legislator Virkler reported the Department of Social Services Child Care subsidy eligibility increased to 85% of the State Median Income effective October 1<sup>st</sup>. This means a family of 4 can earn up to \$99,250.25 annually and still be eligible. Commissioner Jenny Jones clarified that it is for any certified day care facility or any family member who is certified. The HEAP unit is ramping up for the cold weather season with early mailout applications already sent out and many returned. Regular HEAP opens November 1<sup>st</sup> and payments to vendors will be made in the month of November. The Lewis County Warming Center opened October 1<sup>st</sup> and will run continuously from October 1<sup>st</sup> to April 1<sup>st</sup> from 7:00 p.m. to 7:00 a.m. There are two staff from NRCIL supervising each night and the Center is in the New Beginnings Building on Jackson Street, in downtown Lowville.

Legislator Chartrand announced that the June Employee of the month was Mackenzie Goutermout, RN and if you see her around congratulate her. The 43<sup>rd</sup> Annual HANYS Conference was held September 21 – 23, 2023 and half of the Board of Managers members attended. Conference leaders encouraged Boards to not only focus on mid-term planning in the 3-to-5-year timeframe but take a longer view of 8-to-9 years. There was also a session on cybersecurity which brought back the memory of a couple of years ago when Samaritan was offline 36 days due to a cyber-attack. There was a gain of \$229,848 versus a budgeted gain of \$556,921 for the month of August. The year-to-date gain is \$73,617 versus a budgeted loss of \$231,397. This points to a positive year end outcome for the hospital.

LCBS CEO Jerry Cayer reported on Not-for-profit governance and how it requires so much more than what an average board usually has to give. He spoke about the hospital's 3-to-5 year Strategic Plan and how trying to predict out that far and further is difficult but that administration is learning. He and some of the Hospital Board of Managers were able to meet Commissioner of Health McDonald who is still working through the learning curves of this position after being appointed interim back in January. He has an interesting background, and it was great to be able to make that connection.

It looks very likely that the hospital will exceed budget projections for 2023, which is great for the first-year post-pandemic. The 2024 budget is nearing completion with only minor tinkering being done at this point. The project is moving along nicely, with a completion date of March 6, 2024, only 9 weeks later than originally predicted. Most of the delays are due to supply chain issues and less than fully staffed contractors. In two weeks the Department of

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Health will come for a walk through. The renovation is working well with half of the hallways done and now being occupied while the other half is starting renovation work. Anyone who would like a tour is welcome to come after 3:00 p.m. Everyone is encouraged to come out for the Hospital Gala on October 14<sup>th</sup> at Tug Hill Vineyards, which is supporting the Capital Campaign this year.

### PROJECT MANAGERS REPORT:

Mr. Jim Garito thanked the Board of allowing him the opportunity to report. He explained that the DMV is now in their new part of the building and open to the public, which was accomplished by a joint effort from Matt O'Connor's staff and Jake Moser. The Ribbon Cutting Ceremony at the New Highway Facility was a success today. Normally a client wouldn't move into a building until it was completely finished however for Highway it seemed like it worked well and the minor things that need to be completed shouldn't cause any issues. Work has begun on the Outdoor Services Building. There is rock which needs to be removed and it is more than anticipated but because the contractor put in a unit price with their bid it should be easily handled.

Mr. Nick Garito reported that the Highway Facility Ribbon Cutting Ceremony was nice and everything looked great. The Old Highway Garage which will be the Outdoor Services Building is started and work on drainage issues has begun. There will be a survey for rock done soon to have a better idea of the additional cost to blast and remove it. The DMV/Board of Elections building is moving along nicely, and the parking lot is now paved with all the site work finished.

### COUNTY MANAGER REPORT:

Mr. Ryan Piche reported that the budget process has been moving along smoothly. All departments have entered their figures for 2024 and now it is being looked over line by line. There was 60+ personnel requests this year compared to only about 20 last year. The Capital Budget has been entered as well. At this point it is really just tying down some details. October Committee meeting will be the Budget Workshop, then on November 7<sup>th</sup> the Tentative Budget will be given out to the Board.

The NYSAC Conference was a couple weeks ago, and the NYS Budget was discussed as it pertains to counties. The County foreclosure process has been amended. The State is estimating a 4-year budget deficit of 36 billion, however they have a reserve of 19 billion. The State continues to create programs that are funded by the State initially then slowly over time reduce their commitment and require the counties to take over funding them. At the current rate it is raising the county portion of commitment by three times the tax cap each year.

A special thanks to the DMV staff, Information Technology staff, DANC, and Buildings & Grounds for their flexibility and assistance with getting to the finish line on the DMV project.

### COUNTY TREASURER REPORT:

OCTOBER 3, 2023

Mr. Eric Virkler reported that the budget is moving along nicely, as well as the Medicare Advantage program. There was a meeting about a week ago which was very informational. Mid-October there will be further meetings for retirees and then after that enrollment will begin. The Investment Consulting Services is going into the fourth year of working with the county and the benefits are really starting to show.

REPORT OF THE FINANCE AND RULES COMMITTEE:

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

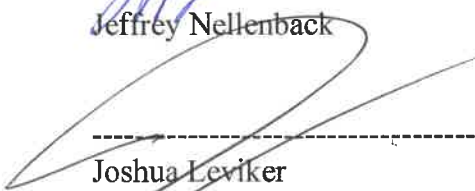
To: The Honorable County Legislators

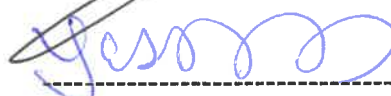
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 2,019,556.10 and recommend that they be audited and allowed for the amounts claimed.

  
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Thomas Osborne                      Chair

  
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Philip Hathway                      Vice-Chair

  
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Jeffrey Nellenback                      Committee

  
-----  
Joshua Leviker                      Committee

  
-----  
Jessica Moser                      Committee

OCTOBER 3, 2023

**RESOLUTION NO. 177 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$2,019,556.10 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 Virkler, seconded by Legislator Moroughan. Legislator Moser recused herself from any payments pertaining to her role as an Attorney.

The resolution was then adopted on the 3<sup>rd</sup> day of October, 2023 pursuant to the following roll call vote:

AYES: Hathway, Moser, Chartrand, Leviker, Osborne, Virkler, Gilbert, Moroughan, Nellenback, and Dolhof.

NAYS: None.

ABSENT: None.

**LOCAL LAW (INTRODUCTORY NO. 1 – 2023)  
COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

**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 2024 BUDGET**

**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 2024BUDGET.**”

**SECTION 2. LEGISLATIVE FINDINGS**

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal year 2024 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 fiscal year 2024 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. 178 - 2023  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY LOCAL LAW NO. 1-2023), COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators, 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 2024 BUDGET.”

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing for the above proposed Local Law will be held on November 7, 2023, 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 Moser , seconded by Legislator Leviker , and adopted on the 3<sup>rd</sup> day of October, 2023.

**LOCAL LAW (INTRODUCTORY NO. 2 - 2023)  
COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

**A LOCAL LAW OF THE COUNTY OF LEWIS PROVIDING PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW**

**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 OF THE COUNTY OF LEWIS PROVIDING PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW.**”

**SECTION 2. LEGISLATIVE FINDINGS**

- (a) The Lewis County Board of Legislators finds it appropriate to recognize the efforts of those who have dedicated their time and at times risked their lives in the service of their communities by volunteering to serve as a member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service.
- (b) The Lewis County Board of Legislators finds and determines that attracting and retaining quality volunteer firefighters and emergency medical personnel is one of the most critical problems facing a number of communities in Lewis County and that maintaining effective emergency protection depends on the ability to train and retain volunteers.
- (c) The Board of Legislators finds and determines that it is essential for the County and its municipalities to provide partial real property tax exemptions as an incentive to attract new volunteers and help combat a persistent and alarming decline in the number of volunteers serving as active responders to fire and medical emergencies, unless recruits are found to replace retiring volunteers and seasoned members are encouraged to continue their volunteer service, the health and safety of citizens served by the volunteer firefighter and emergency medical personnel corps may be jeopardized.
- (d) The Board of Legislators further finds and determines that real property tax exemptions are an appropriate way to recognize the personal sacrifices and dedication of these community-spirited men and women who unselfishly give their time and risk their safety to protect their neighbors.



- (e) The purpose of this Local Law is to repeal Local Law No. 9-2005 and to adopt the real property tax exemptions provided for volunteer firefighters and emergency medical personnel in accordance with updated Section 466-a of the Real Property Tax Law:

### **SECTION 3. REAL PROPERTY TAX EXEMPTION**

Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the County of Lewis shall be exempt from taxation to the extent of Ten percent (10%) of the assessed value of such property for County purposes, exclusive of special assessments.

### **SECTION 4. QUALIFICATIONS**

Such exemption shall only be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance services if:

- (a) the applicant resides in the County of Lewis and is a member of an incorporated volunteer fire company or fire department or incorporated voluntary ambulance service which provides service within the village, town or school district.
- (b) the real property which is the subject of such exemption is the primary residence of the applicant.
- (c) the real property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this Local Law.
- (d) the applicant has obtained and displayed a certificate issued by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulatory service indicating that the applicant has been an enrolled member of such incorporated volunteer fire company, ambulance worker, or fire department for at least two years.

### **SECTION 5. TWENTY-YEAR ACTIVE MEMBER SERVICE**

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service, and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the County of Lewis.

**SECTION 6. UN-REMARIED SURVIVING SPOUSES OF VOLUNTEERS KILLED IN THE LINE OF DUTY**

An un-remarried spouse of a volunteer firefighter or volunteer ambulance worker killed in the line of duty may receive the real property tax exemption if:

- (a) Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service who was killed in the line of duty; and
- (b) Such deceased volunteer had been an enrolled member for at least five years; and
- (c) Such deceased volunteer had been receiving the exemption prior to his or her death.

**SECTION 7. UN-REMARIED SURVIVING SPOUSES OF VOLUNTEERS WITH AT LEAST TWENTY YEARS OF SERVICE**

An un-remarried spouse of a deceased volunteer firefighter or volunteer ambulance worker with twenty years of service may receive the real property tax exemption if:

- (a) Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service; and
- (b) Such deceased volunteer had been an enrolled member for at least twenty years; and
- (c) Such deceased volunteer and un-remarried spouse had been receiving the exemption of such property prior to the death of such volunteer.

**SECTION 8. APPLICATION PROCESS**

- (a) Applications for such exemption shall be filed with the assessor of the town on or before the taxable status date on a form as prescribed by the New York State Commissioner for the Office of Real Property Tax Services.
- (b) The assessor of the town shall have the duty and responsibility of procuring and filing a copy of such certification prior to granting the exemption provided for by this Local Law.

**SECTION 9. NO DIMINUTION OF CURRENT BENEFITS**

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of law on the effective date of this Local Law shall suffer any diminution of such benefit because of the provisions of this Local Law.

**SECTION 10. EFFECTIVE DATE**

This local law shall take effect on January 1, 2024, and shall apply to taxable status dates occurring on or after such date.

**SECTION 11. REPEAL OF PRIOR LOCAL LAW**

This Local Law replaces and repeals Local Law No. 9-2005.

**RESOLUTION NO. 179 - 2023  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY LOCAL LAW NO. 2 -2023), COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators, a proposed Local Law entitled “A LOCAL LAW OF THE COUNTY OF LEWIS PROVIDING REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW.”

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing for the above proposed Local Law will be held on November 7, 2023, 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 Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 180 - 2023**

OCTOBER 3, 2023

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS  
AND CHIMERA INTEGRATIONS, LLC FOR  
UPGRADES TO EXISTING CARD ACCESS CONTROLS AT THE PSB**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Buildings and Grounds Department received a proposal from Chimera Integrations, LLC, with offices at 29777 Gardnerville Road, Evans Mills, NY 13637 to upgrade existing card access controls to the existing doors at the Public Safety Building, adding seven new doors to the access control system, installing a new reader at the Gate location to control gates, and all hardware and installation required for these improvements as set forth in the proposal received by the Director of Buildings and Grounds on June 15, 2023, at a total cost of \$39,630.00; and

WHEREAS, the services proffered by Chimera shall commence upon execution of the agreement and be completed by December 31, 2023; and

WHEREAS, the Lewis County Board of Legislators seeks to accept the proposal and authorize an agreement to provide for these necessary services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby accepts the proposal and authorizes an agreement with Chimera Integrations, LLC for upgrades to existing card access controls for existing doors at the PSB, addition of new 7 new doors to the Access Control System, installation of a Reader at the new Gate location, together with all other access control equipment additions required, with labor for installation, programming and testing included as set forth in the proposal dated June 15, 2023, at a cost of \$39,630.00, and said services to be completed by December 31, 2023.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 181 - 2023  
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT WITH  
J. ARTHUR SEALCOATING & CONTRACTING FOR  
SNOW PLOWING AND ADDING LAWN CARE SERVICES AT  
NINE EMERGENCY 911 TOWER SITES**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, J. Arthur Sealcoating & Contracting with offices located at 7550 East State Street, Lowville, NY, 13367, provided snow plowing removal services at the County's nine 911 tower sites; and

WHEREAS, the County desires to enter into a renewal agreement with J. Arthur Sealcoating and Contracting, for snow removal and to add lawncare services in the other seasons, including but not limited to brushhogging and weed control measures at all nine 911 tower sites starting the Fall of 2023 through the Fall of 2025, at a cost of \$ 48,900/year (\$29,150 for snow plowing and \$19,750 for lawncare); 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 renewal agreement with J. Arthur Sealcoating and Contracting, 7550 East State Street, Lowville, NY, 13367 for snow removal, lawn care, and related services at all nine 911 Tower Sites identified as:

1. Number 3 Road, Lowville
2. Sears Pond Road, Montague
3. Hayes Road, Copenhagen
4. Long Pond Road, Croghan
5. St. Rt. 3, Harrisville
6. Marmon Road, Lyonsdale
7. Brenon Road, Turin
8. Zeigler Road, Leyden
9. Osceola Road, Osceola

Section 2. That the term of this agreement shall commence on October 1, 2023 through September 30, 2025, at a cost of \$48,900.00 per year.

Section 3. That the Chair or Vice- Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 182 - 2023**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**Capital Project**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes the following budget appropriation of the net revenue of \$83,226.06 received from the online auction sale of the Champion gravel pit property pursuant to Resolution No. 189 - 2022 into the HAL reserve fund for environmental projects and cleanups:

Increase Revenue:

|                     |             |
|---------------------|-------------|
| H0809000 350310     | \$83,226.06 |
| Interfund Transfers |             |

Increase Expenditure:

|                 |             |
|-----------------|-------------|
| H0809000 499900 | \$83,226.06 |
| Project HAL     |             |

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

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 183 - 2023**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**Community Service**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place in the Community Services Accounts for the increase in funds due to additional State Aid. Specifically State Aid was increased by annualization of the 5.4% COLA which was effective on 4/1/2022 and the 4% COLA which was effective on 4/1/2023. In addition to the COLA, Supported Housing received a one-time payment of \$31,800 plus a stipend increase of \$31,800 and a one-time School Based Clinic enhancement was received for \$25,968.

Section 2. That the following adjustment take place in the Community Services Accounts for the increase in funds due to a modification in State Aid disbursement.

Increase Revenues:

|                         |              |
|-------------------------|--------------|
| A0432400 334922 NRCIL   | \$ 41,908.00 |
| A0431800 334922 TLS     | \$149,010.00 |
| A0432200 334922 ARC OMH | \$ 1,435.00  |

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|                                 |              |
|---------------------------------|--------------|
| A0432500 334921 MVPS            | \$ 11,154.00 |
| A0433500 334912 LCCS-JAIL BASED | \$ 3,972.00  |

Increase Expenditures:

|                                 |              |
|---------------------------------|--------------|
| A0432400 422800 NRCIL           | \$ 41,908.00 |
| A0431800 422800 TLS             | \$149,010.00 |
| A0432200 422800 ARC OMH         | \$ 1,435.00  |
| A0432500 422800 MVPS            | \$ 11,154.00 |
| A0433500 488105 LCCS-JAIL BASED | \$ 3,972.00  |

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

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 184 - 2023  
RESOLUTION AUTHORIZING RENEWAL AGREEMENT  
BETWEEN LEWIS COUNTY COMMUNITY SERVICES AND  
RUBENZHAL, KNUDSEN & ASSOCIATES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Community Services Board (CSB) 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 CSB is responsible to provide local or unified mental health services and facilities directly and/or by 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 CSB has reviewed the proposal for the following provider of mental health services and has determined that these services are necessary to meet the needs of the community at a reasonable cost; and

WHEREAS, the Community Services Board has met to consider the proposed agreement with the following service provider and requests that the Board of Legislators authorize a two-year renewal for the identified amounts for evaluations and court testimony in CPL 730 matters;

NOW, THEREFORE, 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 following provider for CPL 730 psychological services, in the amounts set forth for the period of January 1, 2024 through December 31, 2025:

| CONTRACTOR                      | PURPOSE                           | AMOUNT                                                                                                                       |
|---------------------------------|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Rubenzahl, Knudsen & Associates | CPL 730<br>Psychological Services | \$150.00 per hour for psychological exams<br>\$175.00 per hour for court testimony<br>Not to exceed \$700.00 per examination |

Section 2. That the term of said Agreement shall be from January 1, 2024 through December 31, 2025.

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

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

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 185 - 2023**  
**RESOLUTION AUTHORIZING THE COUNTY TO JOIN THE BROOME COUNTY**  
**PURCHASING ALLIANCE FOR MEDICARE BENEFIT PLANS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Broome County formed the Broome County Purchasing Alliance (BCPA) and secured contracts with United Health Care for Medicare Advantage and Prescription Drug Benefit Plans (MAPD plans) for Medicare eligible retirees; and

WHEREAS, Broome County allows participation in BCPA by other interested municipalities pursuant to General Municipal Law § 119-o; and

WHEREAS, each participating municipality who joins the BCPA will enter into its own contract with United Health Care to receive the preferred pricing and coverage provided to the alliance; and

WHEREAS, the Lewis County Health Committee members have further investigated this plan; have had the County third party health administrators and CSEA union leadership investigate the Plan, with all confirming that this Plan is equivalent or better than the current Plan, and will produce savings to eligible retiree members as well as to the County; and

WHEREAS, the Treasurer seeks to have the County of Lewis join in the BCPA MAPD Program in order to receive the preferred pricing and coverage for current and future Medicare eligible retiree members;



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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes and agrees to have the County join with Broome County and other participating municipalities in the BCPA for Medicare Advantage and Prescription Drug Benefit Services for its eligible retirees.

Section 2. That the Lewis County Board of Legislators directs and authorizes the Lewis County Treasurer to provide Broome County, via its secure and confidential BCPA Portal, with the information required to facilitate account registration including, but not limited to, census information of Medicare primary retirees including date of birth, gender and zip code; a copy of current Plan Description and Benefit Summary along with this resolution.

Section 3. That the Treasurer, Chairman or Vice-Chairman is authorized to execute any agreements, documents, or papers as may be necessary to implement the intent of this resolution, and to protect the privacy and confidentiality of information being provided, upon review by the County Attorney.

Section 4. That the shared services savings anticipated from joining the Alliance shall be deposited into the County Health Insurance Fund.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 186 - 2023  
RESOLUTION APPOINTING MEMBER TO  
JUNKYARD REVIEW BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Kenneth Johnson of Carthage, New York, as a member of the Lewis County Junkyard Review Board to fill the unexpired term of Joseph Chaisson.

Section 2. That the 5-year term of said appointment shall be effective from September 5, 2023 through December 31, 2027.

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

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 187 – 2023**  
**RESOLUTION ESTABLISHING NEW FINANCIAL GOALS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, since 2015, the County Manager(s) established basic financial goals and guidelines when presenting the annual budget to the Board of Legislators for its consideration. Those goals include: maintaining a minimum fund balance of 10% of both County and LCHS operations; maintaining an “A+” credit rating; maintaining current county service levels; and reduced reliance on fund balance for operations; and

WHEREAS, now as he prepares the 2024 tentative budget, the County Manager seeks to have the Board of Legislators review and update the County’s financial goals in light of a fund balance of approximately \$27 million dollars; and

NOW, THEREFORE, BE IT RESOLVED as follows,

Section 1. The Lewis County Board of Legislators hereby establishes the following financial goals in its decisions pertaining to budgets, expenditures and county tax rates:

- a. Lewis County will maintain a fund balance between 10% and 30% of its annual operations.
- b. Lewis County Health Systems will maintain a fund balance of at least 16% of its annual operations.
- c. Be cognizant of financial decisions that will enable the County to maintain its A+ Credit Rating.
- d. Invest at least 3% of operating budget into capital equipment and projects each year.
- e. Maintain a debt ratio of no greater than 50% of the constitutional limit allowed for counties.

Section 2. That this Resolution shall take effective immediately.

Moved by Legislator Moser, and seconded by Legislator Leviker, and adopted of the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 188 - 2023**  
**RESOLUTION IN SUPPORT OF SENATE BILL S7645 TO REPEAL CERTAIN**  
**PROVISIONS OF THE EXECUTIVE LAW ESTABLISHING A FEE FOR**  
**BACKGROUND CHECKS ON CERTAIN FIREARM AND**  
**AMMUNITION PURCHASES**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

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WHEREAS, Senate Majority Leader Andrea Stewart-Cousins' Bill S51001, referred to as the "Concealed Carry Improvement Act" (CCIA), amended a number of laws in relation to licensing and other provisions pertaining to firearms. This Bill was signed into law by Governor Hochul on July 1, 2022; and

WHEREAS, said Act includes regulations that allow the State to have oversight over background checks for firearms and ammunition purchases; and

WHEREAS, said Act amended the state executive law by adding a new section 228, authorizing the New York State Police to run national instant criminal background (NICS) checks and to serve as the point of contact rather than utilizing the current NICS background check system; and

WHEREAS, said Act also creates a new bureau within the State Police, financed by new "background check fees" upon purchasers to cover the costs associated with performing state background checks; and

WHEREAS, this provision of the so-called CCIA has resulted in onerous background check fees upon citizens equal to \$2.50 for every ammunition purchase and \$9.00 for every firearm purchase, with the potential for increases without legislative approval; and

WHEREAS, Senator Mark Walczyk has sponsored Senate Bill S.7645, in order to repeal Subdivision 5 of Section 228 of the Executive Law of S51001 relating to the background check fees for firearms and ammunition as included in the CCIA;

NOW, THEREFORE, BE IT RESOLVED as follows,

Section 1. The Lewis County Board of Legislators hereby applauds and supports Senator Walczyk and his sponsorship of Senate Bill S7645, to repeal certain provisions of Section 228 of the Executive Law, which established fees for background checks on certain firearm and ammunition purchases, and amends state finance law, in relation to the source of funds for the background check fund.

Section 2. That certified copies of this Resolution be forwarded to Governor Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Mark Walczyk, Assemblyman Ken Blankenbush and any other person, institution or agency the Board deems appropriate to move this Bill.

Section 3. That is Resolution shall take effect immediately.

Moved by Legislator Moser, and seconded by Legislator Leviker, and adopted on the 3rd day of October, 2023.

**RESOLUTION NO. 189 - 2023**

**RESOLUTION SETTING DATE OF PUBLIC HEARING WITH REFERENCE TO THE  
EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 6**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, PURSUANT TO Section 303 (a) of the Agriculture and Markets Law, the County Legislative Body is required to review a district eight years after its creation and every eight years thereafter; and

WHEREAS, the Lewis County Board of Legislators authorized and set the Public Comment Period for the Lewis County Agricultural District No. 6 eight-year review process for September 1, 2023 through September 30, 2023, and authorized incorporation of the 2023 annual inclusion process and thirty-day open enrollment period during and simultaneously with the eight-year review process and directed that public notices for the eight-year review contain notice of incorporation of the 2023 annual inclusion process pursuant to Resolution No. 145-2023; and

WHEREAS the County of Lewis Director of Planning and Community Development provided the appropriate notices and surveys to the property owners in Agricultural District No. 6, and is accepting and answering any questions pertaining to this Agricultural District's timelines, review and modification process; and

WHEREAS, municipalities and landowners within the district may propose a modification of the District by filing such a proposal with the Lewis County Planning and Community Development Department or the Clerk of the Lewis County Board of Legislators, Cassandra Moser, at 7660 North State Street, Lowville, NY 13367 from October 1, 2023 through October 31, 2023; and

WHEREAS, the Planning and Community Development Department will gather the information and comments received during the review process, together with requests for inclusion and/or removal after the comment period ends, and provide a Report to the Lewis County Board of Legislators during the public comment period at the public meeting of this Board of Legislators to be held on December 5, 2023; and

WHEREAS, the Director of Planning and Community Development seeks to have the Lewis County Board of Legislators now set the public hearing for this Agricultural District No. 6 eight-year review.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and sets the public hearing for Agricultural District No. 6 eight-year review to be held on December 5, 2023 at 5:00 PM at the County Courthouse, Second Floor Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367, for the purpose of receiving public comment regarding the eight-year review of Agricultural District No. 6.

Section 2. That the Lewis County Planning and Community Development Department is hereby directed to publish an appropriate notice in the Watertown Daily Times and that such notice shall contain the information required by law.

Section 3. That the resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 190 - 2023**  
**RESOLUTION SETTING 3 PUBLIC HEARING DATES FOR COUNTY-WIDE**  
**SHARED SERVICES INITIATIVE**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Manager can convene a Shared Services Panel consisting of representatives from the statutorily permitted local government entities within the county to develop a new County-Wide Shared Services Plan through the New York State County-Wide Shared Services Initiative (CWSSI) program; and

WHEREAS, the NYS CWSSI program's goal is to save property taxpayers money by identifying collaborative opportunities for shared services between as many local government entities as possible; and

WHEREAS, the Shared Services Panel must work together to develop and approve a Plan through intergovernmental cooperation to find new opportunities to share and coordinate services; and

WHEREAS, the NYS CWSSI program process requires the facilitation of input through a minimum of three (3) public hearings within the county prior to the submission of the Plan to a vote of the Panel; and

WHEREAS, if the County develops and submits an eligible 2024 Plan, NYS CWSSI funds can provide a state match for the net savings resulting from the shared services actions included in an approved and transmitted Plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and sets three (3) public hearings for the Lewis County 2024 Shared Services Plan to be held on November 7, 2023 at 5:00 PM, December 5, 2023 at 5:00 PM, and December 12, 2023 at 10:00 AM, at the County Courthouse, Second Floor Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367, for the purpose of receiving input and testimony on the Plan from the public, civic, business, labor, and community leaders.

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Section 2. That the resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 191 - 2023**  
**RESOLUTION TO APPOINT THE NEW YORK STATE DEPARTMENT OF**  
**TRANSPORTATION OFFICE OF DIVERSITY AND OPPORTUNITY (ODO)**  
**EQUITABLE BUSINESS OPPORTUNITIES (EBO) RESPONSIBLE LOCAL OFFICIAL**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the New York State Civil Rights compliance management internet-based application, Equitable Business Opportunities (EBO) is used to manage the Federal DBE contract goals and State MWBE and SDVOB contract goals; and

WHEREAS, all contracts funded by New York State Department of Transportation or the Federal Transit Administration are required to be managed in EBO; and

WHEREAS, transit contracts are making the transition into EBO and the first phase of this process is to appoint an EBO Administrator for Lewis County Public Transportation contracts;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Samantha Brown as the Lewis County Equitable Business Opportunities (EBO) Responsible Local Official.

Section 2. Samantha Brown, as the Responsible Local Official, will be the Equitable Business Opportunities Administrator.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 192 - 2023**  
**RESOLUTION TO AUTHORIZE “I LOVE NY” CAMPAIGN MATCHING FUNDS**  
**AND DESIGNATE LEWIS COUNTY CHAMBER OF COMMERCE**  
**AS THE COUNTY’S AGENT TO SUPERVISE**  
**PROMOTION AND MARKETING OF THE CAMPAIGN**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, in order to enhance and promote tourism within New York State, the NY Empire State Development Corporation offers to match local municipality contributions to the “I Love NY” promotional and marketing campaigns; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize and appropriate \$50,000.00 in matching funds to demonstrate its commitment to the “I Love NY” promotional campaign for 2024; and

WHEREAS, the Lewis County Board of Legislators seeks to designate the Lewis County Chamber of Commerce as the agent to supervise the promotion and marketing of the “I LOVE NY” campaign, and to market the benefits of Lewis County tourism with utilization of the County’s 2024 matching funds as well as the State’s committed funds; and the Board seeks to enter into an Agreement with the LC Chamber of Commerce to provide such services as the designated agent of the County under this State program.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby commits to appropriate \$50,000.00 in matching local funds toward the 2024 “I LOVE NY” promotional and marketing tourism campaign in Lewis County.

Section 2. That the Board of Legislators hereby designates the Lewis County Chamber of Commerce as the County’s agent to supervise and conduct the promotional and marketing programs for Lewis County tourism under the 2024 campaign, with the utilization of the aforesaid County matching funds as well as the State’s committed funds to the campaign, and endorses the application by the Chamber for matching funds under the program.

Section 3. That the Board of Legislators authorizes an Agreement with the Lewis County Chamber of Commerce to act as the County’s agent under the 2024 “I LOVE NY” campaign, and to perform the services of promoting and marketing the benefits of tourism in the County of Lewis with the funds so provided under the campaign, for the period from January 1, 2024 through December 31, 2024.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement and any and all other necessary papers and documents in connection with the application and program, pending approval by the County Attorney.

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

Moved by Legislator Virkler , seconded by Legislator Hathway , and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 193 - 2023**  
**RESOLUTION TO TRANSFER FUNDS**

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**Sheriff's Office - Jail**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes the following 2023 budget transfer from Legislative Special Contingency to the Jail Inmate Board account. This is to provide additional funding due to high costs for boarding out inmates due to the Jail HVAC project and the new MAT program:

From:

|                 |                     |             |
|-----------------|---------------------|-------------|
| A0101000 419900 | Special Contingency | \$85,000.00 |
|-----------------|---------------------|-------------|

To:

|                 |                   |             |
|-----------------|-------------------|-------------|
| A0315000 450800 | Jail Inmate Board | \$85,000.00 |
|-----------------|-------------------|-------------|

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

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 194 – 2023  
RESOLUTION TO TRANSFER FUNDS FOR  
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

NOA #PY22-5

Section 1. That the following funds be transferred for Program Year 2022 for the period 07/01/2022 through 06/30/2024 from the Dislocated Worker program to the Adult Program per the Notice of Obligational Authority (NOA), PY22-5, dated 06/30/2023 through the New York State Department of Labor.

Decrease Expenditure:

|                 |                           |            |
|-----------------|---------------------------|------------|
| CD629100 499900 | Dislocated Worker CRT/OJT | \$8,500.00 |
|-----------------|---------------------------|------------|

Increase Expenditure:

|                 |                 |            |
|-----------------|-----------------|------------|
| CD629200 499900 | Adult CRT / OJT | \$8,500.00 |
|-----------------|-----------------|------------|

Section 2. That the within shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.



**RESOLUTION NO. 195 - 2023  
RESOLUTION TO APPROPRIATE FUNDS FOR  
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

NOA #PY23-1

Section 1. That the following funds be appropriated for Program Year 2023 for the period 04/01/2023 through 06/30/2025 for the Youth program per the Notice of Obligational Authority (NOA), PY23-1, dated 04/01/2023 through the New York State Department of Labor.

Increase Revenue:

|                 |             |              |
|-----------------|-------------|--------------|
| CD629300 347910 | WIA Revenue | \$ 37,705.08 |
|-----------------|-------------|--------------|

Increase Expenditures:

|                 |                        |              |
|-----------------|------------------------|--------------|
| CD629000 490900 | Youth WIA              | \$ 250.00    |
| CD629000 801000 | WIA Youth Retirement   | \$ 360.00    |
| CD629000 499900 | WIA Youth Expenditures | \$ 37,095.08 |

Section 2. That the within shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

**RESOLUTION NO. 196 – 2023  
RESOLUTION TO APPROPRIATE FUNDS FOR  
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

NOA #PY23-2

Section 1. That the following funds be appropriated for Program Year 2023 for the period 07/01/2023 through 06/30/2025 for the Adult and Dislocated Workers program(s) per the Notice of Obligational Authority (NOA), PY23-2, dated 08/03/2023 through the New York State Department of Labor.

Increase Revenue:

|                 |             |              |
|-----------------|-------------|--------------|
| CD629300 347910 | WIA Revenue | \$ 42,701.14 |
|-----------------|-------------|--------------|

Increase Expenditures:

|                 |             |              |
|-----------------|-------------|--------------|
| CD629200 110100 | Adult Wages | \$ 15,277.27 |
|-----------------|-------------|--------------|

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|                                  |             |
|----------------------------------|-------------|
| CD629100 110100 DW Wages         | \$20,000.00 |
| CD629100 499900 WIA DW Checkbook | \$ 7,423.87 |

Section 2. That the within shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Leviker, and adopted on the 3<sup>rd</sup> day of October, 2023.

#### RESOLUTIONS (con't):

County Attorney Joan McNichol requested that the resolution directing the demolition and removal of an unsafe building pursuant to Local Law No. 2-2007, (Village of Turin) be withdrawn because the property owner, whom she had been in touch with, was out of the Country dealing with a family emergency. She further requested that the hearing be postponed until Tuesday, November 7<sup>th</sup> at 5:00 p.m., which the property owner stated he would be able to attend to address the board.

Legislator Chartrand moved to withdraw the resolution and set the hearing for Tuesday, November 7<sup>th</sup> at 5:00 p.m., seconded by Legislator Gilbert, and carried.

#### OTHER BUSINESS:

There being no other business to come before the Board, Legislator Chartrand moved to adjourn the meeting at 5:44 p.m., seconded by Legislator Hathway, and carried.

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**FIRST DAY ANNUAL SESSION**

**November 7, 2023**

The meeting was called to order at 5:02 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, and there were 18 other persons present.

Chairman Dolhof asked Legislator Hathway for the Invocation, followed by the Pledge of Allegiance to the Flag.

**PROCLAMATION:**

The Clerk of the Board read a proclamation for Adoption Awareness Month.

Chairman Dolhof declared the October 3, 2023 meeting minutes approved by general consent.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Philip Hathway  
Jessica Moser  
Joshua Leviker  
Jeffrey Nellenback

Dated: November 7, 2023

Legislator Hathway moved that the rules be waived, seconded by Legislator Virkler, and carried.

**PUBLIC HEARING(S):**

At 5:06 p.m., Chairman Dolhof opened the public hearings on the following: Local Law No. 1-2023 “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 2024 Budget.”; Local Law No. 2-2023 “Local Law of the County of Lewis Providing Partial Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers Pursuant to Section 466-A of the Real Property Tax Law”; Lewis County 2024 Shared Services Plan; and Unsafe Structure located at 6314 East Main Street, Village of Turin.

County Attorney Joan McNichol stated that the owner of the unsafe structure at 6314 East Main Street in the Village of Turin, Mr. Ignacio Ahumada, was here from California. She had given the Board of Legislators each a copy of the documents related to this property. She along with Code Enforcement Officers David Brown and Ward Dailey met with owner at the site of the structure this morning. Mr. Ahumada indicated that his intention is to demolish the

additions that were added on the original structure and then preserve and rehabilitate the original structure. He understood that he would need to take action on this property right away and indicated that the debris on the property would need to be cleaned up.

Mr. Ahumada confirmed that he was provided a list of contractors that could assist with the demolition and that he agrees to move on the demolition within the next 60 days to remove the additions. He understands that he will need to work with the Codes Department to get the correct permits required and contact the necessary regulatory agencies required for demolition. He asked the Board to work with him as his intention is to clean up the property.

Legislator Hathway asked for clarification whether the 60-day time period was to start demolition or to have it completed, Joan responded that it would be to have the demolition of the additions completed in that 60-day time frame, which will likely only take a couple days. Joan appreciated that Mr. Ahumada was willing to take care of this matter. Chairman Dolhof stated that within the 60-day time frame an engineer should provide some type of proof that the portion of the building intended to be saved can be saved. He recognized that Mr. Ahumada had purchased this property site unseen and was glad that he was trying to correct the issues and assured him that the Board would work with him on the matter.

#### CLERK OF THE BOARD REPORT:

A Resolution was received from Franklin County titled: “Franklin County Legislature Opposes Senate Bill S6637 Regarding Amending Section 606 of the Tax Law.” A Resolution was received from Greene County titled “Supporting Senate Bill S.7645 that Repeals Certain Provisions of the Executive Law Establishing a Fee for Background Checks on Certain Firearm and Ammunition Purchases.”

Several resolutions were received from Orleans County, they are:

- “Supporting of Efforts to Improve Probation and Alternatives to Incarceration in New York State in order to Protect the Public and Reduce Reliance on Prisons, Jails and Detention.”;
- “Urging the Governor and State Legislature to allow Speech-Language Pathologist Assistants and Aids to Practice Via License, Registration, or Certification in New York State’s Early Intervention Program to Expand Capacity for Children in Need of Services.”;
- “Urging the Governor and State Legislature to Move the Administrative Responsibility for Preschool Special Education Transportation Services to Local School Districts.”;
- “Urging the Governor and State Legislature to Implement a Rate Increase for Early Intervention Providers with No Increase Cost to Counties.”;
- “Urging the Governor and State Legislature to Expedite the Release of Covered Lives Implementation Guidance and Funds to Counties.”;
- “Urging the Governor and State Legislators to Enact Increases for Local Highway, Bridge and Culvert Programs to Compensate for Construction Cost Inflation.”;
- “Supporting the Creation of a Joint State Agency-Local Highway Department Advisory Group to Prepare for the Transition to a Zero-Or Low-Carbon Transportation Sector.”;

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

- “Demanding New York State Reduce the Cost of State-Mandated Programs on Local Taxpayers.”;
- “Urging the Federal Government and State of New York to Provide Immediate Assistance to Local Governments to Address the Migrant Crisis.”;
- “Urging the Governor and New York State Legislature to Become a True Partner by Focusing on Rent Allowance and Standard of Need which must Include the Restoration of 50/50 Cost Sharing for Safety Net Programs and Provide Actual Brick and Mortar Solutions by Making Permanent Housing the Central Focus.”;
- “Supporting Proposals to Modernize State Tax Laws to Include the Short-Term Rental Industry and Ensure these Changes are Appropriately Tailored for the needs of Local Communities.”;
- “Support of Modernizing New York State’s in REM Tax Delinquency Foreclosure Process to Comply with the Tyler vs. Hennepin County Supreme Court Decision and Prioritizes the Needs of All Property Taxpayers.”
- “Supporting Senate Bill S7645 That Repeals Certain Provisions of the Executive Law Establishing a Fee for Background Checks on Certain Firearm and Ammunition Purchases.”

The Semi-Annual Mortgage Tax Report for April 1, 2023 through September 30, 2023 was completed and distributed to the Board of Legislators. The sum of \$193,499.91 has been apportioned to the Tax Districts and the Treasurer’s Office has been directed to pay the respective amounts due to the Towns, Villages, and the County of Lewis, pursuant to the provisions of Section 261 of the Tax Law.

### **APPORTIONMENT OF MORTGAGE TAX April 1, 2023 through September 30, 2023**

|                       | <b><u>KEY</u></b> | <b><u>VALUATION</u></b> | <b><u>AMOUNT</u></b> |
|-----------------------|-------------------|-------------------------|----------------------|
| Town of Croghan       |                   | 461,167,095             | 13,732.14            |
| Village of Croghan    | 0.027750672       | 25,595,394              | <u>391.95</u>        |
|                       |                   |                         | 14,124.09            |
| Town of Denmark       |                   | 374,381,795             | 24,185.02            |
| Village of Castorland | 0.026082202       | 19,529,403              | 693.68               |
| Village of Copenhagen | 0.064571946       | 48,349,122              | <u>1,717.36</u>      |
|                       |                   |                         | 26,596.06            |
| Town of Diana         |                   | 254,962,011             | 9,423.41             |
| Town of Greig         |                   | 318,987,160             | 12,748.22            |

NOVEMBER 7, 2023

|                           |             |             |                 |
|---------------------------|-------------|-------------|-----------------|
| Town of Harrisburg        |             | 133,657,627 | 793.49          |
| Town of Lewis             |             | 97,184,818  | 4,601.74        |
| Town of Leyden            |             | 141,675,294 | 16,572.31       |
| Village of Port Leyden    | 0.063590489 | 18,018,403  | <u>1,125.41</u> |
|                           |             |             | 17,697.72       |
| Town of Lowville          |             | 532,422,837 | 24,843.59       |
| Village of Lowville       | 0.281590433 | 299,850,354 | <u>9,737.79</u> |
|                           |             |             | 34,581.38       |
| Town of Lyonsdale         |             | 150,861,202 | 4,972.50        |
| Village of Lyons Falls    | 0.040990985 | 12,367,898  | 219.31          |
| Village of Port Leyden    | 0.029598926 | 8,930,659   | <u>158.36</u>   |
|                           |             |             | 5,350.17        |
| Town of Martinsburg       |             | 281,262,008 | 15,544.04       |
| Town of Montague          |             | 56,109,678  | 1,497.34        |
| Town of New Bremen        |             | 236,589,234 | 13,123.57       |
| Village of Croghan        | 0.038486812 | 18,211,131  | <u>525.30</u>   |
|                           |             |             | 13,648.87       |
| Town of Osceola           |             | 76,501,661  | 440.83          |
| Town of Pinckney          |             | 51,622,385  | 3,807.27        |
| Town of Turin             |             | 131,370,666 | 5,420.74        |
| Village of Turin          | 0.059881042 | 15,733,225  | <u>345.27</u>   |
|                           |             |             | 5,766.01        |
| Town of Watson            |             | 284,686,544 | 8,748.07        |
| Town of West Turin        |             | 198,612,962 | 15,369.92       |
| Village of Constableville | 0.051624279 | 20,506,502  | 936.01          |
| Village of Lyons Falls    | 0.100670209 | 39,988,817  | <u>1,825.27</u> |
|                           |             |             | 18,131.20       |

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**GRAND TOTAL** **\$193,499.91**

To County of Lewis \$ 96,750.03

Thomas Osborne, Chair  
Philip Hathway  
Jeffrey Nellenback  
Joshua Leviker  
Jessica Moser  
Finance & Rules Committee

Dated: November 7, 2023

**WARRANT**

Treasurer of the County of Lewis,

You are hereby notified by the Board of Legislators of Lewis County that the sum of \$193,499.91 from the tax on mortgages from April 1, 2023 through September 30, 2023 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 8<sup>th</sup> day of November 2023.

Lawrence L. Dolhof, Chairman  
Cassandra Moser, Clerk of the Board

**REPORTS OF STANDING COMMITTEES:**

Legislator Osborne reported that the Purchasing Department has been busy this fall working with the Budget team to deliver a Capital Budget that enables County Departments to have the tools and resources to serve the citizens and taxpayers of Lewis County.

Last month they opened an RFP for OASIS Substance Misuse Program. They currently are issuing 2 RFP's, one for the demolition of a condemned structure in Port Leyden and the other is for two enclosed trailers to assist Board of Elections with moving around the voting machines. By owning these trailers the county will see a 5-year payback and the convenience of not having to rely on the rental companies to provide trucks as each year it comes down to the last minute if they have enough trucks for us. Finally, there will be a surplus auction coming out in the next few weeks being highlighted by 2 snowmobiles from the Sheriff's Department that have been replaced and a 2016 ford interceptor patrol car.

Legislator Gilbert reported that Emergency Management is working with DHSES to complete a COOP plan, draft forthcoming. This plan would not be possible without the support of the Board and the creation of the Emergency Management Deputy Director requested in the budget.

The BOCES EMT program is coming together with the support of Howard G. Sacketts Technical Center, Lewis County Emergency Management Office and findings from the Lewis County EMS ad hoc committee. This program will hopefully bolster the number of EMS providers in Lewis County. An AEMT (Advanced EMT) class will be hosted in January at Constableville. This class has not been provided previously in Lewis County.

A full schedule of Fire training classes will be established at the State Fire Instructor meeting scheduled for later this month. Lewis County has 4 State fire Instructors that reside and provide training in Lewis County.

Legislator Virkler stated that Lewis County Public Health reported a slight decline in Covid-19 cases in September with 15 individuals hospitalized and sadly 4 residents died of Covid-19 related complications. They continue to provide Covid-19 vaccine by appointment in their office and are now able to vaccinate everyone 6-months and older. Moderna and Pfizer both have new bivalent boosters that have been authorized by the FDA. These booster doses cover both the original virus strain as well as Omnicron variant.

#### PROJECT MANAGERS REPORT:

Mr. Jim Garito thanked the board and Ryan for the opportunity to report. The projects, through the flexibility of the County, have become more of a multi-phase approach to finish them up. This allows certain pieces to be completed while other pieces are worked on. Having more than one contractor onsite working allows them to deal with things quicker.

Mr. Nick Garito reported that the Board of Elections portion of the East State Street property is having the exterior worked on and should be completed by the end of next week. The interior work is being done and painting should occur next week. Highway has been completed, and the Outdoor Services Building is having rough-ins worked on as well as the windows and exterior work.

#### COUNTY MANAGER REPORT:

Ryan Piche reported that he has been busy working on the tentative budget which was filed with the Clerk of the Board today. He reminded the Board that any changes can be made by motion at the Public Hearing or can be passed to himself or the Clerk of the Board to have a resolution prepared for the November 21, 2023 meeting.

#### COUNTY TREASURER REPORT:

Eric Virkler reported that he had handed out his monthly financial report to the Board and if anyone has any questions just reach out to him. The State Comptroller's Office has sent



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

auditors who will be on site for some time. They will be informing the board of things as they go through the audit process. Legislator Gilbert questioned how our Mortgage Tax this year compares to past years, Eric Virkler referred the question to County Clerk Jake Moser. Mr. Moser explained that the Mortgage Tax report is down substantially this year compared to the past two years likely due to the higher interest rates which slows property purchases. Ryan stated that in the 2024 budget the revenue from Mortgage Tax was reduced.

REPORT OF THE FINANCE AND RULES COMMITTEE:

NOVEMBER 7, 2023

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 6,302,035.20 and recommend that they be audited and allowed for the amounts claimed.



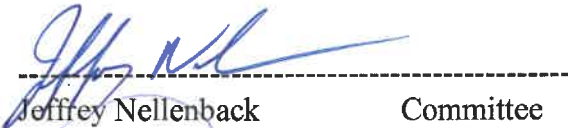
Thomas Osborne

Chair



Philip Hathway

Vice-Chair



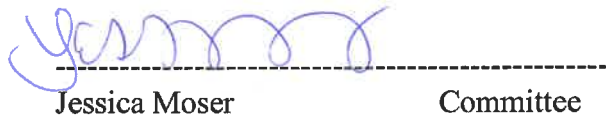
Jeffrey Nellenback

Committee



Joshua Leviker

Committee



Jessica Moser

Committee

Dated: November 7, 2023

Approved on motion by Legislator Virkler, seconded by Legislator Nellenback, and carried.

**RESOLUTION NO. 197 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$6,302,035.20 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 Virkler, seconded by Legislator Chartrand. Legislator Moser recused herself from any payments pertaining to her role as an Attorney.

The resolution was then adopted on the 7<sup>th</sup> day of November, 2023 pursuant to the following roll call vote:

AYES: Virkler, Gilbert, Moroughan, Nellenback, Hathway, Moser, Chartrand, Leviker, Osborne, and Dolhof.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 198 - 2023  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 1 – 2023, COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on October 3, 2023, directing that a public hearing be held by said Board on November 7, 2023, 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 “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 2024 BUDGET” and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on November 1, 2023, 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, the public hearing was duly held at such location and 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;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1 – 2023), County of Lewis, being “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 2024 BUDGET”, be and the same hereby is designated as Local Law No. 1–2023, County of Lewis.

Section 2. That Local Law No. 1–2023, 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 Hathway, seconded by Legislator Virkler, and **defeated** on the 7<sup>th</sup> day of November, 2023 pursuant to the following roll call vote:

AYES: Hathway

NAYS: Osborne, Nellenback, Virkler, Leviker, Moser, Moroughan, Gilbert, Chartrand, and Dolhof.

ABSENT: None.

**RESOLUTION NO. 199 - 2023  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 2-2023, COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on October 3, 2023 directing that a public hearing be held by said Board on November 7, 2023, 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 OF THE COUNTY OF LEWIS PROVIDING PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County on November 1, 2023, 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. This Local Law (Introductory No. 2–2023), County of Lewis, being “A LOCAL LAW OF THE COUNTY OF LEWIS PROVIDING PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW “be and the same hereby is designated as Local Law No. 2–2023, County of Lewis.

Section 2. That Local Law No. 2–2023, 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 Nellenback, seconded by Legislator Leviker, and adopted on the 7<sup>th</sup> day of November, 2023 pursuant to the following roll call vote:

AYES: Moser, Chartrand, Gilbert, Hathway, Leviker, Moroughan, Nellenback, Osborne, Virkler, and Dolhof.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 200 – 2023  
RESOLUTION DIRECTING THE DEMOLITION AND REMOVAL  
OF AN UNSAFE BUILDING PURSUANT TO LOCAL LAW NO. 2-2007,  
(VILLAGE OF TURIN)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2–2007, entitled, “A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES,” (herein “Unsafe Building Law”), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of such Local Law, the Lewis County Code Enforcement Officer conducted an investigation of the premises known Tax Map No. 321.15-01-

11.000, currently owned by Ignacio Ahumada, and determined that the structure is unsafe and issued a report to the Board of Legislators on July 24, 2023; and

WHEREAS, the Code Enforcement Officer reported that the structure is a residential structure located at 6314 East Main Street, Village of Turin, which has been abandoned, unsecured, has foundational damage, and structural damage to the roof. Overall, the building is damaged and dilapidated due to lack of maintenance and care and is definable as an unsafe structure, that is unfit for human occupancy and a danger to anyone who may attempt to enter. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the Code Enforcement Officer concludes in his report that this building is unsafe and poses an unsafe condition to the general public. It is the Code Enforcement Officer's recommendation that the structure should be completely demolished and removed; and

WHEREAS, by Resolution No. 158-2023, the Board of Legislators ordered and decreed that the Owner of said building appear before this Board of Legislators on October 3, 2023 at 5:00 p.m. and Show Cause before this Board why it should not Order said Owner to immediately demolish and remove the building located on the parcel identified as Tax Map No. 321.15-01-11.000, 6314 East Main Street, in the Village of Turin, County of Lewis; and that in the event that the Owner fails to comply with such Order or fails or refuses to demolish or remove said building, and related debris, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located and to commence a special proceeding if required to collect the costs of demolition, including legal expenses; and

WHEREAS, the Owner was given due notice of the hearing before this Board and confirmed receipt of same by his telephone communication with the County Attorney on September 26, 2023. He was also served with the documents by regular mail service. A Notice of the Hearing was securely affixed upon the unsafe building on September 20, 2023;

WHEREAS, as a result of communication with the Owner and his request to adjourn the hearing scheduled for October 3, 2023, by motion of the Board of Legislators the hearing was adjourned to November 7, 2023 at 5:00 p.m.

WHEREAS, the Owner did appear for the hearing before the Lewis County Board of Legislators on November 7, 2023;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines as follows:

- (a) That Ignacio Ahumada is the Owner of the premises known as Tax Map No. 321.15-01-11.000, located at and designated as 6314 East Main Street, in the Village of Turin, County of Lewis;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- (b) That the Lewis County Code Enforcement Officer duly inspected said premises, condemned the structure, and declared that the building located on said premises was unsafe and not repairable and should be properly demolished and removed;
- (c) That the structure is abandoned, unsecured, has foundational damage, structural damage to the roof, and is unfit for human occupancy and a danger to anyone who may attempt to enter;
- (d) That the Board of Legislators received the report of the Code Enforcement Officer dated July 24, 2023, and agrees with his findings;
- (e) That pursuant to Local Law No. 2 – 2007, on November 7, 2023, at its regular meeting the Board of Legislators determined that the building was unsafe, constitutes a public nuisance, and a danger to the safety, health, and welfare of the community; and that the building must be demolished and removed from the premises;
- (f) That Ignacio Ahumada has received due notice of these proceedings;
- (g) That the building located on the premises known as Tax Map No. 321.15-01-11.000, located at 6314 East Main Street, Village of Turin, County of Lewis is unsafe, constitutes a public nuisance and a danger to the safety, health, and welfare of the community and must be immediately demolished and removed;

Section 2. That by reason of such findings, it is hereby

ORDERED AND DECREED that Ignacio Ahumada, Owner of premises known as Tax Map No. 321.15-01-11.000 and located at and designated as 6314 East Main Street, in the Village of Turin, County of Lewis, shall immediately demolish and remove the building located thereon; and it is further

ORDERED AND DECREED that Ignacio Ahumada, shall immediately commence proper removal of the building within thirty (30) days of service of this order; and shall complete same within sixty (60) days thereafter; and

ORDERED AND DECREED, that in the event that Ignacio Ahumada fails or refuses to commence the demolition process in accordance with this Resolution, the Code Enforcement Officer shall cause such building to be demolished and removed either by County employees or by contract, provided that any contract for demolition and removal of a building in excess of \$20,000.00 shall be awarded through competitive bidding; and it is further

ORDERED AND DECREED, that in the event that the County provides for the demolition and removal of such building, all of the costs and expenses of same shall be assessed against the land upon which it is located; and it is further

ORDERED AND DECREED that a certified copy of this resolution and orders shall be given to Ignacio Ahumada, Owner of such building by personal service or by certified mail, and by electronic mail to the addresses provided by him to the County Attorney at his last known address as shown by the record of the receiver of taxes.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Gilbert.

County Attorney Joan McNichol recommended moving to amend the resolution based on the testimony of the property owner Mr. Ahumada earlier in the meeting. She went through the recommended amendments.

Legislator Virkler moved to amend Section 2. First paragraph, third and fourth line, to read "...shall immediately commence the process of partial demolition of the attached structures to the original building and remove debris on the property" and to amend Section 2., Second paragraph, second and third line, to read "...commence the process for partial demolition of the attached structures to the original building and shall complete same within sixty (60) days. The owner shall provide the County Codes Department with an engineer's report indicating that the main, original structure can be saved and rehabilitated up to code requirements, otherwise the owner shall demolish the main structure within said sixty (60) days", seconded by Legislator Chartrand, and carried.

The amended resolution was then adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 201 - 2023**  
**RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN THE**  
**COUNTY OF LEWIS AND VARIOUS PROVIDERS FOR SUBSTANCE ABUSE AND**  
**OTHER MENTAL HEALTH DISORDERS**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Director of Community Services seeks renewal agreements to provide services regarding Substance Abuse Disorders for incarcerated persons in the County Jail under Chapter 432 of the 2021 Laws of New York who suffer from substance abuse disorders as defined under the law regarding peer services, MAT counseling, inmate assessment, treatment planning and the prescribing and monitoring of methadone to inmates in the program; and

WHEREAS, the Community Services Board (CSB) receives state aid funding for peer-to-peer services in the community and may receive adjustments to the initial state aid funding based



PROCEEDINGS OF THE BOARD OF LEGISLATORS

upon a Cost-Of-Living Adjustment (“COLA”) or other funding adjustment determined by the state; and

WHEREAS, the CSB seeks to renew the proposed service between the County of Lewis and the following providers for program service;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes renewal Agreements between the County of Lewis and the following providers for program services in the amounts set forth, plus any financial adjustment(s) made by the State to said annual amounts for 2024:

| PROVIDER                                                     | PURPOSE                                                                                                                                        | AMOUNT                                                                                                                                                                                                                            |
|--------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Credo Community Center For The Treatment Of Addictions, Inc. | Counseling, Prescribing, Monitoring, and Oversight for the prescribing of Methadone to Incarcerated Persons accepted into the Jail MAT program | \$66,428.00 plus fee for service:<br><br>Initial Face to Face Assessment, Physical Exam, Follow-up Prescriber Appointment:<br>\$123.75<br><br>On-Call Contact:<br>\$30.00/15 minute increments<br><br>Mileage at the federal rate |
| Northern Regional Center For Independent Living              | Peer Services for Jail MAT program                                                                                                             | Annual sum not to exceed \$41,250.00                                                                                                                                                                                              |
| Mental Health Association In Jefferson County                | Joseph D. Dwyer Veterans Peer-to-Peer Program                                                                                                  | Annual sum not to exceed \$87,800.00.                                                                                                                                                                                             |

Section 2. That the term of said Agreements for Jail MAT services shall be from January 1, 2024 through December 31, 2024. The Mental Health Association in Jefferson County Agreement shall be from January 1, 2024 through December 31, 2025.

Section 3. That the Mental Health Association in Jefferson County is to be modified based upon the annual funding awarded by the State, together with any annual COLA adjustment That the Lewis County Board of Legislators hereby authorizes the Treasurer to adjust the appropriation upon receipt of any notification from the state.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements and any modifications thereto, pending approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 202 - 2023  
RESOLUTION RE-APPOINTING MEMBERS  
TO THE COMMUNITY SERVICES BOARD  
DEVELOPMENTAL DISABILITIES SUBCOMMITTEE**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby re-appoints the following individuals as members of the Lewis County Community Services Board Developmental Disabilities Subcommittee for a four-year term:

Tina Cummings of Watertown, NY  
Louise Fox of Lyons Falls, NY

Section 2. That the term of said appointments shall be effective from January 1, 2024 through December 31, 2027.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 203 – 2023  
RESOLUTION RE-APPOINTING MEMBERS TO  
COMMUNITY SERVICES BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby re-appoints Anna Platz of Carthage, NY and Melanie Saber of Lowville, NY as members of the Lewis County Community Services Board for a four-year term.

Section 2. That the term of said appointment shall be effective January 1, 2024 through December 31, 2027.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 204 - 2023  
RESOLUTION TO APPROPRIATE FUNDS  
Highway Department**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation takes place in the Highway Department accounts to recognize additional revenue received from sale of surplus equipment.

Increase Revenue:

|                                         |             |
|-----------------------------------------|-------------|
| DM513000 326650 Machinery Sale of Equip | \$81,700.00 |
|-----------------------------------------|-------------|

Increase Expenditure:

|                                    |             |
|------------------------------------|-------------|
| DM513000 223300 Machinery Vehicles | \$81,700.00 |
|------------------------------------|-------------|

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

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 205 - 2023  
RESOLUTION AUTHORIZING BRIDGE NY MASTER AGREEMENT BETWEEN  
NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY  
FOR THE CONSTRUCTION/CI PHASE UNDER THE LOCALLY ADMINISTERED  
FEDERAL-AID BRIDGE REPLACEMENT PROJECT  
(PIN 775395) KNOWN AS CR 21 OVER GULF STREAM**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as County Route 21 over Gulf Stream (PIN 775395; BIN 1039780) (the "Project") in the Town of Pinckney, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the Construction/ Construction Inspection (CI) phase.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Chair of the Board of Legislators to execute the Master Agreement under Contract No. D0040926 with NYS DOT, known as CR 21 over Gulf Stream, PIN 775395/BIN1039780 to pay 100% of the cost of Construction/CI work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds.

Section 2. That the sum of \$99,110.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phase of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the County of Lewis.

Section 4. That in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Highway Supervisor thereof.

Section 5. That the County of Lewis hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid 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 County of Lewis' funding Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriation therefore that are not so eligible.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 8. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$99,110.00 of funding in the Capital Bridge Program to facilitate the Construction/CI phase for the Locally Administered Federal-Aid process, for Bridge Replacement on County Route 21 over Gulf Stream (PIN 775395) in the Town of Pinckney, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 9. That the within Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 206 - 2023**  
**RESOLUTION AUTHORIZING BRIDGE NY MASTER AGREEMENT BETWEEN**  
**NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY**  
**FOR THE CONSTRUCTION/CI PHASE OF THE FEDERAL-AID BRIDGE**  
**REPLACEMENT PROJECT (PIN 775389) KNOWN AS CR 43 (EAST ROAD) OVER**  
**MOOSE CREEK**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as County Route 43 (East Road) over Moose Creek (PIN 775389; BIN 3339700) (the “Project”) in the Town of Leyden, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the “Bipartisan Infrastructure Law” (BIL); and

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the Construction/ Construction Inspection (CI) phase (Contract # DO40925).

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Chair of the Board of Legislators to execute the Master Agreement under Contract No. D040925 with NYS DOT, known as CR 43 (East Road) over Moose Creek, PIN 775389/BIN3339700 to pay 100% of the cost of Construction/CI phase for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds.

Section 2. That the sum of \$94,845.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phase(s) of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the County of Lewis.

Section 4. That in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Highway Supervisor thereof.

Section 5. That the County of Lewis hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid 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 County of Lewis' funding Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriation therefore that are not so eligible.

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 Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$94,845.00 of funding in the Capital Bridge Program to facilitate the Construction/CI phase under the Locally Administered Federal-Aid Process, for the Bridge Replacement on County Route 43 East Road over Moose Creek (PIN 775389) in the Town of Leyden, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 9. That the within Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 207 - 2023**  
**RESOLUTION AUTHORIZING BRIDGE NY AGREEMENT BETWEEN NEW YORK**  
**STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY FOR THE**  
**PRELIMINARY DESIGN & CONSTRUCTION PHASE OF CULVERT**  
**REPLACEMENT PROJECT (PIN 775424) KNOWN AS**  
**KOTEL ROAD OVER SOUTH BRANCH OF CRYSTAL CREEK**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, a Project for the Culvert Replacement known as Kotel Road over South Branch of Crystal Creek (PIN 7754.24, CONTRACT # DO40959) (the “Project”) in the Town of Watson, County of Lewis, is eligible for reimbursement from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds;

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the preliminary engineering design and construction/CI phases.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Chair of the Board of Legislators to execute Contract No. D040959 with NYS DOT, known as Kotel Road over South Branch of Crystal Creek, PIN 7754.24 to pay 100% of the cost of design and construction/CI phases for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding.

Section 2. That the sum of \$1,179,000.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phases of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the County of Lewis.

Section 4. That in the event the costs of the Project exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Lewis County Highway Supervisor.

Section 5. That the Lewis County Board of Legislators hereby agrees that the County of Lewis hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications, or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the County of Lewis in connection with the advancement or approval of the Project costs.

Section 7. That the County of Lewis will be responsible for all maintenance of the Project.

Section 8. 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 9. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$1,179,000.00 of funding in the Capital Bridge Program to facilitate the Design, Construction/CI phases for the Bridge Replacement on Kotel Road over South Branch of Crystal Creek (PIN 7754.24) in the Town of Watson, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 10. That the within Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 208 - 2023**  
**RESOLUTION AUTHORIZING BRIDGE NY AGREEMENT BETWEEN NEW YORK**  
**STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY FOR THE**  
**R.O.W. – INCIDENTALS/ACQUISITION PHASES FOR CULVERT REPLACEMENT**  
**PROJECT (PIN 7754.24) KNOWN AS KOTEL ROAD OVER SOUTH BRANCH OF**  
**CRYSTAL CREEK**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Culvert Replacement known as Kotel Road over South Branch of Crystal Creek (PIN 7754.24, CONTRACT # DO41006) (the “Project”) in the Town of Watson, County of Lewis, is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ration of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the Right-of-Way (ROW) Incidentals and Acquisition phases;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Chair of the Board of Legislators to execute Contract No. D041006 with NYS DOT, known as Kotel Road over South Branch of Crystal Creek, PIN 7754.24 to pay 100% of the cost of ROW Incidentals and ROW Acquisition phases for the Project or portions thereof, with the understanding that qualified costs will be reimbursement from Bridge NY funding.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the sum of \$32,000.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phase(s) of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the County of Lewis.

Section 4. That in the event the costs of the Project exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Highway Supervisor.

Section 5. That the Lewis County Board of Legislators hereby agrees that the County of Lewis hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications, or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the County of Lewis in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs.

Section 7. That the County of Lewis will be responsible for all maintenance of the Project.

Section 8. 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 9. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$32,000.00 of funding in the Capital Bridge Program to facilitate the ROW incidentals and ROW Acquisition phases for the Bridge Replacement on Kotel Road over South Branch of Crystal Creek (PIN 7754.24) in the Town of Watson, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 10. That the within Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 209 - 2023**

**RESOLUTION AUTHORIZING BRIDGE NY AGREEMENT BETWEEN NEW YORK  
STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY FOR  
IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE FOR THE  
CULVERT REPLACEMENT PROJECT (PIN 7754.23) KNOWN AS  
ERIE CANAL ROAD OVER BLACK CREEK**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Culvert Replacement known as Erie Canal Road over Black Creek (PIN 7754.23, CONTRACT # DO40958) (the “Project”) in the Town of New Bremen, County of Lewis, is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ration of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the Design, ROW Incidentals, ROW Acquisition, and Construction phases;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the Project and authorizes the Chair of the Board of Legislators to execute Contract No. D040958 with NYS DOT, known as Erie Canal Road over Black Creek, PIN 7754.23 to pay 100% of the cost of design, ROW Incidentals, ROW Acquisition, and construction phases for the Project or portions thereof, with the understanding that qualified costs will be reimbursement from Bridge NY funding.

Section 2. That the sum of \$1,979,000.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phase(s) of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the County of Lewis.

Section 4. That in the event the costs of the Project exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Highway Supervisor.

Section 5. That the Lewis County Board of Legislators hereby agrees that the County of Lewis hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications, or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the County of Lewis in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs.

Section 7. That the County of Lewis will be responsible for all maintenance of the Project.

Section 8. 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 9. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$1,979,000.00 of funding in the Capital Bridge Program to facilitate the Design, ROW Incidentals, Row Acquisition, and Construction/CI phases for the Bridge Replacement Project known as Erie Canal Road over Black Creek (PIN 7754.23) in the Town of New Bremen, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 10. That the within Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 210 - 2023**  
**RESOLUTION TO APPROPRIATE & TRANSFER FUNDS**  
**Office For the Aging**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Office For the Aging accounts to reflect additional NYS funding.

Increase Revenue:

|                 |                         |             |
|-----------------|-------------------------|-------------|
| A0677200 337722 | NYS Unmet Needs Revenue | \$61,000.00 |
|-----------------|-------------------------|-------------|

Increase Expenditure:

|                 |                          |             |
|-----------------|--------------------------|-------------|
| A0677200 483000 | Unmet Needs Expenditures | \$61,000.00 |
|-----------------|--------------------------|-------------|

Section 2. That the following budget transfer is hereby approved in the Office For the Aging accounts due to increased costs and utilization of services.

From:

|                                         |              |
|-----------------------------------------|--------------|
| A0101000 419900 BOL Special Contingency | \$140,000.00 |
| A0199000 499900 Contingency             | \$10,000.00  |

To:

|                                         |              |
|-----------------------------------------|--------------|
| A0677200 491100 Prof Services Nutrition | \$150,000.00 |
|-----------------------------------------|--------------|

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

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 211 - 2023  
RESOLUTION AUTHORIZING CONSULTANT AGREEMENT  
BETWEEN OFFICE FOR THE AGING AND  
AMANDA WOOLNOUGH, REGISTERED DIETICIAN**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Office for the Aging (“OFA”) Nutrition Program seeks to comply with NYSOFA nutrition program standards. OFA currently contracts with a Certified Nutrition Specialist (“CNS”) who is not licensed with New York State, and who provides CNS services approximately twelve (12) hours a week or forty-eight (48) hours a month; and

WHEREAS, OFA desires to have Amanda Woolnough, a Registered Dietician (“RD”) provide oversight of the work provided by the CNS, and thereby bring OFA in compliance with the nutrition standards while ensuring smooth program operation. The CNS will continue to provide services 10-12 hours a week or 48 hours a month, in preparing menu plans, developing nutrition information and education programs, and in providing nutrition counseling; and

WHEREAS, the OFA Nutrition Program has 150 to 175 clients on service in the six (6) community dining sites. OFA serves a small, rural county and the need for the Nutrition Program cannot be compared to larger service areas of other Area Agency on Aging (AAAs); and

WHEREAS, the RD will provide the following services: Complete menu review and certification; Review and approve nutrition information, education programs and materials; Oversee work completed by the CNS; Provide service to OFA Nutrition Program if CNS is not available; Work on special projects or initiatives upon request; and Provide any necessary consultation to the CNS and OFA Meals Program Coordinator regarding nutrition counseling; and

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Consultant Agreement between the County of Lewis, by and through the Lewis County Office for the Aging, with Amanda Woolnough, Registered Dietician, to provide oversight of the work completed by the CNS and bring OFA in compliance with the nutrition standards while ensuring smooth program operation in the Lewis County Office for the Aging's Nutrition Program.

Section 2. That the term of the Agreement shall be from January 1, 2024 through December 31, 2024, at an hourly rate of \$50.00 for up to sixteen (16) hours of RD services per week, or as needed and agreed upon by the Director of Office for the Aging.

Section 3. That the Chair or Vice-Chair 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 Moser , seconded by Legislator Hathway , and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 212 - 2023  
RESOLUTION AUTHORIZING AGREEMENTS  
BETWEEN OFFICE FOR THE AGING AND  
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Office For The Aging wishes to enter into agreements with various providers to utilize their services for the elderly residents in Lewis County; 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 Agreements between the County of Lewis and the following various providers for program services for the elderly in the amounts herein set forth:

| CONTRACTOR                      | PURPOSE                                                               | AMOUNT                                                            |
|---------------------------------|-----------------------------------------------------------------------|-------------------------------------------------------------------|
| Double Play<br>Community Center | Evidenced-based Physical<br>Programs and Workshops                    | \$720.00 per session-Aquatics<br>\$720.00 per session-Walk w/Ease |
| Lewis County Opportunities      | Installing Ramps and<br>Increasing Bathroom<br>Accessibility in Homes | \$25,000.00                                                       |

|                                                 |                                                                                                         |                                                                                                                                                                                                                                |
|-------------------------------------------------|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| U.S. Care Systems, Inc.<br>(Caregiver Services) | Respite                                                                                                 | \$29.00 per hour                                                                                                                                                                                                               |
| U.S. Care Systems, Inc.<br>(EISEP/CSEM Program) | Housekeeping<br>(In-Home Personal Care)                                                                 | \$29.00 per hr. for Level I<br>\$29.43 per hr. for Level II                                                                                                                                                                    |
| Seniors Helping Seniors                         | Housekeeping/Chore,<br>Respite & “Heavy Chore”<br>Services for Homebound,<br>Ill, or Disabled Residents | \$33.00 per hour                                                                                                                                                                                                               |
| Plan-It Staffing                                | Consumer Directed In-<br>Home Services under<br>EISEP & CSE                                             | \$27.35 per hour                                                                                                                                                                                                               |
| McManus Hotel                                   | Evening Meal Program                                                                                    | Congregate & Home Delivered<br>Meals: \$10.75<br>Evening Meals: 15.00<br>Evening Meal at Maple Ridge for<br>two 6-week sessions of one<br>evening meal per week<br>May/June 2024<br>September/October 2024<br>\$15.00 per meal |
| Osceola Outpost, LLC                            | Evening Meal Program                                                                                    | \$10.75 per meal<br>\$300.00 per month for rent                                                                                                                                                                                |

Section 2. That the Agreements shall be for the term commencing on January 1, 2024 through December 31, 2024.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreements and any amendments thereto, pending approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 213 - 2023**  
**RESOLUTION TO APPROPRIATE AND TRANSFER FUNDS**  
**Public Defender**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following budget appropriation is hereby approved in the Public Defender accounts to recognize additional funds due for Indigent Legal Services:

Increase Revenue:

A0117000 330259     Public Defender Grant Statewide     \$220,000.00

Increase Expenditure:

A0117000 494959     Public Defender Statewide Exp     \$220,000.00

Section 2. That the following budget transfer is hereby approved in the Public Defender accounts to recognize increased assigned counsel vouchers for Indigent Legal Services:

From:

A0199000 499900 Contingency     \$10,000.00

To:

A0117000 493400 Assigned Counsel     \$10,000.00

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

Moved by Legislator Moser , seconded by Legislator Hathway , and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 214 - 2023  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY AND MICHELLE NIKITCIH TO  
PROVIDE OCCUPATIONAL THERAPY FOR  
PRE-K SPECIAL EDUCATION SERVICES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, pursuant to Section 4410 of the New York State Education Law, Lewis County Public Health (“Public Health”) is tasked with providing certain Preschool Services for children with disabilities defined in the Program; and

WHEREAS, if a child requires occupational therapy in Preschool, Public Health is required to provide qualified persons to provide that service; and

WHEREAS, Public Health seeks to contract with Michelle Nikitich to provide occupational therapy to children receiving Preschool Special Education services commencing January 1, 2024 through December 31, 2024, at the rates set by NYSED and the Lewis County Board of Legislators; and

WHEREAS, the Lewis County Board of Legislators seeks to approve and authorize said agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Public Health Agency to enter into an agreement with Michelle Nikitich, who is qualified and certified as an occupational therapist, to provide OT to children receiving Preschool Special Education services through and as directed by the Lewis County Public Health Agency.

Section 2. That the agreement for said services shall commence January 1, 2024 through December 31, 2024, with automatic renewal unless terminated by either party upon ninety (90) days written notice prior to the end of the term; with the hourly compensation rate set by NYSED and as annually adopted by the Board of Legislators.

Section 3. That the Lewis County Board of Legislators hereby authorizes the Director of Lewis County Public Health to execute and deliver such Agreement, and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 215 - 2023  
FIXING DATE OF PUBLIC HEARING ON ADDITION  
TO THE OHV TRAIL SYSTEM**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on December 5, 2023, a proposed addition of 0.7 miles of off highway vehicle (OHV) trails to the Lewis County OHV Trail System pertaining. The proposed trails are located in the Town of Lewis, which include the following parcels:

Parcel No.: 417.00-01-20.112 – North of Osceola Rd., Southeast of Goodhines Rd.

Parcel No.: 417.00-01-03.000 - North of Osceola Rd., East of Goodhines Rd.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 5, 2023, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators for the purpose of receiving public comment regarding the proposed addition of 0.7 miles of OHV trails to the Lewis County OHV Trail System.



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 Courthouse, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 216 - 2023**  
**RESOLUTION SUPPORTING OPERATION GREEN LIGHT IN RECOGNITION OF**  
**ACTIVE MILITARY SERVICE MEMBERS AND THOSE IN TRANSITION TO**  
**CIVILIAN LIFE**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, the residents of Lewis County have great respect, admiration, and the utmost gratitude for all who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, and other community agencies; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually, with an estimated 20% increase of service members anticipated to transition to civilian life in the near future; and

WHEREAS, studies indicate that 44% to 72% of service members experience high levels of stress during transition from military to civilian life, and are at a high risk for suicide during their first year after military service; and

WHEREAS, the Lewis County Board of Legislators appreciates the sacrifices our United States Military Personnel made while defending freedom, and believes specific recognition be accorded them to demonstrate the honor and support they deserve and have earned; and

WHEREAS, in advance of the upcoming Veterans Day holiday, and as part of a state-wide NYS Association of Counties and NYS County Veteran Service Officers' Association collaborative initiative known as "Operation Green Light", the Lewis County Board of Legislators encourages its citizens to focus attention on America's service men and women by displaying a green light for Veterans in the windows of their places of business or residence;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That in observance of Operation Green Light, the Lewis County Board of Legislators encourages its citizens in patriotic tradition to recognize the importance of honoring all those whose immeasurable sacrifices help to preserve freedom, and to let veterans know that

they are seen, appreciated, and supported by displaying an interior or exterior green light in their business or residence the week around Veterans Day, i.e., November 11, 2023 through November 17, 2023.

Section 2. That with designation as a Green Light for Military Service County, the Lewis County Board of Legislators hereby declares the week of November 11, 2023 through November 17, 2023 as a time to salute and honor the service and sacrifice of our men and women in uniform, and those transitioning from Active Service.

Section 3. That the Lewis County Board of Legislators directs that an exterior green light be displayed at the Lewis County Courthouse Building and any other County buildings capable of such lighting for the period of November 11, 2023 through November 17, 2023.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 217 – 2023  
APPOINTING MEMBER TO  
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints April Seymour-Ritz of Pinckney, New York, as a member on the Lewis County Youth Bureau Advisory Board to fill a current vacancy.

Section 2. That the term of said appointment shall be effective November 7, 2023 through June 30, 2025.

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

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 218 - 2023  
RESOLUTION AUTHORIZING AGREEMENT WITH AMP ELECTRIC R.S. LLC FOR  
EMERGENCY ROOF AND RELATED REPAIRS ON 6832 McALPINE STREET,  
LYONS FALLS, NY (FORMER LYONS FALLS SCHOOL) TO PROTECT FROM  
FURTHER STRUCTURAL DAMAGE THROUGH THE 23/24 WINTER**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis, by and through the Planning Department, authorized an environmental and structural assessment of the of the former Lyons Falls School located at 6832 McAlpine Street, Lyons Falls, NY 13368, to determine its potential redevelopment and rehabilitation or its demolition, depending upon the environmental and structural analysis report; and

WHEREAS, the County became title owner of this property by tax foreclosure and judgment dated June 29, 2023, with the intention to have it remediated and marketed for appropriate re-uses, thereby placing it back on the tax rolls; and

WHEREAS, in its report, DANC provided a full interior and roof abatement to be undertaken in 2024 upon grant awards and County investment. In the meantime, DANC proposed some emergency repairs to the roof in order to secure the structure through the winter, thereby allowing for the County to preserve the structure through the winter until full abatement and remediation can be commenced in 2024 upon receipt of grant funding and County investment for economic re-use development;

WHEREAS, AMP Electric R.S.LLC, of Turin, NY, has the expertise to make the emergency repairs desired, and has proposed to secure and waterproof the roof and windows as needed in order to cease any further structural damage from weather. AMP proposes to charge the County for these services based upon time, materials and 15% overhead costs, estimated not to exceed \$ 20,000.00 for these emergency repairs; and

WHEREAS, the County Attorney recommends that the Board authorize these emergency repairs in order to preserve the structure through the winter without further damage, so that it can be properly remediated with grant awards anticipated in 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with AMP Electric R.S. LLCD to provide emergency repairs to the roof and windows, as needed, to the Former Lyons Falls School Building, Lyons Falls, NY, in order to preserve the structure from further damage and disrepair due to winter weather. The agreement shall provide for AMP to bill the County based upon time and materials, with a 15% owner's overhead, for a total cost estimated not to exceed \$20,000.00.

Section 2. That the Board of Legislators authorizes the Treasurer to pay the costs under this contract from the HAL reserve fund for environmental cleanups, i.e., account H0890000 499900.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement with such terms and conditions as the County Attorney may recommend.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Gilbert, seconded by Legislator Leviker, and adopted on the 7<sup>th</sup> day of November, 2023.

**RESOLUTION NO. 219 – 2023**  
**RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS**  
**WITH REFERENCE TO DISTRICT ATTORNEY OFFICE**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the District Attorney's office is requesting to create an additional Confidential Secretary position for backfill and training purposes through January 5, 2024 due to a resignation;

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 District Attorney's office to create the following position through January 5, 2024:

| <u>TITLE</u>           | <u>STATUS</u> | <u>SALARY</u>                  |
|------------------------|---------------|--------------------------------|
| Confidential Secretary | Full-Time     | Grade 20 (\$20.52-\$24.11/hr.) |

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Gilbert, and adopted on the 7<sup>th</sup> day of November, 2023.

RESOLUTIONS (con't):

After adopting the consent resolutions, the Chairman requested a 10-minute recess before closing the public hearings and moving on to the remaining resolutions.

At 5:48 p.m. the Chairman closed all the public hearings having had no comments made by anyone.

OTHER BUSINESS:

At 5:49 p.m. Legislator Chartrand moved that the Board enter Executive Session for discussion on a personnel matter, seconded by Legislator Osborne, and carried.

At 5:58 p.m. Legislator Chartrand moved that the Board enter regular session, seconded by Legislator Gilbert, and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

There being no other business to come before the Board, Legislator Gilbert moved that the Board adjourn the meeting at 5:49 p.m., seconded by Legislator Nellenback, and carried.

NOVEMBER 21, 2023

**SECOND DAY OF ANNUAL SESSION  
November 21, 2023**

The meeting was called to order at 5:01 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, and there were 12 other persons present.

Chairman Dolhof asked Legislator Gilbert for the Invocation, followed by the Pledge of Allegiance to the Flag.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Philip Hathway  
Jessica Moser  
Joshua Leviker  
Jeffrey Nellenback

Dated: November 21, 2023

Legislator Chartrand moved that the rules be waived, seconded by Legislator Virkler, and carried.

**PUBLIC HEARING:**

At 5:03 p.m. Chairman Dolhof opened the public hearing on the 2024 Tentative Lewis County Budget.

Ms. Eileen Mathys, of Croghan Free Library and Lewis County Libraries began by thanking the Board on behalf of the Lewis County Libraries and the North Country Library System for their continued support. The funding that was allocated in the 2024 budget will impact community members across all the districts through the 12 libraries in Lewis County. This year has included some large changes for local libraries, particularly in technology which this county supports, like a new catalog system and increased usability for patrons and staff. Other infrastructure updates provided more service options and increased security. Brantingham and Greig's Reading Room went live after months of preparation, switching from tracking checkout manually to using the circulation system used by most other libraries in the North Country Library System.

All of these changes are working towards sustainability for libraries and excellent service for our communities. Throughout the updates and changes that this year brought, libraries in Lewis County continued to offer diverse collections of materials and programs for all ages, including robust summer reading programs, technology access and assistance, and spaces that can be used by community members. We work hard to thoughtfully anticipate and respond to community needs, while maximizing the investment we receive from our communities and

county. Thank you for including Lewis County Libraries in the 2024 budget and for your support.

COUNTY MANAGER REPORT:

Ryan Piche reported that there was a Thanksgiving dinner put on by DSS last week to support a county employee who is dealing with health issues. There were about 7 turkey's cooked, take-outs went all over the County, and a line that wrapped all the way around the corridor inside the building. They raised some significant money for the employee with health issues. A special shout out to Julie Harris and Keshia Davis who did the lion's share of the cooking regarding the turkeys. It was incredible to see how our employees came together to support one another. I was especially happy to see all the to-go orders because it shows other department were all actively participating.

Ryan went through the 2023 Committee Goals with the Board. In December the Clerk of the Board will be sending out a survey to legislators for feedback on how the term went in terms of using time and achieving goals. At the December meeting, there will be work on goals for 2024.

General Services Goals:

- Monitor the Building Renovation project – Completed
- Complete the EMS Ad Hoc Committee and execute results – Semi Completed
- Discuss and finalize Central Lewis Water Study recommendations – Started Work
- Continue ATV lobbying effort, including trip to Albany – Completed
- Discuss and implement Ag Sustainability study recommendations – Completed
- Advance Rails to Trails initiative – Continues to move forward
- Discuss solutions for recreation patrol – Completed
- Create plan for vacated Courthouse space – Continue to move forward
- Research a plan for a countywide District Court – Started Work

Health & Human Services Goals:

- LCHS \$30 million Renovation and Addition project – Semi Completed
- Execute results of homeless housing options study in partnership with Snowbelt Housing and Transitional Living Services – Working on it
- Continue childcare expansion initiatives - Completed
- Mental Health Training for Law Enforcement - Completed
- Execute Community Health Improvement Plan - Completed
- Execute additional employee wellness initiatives - Completed
- Implement Jail MAT program - Completed
- LCHS Strategic Planning - Completed
- Work towards reopening maternity services at LCHS – Semi Complete

Finance & Rules Goals:

- American Rescue Plan Roll Out (Facade, Broadband, Vacant Property, Post Graduate Fellowship, etc.) - Completed

- New Website Roll Out – Completed
- Regular updates for Audit, Budget, and Health Insurance - Completed
- Establish new long-term financial sustainability goals - Completed
- Establish tri-county land bank – Not able to move forward yet
- BOL Chamber renovation - Completed
- Facilitate Glenfield school reuse - Completed
- Enhance policies for solar development – Still more work to do
- Fill vacant positions across county functions (including LCHS) – Still more work to do

Legislator Hathway questioned if the Departments had input on the Courthouse Renovations Plan, Ryan responded that BCA and the internal team both sat down with each Department. Legislator Hathway stated that he heard that they felt like they should have had more input. Ryan stated that some may have not liked somethings because they didn't get everything they wanted and had to compromise.

#### COUNTY TREASURER REPORT:

Mr. Eric Virkler reported that the Auditors from the State have started their process, in the discovery and information gathering mode. Their process is interesting and taking their time to interview staff and learning about the counties processes. Once they develop their scope of work it will get more interesting. They should be sending out or have sent out a generic email to all legislators. The process will be a learning experience for the county and there will be things for us to work on.

Chairman Dolhof declared a 15-minute recess. The meeting was called to order at 5:33 p.m. by Chairman Dolhof, who then closed the public hearing.

#### REPORT OF THE FINANCE AND RULES COMMITTEE:



**LOCAL LAW (INTRODUCTORY NO. 3 - 2023)**

**COUNTY OF LEWIS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

**A LOCAL LAW AMENDING LOCAL LAW NO.1 – 2012: TO REGULATE CAMPING  
ON COUNTY PROPERTY**

**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 AMENDING LOCAL LAW NO.1-2012:  
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, some of which are dedicated to reforestation pursuant to County Law § 219.
2. 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).
3. The County owns several parcels of land which are not designated as reforestation properties, which the Board finds are appropriate for recreational use including camping.
4. The County has made improvements to its property known as Singing Waters Park, which includes a bathhouse, water, barbecue pits, picnic tables, and a pavilion which is intended for public use, including camping, subject to permit and reservations.
5. The Board of Legislators acknowledges that members of the public seek to use certain County-owned lands for camping (day-use and overnight). The County seeks to establish this local law to provide for rules and regulations for camping on County lands, and for regulations pertaining to uses at Singing Waters.

**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) and Off-Highway Vehicles (OHV's):** Shall have the same meanings as set forth in §2281 of the Vehicle & Traffic Law and Lewis County Local Law No. 3-2019.
2. **Camp or Camping:** For the purpose of this local law, camp or camping shall mean a temporary shelter, including but not limited to a tent or lean-to, 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. This includes the following:
  - a. **Self-Contained Camping:** Camping in a self-contained vehicle or by alternative means providing that the camper(s) have the capability of meeting the sanitary needs of the occupants of the camp for a minimum of three (3) days without requiring external services, relying on public facilities, or discharging or depositing any waste onto the environment.
  - b. **Tent Camping:** Shall refer to a temporary structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents it protects.
3. **Campground Sites:** Specific areas identified by the County for temporary reserved recreational use with facilities provided within a park area.
4. **County:** Shall mean the County of Lewis.
5. **County Lands:** Lands purchased, acquired, or accepted by gift by the County of Lewis, including but not limited to reforestation under the authority of County Law §219, and any other County lands designated for camping.
6. **Primitive Camp Sites:** Areas designated for camping where the camper lacks basic amenities such as running water, restrooms, or electricity.

#### **SECTION 5. GENERAL REGULATIONS**

1. The following regulations apply to all County-owned lands designated for camping. The following activities **are prohibited** in and around designated camping areas:
  - a. Parking a motor vehicle in other than designated locations.

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- b. Primitive Camping is prohibited in areas that have not been designated for same.
- c. Blocking of any trails or roads.
- d. Campfires in parking lots.
- e. Campfires in designated areas more than three (3) feet in height and three (3) feet in diameter.
- f. Operating a motor vehicle in excess of twenty-five (25) miles per hour or in any manner contrary to posted regulations.
- g. Operating a motor vehicle in areas other than designated roads or trails.
- h. Operating a snowmobile except upon designated trails.
- i. Operating an ATV/OHV except upon designated trails and in compliance with the Lewis County ATV/OHV Code (Local Law No. 3 - 2009).
- j. Horseback riding on other than designated trails.
- k. Allowing dogs to run unleashed and/or unlicensed. Unvaccinated dogs are prohibited.
- l. The use of or being under the influence of any illegal drug or substance on any County property.
- m. Use of any firearms, bow and arrow, or other dangerous weapons within the designated camping areas.
- n. Disturbing the peace and good order in the county camping areas, including but not limited to fighting or arguing in loud voices, or threatening violence to any person or the property of others.
- o. The possession of fireworks of any nature on County property.
- p. Beg, hawk, peddle, or solicit within the County lands.
- q. Remove, deface, alter or otherwise damage signage, warning devices or other safety devices and property placed and maintained by the County.
- r. Injure, deface, destroy, disturb, or remove any County property.
- s. Litter or leave behind refuse and garbage except in receptacles provided for such purpose.

- t. Start a fire except in grills, fireplaces, or designated areas.
  - u. Failure to extinguish all fires started before leaving the property; dumping of ashes or fire onto the ground is prohibited.
2. The Director of Recreation, Forestry, and Parks (DRFP) shall have the authority to amend the regulations from time to time upon on the approval of the Board of Legislators.

#### **SECTION 6. CAMPING REGULATIONS**

1. No overnight camping shall be allowed on any County land except as specifically designated and authorized under this local law.
2. Camping by permit is allowed in designated areas only.
3. Self-Contained Camping, by permit, shall be allowed in parking areas only, no tents are permitted.
4. Visitor stay is limited to ten (10) successive nights with a permit.
5. All campers shall observe quiet hours from sunrise to sunset.

#### **SECTION 7. CAMPING PERMIT PROCEDURE**

1. The Director of Recreation, Forestry & Parks (DRFP) is hereby authorized to designate certain County lands or portions thereof where overnight camping may be permitted, consistent with forest management practices, wildlife conservation practices, and watershed protection measures, subject to the approval of the Board of Legislators.
2. The DRFP is hereby authorized to issue permits and/or registration applications upon such form(s) as she/he may develop, for the purpose of registering day-use at campsites, permit reservations for overnight camping, and pavilion reservations (at Singing Waters), in those areas within County lands as designated for same. Registration, Reservations, and the purchase of permits from the Lewis County Recreation, Forestry, and Park's Office can be made during regular business hours or online.

#### **SECTION 8. FEE SCHEDULE**

1. The Board of Legislators is hereby authorized to establish by resolution from time to time, such fees as it may deem necessary and appropriate for the privilege of camping overnight within County lands and/or reserving the Singing Waters Pavilion.
2. All permit applications are to be paid either online or in person at the Lewis County Recreation, Forestry, and Park's office.

3. Limited refunds will be allowed at the discretion of the DRFP.
4. All permitted overnight campers are to pay a daily fee of five dollars (\$5.00) limited to ten (10) successive nights.
5. There is a per day fee of twenty dollars (\$20.00) to reserve the Singing Waters Pavilion (with access to the facilities).
6. There will be no fee for any day use of the lands, except for Singing Waters Pavilion.

**SECTION 9. SINGING WATERS PARK: SPECIFIC REGULATIONS**

1. Day use or overnight tent camping only. No self-contained campers (such as RVs and other mobile campers) allowed.
2. No hunting or weapons of any kind allowed.
3. Shower facilities should be used responsibly, and minors are to be supervised at all times.
4. Quiet hours are to be observed from sunset to sunrise.
5. Singing Waters facilities are open starting the Friday before Memorial Day through the Tuesday after Columbus Day unless adjusted by the DRFP.
6. The DRFP shall have the authority to amend the regulations from time to time upon on the approval of the Board of Legislators.

**SECTION 10. HOURS OF OPERATION SUBJECT TO CHANGE**

In case of an emergency or when in the judgment of the DRFP the public interest demands it, any portion of the County land designated for camping may be closed to the public or to designated persons, or the hours of operation changed.

**SECTION 11. PENALTIES FOR OFFENSES AND ENFORCEMENT**

1. Campers who do not have a permit and/or fail to register, as the case may be, or who do not abide by camping regulations may be requested to leave the property by appropriate County Officials and/ or Law Enforcement.
2. A violation of this local law shall constitute an offense punishable by a minimum fine of one hundred dollars (\$100.00) per offense.

3. The destruction or removal of property or the dumping of waste or garbage shall subject the offender to criminal charges, fines, and penalties as well as civil actions brought by the County and any other public agency having jurisdiction over same for costs of damages, remediation, and legal fees.
4. Any law enforcement agency/ officer having jurisdiction may arrest any violator of any of the provisions of this Local Law and any other applicable laws or regulations.

#### **SECTION 12. 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, 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 13. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.

### **RESOLUTION NO. 220 - 2023 FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY LOCAL LAW NO. 3 - 2023), COUNTY OF LEWIS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators, a proposed Local Law entitled "A LOCAL LAW AMENDING LOCAL LAW NO. 1-2012: TO REGULATE CAMPING ON COUNTY PROPERTY".

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on December 5, 2023, 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.

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Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of November, 2023.

**RESOLUTION NO. 221 - 2023  
RESOLUTION TO APPROPRIATE  
FOR SNOWMOBILE TRAIL PROGRAM  
For 2023-2024 Season**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriations is hereby approved and takes place in the Snowmobile Trails account for the 2023-2024 Snowmobile Award:

Increase Revenue:

|                           |              |
|---------------------------|--------------|
| A0714100 338202 State Aid | \$231,769.00 |
|---------------------------|--------------|

Increase Expenditure:

|                         |              |
|-------------------------|--------------|
| A0714100 499900 Expense | \$231,769.00 |
|-------------------------|--------------|

Section 2. That the funds will be passed on to the Snowmobile Association when received.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of November, 2023.

**RESOLUTION NO. 222 - 2023  
STANDARD WORK DAY AND REPORTING RESOLUTION**

Introduced by Legislator Lawrence Dolhof, Chair of the Lewis County Board of Legislators.

BE IT RESOLVED, that the County of Lewis hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by this official to the Clerk of this body:

NOVEMBER 21, 2023

|                       | Name                     | Standard Work Day | Term Begins/Ends    | Days/Month |
|-----------------------|--------------------------|-------------------|---------------------|------------|
| Elected Officials     |                          |                   |                     |            |
| Legislator            | Lisa R. Virkler          | 6                 | 1/1/2022–12/31/2023 | 2.37       |
|                       |                          |                   |                     |            |
| Appointed Officials   |                          |                   |                     |            |
| Pathologist           | Samuel Livingstone, M.D. | 6                 | 1/1/2022-12/31/2022 | 5.19       |
| Election Commissioner | Lindsay Burriss          | 8                 | 1/1/2023-12/31/2024 | 21.67      |
| Election Commissioner | Ann M. Nortz             | 8                 | 1/1/2023-12/31/2024 | 21.67      |
| Election Specialist   | Katie Best               | 7                 | 1/1/2023-12/31/2024 | 21.67      |
| Election Specialist   | Devin Kogut              | 7                 | 1/1/2023-12/31/2024 | 22.22      |
| Pathologist           | Samuel Livingstone, M.D. | 6                 | 1/1/2023-12/31/2023 | 5.19       |
|                       |                          |                   |                     |            |

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> of November, 2023.

**RESOLUTION NO. 223 - 2023**  
**RESOLUTION AUTHORIZING COUNTY TREASURER**  
**TO MAKE NECESSARY BUDGET TRANSFERS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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 2023 fiscal year.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of November, 2023.

**RESOLUTION NO. 224 - 2023**  
**RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR**  
**COMMENCING JANUARY 1, 2024 MAKING APPROPRIATIONS**  
**FOR THE CONDUCT OF COUNTY GOVERNMENT AND**



**ESTABLISHING RATES OF COMPENSATION FOR OFFICERS  
AND EMPLOYEES FOR FISCAL YEAR 2024**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the governing body has met and considered the 2024 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 Appendix D of that budget shall be and hereby are fixed at the amount shown therein, or by employees’ contract effective January 1, 2024.

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 21<sup>st</sup> day of November, 2023 pursuant to the following roll call:

AYES: Virkler, Gilbert, Moroughan, Nellenback, Hathway, Moser, Chartrand, Leviker, Osborne, and Dolhof.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 225 - 2023  
ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR  
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF LEGISLATORS  
ON THE 21<sup>st</sup> DAY OF NOVEMBER 2023  
AS PROVIDED FOR UNDER COUNTY LAW**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Board of Legislators of the County of Lewis by Resolution No. 224 - 2023 adopted on the 21<sup>st</sup> day of November 2023, a County Budget for fiscal year 2024; and

WHEREAS, the said Board of Legislators by Resolution No. 224 - 2023 adopted on the 21<sup>st</sup> day of November 2023, has made appropriations for the conduct of Lewis County Government for fiscal year 2024.

NOW, THEREFORE, BE IT RESOLVED as follows:

NOVEMBER 21, 2023

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 \$18,290,000.00.

Moved by Legislator Virkler, seconded by Legislator Leviker, and adopted on the 21<sup>st</sup> day of November, 2023 pursuant to the following roll call vote:

AYES: Moser, Chartrand, Gilbert, Hathway, Leviker, Moroughan, Nellenback, Osborne, Virkler, and Dolhof.

NAYS: None.

ABSENT: None.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Osborne moved to adjourn the meeting at 5:36 p.m., seconded by Legislator Nellenback, and carried.

**THIRD DAY ANNUAL SESSION  
December 5, 2023**

The meeting was called to order at 5:00 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, and there were 48 other persons present.

Chairman Dolhof asked Legislator Hathway for the Invocation, followed by the Pledge of Allegiance to the Flag.

**CERTIFICATES OF RECOGNITION:**

Chairman Dolhof announced that there were some important guests in the audience tonight, which are the 2023 South Lewis Girls Varsity Cross-County team, along with their coaches and athletic trainer. They were recognized for their outstanding efforts, determination, and teamwork that won them the title of 2023 Class D New York State Cross-Country Champions. Special Recognition was given to Brynn Bernard who won the race, for the third year in a row, with an impressive time of 18 minutes and 56 seconds. This was her last season running cross-country for South Lewis Central School along with the other three seniors Mallory Kraeger, Grace Bailey, and Summer Valis, who will all be missed.

Chairman Dolhof congratulated Brynn Bernard, Mallory Kraeger, Felicity Szucs, Grace Bailey, Hadassah Siegrist, Zoey Babcock, Summer Valis, Trinity Valis, and Asley Garcia-Lucas. He also noted well deserved recognition to the team coaches Jack Bernard and Michele Leindecker for their leadership and training that lead the team to victory this season and to Athletic Trainer Lisa Brown as she is a vital part of each team.

Chairman Dolhof then welcomed Assemblyman Ken Blankenbush to come forward to say a few words. Assemblyman Blankenbush started by stating it was nice to be here doing a fun thing instead of being in Albany. He congratulated all the girls on the team and recognized the seniors who will all be going on to run in college. He then mentioned that he hates running and told a story from his youth. The baseball team, which he was a part of, had to run the cross-country trail after practice each day. He never enjoyed running and the trail would go by a little creek as you entered the woods and then come back out next to the creek when you exited the woods on the other side.

He decided that he would just take a little shortcut and follow the creek to the large rock as you exited the woods. When he got to the big rock he would wait for the rest of his teammates and join them as they finished the run. One day while he waited by the rock, his coach appeared behind him and from then on he was made to run his mile on the track where the coach could watch him complete it. He said running cross-country takes determination and dedication because it is not easy. South Lewis has that determination, and for a school in Lewis County with a population of a little over 26,000, to win a state title is very impressive. He encouraged the rest of the team to continue on next year.

Assemblyman Blankenbush, Chairman Dolhof, and a Representative from Senator Walczyk office asked the team and coaches to come forward to receive their certificates.

Chairman Dolhof declared the November 7<sup>th</sup> and November 21<sup>st</sup> meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne  
Philip Hathway  
Jessica Moser  
Joshua Leviker  
Jeffrey Nellenback

Dated: December 5, 2023

Legislator Virkler moved that the rules be waived, seconded by Legislator Moser, and carried.

PUBLIC HEARING(S):

At 5:13 p.m., Chairman Dolhof opened the public hearings on the following: Lewis County 2024 Shared Services Plan; Agricultural District No. 6 Eight-Year Review; Proposed Addition of 0.7 miles of OHV Trails to the Lewis County OHV Trail System; and Local Law Amending Local Law No. 1-2012: To Regulate Camping on County Property.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne reported that the County Clerk hired Melinda Thomas to fill the DMV Examiner position which was vacant. County Clerk Jake Moser and his Deputy JoAnn Walters attended the Fall County Clerk's Conference where there was discussion on Notary changes and regulations, out of state residents obtaining NYS Pistol Licenses, and online Naturalizations. Fraud alert has been added to online records for all customers that do business with the County Clerk's Office. This was at no cost to the county or residents and will give them peace of mind. The final stages of improving workflow, accessibility, and over all security with records through IQS is being worked on.

Legislator Osborne moved that the Board of Legislators authorize Information Technology Director Conner Biolsi to apply for the next round of DHSES targeted, competitive, cyber security grant funding, seconded by Legislator Chartrand and carried.

Legislator Osborne moved that the Board of Legislators authorize Planning and Community Development Director Casandra Buell alongside the Recreation, Forestry, and Parks Director Jackie Mahoney, to apply for two NYS Smart Growth grants on behalf of Lewis County; one for cross-country trail development in the Town of Lyonsdale and another for

broadband infrastructure in Lewis County locations within the Adirondack Park, seconded by Legislator Virkler and carried.

Legislator Gilbert reported that Solid Waste recently hired Kyle Blessing to fill the open Medium Equipment Operator position, which has been vacant since July 2023. The number of bags of garbage that have been handled so far this year has reached over 3,000. The year-to-date revenue is \$2,072,042 with expenditures being \$2,032,422 allowing the cash balance to increase to \$317,564.11. Finally, as a reminder, there will be rate increased to various waste classes effective January 1, 2024. He thanked Solid Waste for all their hard work for the county. For more information you can stop by the Lowville Transfer Station or go to the County website.

Legislator Virkler stated that Community Services has decided not to fill the Mental Health Coordinator position but instead will be hiring a Deputy Director as approved in the 2024 budget. There was a request for a 730 evaluation, and to-date the county has paid out \$127,621.00 in “restoration” for two individuals. Community Services Director Pat Fralick met with TLS about SPOA programming to ensure compliance with new OMH program expectations. New York State had a federal audit, in which several programs were evaluated, causing likely changes in program expectations. Flu vaccines are available at Public Health as numbers are on the rise.

Legislator Chartrand reported that there was a ribbon cutting ceremony for the surgical wing recently, which should greatly improve the level of care for the residents of Lewis County and should avoid some travel time in unpleasant weather. The hospital welcomed George Akle MD who is going to be in the OBGYN department. He has an excellent work ethic and will be a great asset to Women’s Health in Lewis County. Additionally, the hospital welcomed Dr. Zehr who is part of the surgical team, with a MD degree from SUNY Upstate Medical University in Syracuse, and her General Surgery Residency at Bassett Medical Center in Cooperstown. She is Board Certified by the American Board of Surgery and was recently initiated into the American College of Surgeons. The first surgery in the new Surgical Pavilion will be tomorrow, December 6<sup>th</sup>.

Legislator Chartrand reported that the July Employee of the Month was Julie Smith, Patient Access Clerk and Emily Koster, RN was the August Employee of the Month.

Jerry Cayer reported that tomorrow surgeries will be implemented in the new Surgical Pavilion, with some final drills being done in the morning. There is a full surgical day planned to begin at 10:00 a.m., and after three days the original 1980 surgical rooms will be shut down. These two rooms will become the new Critical Care Unit in the first quarter of 2024. On the financial side, there was a gain of \$502,288 versus a budgeted gain of \$330,084 for the month of October. The year-to-date gain is \$803,985 versus a budgeted gain of \$435,985. The 2024 pension payment was made this week to the County, which was 3.56 million dollars. Jeff Hellinger and Eric Virkler worked together to make sure the report was submitted.

The Hospital Board of Managers adopted a resolution to accept a gift of \$50,000 from the Friends of Lewis County Hospice to revitalize the palliative care rooms. He thanked the Board of Legislators and the County Administration for the support on the project and last Thursday at

the Ribbon Cutting Ceremony was the only day that the sun was shining. He then handed out an Economic and Community Benefits report from HANYS on the Lewis County General Hospital. This report shows that the economic activity generated by hospitals through jobs and the purchase of goods and services makes up 9.6% of the state's entire gross domestic product, or \$118,000,000; Hospitals and health systems generated 800 jobs; and New York hospitals generate \$12,000,000 in tax dollars. There were 122,000 outpatients provided with care, 11,000 people treated in the emergency room, and 800 people admitted to hospitals. At Lewis County General Hospital 82% of all people admitted are covered by Medicare or Medicaid, and 57% of all outpatients that were provided care are covered by Medicare or Medicaid.

#### PROJECT MANAGERS REPORT:

Mr. Jim Garito thanked the board, Ryan and the outgoing members of the board for their support and the opportunity to report. Some of the contractors lost steam last month so there was a little bit of a lull. There was full force effort today on the projects and all employees, but a few are local residents. The Outdoor Services building is slightly ahead of schedule. The Board of Elections portion of the building should be completed by months end. If anyone wants a tour feel free to reach out.

#### COUNTY MANAGER REPORT:

Ryan Piche reported that he has been managing projects and getting prepared for next year.

#### COUNTY TREASURER REPORT:

Eric Virkler reported that sales tax remains on pace to last year. Pension payment was done early to take advantage of a discount, so the total amount paid was \$5,590,000. Retiree Medicare Advantage roll out is done and the effective date of policies is January 1, 2024. Retirees should have received their new Medicare Advantage card by now. Eric had handed out the Three + One 2024 Top 10 Outlook to all legislators. The Health Insurance Fund has declined below \$700,000, and there will be a meeting on Thursday to look at possible changes and or rate increases.

Legislator Hathway questioned if the Sheriff had enough money for the remainder of the year for inmate outboarding, Eric responded that he hasn't tracked it but they should because the jail has been up and running for a couple months.

Chairman Dolhof stated that the information handed out earlier on the Board of Managers appointments is because there are a couple vacancies, a current member wants to be reappointed and there was a resume received from another person who has indicated interest in becoming a member of the board. Both will be appointed at the next meeting. He then asked legislators and new legislators to review the Outside Boards needing Legislative Representatives and indicate your interest to him.

Chairman Dolhof closed all of the public hearings at 5:43 p.m. with no comments.

REPORT OF THE FINANCE AND RULES COMMITTEE:

DECEMBER 5, 2024

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

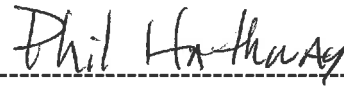
To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 4,194,474.06 and recommend that they be audited and allowed for the amounts claimed.



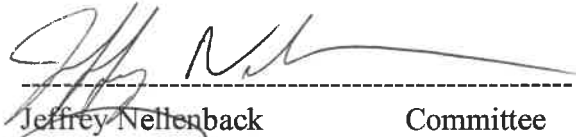
Thomas Osborne

Chair



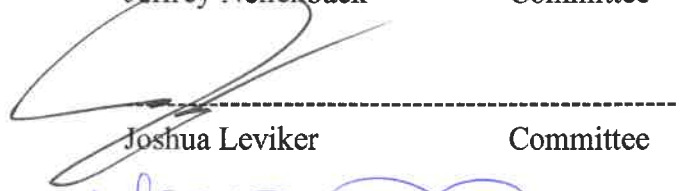
Philip Hathway

Vice-Chair



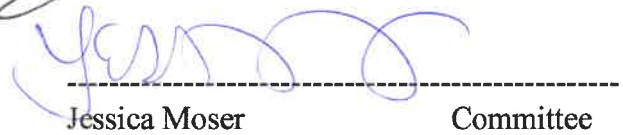
Jeffrey Nellenback

Committee



Joshua Leviker

Committee



Jessica Moser

Committee

Dated: December 5, 2023

Approved on motion by Legislator Virkler, seconded by Legislator Nellenback, and carried.



**RESOLUTION NO. 226 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$4,194,474.06 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 Virkler, seconded by Legislator Nellenback. Legislator Moser recused herself from any payments pertaining to her role as an Attorney.

The resolution was then adopted on the 5<sup>th</sup> day of December, 2023 pursuant to the following roll call vote:

AYES: Virkler, Chartrand, Gilbert, Osborne, Leviker, Moroughan, Nellenback, Hathway, Moser, and Dolhof.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 227 - 2023  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 2-2023, COUNTY OF LEWIS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 21, 2023, directing that a public hearing be held by said Board on December 5, 2023, 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 AMENDING LOCAL LAW NO. 1-2012: 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 November 29, 2023, 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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 3 – 2023), County of Lewis, titled “**A LOCAL LAW AMENDING LOCAL LAW NO. 1-2012: TO REGULATE CAMPING ON COUNTY PROPERTY**”; be and the same hereby is designated as Local Law No. 2 – 2023, County of Lewis.

Section 2. That Local Law No. 2 – 2023, 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 Virkler, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023 pursuant to the following roll call vote:

AYES: Hathway, Moser, Chartrand, Leviker, Osborne, Virkler, Gilbert, Moroughan, Nellenback, and Dolhof.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 228 - 2023**  
**RESOLUTION TO APPROPRIATE FUNDS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved and takes place in the Highway Department accounts to recognize additional revenue received from Invenergy Wind for use of county roads.

Increase Revenue:

|                                                |              |
|------------------------------------------------|--------------|
| D0501000 326800 Cty Road Insurance/Other Reimb | \$150,000.00 |
|------------------------------------------------|--------------|

Increase Expenditure:

|                                             |              |
|---------------------------------------------|--------------|
| D0515000 495151 Cty Road Surface Treatments | \$150,000.00 |
|---------------------------------------------|--------------|

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 229 - 2023**

**RESOLUTION TO AWARD BID TO TIOGA CONSTRUCTION CO., INC.  
FOR THE REPLACEMENT OF COUNTY ROUTE 21 BRIDGE OVER GULF STREAM  
IN THE TOWN OF PINCKNEY**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County has commenced a project known as the replacement of County Route 21 Bridge over Gulf Stream and sent out a request for bids; and

WHEREAS, five (5) sealed bids received were publicly opened on October 16, 2023, at 1:00 p.m. on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York; and

WHEREAS, the Highway Superintendent recommends that the County award the bid to Tioga Construction Co., Inc. the lowest qualified bidder, to perform the bridge replacement outlined in the bid specifications in the total amount of \$1,753,575.50;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid to and authorizes a contract with Tioga Construction Co., Inc., Herkimer, NY in the amount of \$1,753,275.50, payable through BridgeNY and local funds, for the replacement of County Route 21 Bridge over Gulf Stream in the Town of Pinckney.

Section 2. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto pending approval by the County Attorney.

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 230 - 2023  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY DEPARTMENT  
AND BARTON & LOGUIDICE FOR DESIGN AND BIDDING PROFESSIONAL  
SERVICES AND TO SEND OUT AN RFP FOR THE  
CULVERT REPLACEMENT PROJECT  
– KOTEL ROAD OVER SOUTH BRANCH OF CRYSTAL CREEK -**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Highway Department desires to enter into an agreement with Barton & Loguidice (B&L), authorized on the New York State list of professional engineers

with the engineering expertise for culvert repair projects, to provide design and construction support services, including construction bid documents for the replacement project located on Kotel Road over South Branch of Crystal Creek in Watson, NY; and

WHEREAS, Barton & Loguidice has provided a detailed proposal dated September 20, 2023, with the professional scope of services and phases proffered for this project at maximum compensation of \$180,000.00; and

WHEREAS, the Highway Superintendent seeks to have the Board of Legislators authorize a contract with B&L for these professional services, and to authorize an RFP for public bidding of the construction phase of the project with the assistance of B&L; and

WHEREAS, the Lewis County Board of Legislators wishes to accept such services and authorizes a contract with B&L for this project;

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 (by and through the Lewis County Highway Department) and Barton & Loguidice to provide engineering services necessary for the design, bidding, and construction phases of the culvert replacement project known as Kotel Road over South Branch of Crystal Creek in Watson, New York, at a cost of \$180,000.00 as more fully set forth in the proposal dated September 20, 2023.

Section 2. That the Lewis County Board of Legislators authorizes the Highway Superintendent to send out an RFP for public construction bidding of the project with the professional assistance of Barton & Loguidice.

Section 3. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto pending approval by the County Attorney

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 231 - 2023**  
**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND PARK STRATEGIES, LLC TO PROVIDE**  
**PROFESSIONAL GOVERNMENT RELATIONS ADVOCACY, REPRESENTATION**  
**AND STRATEGIES OBO LEWIS COUNTY BEFORE**  
**NEW YORK STATE GOVERNMENT**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Board of Legislators has invested considerable time and effort over many years to engage various legislative and executive members representing New York State Government, with the unique Lewis County environment, community and needs; the County's priorities and stated objectives, including but not limited to recreational tourism and economic development initiatives; and

WHEREAS, in order to have more successful, supportive results from NY State stakeholders and decision makers, and pursuant to an annual resolutions from 2021, the County engaged the services of Park Strategies, LLC, of Albany, NY, a professional firm who is experienced and qualified to represent, advocate and provide local government perspectives before New York State government, tailored to the specific goals and initiatives of Lewis County; and

WHEREAS, the Board of Legislators seeks to renew this contract for another one year term commencing January 1, 2024, at the same rate of compensation, i.e., \$60,000.00 for a twelve-month period, payable in monthly installments of \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a renewal Agreement with Park Strategies, LLC, of 111 Washington Avenue, Suite 600, Albany, NY 12207 to provide professional government advocacy on behalf of the County of Lewis as its representative before New York State government, tailored to the specific goals and initiatives identified by the County, including but not limited to economic development, outdoor recreation and tourism, especially involving ATV/UTV use and access, health care, and other initiatives important for the growth of Lewis County, at a cost of \$60,000.00 for a twelve-month term (\$5,000.00 per month) commencing January 1, 2024.

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

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

Moved by Legislator Virkler, seconded by Legislator Leviker, and adopted on the 5<sup>th</sup> day of December, 2023. Legislator Hathway was opposed.

**RESOLUTION NO. 232 - 2023  
RESOLUTION SUPPORTING WHOLE MILK CHOICE  
IN SCHOOLS THROUGH THE 2023 FEDERAL FARM BILL**

Introduced by Legislator Josh Leviker, Member of the General Services Committee.

WHEREAS, our nation's future well-being relies on well-nourished children ready to learn at school; and

WHEREAS, our nation's schools have been required by USDA Food Nutrition Service regulations to offer only fat-free and low-fat milk; and

WHEREAS, offering whole milk choice to students reduces waste and reduces shifts to sugary or artificially sweetened high fructose corn syrup 'à la carte' beverages; and

WHEREAS, whole milk is an excellent source of nutrition and exceeds the benefits of fat-free and low-fat milk. Whole milk contains no more than 3.50% fat, with vitamins like D and A that are fat-soluble, and with one-third of the fatty acids being Omega-3s; and

WHEREAS, whole milk contains more than 9 essential nutrients, including Calcium, Iodine, Vitamins A, D, B12, B5, B6, Riboflavin, Phosphorus, Potassium, Niacin, Thiamin, Zinc, Magnesium, as well as 8 grams of complete protein containing all 9 amino acid building blocks for health; and

WHEREAS, studies showed children drinking Whole Milk vs. Low-Fat Milk absorbed three times the amount of Vitamin D; and studies show that this small amount of milkfat naturally slows the rate of carbohydrate (lactose) absorption to reduce hunger cravings and digestive sensitivity, with a 40% less risk of being overweight; and

WHEREAS, moderate consumption of milkfat has been associated with improved mood and cognition. Whole milk in schools will benefit our students who rely on school lunch and breakfast for nutrition in order to perform at their peak during the school day; and

WHEREAS, the State of New York, and Lewis County in particular, is a leader in milk production. Both our children/students and our dairy industry will benefit from and be strengthened by bringing back whole milk and 2% milk to our schools ;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators supports efforts to end the federal prohibition of Whole Milk in schools, and urges our Federal Representatives to support local schools and family dairy farm businesses by including a provision in the 2023 Farm Bill that brings 2% and whole milk back into our schools to support nutrition, health, and learning-readiness of our children while also supporting this major economic industry in Lewis County.

Section 2. That the Board of Legislators directs the Clerk of the Board to send certified copies of this resolution to New York State Agriculture Chair Michelle Hinchey, US Senators Charles Schumer and Kirsten Gillibrand, US Congresswoman Elise Stefanik, and all others the Board may deem appropriate.

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 233 - 2023  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN OFFICE FOR THE AGING AND  
MILK PLANT TAVERN FOR SENIOR MEALS**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, Lewis County Office For the Aging (“OFA”) desires to enter into a meal site agreement with Milk Plant Tavern (“MPT”), located at 1006 State Route 26, West Leyden, NY, to provide senior meals under OFA’s Nutrition Program for eligible senior residents in Lewis County; and

WHEREAS, OFA will provide forms for residents age sixty (60) and over to apply for vouchers for meals from MPT’s menu that have been approved by OFA’s Registered Dietitian. Upon OFA’s receipt of proper documentation and vouchers from MPT, it will be reimbursed on a monthly basis at the rate of \$10.75 per meal provided under the program; and

WHEREAS, the Board of Legislators wishes to authorize this agreement for the services provided;

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, obo OFA, and the Milk Plant Tavern, West Leyden, NY to provide senior meals under OFA’s Nutrition Program for eligible seniors, at a price of \$10.75 per meal upon the redemption of vouchers.

Section 2. That the Agreement shall take effect immediately upon execution of the agreement and continue through December 31, 2024.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement together with the Director of OFA, and any amendments thereto, pending approval by the County Attorney.

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 234 - 2023  
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN  
LEWIS COUNTY AND OUTSIDE AGENCIES**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the following contracts for fiscal year 2024, at the amounts set opposite to each respectively:

| <u>OUTSIDE AGENCY</u>                           | <u>AMOUNT</u> |
|-------------------------------------------------|---------------|
| Adirondack North Country Association            | \$3,000.00    |
| Adirondack Park Local Government Board          | 800.00        |
| Credo                                           | 20,000.00     |
| Constable Hall Association                      | 2,000.00      |
| Cornell Cooperative Extension of Lewis County   | 353,850.00    |
| Naturally Lewis                                 | 315,000.00    |
| Double Play Community Center                    | 40,000.00     |
| Hand In Hand Early Childhood Center             | 10,000.00     |
| International Maple Museum Centre               | 2,000.00      |
| Lewis County Agricultural Society               | 5,000.00      |
| Lewis County General Hospital Foundation        | 20,000.00     |
| Lewis County Historical Society                 | 40,000.00     |
| Lewis County Humane Society                     | 5,000.00      |
| Lewis County Soil & Water Conservation District | 125,000.00    |
| Lyons Falls Historical Association              | 2,000.00      |
| Old Tyme Fiddler's Association                  | 2,000.00      |
| North Country Library                           | 45,000.00     |
| Oneida-Lewis Chapter, NYSARC                    | 25,000.00     |
| Railway Historical Society NNY                  | 2,000.00      |
| Town of Diana Museum                            | 2,000.00      |

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 such Agreements, and any amendments thereto.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 235 - 2023**  
**RESOLUTION FOR AGRICULTURAL DISTRICT NO. 6 EIGHT-YEAR REVIEW**  
**DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW**  
**ACT**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Lewis County has undertaken a review of Agricultural District No. 6 pursuant to AML §303-a and §303-b to consider requests for modification of Lewis County Agricultural District No. 6; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended, the Lewis County Board of Legislators, as lead agency, considers the modification of the agricultural district to be an Unlisted action under SEQRA and desires to determine whether the following action may have a “significant effect on the environment” and therefore requires the preparation of an environmental impact statement: An action to approve that Agricultural District No. 6 be modified by adding and removing the parcels as identified in the Agricultural District No. 6 Report (the “Project”); and

WHEREAS, to aid the Lewis County Board of Legislators in determining whether the Project may have a significant effect on the environment, the Lewis County Director of Planning & Community Development has prepared SEQRA Short Environmental Assessment Forms (Short EAF) for each project, copies of which are on file with the Clerk of the Board of Legislators; and

WHEREAS, the County has examined the Short EAFs in order to make a determination as to the potential environmental significance of the Project.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. Based upon examination of the Short EAFs, and based further upon the Board of Legislator’s knowledge of the subject parcels and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:

- (a) the Project consists of those components described in the second “Whereas” clause of this resolution; and
- (b) there are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the SEAFs.

Section 2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Lewis County Board of Legislators makes the following findings and determinations with respect to the Project:

- (a) The Project constitutes an Unlisted Action (as defined in the Regulations); and
- (b) The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board of

Legislators will not require an environmental impact statement with respect to the Project; and

- (c) This determination constitutes a negative declaration for the purposes of the SEQRA Act.

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

LEWIS COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD  
REPORT TO LEWIS COUNTY BOARD OF LEGISLATORS ON AGRICULTURAL  
DISTRICT NO. 6  
8 YEAR REVIEW AND INCLUSION REQUESTS RECEIVED DURING THE 2024  
30-DAY ANNUAL REVIEW PERIOD

Overview: 8-Year Review of Agricultural District No. 6

Lewis County Agricultural District No. 6 is undergoing review and modification as part of the eight-year review process. Currently, there are approximately 246,809 acres in the county's New York State Certified Agricultural District No. 6.

Municipalities and landowners within the district had the ability to comment on the 8-year review process during the 30-day comment period of September 1, 2023 through September 30, 2023. All comments were required to be submitted to the Director of Planning & Community Development in the Lewis County Planning & Community Development Office. No comments were received relevant to the program review.

Additionally, Lewis County also accepted landowner applications for including new parcels of viable agricultural land into its existing Agricultural District No. 6. The Lewis County Board of Legislators established an annual 30-day inclusion process for the District from November 15<sup>th</sup> to December 15<sup>th</sup> of each year. However, during the 2024 eight-year review, the annual thirty-day inclusion period was incorporated simultaneously with the eight-year survey review period. Thus, the County accepted inclusion applications from October 1, 2023, through October 31, 2023, the same as the eight-year review process.

During this review process, municipalities and landowners within the district could propose a modification (inclusion or removal) of the District by filing such a proposal with the Lewis County Planning Department or Clerk of the Lewis County Board of Legislators from October 1, 2023 through October 31, 2023. A public informational session for Lewis County Agricultural District No. 6 Review was held on October 18, 2023, at 7:00 PM at Cornell Cooperative Extension, 7395 East Road, Lowville NY 13367.

On October 3, 2023 the Lewis County Board of Legislators set a public hearing for this Agricultural District No. 6 review. The Public Hearing was scheduled for 5:00 PM Tuesday,

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December 5, 2023 at the Lewis County Court House 2<sup>nd</sup> floor Legislative Board Room, 7660 North State Street, Lowville, NY.

A summary of the data collected during the 8-year review and inclusion process is described in the table below.

| <b>Correspondence</b>             |              |
|-----------------------------------|--------------|
| # Letters Sent                    | 6,267        |
| # Letters Returned                | 98           |
| # of Emails Sent                  | 100          |
| Phone                             | 355          |
| Returned Worksheets for Inclusion | 20           |
| Returned Worksheets for Removal   | 34           |
| Withdrawn Returned Worksheets     | 11           |
| Invalid Returned Worksheets       | 19           |
| Informational Meeting Attendees   | 18           |
| <b>Total</b>                      | <b>6,726</b> |

### Agricultural Exclusion

After withdrawn applications have been accounted for, Lewis County has twenty-three (23) requests for parcels to be removed from Agricultural District No. 6. These removal requests total approximately **662.288 acres** of land to be removed from Agricultural District 6. We believe there has been an influx of requests for Removal due to the pressures from solar and battery storage development.

| <b>Village or Town</b> | <b>Municipality</b> | <b>Primary Owner</b>          | <b>Tax Map #</b> | <b>Acres</b> |
|------------------------|---------------------|-------------------------------|------------------|--------------|
| Village                | Copenhagen          | Hayden, Chelsea               | 123.11-03-02.112 | 1            |
| Town                   | Croghan             | BJ O'Connor Properties, LLC   | 098.00-02-10.110 | 29.3         |
| Town                   | Croghan             | Eagle Creek Beaver Falls, LLC | 129.17-03-06.100 | 4.1          |
| Town                   | Denmark             | Lovett, Mary                  | 126.00-01-05.100 | 9.3          |
| Town                   | Denmark             | Peebles, Peter                | 124.00-01-03.100 | 30.3         |
| Town                   | Greig               | Bayne, Linda                  | 261.00-02-04.000 | 5.5          |
| Town                   | Greig               | Jacobs, Douglas               | 245.00-01-17.116 | 7.6          |

|         |            |                               |                  |       |
|---------|------------|-------------------------------|------------------|-------|
| Town    | Greig      | Sharlette, Bernard            | 290.00-01-03.112 | 8.2   |
| Town    | Harrisburg | Chambers, Gary                | 190.00-02-04.000 | 98.8  |
| Town    | Lewis      | Beyel, Roger                  | 418.00-01-06.110 | 84.5  |
| Town    | Lowville   | Clemens, Douglas              | 212.00-01-31.120 | 1.5   |
| Town    | Lowville   | Holbrook, Asa                 | 159.00-02-05.000 | 0.83  |
| Town    | Lowville   | Hometown Businesses LLC       | 213.00-01-34.111 | 80.9  |
| Town    | Lowville   | Smith, Paul                   | 213.00-01-08.310 | 2.08  |
| Town    | Lowville   | Smith, Paul                   | 213.00-01-31.000 | 2.5   |
| Village | Lowville   | Lee, Dennis                   | 212.16-02-12.115 | 0.46  |
| Village | Lowville   | Widrick, Timothy              | 212.15-01-33.124 | 0.268 |
| Town    | New Bremen | Eagle Creek Beaver Falls, LLC | 129.17-01-06.100 | 5.9   |
| Town    | New Bremen | McCrickert, Beverly           | 130.03-01-35.000 | 0.34  |
| Town    | New Bremen | Schneeberger, Joseph          | 165.00-01-09.100 | 2.1   |
| Town    | Watson     | Olmstead Landholding LLC      | 198.00-01-02.120 | 188.8 |
| Town    | Watson     | Olmstead Landholding LLC      | 181.00-03-10.000 | 72.3  |
| Town    | West Turin | Oswald, Michael               | 377.00-01-08.120 | 25.71 |

#### Agricultural Inclusion

Per §303-b of the amended Agriculture & Markets Law, the Lewis County Agricultural and Farmland Protection Board reviewed nineteen (19) requests for the inclusion of land within a certified agricultural district during the designated annual review period of October 1 through October 31, 2023, as noticed conducted simultaneously with the 8-Year Agricultural District No. 6 review process. The site conditions site inspections were conducted on November 9, 2023 via Real Property Tax aerial photography, Google Earth and/or visual inspection by the Director of Planning and Community Development to verify that the following requests met the “viable agricultural” criteria put forth in 301(7) of the NYS Agriculture & Markets Law.

| <b>V/<br/>T</b> | <b>Municipality</b> | <b>Primary<br/>Owner</b> | <b>Property<br/>Address</b> | <b>Tax Map #</b> | <b>Acres</b> | <b>Reason for<br/>Inclusion</b>   |
|-----------------|---------------------|--------------------------|-----------------------------|------------------|--------------|-----------------------------------|
| V               | Castorland          | Lehman,<br>Clifford      | 9507 Comer<br>Street        | 127.17-01-03.210 | 2.1          | Raising<br>livestock<br>and crops |

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|   |             |                           |                      |                  |       |                                                       |
|---|-------------|---------------------------|----------------------|------------------|-------|-------------------------------------------------------|
| T | Croghan     | Steiner, Jay              | 9990 Erie Canal Road | 078.00-02-07.000 | 125.6 | Maple syrup production                                |
| T | Croghan     | Lyndaker, Nadeen          | 8735 Soft Maple Road | 119.00-01-02.100 | 33.7  | Maple syrup production and timber                     |
| T | Lewis       | Zeigler, Ryan             | 5868 Borwick Road    | 411.00-01-08.100 | 231.8 | Crops, pasture, Livestock, timber and Christmas trees |
| T | Lowville    | Bradymore LLC             | 7139 Rice Road       | 212.00-01-16.130 | 2.3   | Hay production/pasturage                              |
| T | Lowville    | Zehr Family Trust         | Gardner Road         | 211.00-01-22.000 | 37.3  | Crop production                                       |
| T | Lowville    | Stillman, Elwin           | 5353 Clinton Street  | 212.00-01-19.000 | 2.2   | Hay production and bee hives                          |
| V | Lowville    | Stillman, Elwin           | Clinton Street       | 212.06-01-25.120 | 8.6   | Hay production and bee hives                          |
| T | Lyonsdale   | Weber, Daniel             | 7027 Rumble Road     | 322.00-03-10.400 | 1     | Maple production                                      |
| T | Martinsburg | Jantzi, Peter             | 3219 Gardner Road    | 209.00-02-13.111 | 250.1 | Farm crops, hay, and corn                             |
| T | Martinsburg | The Waligory Family Trust | Flat Rock Road       | 241.00-01-11.100 | 76    | Crops                                                 |
| T | Martinsburg | The Waligory Family Trust | Flat Rock Road       | 241.00-01-15.000 | 55.3  | Crops                                                 |
| T | Martinsburg | The Waligory Family       | Flat Rock Road       | 255.00-01-04.000 | 116.1 | Timber                                                |

|   |             |                           |                       |                  |       |        |
|---|-------------|---------------------------|-----------------------|------------------|-------|--------|
|   |             | Trust                     |                       |                  |       |        |
| T | Martinsburg | The Waligory Family Trust | Carey Road            | 255.00-01-10.000 | 39.2  | Timber |
| T | Martinsburg | The Waligory Family Trust | French Road           | 270.00-01-07.000 | 47.3  | Timber |
| T | Martinsburg | Waligory Excavating Inc.  | Centerville Road      | 256.00-01-02.000 | 85.3  | Crops  |
| T | Martinsburg | Waligory Excavating Inc.  | 4256 Centerville Road | 256.00-01-03.000 | 168.1 | Crops  |
| T | Martinsburg | Waligory Excavating Inc.  | Flat Rock Road        | 255.00-01-06.000 | 188.1 | Timber |
| T | Martinsburg | Waligory Excavating Inc.  | Centerville Road      | 255.00-02-06.000 | 197.8 | Timber |

The Lewis County Agricultural and Farmland Protection Board believes that the inclusion of these nineteen (19) separate parcels of land owned by various landowners would serve the public interest by assisting in maintaining a viable agricultural industry within the district, and therefore, recommends that the land be placed into a certified agricultural district.

Data collected and interpreted regarding the total number of acres added and removed from Agricultural District No. 6 during this 8-year review shows a net increase of +/- acres of land (see summary table below).

| <b>Lewis County Agricultural District No. 6</b><br><b>8-Year Ag District Review Land Calculation</b><br><b>2024 Ag Inclusion Period</b> |                  |                |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------|---------------------|
| <b>Total Acres (1/1/2023)</b>                                                                                                           | <b>246,809</b>   |                |                     |
| <b>Action</b>                                                                                                                           | <b>Last Name</b> | <b>Acreage</b> | <b>Municipality</b> |
| Add                                                                                                                                     | Lehman           | 2.1            | Castorland          |
| Add                                                                                                                                     | Steiner          | 125.6          | Croghan-T           |
| Add                                                                                                                                     | Lyndaker         | 33.7           | Croghan-T           |
| Add                                                                                                                                     | Zeigler          | 231.8          | Lewis               |

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|        |                           |                      |             |
|--------|---------------------------|----------------------|-------------|
| Add    | Bradymore LLC             | 2.3                  | Lowville-T  |
| Add    | Zehr                      | 37.3                 | Lowville-T  |
| Add    | Stillman                  | 2.2                  | Lowville-T  |
| Add    | Stillman                  | 8.6                  | Lowville-V  |
| Add    | Weber                     | 1                    | Lyonsdale   |
| Add    | Jantzi                    | 250.1                | Martinsburg |
| Add    | Waligory Trust            | 333.9                | Martinsburg |
| Add    | Waligory Excavating       | 639.3                | Martinsburg |
| Remove | Hayden                    | 1                    | Copenhagen  |
| Remove | BJ O'Connor Properties    | 29.3                 | Croghan-T   |
| Remove | Eagle Creek               | 4.1                  | Croghan-T   |
| Remove | Lovett                    | 9.3                  | Denmark     |
| Remove | Peebles                   | 30.3                 | Denmark     |
| Remove | Bayne                     | 5.5                  | Greig       |
| Remove | Jacobs                    | 7.6                  | Greig       |
| Remove | Sharlette                 | 8.2                  | Greig       |
| Remove | Chambers                  | 98.8                 | Harrisburg  |
| Remove | Beyel                     | 84.5                 | Lewis       |
| Remove | Clemens                   | 1.5                  | Lowville-T  |
| Remove | Holbrook                  | 0.83                 | Lowville-T  |
| Remove | Hometown                  | 80.9                 | Lowville-T  |
| Remove | Smith                     | 4.58                 | Lowville-T  |
| Remove | Lee                       | 0.46                 | Lowville-V  |
| Remove | Widrick                   | 0.268                | Lowville-V  |
| Remove | Eagle Creek               | 5.9                  | New Bremen  |
| Remove | McCrickert                | 0.34                 | New Bremen  |
| Remove | Schneeberger              | 2.1                  | New Bremen  |
| Remove | Olmstead                  | 261.1                | Watson      |
| Remove | Oswald                    | 25.71                | West Turin  |
|        |                           |                      |             |
|        |                           | <b>Total Added</b>   | 1,667.9     |
|        |                           | <b>Total Removed</b> | 662.288     |
|        | <b>Net Acreage Change</b> |                      | 1,005.612   |

|  |                             |  |                    |
|--|-----------------------------|--|--------------------|
|  | <b>Total Acres (1/2024)</b> |  | <b>247,814.612</b> |
|  |                             |  |                    |

It should also be noted that several of the Board members have historic use knowledge of many of the parcels under review. The table below details each Inclusion request:

Upon Lewis County Board of Legislators' approval of the proposed inclusion parcels, a report will be submitted to the NYS Department of Agriculture and Markets for their review and final approval. Once correspondence is received from the Commissioner of Agriculture and Markets, the Agricultural District mapping will be revised and forwarded to Cornell University for peer review. After the mapping approval, it is anticipated that a final report will be submitted to the NYS Department of Agriculture and Markets for filing no later than April 2024.

*Respectfully submitted,*



Casandra Buell, Director  
Lewis County Planning & Community  
Development Department



Michele Ledoux, Chair  
Lewis County Agricultural and Farmland  
Protection Board

**RESOLUTION NO. 236 - 2023**  
**RESOLUTION AUTHORIZING AND ADOPTING THE REPORT AND**  
**RECOMMENDATIONS OF THE LEWIS COUNTY AGRICULTURAL AND**  
**FARMLAND PROTECTION BOARD ON LEWIS COUNTY AGRICULTURAL**  
**DISTRICT NO. 6 EIGHT-YEAR REVIEW AND INCLUSION REQUESTS RECEIVED**  
**DURING THE INCORPORATED 2023 ANNUAL REVIEW PERIOD**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis has approximately 246,809 acres in its NYS-certified agricultural district designated “Lewis County Agricultural District No. 6”. In accordance with Chapters 303a and 303b of the NYS Agricultural and Markets Law (“NYSAML”), Lewis County Agricultural District No. 6 is required to undergo review and modification as part of the eight-year review process and an annual thirty-day inclusion period. The County established the 2023 annual thirty-day inclusion period as required under Chapter 303b during and simultaneously with the eight-year review period, and accepted landowner applications for inclusion of new parcels of viable agricultural land into its existing Agricultural District No. 6 from October 1, 2023 through October 31, 2023; and

WHEREAS, as part of the eight-year review process, the Lewis County Agricultural Farmland Protection Board (“LCAFPB”) members sought public comment, *inter alia*, on the nature and status of farming and farm resources within the District, objectives of the District, the



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degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in such district, and review of lands to be removed and added to the District as a result of this review and landowner written requests for same; and

WHEREAS, the Lewis County Board of Legislators set the public comment period for Lewis County Agricultural District No. 6 eight-year review and incorporated proper notice of the 2023 annual inclusion process therein; and

WHEREAS, the LCAFPB, through the Lewis County Director of Planning & Community Development, has submitted a report to the Lewis County Board of Legislators on Agricultural District No. 6 which, *inter alia*, opines that inclusion of 1667.9 identified parcels of land owned by 11 landowners will serve the public interest by assisting in maintaining a viable agricultural industry within the district, and recommends that the land be placed into the certified Agricultural District No. 6; and

WHEREAS, the LCAFPB's report, submitted through the Lewis County Director of Planning & Community Development, indicates that the total number of acres added and/or removed from Agricultural District No. 6 during this eight-year review shows a net increase of 943.212 acres of land, and the LCAFPB recommends that the Agricultural District No. 6 be modified based upon the written requests detailed in the Report, that the Report be adopted, and that the Agricultural District No. 6 be continued;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County hereby declares the Lewis County Agricultural District No. 6 eight-year review and incorporated 2023 annual thirty-day inclusion process to be closed.

Section 2. That the Board of Legislators of the County of Lewis hereby adopts the Report and Recommendations of the Lewis County Agricultural and Farmland Protection Board and declares that Agricultural District No. 6 be modified based upon the written requests detailed in the report and place the two identified separate parcels in the certified Agricultural District No. 6, and that said certified District be continued.

Section 3. That the Board of Legislators of the County of Lewis hereby directs that the Lewis County Director of Planning & Community Development take such action to submit an appropriate report to the NYS Department of Agriculture and Markets on Lewis County Agricultural District No. 6 for their receipt of correspondence from the Commissioner of Agriculture and Markets and comply with any additional requirements for final filing with NYS Department of Agriculture and Markets.

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

Moved by Legislator Chartrand , seconded by Legislator Moroughan .

Legislator Leviker moved that this resolution be amended by striking out “943.212” in the last WHEREAS paragraph, line four and insert “1,005.612” and striking out “and place the two identified separate parcels in the certified Agricultural District No. 6”, Section 2, line four, seconded by Legislator Virkler, and carried.

The resolution was then adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 237 - 2023**  
**RESOLUTION AUTHORIZING GRANT APPLICATION TO FEDERAL EMERGENCY**  
**MANAGEMENT AGENCY (FEMA) BUILDING RESILIENT INFRASTRUCTURE**  
**AND COMMUNITIES (BRIC) FUNDING FOR SCOPING OF COUNTY RTE 22**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Planning and Community Development Department, desires to apply for a 2023 FEMA grant under its Building Resilient Infrastructure and Communities funding in order to fund project scoping of the East Martinsburg Road (County Rte 22); and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application, and if awarded funding, to authorize agreements and appropriate the funds;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County of Lewis, by and through the Lewis County Planning and Community Development Department, to submit a grant application to FEMA under its 2023 BRIC funding for road scoping of County Rte 22.

Section 2. The project costs for the road scoping are estimated to be \$287,500.00 with the required local share being 25% and 15% of the total grant award for administrative expenses.

Section 3. The Director of Planning and Community Development or the Chair of the Board of Legislators be and the same is hereby authorized to sign and submit the application and any documents required under the application upon review by the Planning and Community Development Director.

Section 4. In the event the County is awarded grant funds, the Board of Legislators hereby authorizes acceptance of the award (s), authorizes the Chair or Vice-Chair to execute any grant agreements(s) and other documents required to accept the award(s) upon review and approval of the County Attorney; and directs the Treasurer to appropriate the awarded funding into correct accounts.

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 238 - 2023**  
**RESOLUTION AUTHORIZING APPLICATIONS, PROFESSIONAL SERVICE**  
**AGREEMENT AND AWARDS, IF GRANTED, BY THE PLANNING AND**  
**COMMUNITY DEVELOPMENT DEPARTMENT FOR TRANSPORTATION**  
**ALTERNATIVES PROGRAM AND CARBON REDUCTION PROGRAM FUNDING**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Planning and Community Development Department seeks to submit applications through the NYS Grants Gateway for Transportation Alternatives Program (TAP) and Carbon Reduction Program (CRP) Funding for several complete streets planning and implementation projects, EV charging stations, and the final engineering for the non-motorized rail trail development in the Village of Lowville; and

WHEREAS, TAP funds can be used for the conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, and non-motorized transportation users; and

WHEREAS, CRP funds can be used for the construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation as well as EV charging stations; and

WHEREAS, the minimum allowable federal share project funding request under each program is \$500,000 and the maximum grant request is \$5 million, each requiring a 20% non-federal match; and

WHEREAS, the local match sources can include local funds, Consolidated Local Street and Highway Improvement Program (CHIPS) capital funds or other state funds from the Recreational Trails Program, Office of Parks, Recreation and Historic Preservation, Department of State Downtown Revitalization Initiative Funds, Department of Environmental Conservation, Canalway Grant funds, DASNY, or Environmental Protection Funds; and

WHEREAS, the Planning & Community Development Department will work with the Highway Superintendent, C&S, and B&L to develop a Lewis County Complete Streets & EV Charging Stations project to develop final engineering and construction documents for the Hamlet of Glenfield, Village of Turin, Hamlet of Beaver Falls, Village of Copenhagen, Village of Constableville, and Village of Port Leyden and for the purchase and installation of approximately twenty (20) EV Charging Stations; and

WHEREAS, the Planning & Community Development Department will work with the Director of Recreation, Forestry & Parks and Alta to develop professional engineering documents and estimated implementation costs required in the application for the non-motorized Village of Lowville section of the Rail Trail; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the Planning and Community Development Director to contract with ALTA for the professional engineering services required under the application, and submit the applications online; and if awarded such funding, to authorize the agreement(s) for same and appropriate the funds;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Planning and Community Development Director to submit the applications for the TAP and CRP grant funding programs on behalf of Lewis County for several complete streets planning and implementation projects, EV charging stations, and the final engineering and construction costs for the non-motorized rail trail development in the Village of Lowville, up to the maximum amount of funding under each grant based upon the cost estimates developed by the respective engineers.

Section 2. That the Director of Planning and Community Development or the Chair of the Board of Legislators be and the same is hereby authorized to execute the applications and any other documents required for submission.

Section 3. That the Director of Planning or Chair of the Board of Legislators is hereby authorized to enter into an agreement with ALTA, upon review and approval of the County Attorney, for professional engineering services required under the grant application, in an amount not to exceed \$17,750.00, pursuant to ALTA's proposal dated November 14, 2023; with said compensation to be paid from the Capital Recreation Rail Reserve account funds.

Section 4. In the event the County is awarded grant funds under either or both of these funding streams, the Board of Legislators hereby authorizes acceptance of the award(s) along with the required 20% match, authorizes the Treasurer to appropriate the funds, and authorizes the Chair or Vice Chair to execute the grant agreement(s), and any other documents required to give effect to this Project, upon review and approval of the County Attorney.

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 239 - 2023**  
**RESOLUTION TO SET PUBLIC HEARING FOR PUBLIC INPUT WITH REFERENCE**  
**TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County of Lewis is eligible to apply for 2024 New York State Community Development Block Grant Program (NYS CDBG) funding administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR); and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on community development, public infrastructure, housing, public facilities, small business, and economic development needs of residents, and possible other activities, prior to the preparation of a CDBG application; and

WHEREAS, the citizen participation requirements of the programs mandate the County to conduct a public hearing prior to submission of an application for the purpose of obtaining citizens' views with the ability to respond to proposals and questions;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County authorizes a public hearing to be held and set for January 2, 2024 at 9:00 a.m. at the Lewis County Courthouse Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to solicit the views of County of Lewis citizens regarding CDBG funding for community development, public infrastructure, housing, public facilities, small business, and economic development needs under program year 2024 NYS CDBG funding applications, in amounts not to exceed \$1,500,000.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

Section 3. That within resolution shall take effect immediately.

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 240 - 2023  
RESOLUTION ESTABLISHING AND ADOPTING  
COUNTY PROBATION FIREARM POLICY**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Probation Director has developed a comprehensive Firearm policy to be followed by Lewis County Probation Officers; and

WHEREAS, the attached policy addresses general information, regulations, and practices including the acceptable use of firearms, training, and procedures for carrying; and

WHEREAS, the Board of Legislators wishes to accept and adopt said policy;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and adopts the attached Firearm Policy for Lewis County Probation Officers as recommended to the Board of Legislators by the Director of the Probation Department.

Section 2. That the Clerk of the Board is directed to add the policy to the administrative and employee handbooks, upon such form as may be approved by the County Attorney and Human Resource Director.

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**LEWIS COUNTY  
PROBATION DEPARTMENT**



**FIREARMS POLICY  
AND PROCEDURES**

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# LEWIS COUNTY PROBATION DEPARTMENT

## FIREARMS POLICY AND PROCEDURE

### OBJECTIVES:

- I. To establish policy and procedures for on duty use of firearms by probation officers.
- II. To assure the probation officers' maximum personal safety in the performance of his/her duties.

### POLICY:

#### I. Statutory Authority to Carry Firearms

Section 1.20(33), 2.10(24), 2.20 and 2.30 of the New York State Criminal Procedure Law and Articles 35 and 265.20 of the New York State Penal Law provide the mechanism for probation officers to carry firearms when engaged upon official matters and for self-defense, when acting pursuant to his/her special duties.

#### II. Peace Officer Designation

The employees permanently holding the following positions in this department are designated as Peace Officers:

Director of Probation

Senior Probation

Officer Probation Officer

For the purpose of this policy, the term "probation officer" refers to all of the titles designated as peace officers above. Note: the titles above represent the current titles of the probation department. Should new peace officer titles be added to the department, the new titles will also be referred to as "probation officer."

#### III. Authorization

##### A. Authority to Carry Firearms

The aforementioned peace officers who volunteer to participate in the Probation

Department Firearms Program may be granted the option to carry firearms on duty, subject to the approval of the Director of Probation.

**B. Authority to Purchase Firearms**

No employee of this department shall be permitted, solely under the authority of that employee's position, to carry on the person any firearm on duty, except that firearm, ammunition, holster authorized by the department. The department assumes no control over pistol permits issued to members and weapons carried on the permit while off duty.

**IV. Firearms Certification and Initial Training**

Authorized department designated peace officers will be required to participate in and successfully complete a course of training in the use of deadly physical force and firearms and other weapons. Such training and instructions must be approved by the Municipal Police Training Council (MPTC).

Upon successful completion of the appropriate firearms training and upon receipt of proof of such completion, the Director, at his/her discretion, will identify those employees who will be given the authority to carry firearms pursuant to their special duties as peace officers. The Director of Probation will provide this permission to carry a firearm, in writing, before the employee will be allowed to carry such a firearm.

**V. Firearms Requalification Training**

At a minimum, all employees authorized to carry firearms must re-qualify on an annual basis in accordance with the rules and regulations promulgated by the New York State Office of Probation and Correctional Alternatives and the Municipal Police Training Council (MPTC). More frequent training and/or re-qualification may be provided or required.

Any employee failing to successfully re-qualify will not be authorized to carry a firearm, pursuant to that employee's special duties, until such time that the employee successfully re-qualifies. When informed by the firearms instructor that the officer has failed to re-qualify, the employee will surrender his/her weapon immediately to the firearms instructor. The instructor shall notify the Director of Probation who shall arrange for its retrieval immediately and return to the County's possession.

The department will make every effort to ensure that any employee who fails to re-qualify will be given another opportunity. Additional attempts at re-qualification may be at the employee's expense. The employee will have two additional attempts to re-qualify. If the employee is still unsuccessful at re-qualifying after the third attempt, permission for the employee to carry a weapon will be automatically

rescinded for a minimum period of ninety (90) days.

An employee may use his/her department issued firearm for practice purposes. It is the officer's responsibility to maintain proficiency with the department issued firearm. However, the department will not issue ammunition for personal practice. Other than scheduled firearms training, if the employee chooses to practice, he or she must purchase his/her own ammunition, practice on his or her own time and at his/her own expense. The officer will not be reimbursed for ammunition or mileage. **Only factory loaded ammunition may be used, i.e., no reload or remanufactured ammunition is allowed.**

#### **VI. Safety for Firearms Classroom Training**

The following firearm safety rules and any additional instructions given by the firearms instructors on the range or in the classroom will be observed by all firearm candidates:

- A. The firearm should be carried on your person and loaded to and from the range.
- B. All firearms are to be unloaded prior to entering the firearms classroom area.
- C. Upon entering the firearms classroom area, all firearms are to be in a clear, safe and empty condition, inspected by a second party, and holstered clear, safe and empty.
- D. An ammunition area will be established in the facility by the firearms instructor. This area will be away from the class instruction area. All ammunition will be stored in this area. No ammunition will be allowed in the firearms class instruction area.

#### **VII. Issuance of Firearms and Official Use**

Qualified department personnel will be issued a specific firearm by the Director of Probation listed by serial number. Only specifically issued handguns will be allowed to be used in the official performance of department duties, in accordance with the following regulations:

- A. The specifically issued firearms are Lewis County property and will be carried only for on-duty use or while in transit.
- B. Except for practice, off-duty carry of the department issued firearm is not allowed.
- C. Employees of this department must immediately report to the Director of

Probation the loss or theft of this firearm.

- D. Damage to any firearm or any functioning problems will immediately be reported to the Director of Probation.

## **VIII. Authorized Firearms and Equipment**

Department employees are authorized to carry only firearms and equipment issued or previously approved by the department. Specifically, equipment will be only of the type and description as follows. All issued equipment is subject to inspection at any time by the Director or County Manager, department firearms instructors or a licensed approved vendor. No employee will modify or cause to be modified any department issued firearm without prior permission of the Director.

### **A. Firearm**

The standard issue firearm of the department for on-duty use shall be a Glock model 45 (9X19 MM) or any other firearm authorized by the Director, subject to the County's appropriation for same.

### **B. Ammunition**

The standard carry and training ammunition shall be designated by the Director.

At no time, even for practice purposes, shall reloaded or remanufactured ammunition be used. The use of such ammunition could void the warranty on the weapon.

The officer must also carry at least one department issued spare loaded magazine when carrying a firearm.

### **C. Aerosol Restraint**

Any staff person authorized to carry a department issued firearm must also carry Pepper Spray while carrying their firearm.

### **D. Holster**

The standard issue holster is authorized for use with the issued firearm. Any other holster or modification to issued holster must have prior authorization for use by the Director of Probation. Additionally, prior to using any authorized holster, individuals must be trained in the use of the holster by a department firearms instructor.

**E. Badges**

Department badges, identification cards and badge cases will be provided to all peace officers. The issued badge is the only badge authorized for use. No other badge will be allowed. The issued badge must be carried at all times while on duty and at all times while carrying the department issued firearm.

**F. Handcuffs**

Probation officers authorized to carry a firearm must also carry handcuffs. Handcuffs and cuff cases will be department issued or may be purchased at the officer's expense. The type of handcuffs must be approved and authorized for on- duty carry by the Director. Handcuffs must be carried in a cuff case approved by the Director of Probation. A cuff key is also required. Probation officers carrying handcuffs must be trained in the appropriate use of the handcuffs by a qualified instructor.

**G. Body Armor**

Department issued body armor is provided to every probation officer. The wear and use of such protection is strongly encouraged for probation officers authorized to carry a firearm. Maintenance and care of the body armor is the responsibility of the probation officer.

**H. Loss or Damaged Equipment**

Any equipment believed to be lost, stolen or damaged must be reported immediately to the Director of Probation. The Director of Probation shall advise the County Manager of said circumstance.

**IX. General Safety Rules**

**A. Safe Handling**

A probation officer is responsible for the safe handling and maintenance of the department issued firearm.

1. If the probation officer suspects that the firearm is not working properly, he/she is required to have it inspected by a licensed approved vendor. Under no circumstances should a probation officer who is authorized to carry go into the field with an inoperable or unloaded firearm. It is the probation officer's responsibility to clean and otherwise maintain any authorized firearm he/she possesses for on-duty use as per manufacturer's and training instructions. Care should be taken to ensure that there are no obstructions in the barrel of the firearm.

Firearms are to be cleaned only in a safe, designated area, but cleaning is specifically prohibited in office settings, except as authorized. The firearm must be submitted annually or at any time upon demand of the Director or firearms instructor for inspection.

2. Never presume a firearm is unloaded, always treat all firearms as if they are loaded. Always personally inspect and verify that it is unloaded by removing the magazine, opening the slide and ejecting the chambered round, while the muzzle is pointing in a safe direction in accordance with section X B of this policy. Only then should a visible and physical inspection of the chamber and barrel occur.
3. Never use the firearm for any purpose other than for which it was intended.
4. A department issued firearm may not be modified without prior written permission of the Director of Probation.

**B. Safekeeping**

A probation officer is responsible for the security and safekeeping of the department issued firearm at all times.

1. The probation officer should ensure that any authorized firearm in his/her possession is properly secured at all times so that it is not lost, stolen or used by unauthorized persons. If a weapon is lost, stolen or used by an unauthorized person, the department will initiate a report to the County Manager and law enforcement agencies indicating the date of loss, description of weapon and serial number. The probation officer whose county issued firearm is lost, stolen or used by an unauthorized person shall immediately notify the Director of Probation, who in turn shall notify the County Manager.
2. The firearm should not be left unattended in a public place, in luggage or in any other unauthorized receptacle. The firearm should be secured in a safe place at all times when not on the officer's person. If the firearm must be left in a vehicle, it must be locked in an appropriate, department approved safe or lock box.
3. A firearm is never to be used for intimidation. When worn, a firearm must be secured in a proper approved holster.
4. Proper care and procedure should be undertaken when handing a firearm to another. The probation officer presenting or receiving the firearm must make sure the firearm is made clear, safe and empty and rotated so that the butt-end may be grasped by the recipient.

5. Every probation officer has the responsibility to maintain professionalism when handling firearms or when in proximity to an officer authorized to carry. He/she must be mindful of the intended target and its surroundings. The best way to minimize the possibility of a mishap is for the probation officer to gain confidence and proficiency in the use of firearms by participation in the range program. Further, any violation of this policy, including any unprofessional behavior when handling firearms will lead to appropriate disciplinary action in termination of right to carry.

**X. Procedures For Carry**

- A. A probation officer authorized to carry a firearm is required to carry it on duty unless receiving prior supervisory or administrative approval not to carry. While carrying this firearm, the probation officer must have his/her badge and identification on his/her person.
- B. A firearm must never be loaded or unloaded when in the office.
- C. When a firearm is worn on duty, it shall be carried on the probation officer's person.

**Firearms left at work must be stored in a designated locker, loaded and in the holster. Do not unload the weapon or remove the weapon from the holster.**

- D. While escorting clients to and from an office, the officer will have the client walk in front of him/her, escorting the client from behind.
- E. It is the individual officer's responsibility to safely store his/her weapon at all times, and maintain the skill of loading and unloading their weapon.

When a probation officer is off duty and at home, the authorized firearm shall be stored and rendered inoperable by employing a safety locking device or securing such firearm in an enclosure constructed entirely of wood or metal which is locked and the conventional or intended means of disengaging the lock is not accessible to anyone other than the probation officer. The probation officer is not to loan the firearm or permit another person (this includes other probation officers) to take possession of it except when authorized in writing by the Director of Probation. The firearm may be surrendered to a firearms instructor or to the Director for the purpose of inspection or suspension of firearms privileges at any time.

The department will offer several appropriate options for home storage. Officers will select one of the approved options, the cost of which will be



borne by the officer.

- F.** A probation officer authorized to carry a firearm by the department shall be fit for duty and must not be under the influence of alcoholic beverages, controlled substances and/or any type of medication having a significant physical or mental effect, which could have a negative influence upon the individual's functioning, while carrying the issued firearm.
- G.** Requirement to Notify the Department of Condition Affecting the Ability to Carry a Firearm.

  - 1. Probation officers shall notify the Director of any personal impairment. Impairment is defined as any condition which can affect judgment, reaction time or motor skills as it may affect the ability to handle a firearm safely and proficiently.
  - 2. In those instances where an officer believes and/or medical personnel indicate that a medication may affect judgment and/or reaction time, authorization to carry a firearm shall be automatically suspended. Authorization shall be reinstated upon the cessation of the medication and its effects or with a physician's ruling that the medication's potential effects would not be averse to handling a firearm safely and proficiently.
  - 3. The Director may, at any time, require medical clearance from a physician prior to restoring the authority for an officer to carry a firearm.
- H.** A probation officer who is armed shall immediately notify the Director if he/she is charged with a crime or if a temporary or permanent Order of Protection by any court is issued against him/her. The probation officer shall immediately surrender the departmental issued firearm. Department firearm may be reissued at the discretion of the Director, and in compliance with any Court Order.
- I.** Under no circumstances is the department issued firearm to be used for secondary employment.
- J.** Extradition via Air Travel (Flying While Armed) procedure:

  - 1. Officer provides weapon serial number, copy of DLIC Number, Badge Number and credentials to the Lewis County DA's Investigator to input into e-Justice.
  - 2. The DA Investigator and/or the probation officer completes/submits applicable paperwork to appropriate agencies. E-Justice will provide an NLETS Number for each officer. This is your unique LEO Identifier

number. You will need this printout to provide to TSA at airport. You will have a different NLETS number for the return flight.

3. Equipment Carried: Loaded Firearm, badge and credentials. It will be optional to carry the extra magazine/handcuff carrier.
4. Pepper Spray and body armor are not authorized and will NOT be carried on aircraft.
5. Officer must have two (2) picture ID's (DLIC and Credentials).
6. Upon arrival at airport, check in at ticket counter and inform them you are a "L.E.O." flying armed. Ticket Agent will provide appropriate boarding passes.
7. Go to TSA Security and ask for a TSA Supervisor and advise them you are flying armed. They will already have paperwork to correspond with yours.
8. Immediately check in at gate and advise gate agent you are flying armed. You will/should board first.
9. Upon boarding aircraft, notify flight attendant that you are flying armed. They will advise pilot. They may inform you of everyone else flying armed. You may be introduced to the pilot, crew and/or air marshal. You will submit the one boarding pass to the pilot indicating you are flying while armed.
10. On return flight, the procedures are the same but the inmate must sit on the inside seat and officer on the aisle seat.

**XI. Procedures for Display or Use (Other Than Training or Practice Situations)**

- A. A probation officer is to use his/her firearm only in defense of his/her own life, or the life of a third party, from imminent threat of deadly physical force pursuant to Article 35 of the New York State Penal Law and then only in the absence of recklessness.
- B. No probation officer shall ever display a weapon, except in practice or tactical situations, unless he/she perceives that they are within the legal guidelines of New York State Penal Law Article 35 and the administrative guidelines of the Firearms Policy of the Lewis County Probation Department. Display of a firearm is defined as unholstering a firearm or exposing a holstered firearm in a manner in which a reasonable person could perceive as a use of force or threat.

- C. It is the responsibility of each officer to be aware of the requirements of Article 35 or the NYSPL and Section 140.25 of the NYSCPL as well as department policy. The officer must guide his/her actions based on these laws, policy and training.

1. **Use of Force**

Every reasonable means should be considered when making an arrest or preventing or terminating a felony or for the defense of oneself or another before a probation officer uses his/her firearm. In all cases, only the necessary amount of force which is consistent with the accomplishment of a lawful purpose is to be used.

The use of all other options, including Pepper Spray, shall be considered before the use of the firearm.

Officers are only justified in using physical force and/or deadly physical force when it is **reasonable** and **necessary** and then only the amount which is needed to accomplish the objective.

2. **Do Not Shoot If Innocent Persons Are Endangered**

Consideration must be given to bystanders in the event the firearm needs to be used.

3. **Do Not Fire Warning Shots**

The firing of warning shots is prohibited.

4. **Shoot Animals Only As a Last Resort**

The discharge of a firearm at dogs or other animals should be an action employed **ONLY** when no other means of bringing the animal under control exists. Officers have been issued Pepper Spray and this should always be a considered alternative.

- D. The law does not command that a probation officer use deadly physical force; it dictates that the minimum amount of force that is consistent with the accomplishment of a lawful purpose should be used. Deadly physical force should only be used if it is **reasonable** and becomes **necessary**.

**XII. Procedures Upon Display or Discharge of a Weapon**

- A.** Upon any display (as defined under XI section B of this policy) of an authorized firearm by a probation officer authorized to carry a firearm (except in practice, sanctioned training, or a tactical situation), the probation officer must notify the Director verbally within 24 hours or as soon as practically possible. A written report regarding the incident will be required.
- B.** Upon any discharge of an authorized firearm by a probation officer authorized to carry a firearm, except in practice or sanctioned training, the probation officer must immediately notify the Director in a verbal manner. This will be followed up with a complete written report within 72 hours which will offer all details of the display, discharge and/or the use of deadly physical force utilizing the departmental "Use of Force" form.
- C.** If an unintentional discharge occurs on the practice range or the practice range property and no personal injury is involved, the firearms instructor will notify the Director immediately, if deemed necessary. If personal injury is involved, the police will be notified immediately. Local law enforcement authorities **must** be notified by the probation officer or other departmental authority in all other discharge situations and summoned to the scene immediately. The Lewis County Sheriff's Department shall be requested to respond. The probation officer shall promptly identify themselves to the law enforcement authority and follow their directives. If outside Lewis County, the agency that has primary jurisdiction must be contacted. The probation officer or other departmental authority will request that the highest- ranking officer on duty be called to the scene of the incident.
- D.** Upon request, a probation officer involved in a firearm discharge incident shall immediately surrender his/her weapon, with expended shell casings (if found) and live rounds, to the Director. All firearm-related incidents, whether on duty or off duty, and related to an authorized firearm, shall be investigated by the Director.
- E.** The Director shall notify the County Manager of any circumstances set forth in this Article, and provide the County Manager with copies of any reports pertaining to same.

**XIII. Procedures for Disposition**

- A.** All firearms assigned to probation officers remain the property of the County of Lewis, through the Lewis County Probation Department and will be surrendered immediately by the probation officer upon order of the Director of Probation.

- B. Loss or theft of a firearm shall be reported immediately by phone and followed up in writing the next business day to the Director of Probation and to the requisite law enforcement agency in whose jurisdiction same occurred. Furthermore, same must also be duly reported to the Superintendent of State Police per the provisions of the NYS Penal Law, Section 400-12(C).
- C. If an assigned firearm is lost, stolen or damaged and it is the determination of the Director that such loss was caused by carelessness or negligence, it is understood that the probation officer will pay the replacement cost of the firearm within thirty (30) days. The circumstances surrounding the loss, theft, or damage may subject the employee to lose of right to carry and potential termination.
- D. A probation officer who goes on extended leave will be required to surrender his/her weapon. An officer suspended/dismissed from the department will surrender his/her assigned firearm immediately to the Director.

**XIV. Suspension of Firearm Privileges**

The Director of Probation has the sole authority to exercise his/her discretion to suspend or revoke the firearm-carrying privileges of a probation officer at any time with or without cause.

**XV. Disclaimer**

It should be understood that a policy cannot cover every contingency. If there is a situation that appears to require a solution different from the established policy, prior administrative approval is required.

**XVI. Amendments**

Amendments to this policy may be proffered by the Director of Probation in cooperation with the County Manager's Office, and presented to the Lewis County Board of Legislators for final approval.

**XVII. Attachments and Forms**

The next few pages contain forms and attachments that may be required at any given time.

LEWIS COUNTY PROBATION DEPARTMENT

USE OF FORCE FORM

Rept # \_\_\_\_\_

DATE: \_\_\_\_\_ DAY OF WEEK: \_\_\_\_\_ TIME: \_\_\_\_\_

RELATED RPT#'s: \_\_\_\_\_

PRIMARY OFFICER INVOLVED: \_\_\_\_\_ BADGE #: \_\_\_\_\_

ON DUTY? Y / N OFF DUTY? Y / N

OTHER INVOLVED OFFICERS (AND THEIR DEPARTMENT):

1) \_\_\_\_\_ 2) \_\_\_\_\_ 3) \_\_\_\_\_

OTHER OFFICERS PRESENT (BUT NOT INVOLVED IN USE OF FORCE), AND  
DEPT.:

1) \_\_\_\_\_ 2) \_\_\_\_\_ 3) \_\_\_\_\_

OTHER PERSON(S) PRESENT (NAME, ADDRESS, PHONE):

\_\_\_\_\_  
\_\_\_\_\_

TYPE OF CONTACT: \_\_\_\_\_

LOCATION: \_\_\_\_\_

RECIPIENT(S) OF APPLIED FORCE: \_\_\_\_\_

WHY WAS FORCE NECESSARY/USED? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

WHAT WAS NATURE AND EXTENT OF FORCE? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

RECIPIENT(S) HANDCUFFED? BEFORE / DURING / AFTER INCIDENT

WERE RECIPIENT(S) INJURED? IF SO, DESCRIBE: \_\_\_\_\_

PROCEEDINGS OF THE BOARD OF LEGISLATORS

\_\_\_\_\_  
**TREATED AT/BY:** \_\_\_\_\_ **DATE/TIME:** \_\_\_\_\_

**OFFICER(S) INJURED? IF SO, DESCRIBE:** \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**TREATED AT/BY:** \_\_\_\_\_ **DATE/TIME:** \_\_\_\_\_

**INCIDENT REPORT FORM ( Y / N / N/A ) ILLNESS/INJURY REPORT ( Y / N / N/A )**

**NORMAL WORK ASSIGNMENT COMPLETED?** \_\_\_\_\_

**PREPARED BY:** \_\_\_\_\_ # \_\_\_\_ **REVIEWED BY:** \_\_\_\_\_ # \_\_\_\_\_

**DATE/TIME:** \_\_\_\_\_ / \_\_\_\_\_ **DATE/TIME:** \_\_\_\_\_ / \_\_\_\_\_

***\*\*ALL DEPARTMENT PERSONNEL PRESENT MUST EACH COMPLETE A FORM\*\****

# Firearm Surrender Form

I, \_\_\_\_\_ have surrendered my firearm to \_\_\_\_\_  
Probation Officer Director/Designee

On \_\_\_\_\_ for the following reason(s):  
Date

PLEASE CHECK ALL THAT APPLY:

\_\_\_\_\_ Director's Request

\_\_\_\_\_ Medical

\_\_\_\_\_ Fail to qualify

\_\_\_\_\_ Fail to re-qualify at Annual Range

\_\_\_\_\_ Fail to attend defensive tactics

\_\_\_\_\_ Other (Please Explain):

---

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---

---

I intend to continue with my regular duties and work responsibilities as a probation officer, even though I will not be carrying a department issued firearm.

\_\_\_\_\_  
Probation Officer

\_\_\_\_\_  
Director/Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reinstate Date/Director Initials



## Exempt from Carry Form

I, \_\_\_\_\_ have been exempt from carrying my firearm while on duty  
Probation Officer

on \_\_\_\_\_ for the following reason(s):  
Date

PLEASE CHECK ALL THAT APPLY:

\_\_\_\_\_ Medical

\_\_\_\_\_ Other (Please Explain):

---

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I intend to continue with my regular duties and work responsibilities as a probation officer, even though I will not be carrying a department issued firearm. Once the above-listed issue(s) have been resolved, I may request to be reinstated.

\_\_\_\_\_  
Probation Officer

\_\_\_\_\_  
Director/Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reinstate Date/Director Initials

## Lewis County Probation Department Firearms Policy and Firearm Receipt

I \_\_\_\_\_ authorize \_\_\_\_\_  
Probation Director Peace Officer  
to carry a firearm while performing the special duties of his/her job as a Probation  
Officer of the Lewis County Probation Department.

|                    |                       |               |
|--------------------|-----------------------|---------------|
| _____<br>Signature | _____<br>Printed Name | _____<br>Date |
|--------------------|-----------------------|---------------|

---

I have received and reviewed a copy of the Lewis County Firearms  
Policy. I understand and agree to abide by the policy.

|                    |                       |               |
|--------------------|-----------------------|---------------|
| _____<br>Signature | _____<br>Printed Name | _____<br>Date |
|--------------------|-----------------------|---------------|

---

On \_\_\_\_\_, I was issued the following "Duty" firearm by the  
Lewis County Probation Department:

Glock, Model 45, Serial Number: \_\_\_\_\_.

|                    |                       |               |
|--------------------|-----------------------|---------------|
| _____<br>Signature | _____<br>Printed Name | _____<br>Date |
|--------------------|-----------------------|---------------|

---

On \_\_\_\_\_, I returned my "Duty" firearm:

Glock, Model 45, Serial Number: \_\_\_\_\_ to the Lewis County Probation  
Department.

|                    |                       |               |
|--------------------|-----------------------|---------------|
| _____<br>Signature | _____<br>Printed Name | _____<br>Date |
|--------------------|-----------------------|---------------|

PROCEEDINGS OF THE BOARD OF LEGISLATORS

I have been offered the opportunity to carry a firearm pursuant to my duties as a probation officer for the Lewis County Probation Department. At this point, I decline to carry a firearm.

---

Signature

---

Printed Name

---

Date

**RESOLUTION NO. 241 - 2023  
RESOLUTION AUTHORIZING AN AMENDMENT TO  
EXISTING CONTRACT WITH LEWIS DEFENDERS, PLLC**

Introduced by Legislator Ian Gilbert, Chair of the General Services 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, the Board of Legislators has heretofore entered into a contract with LEWIS DEFENDERS, PLLC for the purpose of providing indigent defense legal services; and

WHEREAS, New York State has increased the hourly rate for assigned counsel services from \$75.00/hour to \$158.00/ hour. Lewis Defenders, PLLC has requested an increase of \$20,000.00 per year for the final four years of their contract. Lewis Defenders asserts that the increased amount will help retain attorneys and maintain competitive wages for the purpose of enhancing and improving indigent legal defense services; and

WHEREAS, the Board of Legislators wishes to amend the existing contract with the Lewis Defenders, PLLC to provide for the additional funding;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby approves an amendment to the existing multi-year contract with LEWIS DEFENDERS, PLLC to increase the annual compensation to Lewis Defenders by \$20,000.00 per year commencing in January 2024, as a result of increased hourly rates for assigned counsel.

Section 2. That the Chair, or the Vice-Chair, 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 3. That the within Resolution shall take effect immediately.

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 242 - 2023  
RESOLUTION AUTHORIZING CONTRACT WITH  
MCCLUSKY LAW FIRM, LLC  
TO PERFORM CONFLICT DEFENDER SERVICES**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 “indigent legal services”); and

WHEREAS, it is necessary to appoint an attorney/firm to assist in providing the statutory legal assistance to those eligible individuals where Lewis Defenders, PLLC has a conflict of interest and/or where there are more than one defendant/respondent on a case entitled to legal assistance; 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 authorize a one-year agreement with the McClusky Law Firm, LLC to perform legal services as the Public Conflict Defender in those instances where Lewis Defenders, PLLC has a conflict of interest and/or where more than one public defender is required;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby approves a one-year Agreement with McClusky Law Firm, LLC (herein, “Conflict Defender”), of 8 Main Street, P.O. Box 97, Adams, New York 13605 to provide conflict defender services in those instances where the primary public defense firm has a conflict of interest and/or where more than one public defender assignment is required, commencing January 1, 2024 through December 31, 2024.

Section 2. That the all-inclusive cost of such services to be provided by the McClusky Law Firm as the Conflict Defender shall not exceed \$115,000.00, payable in monthly installments of \$9,583.33. Such services include but are not limited to providing qualified, licensed attorneys for timely legal representation of eligible indigent residents in Lewis County Family Court, Lewis County Court, and Town and Village Courts, with the maintenance of an office in Lewis County suitable to meet with eligible defendants/respondents assigned.

Section 3. That the Chair or the Vice-Chair of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement, and any amendments thereto, to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 4. This Resolution shall take effect immediately.

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 243 - 2023**  
**RESOLUTION AUTHORIZING CONTRACT BETWEEN THE COUNTY OF LEWIS**  
**AND NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES**  
**FOR A THREE-YEAR SECOND STATEWIDE EXPANSION OF**  
**HURRELL-HARRING GRANT AWARD**

Introduced by Legislator Ian Gilbert, Chair of the General Services 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 three-year Second Statewide Expansion of *Hurrell-Harring* grant award from the New York State Office of Indigent Legal Services in the amount of \$2,640,347.43, (Contract Number CSTWIDEHH223), for the provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the Grant Contract covering the period of April 1, 2023 through March 31, 2026; and

WHEREAS, this grant money reflects the total funding for Lewis County to supplement and not to supplant any state and local funds for three written plans (counsel at arraignment, quality improvement and caseload relief) submitted by the Office of Indigent Legal Services (ILS) on December 1, 2017 pursuant to the 2017 amendment to County Law § 722-e and enactment of Executive Law § 832 (4) (“Statewide Expansion of *Hurrell-Harring* Reform”); and

WHEREAS, this contract contains a line item Budget and Work Plan for the each year of the three-year contract. The annual budgets provide financial reimbursement for specified services from Lewis Defenders, PLLC, McClusky Law Firm, LLC (Conflict Defender’s Office), and specialized service funding for the Assigned Counsel Program (18-b), in the amounts of \$857,115.81, \$877,615.81 and \$905,615.81 respectfully; and

WHEREAS, the Board of Legislators seeks to accept this funding and execute the Grant Agreement with NYS Office of Indigent Legal Services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County 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 funds in the amount of \$2,640,347.43 for a three-year Second Statewide Expansion of *Hurrell-Harring* grant award (Contract Number CSTWIDEHH223) to assist the County in improving the quality of indigent legal services provided.

Section 2. That this is for the term commencing April 1, 2023 and ending March 31, 2026, with annual funding set forth in the approved budget plan, for a total award of \$2,640,347.43.

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 and any amendments and/or extensions thereto to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 244 - 2023  
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS  
WITH REFERENCE TO PUBLIC HEALTH**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Director of Public Health is requesting to use Public Health Workforce Recruitment and Retention grant funds to create an additional Early Intervention Coordinator position for backfill and training purposes through February 2, 2024 due to an upcoming resignation;

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 Public Health Department through February 2, 2024 to create the following position:

| <u>TITLE</u>                               | <u>STATUS</u> | <u>SALARY</u>                  |
|--------------------------------------------|---------------|--------------------------------|
| Early Intervention<br>Services Coordinator | Full-Time     | Grade 24 (\$22.81-\$26.75/hr.) |

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 245 - 2023  
RESOLUTION REGARDING SEQRA REVIEW TO ADD 0.7 MILES OF  
NEW WARRIOR TRAIL TO THE LEWIS COUNTY OHV TRAIL SYSTEM  
AND DECLARING NO SIGNIFICANT IMPACT  
(CHARLES CASE & GREAT LOT SPORTSMANS CLUB CORP. PROPERTIES)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate Off-Highway Vehicles (“OHV’s”), (as defined in Local Law No. 3-2019) 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”); on January 9, 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 SEQRA 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”**, as subsequently amended and re-stated in Local Law No. 3-2019, **“A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”** (herein, “Local Law”); and

WHEREAS, the Local Law (and the 2009 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 Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add a proposed addition of 0.7 miles of multi-use trails to the Lewis County OHV Trail System known as the “Warrior Trail”. The proposed trail is located in the Town of Lewis, which include the following parcels:

Parcel No.: 417.00-01-20.112 – North of Osceola Rd., Southeast of Goodhines Rd.

Parcel No.: 417.00-01-03.000 - North of Osceola Rd., East of Goodhines Rd.

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed properties, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing its investigations, findings, and conclusion of no significant environmental impact with respect to the trail on these properties; and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings;

NOW, THEREFORE, BE IT RESOLVED, as follows:



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. The Lewis County Board of Legislators has reviewed the Report from Soil and Water Conservation District concludes that there is no significant environmental impact in adding this trail, on the identified parcels located in the Town of Lewis to the Lewis County Trail System.

Section 2. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement pertaining to the trail on the properties, 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 any significant adverse impacts and necessary mitigations for the specific sites;
- c. The Report's findings are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- d. The investigation and analysis of the described trail on Parcel No. 417.00-01-20.112 and Parcel No. 417.00-01-03.000 does 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 0.7 miles of multi-use trail known as the Warrior Trail identified as part of Parcel No. 417.00-01-20.112 and Parcel No. 417-01-03.000 in the Town of Lewis to the Lewis County OHV Trail System 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), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the Warrior Trail site identified as Parcel No. 417.00-01-20.112 and Parcel No. 417-01-03.000, and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to this site.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 246 - 2023**  
**RESOLUTION TO INCORPORATE 0.7 MILES OF NEW WARRIOR TRAIL TO THE**  
**LEWIS COUNTY OHV TRAIL SYSTEM**  
**(CHARLES CASE & GREAT LOT SPORTSMANS CLUB CORP. PROPERTIES)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate Off-Highway Vehicles (“OHV’s”), (as defined in Local Law No. 3-2019) 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, 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 January 9, 2009, 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 SEQRA 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”**, as subsequently amended and re-stated in Local Law No. 3-2019, **“A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”** (herein, “Local Law”); and

WHEREAS, the Local Law 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 Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add a proposed addition of 0.7 miles of multi-use trails to the Lewis County OHV Trail System pertaining to properties owned by Charles Case and Great Lot Sportsmans Club Corp. The proposed trails are located in the Town of Lewis, which include the following parcels:

Parcel No.: 417.00-01-20.112 – North of Osceola Rd., Southeast of Goodhines Rd.

Parcel No.: 417.00-01-03.000 - North of Osceola Rd., East of Goodhines Rd.; and

WHEREAS, pursuant to Resolution No. 245 - 2023, completed its review under SEQRA with respect to the properties and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, found and determined that adding these properties and trails to the Lewis County Trail System will not result in a significant environmental impact;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby deems the trails located on the above referenced privately owned forestry properties in the Town of Lewis, parcel numbers 417.00-01-20.112, and 417.00-01-03.000, as more fully described in the Statement prepared by

the Soil and Water Conservation District, are hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Lewis County Board of Legislators hereby authorizes the addition of the 0.7 miles of multi-use trails to the Lewis County OHV Trail System pertaining to privately owned properties and authorizes amendment of the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trails described herein, together with such other and further actions as may be necessary to administer and maintain such trails consistent with the Lewis County OHV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 3-2019.

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

Moved by Legislator Nellenback , seconded by Legislator Moroughan , and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 247 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENTS BETWEEN**  
**LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND THE**  
**COUNTY LAW DEPARTMENT FOR LEGAL SERVICES AND**  
**REPRESENTATION IN FAMILY COURT MATTERS,**  
**CHILD SUPPORT ENFORCEMENT PROCEEDINGS AND**  
**COLLECTION AND RECOVERY MATTERS**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, pursuant to § 397 of the Social Services Law, the Department of Social Services (the “Department”) is responsible to bring cases deemed necessary before the Family Court for adjudication with regard to children considered to be neglected or abused, to institute proceedings against a parent or adult for neglect or abuse of a child, for voluntary placements, foster care placements, extensions of placement, custody determination of placement rights, and placements that may result from Juvenile Delinquencies (J.D.); and

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 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; and

WHEREAS, the Department is also responsible for the collection of overpayments or recovery of assets in certain programs where financial support to Lewis County citizens has been provided; 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, the Law Department is responsible to provide legal representation to the Department in all family court matters and support enforcement proceedings. The County Attorney and Law Department also has the expertise to provide legal collection services on behalf of the Department in its collection and recovery matters; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney's office for the performance of these services and to enter into agreements for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Agreements by and between the Department of Social Services and the Law Department whereby the County Attorney shall provide legal representation to the Department on family court matters, child support enforcement proceedings, and be responsible for the collection of overpayments or recovery of assets in certain programs that provide financial support to Lewis County citizens.

Section 2. That the Agreements shall 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 these Agreements shall be from January 1, 2024 through December 31, 2024. Compensation for legal representation on neglect, abuse, foster care, custody, J.D.'s and related Family Court matters shall not exceed the amount of \$178,153.00; child support enforcement legal representation services shall not exceed the amount of \$76,708.00; and compensation for collection and recoveries shall not exceed the amount of \$36,382.

Section 4. That the Chair or Vice-Chair of the Board of Legislators, along with the Commissioner of Social Services and the County Attorney be and the same are hereby authorized to make, execute, seal and deliver said Agreements, and any amendments thereto.

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 248 - 2023**  
**RESOLUTION AUTHORIZING REALLOCATION OF CLOSED OUT ARPA**  
**PROJECT FUNDS AND ADDING FUND BALANCE TO ACTIVE RECREATION RAIL**  
**PROJECT**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Thomas A. Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis received \$5,150,000.00 in stimulus funds from the Federal Government under the American Rescue Plan Act (ARPA) in order to address pandemic recovery in local communities, to be invested in various county-wide infrastructure and community-minded projects and programs as approved under ARPA; and

WHEREAS, pursuant to Resolution No. 360-2021, the Board of Legislators approved the following broad investment categories/projects and amounts from ARPA funds received by the County (the Board retaining its authority to amend any categories and amounts which have not previously been approved and appropriated):

| <u>Project</u>                | <u>Amt Allocated</u>            | <u>Balance</u>   |
|-------------------------------|---------------------------------|------------------|
| Broadband                     | \$ 1,500,000.00                 | \$ 259,349.00    |
| Recreation                    | 1,500,000.00                    | \$ 1,422,575.00  |
| Placemaking/Property Clean up | 1,000,000.00                    | (\$ -164,063.00) |
| Workforce & Talent Attraction | 500,000.00                      | \$ 480,000.00    |
| Façade Program                | 450,000.00                      | \$ 212,989.00    |
| Childcare Development         | 200,000.00                      | \$ 135,816.00    |
|                               | <u>\$ 5,150,000.00</u>          |                  |
| <i>Housing Incentive</i>      | <i>\$300,000.00 (Optional);</i> | <i>and</i>       |

WHEREAS, the County Manager has identified the following projects and programs to be closed out, with any remaining ARPA funds under said categories to be moved into the new Capital Rail Reserve Project Account:

| <u>Close Out Program Name</u> | <u>Amount Expended</u> | <u>Amount Remaining</u> |
|-------------------------------|------------------------|-------------------------|
| Childcare Development         | \$ 135,816.00          | \$ 64,184.00            |
| Workforce Program             | \$ 20,000.00           | \$ 480,000.00           |
| Placemaking                   | \$1,164,063.00         | \$(-164,063.00)         |

Balance for transfer into new Capital Rail Reserve: **\$ 350,121.00**

WHEREAS, it is recommended that the Board authorize the reallocation of \$350,121.00 from the closed out ARPA programs, and appropriate and transfer said amount into the Capital Rail Reserve Account project; and

WHEREAS, it is further recommended that the Board authorize the transfer of an additional \$2,000,000.00 from fund balance to supplement the active rail recreation project:

| <u>Active Project Name</u> | <u>Fund Balance Amt</u> | <u>New Account</u>   |
|----------------------------|-------------------------|----------------------|
| Rail Recreation Project    | \$2,000,000.00          | Capital Rail Reserve |

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the transfer and appropriation of \$350,121.00 of closed out ARPA project funds, together with the balance of the ARPA Recreation Project funds of \$1,422,575.00 for a total transfer of \$ 1,772,696.00 into the new Capital Rail Reserve Account for the Rail Recreation Project.

Section 2. That the Lewis County Board of Legislators hereby further authorizes and directs the Treasurer to appropriate \$2,000,000.00 from fund balance and transfer same into the new Capital Rail Reserve Account for the Recreation Rail Project.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December 2023.

**RESOLUTION NO. 249 - 2023**  
**RESOLUTION AUTHORIZING CASH TRANSFER AND PARTIAL RE-PAYMENT**  
**OF INDEBTEDNESS TO LCHS UNDER 2018 MOU**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, from the 1990s through 2014, 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, LCGH, through its Board of Managers, has acknowledged the operational support provided by the County in those fiscal years, including the County’s forgiveness of a portion of the indebtedness incurred in the 1990s and thereafter. LCGH retired the balance of indebtedness owing to the County which was not forgiven in or about 2017; and

WHEREAS, in 2018, the County authorized the building of the LC-JCC-EC Education Center on East Road, Lowville, NY; the project costing approximately \$6,200,000.00. LCGH offered to assist the County in meeting this financial obligation by making a cash transfer of \$4,000,000.00 in December, 2018 and \$2,000,000.00 in multiple payments between February and April, 2019. The County was able to fully fund the project and not: 1) deplete the County’s reserve funds; 2) not incur additional financing expenses; and 3) not raise additional taxes; and

WHEREAS, the MOU provided for the County to repay the Hospital over a twenty-five (25) year period (if not sooner), commencing in 2020, by crediting the LCGH with the annual Administrative Cost Allocation owing to the County by LCGH, and any other additional payments the County may decide to transfer in its sole discretion; and

WHEREAS, LCGH now seeks to have the County repay the indebtedness in an accelerated rate in order for the hospital to meet its financial obligations pertaining to its operational projects, including its efforts to support reinstating a maternity unit. Currently, the balance owing to the hospital under the MOU is \$5,497,355.00; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Board of Legislators seeks to advance a portion of the outstanding indebtedness owing to LCGH under the MOU, provided these advances are used in support of the hospital's operational projects;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby approves and authorizes the immediate transfer of \$2,500,000.00 from fund balance to LCGH as an additional payment toward the balance owing under the 2018 MOU.

Section 2. The Board of Legislators further commits to additional \$1,000,000.00 payments toward the outstanding balance owing on this debt in 2024 and in 2025. In addition, the outstanding debt balance owing by the County shall continue to be reduced by crediting the County with the annual Administrative Cost Allocation assessments for 2023 and thereafter, until the balance is paid in full or forgiven.

Section 3. The Board of Legislators directs that the County Attorney draft an amendment to the MOU to incorporate these terms, together with the LCGH's agreement to have these advanced funds be used for the operational projects undertaken by the hospital, including its support of efforts to reinstate the maternity unit.

Section 4. That the Chair of the Board of Legislators, or the Vice-Chair, be and the same is hereby authorized to execute and deliver such amendment to the MOU upon such form and terms as may be approved by the County Attorney.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 250 - 2023**  
**RESOLUTION TO TRANSFER & APPROPRIATE FUNDS FROM FUND BALANCE**  
**FOR VARIOUS PROJECTS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County has engaged in various projects to improve County operations and Community projects; and

WHEREAS, the following projects have been identified to require additional funding for completion and/or for continuation of successful community initiatives, which can be supported from the County's fund balance:

Project Name

From Fund Balance

DECEMBER 5, 2024

|                                                     |                    |
|-----------------------------------------------------|--------------------|
| Facilities Projects Capital Account                 | \$ 3,000,000.00    |
| LCDC Vacant Property Revitalization Project (Rnd 2) | \$ 500,000.00      |
| County Property Clean Up Projects                   | \$ 300,000.00      |
| Broadband Project                                   | \$ 250,000.00; and |

WHEREAS, due to an oversight, only \$20,000.00 in 2022 funds were paid to Double Play, when the amount of \$40,000.00 was scheduled for payment, requiring the additional \$20,000.00 owing to be paid from Fund Balance;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section I. That the Lewis County Board of Legislators authorizes the use of fund balance monies, and directs the Treasurer to make the following budget transfers and appropriations from Fund Balance:

Transfer from:

|                        |                |
|------------------------|----------------|
| A0 005990 Fund balance | \$3,000,000.00 |
|------------------------|----------------|

Transfer to:

|                              |                |
|------------------------------|----------------|
| A0990100 992900 Capital Plan | \$3,000,000.00 |
|------------------------------|----------------|

Increase Revenue:

|                       |                |
|-----------------------|----------------|
| H0162000 350310 Local | \$3,000,000.00 |
|-----------------------|----------------|

Project HAR

Increase Expenditure:

|                 |                |
|-----------------|----------------|
| H0162000 499900 | \$3,000,000.00 |
|-----------------|----------------|

Project HAR

Transfer From:

|                        |                |
|------------------------|----------------|
| A0 005990 Fund Balance | \$1,070,000.00 |
|------------------------|----------------|

Transfer To:

|                                                          |               |
|----------------------------------------------------------|---------------|
| A0641250 499900 LCDC Vacant Prop. Revitalization (Rnd 2) | \$ 500,000.00 |
|----------------------------------------------------------|---------------|

|                                         |               |
|-----------------------------------------|---------------|
| A0990100 992100 Capital County Projects | \$ 300,000.00 |
|-----------------------------------------|---------------|

|                                         |               |
|-----------------------------------------|---------------|
| A0990100 992100 Capital County Projects | \$ 250,000.00 |
|-----------------------------------------|---------------|

|                             |              |
|-----------------------------|--------------|
| A0714000 499900 Double Play | \$ 20,000.00 |
|-----------------------------|--------------|

Increase Revenue:

|                       |               |
|-----------------------|---------------|
| H0809000 350310 Local | \$ 300,000.00 |
|-----------------------|---------------|

Project HAL Environmental Property Cleanup

|                       |               |
|-----------------------|---------------|
| H0990100 350310 Local | \$ 250,000.00 |
|-----------------------|---------------|

Project HEB Broadband

Increase Expenditure:

|                             |               |
|-----------------------------|---------------|
| H0809000 499900 Expenditure | \$ 300,000.00 |
|-----------------------------|---------------|

Project HAL Environmental Property Cleanup

|                             |               |
|-----------------------------|---------------|
| H0990100 499900 Expenditure | \$ 250,000.00 |
|-----------------------------|---------------|

Project HEB Broadband



PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Moved by Legislator Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

**RESOLUTION NO. 251 – 2023  
UPDATED DESIGNATION OF DEPOSITORIES FOR 2024**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Section 212 of the County Law, General Municipal Law Section 10, and the County's Investment Policy provide 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, the Treasurer seeks to have the Board of Legislators update the amounts on deposit in the designated depositories for County monies;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the following named banks, banking associations or trust company(s) be designated as depositories for County of Lewis monies up to the maximum amount as set opposite each named:

|                             |              |
|-----------------------------|--------------|
| Community Bank N.A.         | \$40,000,000 |
| Key Bank of Central NY N.A. | \$10,000,000 |
| JP Morgan Chase Bank        | \$30,000,000 |
| RBC Wealth Management       | \$30,000,000 |
| Chemung Canal Trust Company | \$30,000,000 |
| NYCLASS                     | \$25,000,000 |
| NY MuniTrust                | \$25,000,000 |
| Carthage Savings Bank       | \$10,000,000 |

Section 2. That the Clerk of the Board 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 Nellenback, seconded by Legislator Moroughan, and adopted on the 5<sup>th</sup> day of December, 2023.

OTHER BUSINESS:

At 5:49 p.m. Legislator Chartrand moved that the Board enter Attorney Client Privilege Session for an update on litigation, seconded by Legislator Osborne, and carried. Chairman Dolhof requested that the new legislators present join.

At 6:11 p.m. Legislator Hathway moved that the Board enter regular session, seconded by Legislator Chartrand, and carried.

There being no other business to come before the Board, Legislator Osborne moved that the Board adjourn the meeting at 6:12 p.m., seconded by Legislator Chartrand, and carried.

**FINAL DAY ANNUAL SESSION  
December 21, 2023**

The meeting was called to order at 10:04 a.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present except Legislator Josh Leviker who had been excused. There were 13 other persons present.

Chairman Dolhof asked Legislator Gilbert for the Invocation, followed by the Pledge of Allegiance to the Flag.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

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

Signed by: Thomas Osborne  
Philip Hathway  
Jessica Moser  
Jeffrey Nellenback

Dated: December 21, 2023

Legislator Virkler moved that the rules be waived, seconded by Legislator Chartrand, and carried.

**PRIVILEGE OF THE FLOOR:**

Chairman Dolhof stated that there are four retiring legislators who have helped to achieve several goals during their tenure. Within the last two years, the Board has reduced the property taxes to the lowest level since 1996; created a 15% reduction in the tax rate; completed construction on a New Highway Facility for the first time since 1906; completed a new surgical wing and patient rooms for the first time since the 1980's; completed updates in the PSB for the jail for the first time since 1991; distributed 100% of the American Rescue Plan funds out to the community through a Broadband program, reducing unconnected households by 70%, Façade and Streetscape program, Vacant Property Revitalization program, Rails to Trails program, and Childcare program; moved forward several special committees such as the EMS Ad Hoc committee, Agricultural Sustainability Committee, Southern Lewis County Water Study committee, and Central Lewis County Water Study committee; focused on mental health issues by creating a Suicide Video series, founding and supporting the Traumatic Loss Team, and bringing Medication Assisted Treatment plan to the jail; established new long term financial goals; cleaned up and demolished ten blighted properties; facilitated the reuse of the Glenfield School leading to a \$25 million dollar investment in senior housing; adopted thoughtful and progressive regulations for solar development; increased transparency with a new website and new presentation equipment in the Legislative Board Chambers. That is just some of the items without going into too much detail.

Chairman Dolhof thanked the current Board, in particular the four legislators that are leaving for their service and giving a unique insight with their comments and considerations. Due to this the Board has accomplished quite a lengthy list of items to move Lewis County forward. The Chairman then handed out framed certificates to Legislator Lisa Virkler, Legislator Ian Gilbert, Legislator Richard Chartrand, and Legislator Phil Hathway followed by a round of applause for each one respectively.

#### CLERK OF THE BOARD REPORT:

A Resolution was received from Cattaraugus County titled: "Supporting Repopulation and Restocking of Native Species Elk into Allegany State Park."

Sealer of Measures and Weights Biran Mooney submitted the September, October, and November Summary of Field Service Reports which have been placed on file. An edition of Farmshine was forwarded to all legislators from Mr. Gary Rozicowski showing that the House of Representatives passed the Whole Milk for Healthy Kids Act allowing whole milk in school lunch programs.

#### COUNTY TREASURER REPORT:

Eric Virkler reported that the State Auditors are making good progress and will be giving legislators an update on where they are, please stop in and speak with them today. They have done a great job so far. Three + One, our cash management consultants, gave Lewis County an award for making a grade of 90 for three quarters in a row, and should continue to get some publicity from that.

#### REPORTS OF STANDING COMMITTEES:

Legislator Chartrand reported that the October Employee of the Month for the Hospital was Bertha Snyder, Unit Helper. The OR Tower is operational, and the Maternity Ward should be opening sometime in March of 2024.

Mr. Jerry Cayer reported that the new surgical pavilion went live with three OR's going at once, this has created a meaningful increase in surgeries. Dr. Ackle was hired for the maternity department a month ago and it looks like it will be operational by March 25, 2024. The maternity nurses will be going to Crouse in Syracuse for additional training.

Mr. Cayer stated that Legislator Chartrand was recognized for his service at the Hospital Board of Managers meeting but should be acknowledged today as he serves on behalf of this Board. His history of service is remarkable along with his ability to respectfully challenge things and ask questions. Legislator Chartrand has served on the Hospital Board of Managers first as a citizen from 1997 through 2008, then as the Board of Legislators representative from 2014 through 2023. He has been Chair of the Hospitals Buildings and Grounds committee, a member of the Executive Committee, and much more. In honor of Legislator Chartrand's years of service, he was given a plaque, notification that two bricks will be placed on the memorial wall of the hospital, two coasters, and a box of Lewis County food items.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Mr. Cayer thanked the whole Board and read the LCHS mission statement. He wished everyone Happy Holidays. Legislator Chartrand reciprocated his appreciation of Mr. Cayer and the great communication since his arrival.

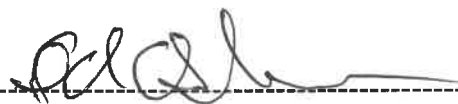
REPORT OF THE FINANCE AND RULES COMMITTEE:

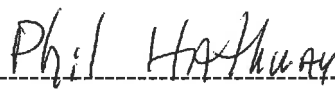
DECEMBER 21, 2023

**REPORT OF  
FINANCE AND RULES COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 955,799.64 and recommend that they be audited and allowed for the amounts claimed.

  
-----  
Thomas Osborne                      Chair

  
-----  
Philip Hathway                      Vice-Chair

  
-----  
Jeffrey Nellenback                      Committee

-----  
Joshua Leviker                      Committee

  
-----  
Jessica Moser                      Committee

Dated: December 21, 2023

Approved on motion by Legislator Chartrand, seconded by Legislator Moser, and carried.

**RESOLUTION NO. 252 – 2023  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$955,799.64 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 Virkler, seconded by Legislator Chartrand. Legislator Moser recused herself from any payments pertaining to her role as an Attorney.

The Resolution was then adopted on the 21<sup>st</sup> day of December, 2023 pursuant to the following roll call vote:

AYES: Osborne, Hathway, Nellenback, Virkler, Moser, Moroughan, Gilbert, Chartrand, and Dolhof.

NAYS: None.

ABSENT: Leviker.

**LOCAL LAW (INTRODUCTORY NO. 4 - 2023)  
COUNTY OF LEWIS**

Introduced by Legislator Lawrence L. Dolhof, Chair of the Board of Legislators.

**A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES  
FOR CERTAIN LOCAL OFFICIALS**

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

**SECTION 1.**

Commencing January 1, 2024, increases to salaries are hereinafter set forth for the following identified elected and appointed officials to fixed terms of office, and for the appointed officials during their fixed terms under the 2024 Lewis County Compensation Plan:

**NEWLY ELECTED OFFICIALS:**

|                  |              |
|------------------|--------------|
| County Clerk     | \$ 71,500.00 |
| County Sheriff   | \$ 88,909.00 |
| County Treasurer | \$ 88,909.00 |

**POLITICAL APPOINTED OFFICIALS DURING THEIR FIXED TERM:**

|                                       |              |
|---------------------------------------|--------------|
| Commissioners (2), Board of Elections | \$ 58,000.00 |
|                                       | \$ 58,000.00 |

**APPOINTED OFFICIALS TO A NEW FIXED TERM:**

|                    |               |
|--------------------|---------------|
| Clerk of the Board | \$ 69,618.00  |
| County Attorney    | \$ 138,831.00 |
| County Manager     | \$ 133,491.00 |

**APPOINTED OFFICIALS DURING THEIR FIXED TERMS:**

|                                               |               |
|-----------------------------------------------|---------------|
| Commissioner of Department of Social Services | \$ 102,199.00 |
| Director of Human Resources/Personnel Officer | \$ 102,199.00 |
| Director of Real Property Tax Service         | \$ 72,531.00  |
| Superintendent of Highways                    | \$ 96,164.00  |

**SECTION 2.**

The annual compensation for exempt employees in the category of elected or appointed officials to fixed terms of office may be increased and adjusted during his/her fixed term, provided that the increase follows the Exempt Management Employee Compensation Policy and Schedule (for steps, COLA, longevity, health plan opt out) and has been set forth in the Lewis County annual budget, duly adopted by the Board of Legislators.

**SECTION 3.**

This Local Law is subject to a permissive referendum and shall take effect forty-five (45) days after the adoption hereof and with all legal requirements having been met.

**RESOLUTION NO. 253 - 2023  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY LOCAL LAW NO. 4-2023), COUNTY OF LEWIS**

Introduced by Legislator Lawrence L. Dolhof, Chair of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on December 21, 2023 a proposed Local Law entitled "A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS."

NOW, THEREFORE, BE IT RESOLVED, as follows:



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That a public hearing will be held on Tuesday, January 2, 2024, 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, 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 Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 254 - 2023  
RESOLUTION REAPPOINTING MEMBER TO  
ADIRONDACK NORTH COUNTRY ASSOCIATION**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby reappoints Brittany Davis of Denmark, New York as a member of the Adirondack North Country Association Board.

Section 2. That the 2-year term of said appointment shall be effective from January 1, 2024 through December 31, 2025.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 255 - 2023  
RESOLUTION AWARING BID AND AUTHORIZING CONTRACT BETWEEN  
THE COUNTY OF LEWIS AND CONNECTICUT TRAILERS, INC. TO PROVIDE  
TWO ENCLOSED TRAILERS.**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Highway Superintendent and the Board of Elections Commissioners, in consultation with the Purchasing Director sent out an RFP for the purchase of two (2) enclosed trailers to eliminate the need to rent Box Trucks for elections, as more fully outlined and set forth in the RFP; and

WHEREAS, four (4) bid proposals were opened on December 4, 2023, at 2:00 pm. The Director of Purchasing, and Clerk of the Board, carefully reviewed the bid submissions and assessed the criteria. After careful consideration and review, the Purchasing Director recommends that the Board of Legislators award the bid and contract to the lowest bidder, Connecticut Trailers, Inc., of 7 Bolton Center Road, Bolton, CT 06043 to purchase two (2) enclosed trailers at a cost not to exceed \$68,520.00; and

WHEREAS, the Board of Legislators seeks to accept this recommendation, award the bid and contract to Connecticut Trailers, Inc. for the purchase of these trailers.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid to and authorizes an agreement with Connecticut Trailers, Inc., to purchase two (2) enclosed trailers for the Board of Elections as outlined in the RFP in accordance with their bid proposal dated November 11, 2023, at a cost of \$68,520.000.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement and any extensions or modifications thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 256 - 2023**  
**RESOLUTION AUTHORIZING A RENEWAL AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND TRANE BUILDING SERVICES**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis desires to renew an agreement with Trane Building Services for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (“HVAC”) systems for the County Courthouse Building; 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 approves the renewal contract with Trane Building Services to provide Heating, Ventilating, and Air Conditioning (“HVAC”) maintenance services for the County Courthouse Building for the period of January 1, 2024 through December 31, 2026 at the following annual costs:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

|        |                       |             |
|--------|-----------------------|-------------|
| Year 1 | 1/1/2024 – 12/31/2024 | \$43,500.00 |
| Year 2 | 1/1/2025 – 12/31/2025 | \$45,240.00 |
| Year 3 | 1/1/2026 – 12/31/2026 | \$47,050.00 |

Section 2. That the Chair or Vice-Chair 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 Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 257 – 2023  
RESOLUTION TO APPROPRIATE FUNDS  
VARIOUS CAPITAL RESERVE ACCOUNTS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place to the Capital Equipment account to transfer funds budgeted for 2024 in the general fund and appropriate these funds in the Capital HAC fund with transfer from A0990100 992300 (To Capital Buildings & Grounds):

Increase Revenue:

|                 |              |
|-----------------|--------------|
| H0162000 350310 | \$500,000.00 |
| Project HAC     |              |

Increase Expenditure:

|                 |              |
|-----------------|--------------|
| H0990100 499900 | \$500,000.00 |
| Project HAC     |              |

Section 2. That the following budget appropriation take place to the Capital Equipment account to transfer funds budgeted for 2024 in the general fund and appropriate these funds in the Capital HAD fund with transfer from A0990100 992500 (To Capital Equipment):

Increase Revenue:

|                 |              |
|-----------------|--------------|
| H0990100 350310 | \$900,000.00 |
| Project HAD     |              |

Increase Expenditure:

|                 |              |
|-----------------|--------------|
| H0990100 499900 | \$900,000.00 |
| Project HAD     |              |

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 258 - 2023  
RESOLUTION APPOINTING MEMBERS TO  
ALCOHOL & SUBSTANCE ABUSE SUBCOMMITTEE OF  
COMMUNITY SERVICES BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Services Board Alcohol & Substance Abuse Subcommittee shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Carla Hellinger of Lowville, NY as a member of the Alcohol & Substance Abuse Subcommittee for a 4-year term.

Section 2. That the term of said appointment shall be effective from January 1, 2024 through December 31, 2027.

Section 3. That the Board of Legislators hereby appoints Ashley Waite, Director of Public Health of Lowville, NY as a member of the Alcohol & Substance Abuse Subcommittee to fulfill the unexpired term of Anna Platz.

Section 4. That the term of said appointment shall be effective January 1, 2024 through December 31, 2025.

Section 5. That the Board of Legislators hereby appoints Jennifer Allen Rich of Watertown, NY as a member of the Alcohol & Substance Abuse Subcommittee to fulfill the unexpired term of Scott Mathys.

Section 6. That the term of said appointment shall be effective December 21, 2023 through December 31, 2024.

Section 7. That the Board of Legislators hereby appoints Nicole Burdell of Lowville, NY as a member of the Alcohol & Substance Abuse Subcommittee to fulfill the unexpired term that has been vacant since January 1, 2023.

Section 8. That the term of said appointment shall be effective December 21, 2023 through December 31, 2026.

Section 9. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 259 - 2023  
RESOLUTION APPOINTING MEMBER TO  
DEVELOPMENTAL DISABILITIES SUBCOMMITTEE OF  
COMMUNITY SERVICES BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Services Board Developmental Disabilities Subcommittee shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Rebecca Kelly of Glenfield, NY as a member of the Developmental Disabilities Subcommittee to fulfill an expired term that has been vacant since January 1, 2022.

Section 2. That the term of said appointment shall be effective from December 21, 2023 through December 31, 2025.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 260 - 2023  
RESOLUTION APPOINTING MEMBERS TO  
MENTAL HEALTH SUBCOMMITTEE OF  
COMMUNITY SERVICES BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board Mental Health Subcommittee shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Melanie Saber of Transitional Living Services in Lowville, NY; Carla Hellinger, Director of Office For the Aging in Lowville,

NY; and John Exford of Lowville, NY as members of the Mental Health Subcommittee for a 4-year term.

Section 2. The term of said appointments shall be from January 1, 2024 through December 31, 2027.

Section 3. That the Board of Legislators hereby appoints Amanda Hosmer of Lowville, NY as a member of the Mental Health Subcommittee to fulfill the unexpired term of Randall Clendenning.

Section 4. The term of said appointment shall be from December 21, 2023 through December 31, 2024.

Section 5. That the Board of Legislators hereby appoints Ashley Waite, Director of Public Health, Lowville NY as a member of the Mental Health Subcommittee to fulfill an unexpired term which has been vacant since January 1, 2023.

Section 6. The term of said appointment shall be from December 21, 2023 through December 31, 2026.

That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 261 – 2023  
RESOLUTION APPOINTING MEMBER TO  
COMMUNITY SERVICES BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11; and

WHEREAS, on November 7, 2023, Resolution No. 203-2023 was adopted that appointed Anna Platz of Carthage, NY to the Lewis County Community Services Board; and

WHEREAS, Anna Platz has accepted the position of Community Services Deputy Director effective January 1, 2024 and therefore can no longer fulfill her obligation as a Community Services Board member;

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby appoints Ashley Waite, Director of Public Health of Lowville, NY as a member of the Lewis County Community Services Board to replace Anna Platz of Carthage, NY.

Section 2. That the term of said appointment shall be effective January 1, 2024 through December 31, 2027.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December.

**RESOLUTION NO. 262 - 2023  
RESOLUTION REAPPOINTING MEMBER TO  
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints Dennis Mastascusa of Lowville, New York, to the Development Authority of the North Country.

Section 2. That the term of said appointment shall be for a period of four (4) years effective from February 1, 2024 through January 31, 2028.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 263 - 2023  
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN  
LEWIS COUNTY DISTRICT ATTORNEY'S OFFICE  
AND JOHN A. CIRANDO, ESQ.**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County District Attorney Office wishes to enter into a renewal agreement with John A. Cirando, Esq. for Appellate work services; 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 renewal Agreement between the County of Lewis, by and through the Lewis County District Attorney and John A. Cirando Esq. to provide Appellate work services, at a rate of \$165.00 per hour plus reasonable and necessary disbursements that are defined in the agreement:

Section 2. That the term of this Agreement shall be from January 1, 2024 through December 31, 2024.

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

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 264 - 2023  
RESOLUTION REAPPOINTING MEMBER TO  
LEWIS COUNTY ETHICS BOARD**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Local Law No. 5-2005 “Lewis County Ethics Law” this Board of Legislators hereby reappoints John Scott Markham of Constableville, New York, as a Republican representative on the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be effective from January 1, 2024 through December 31, 2026.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 265 - 2023  
RESOLUTION APPOINTING MEMBER TO  
REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Wayne Kwasniewski of West Leyden, New York, as a member of the Region 6 Fish and Wildlife Management Board, as the Lewis County Sportsmen's Representative.

Section 2. That the term of said appointment shall be for the period from January 1, 2024 through December 31, 2025.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 266 - 2023  
RESOLUTION TO AWARD BID TO TIOGA CONSTRUCTION CO., INC.  
FOR THE REPLACEMENT OF COUNTY ROUTE 43 (EAST ROAD) BRIDGE OVER  
MOOSE CREEK IN THE TOWN OF LEYDEN**

Introduced by Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County has commenced a project known as the replacement of County Route 43 (East Road) Bridge over Moose Creek and sent out a request for bids; and

WHEREAS, five (5) sealed bids received were publicly opened on October 24, 2023, at 1:00 p.m. on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York; and

WHEREAS, the Highway Superintendent recommends that the County award the bid to Tioga Construction Co., Inc. the lowest qualified bidder, to perform the bridge replacement outlined in the bid specifications in the total amount of \$1,495,560.40; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid to and authorizes a contract with Tioga Construction Co., Inc., Herkimer, NY in the amount of \$1,495,560.40, payable through BridgeNY and local funds, for the replacement of County Route 43 (East Road) Bridge over Moose Creek in the Town of Leyden.

Section 2. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto pending approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 267 - 2023**  
**RESOLUTION AUTHORIZING SUPPLEMENT AGREEMENT NO. 1 BETWEEN**  
**LEWIS COUNTY HIGHWAY DEPARTMENT AND BARTON & LOGUIDICE**  
**FOR BAILEY ROAD BRIDGE OVER INDEPENDENCE RIVER**  
**(PIN 775410; BIN 2220750)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 21 - 2022 sponsoring and authorizing the Bridge Superstructure Replacement known as Bailey Road over Independence River (PIN 775410; BIN 2220750) in the Town of Watson, County of Lewis with Barton & Loguidice to provide Preliminary Engineering/Design of the Project at a cost of \$125,000.00; and

WHEREAS, the Lewis County Highway Department desires to enter into Supplemental Agreement No. 1 with Barton & Loguidice (“B&L”), for the change in scope of services from a superstructure replacement to a full bridge replacement at an additional cost of 107,000.00 as set forth in Supplemental No. 1, and to provide the additional tasks outlined in the Agreement; and

WHEREAS, the Board of Legislators wishes to accept such services and authorize the Supplemental Agreement; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Supplemental Agreement No. 1 to the contract between the County of Lewis and Barton & Loguidice to change the scope of services from a superstructure replacement to a full bridge replacement regarding the project identified as Bailey Road over Independence River (PIN 775410; BIN 2220750), and including the additional engineering service tasks as outline therein.

Section 2. That the term of the Agreement is from November 1, 2023 through December 31, 2024 for the additional amount not to exceed \$107,000.00 (with 80% eligible for Federal funds and 20% non-federal funds), for a total cost of \$232,000.00 to Barton & Loguidice for this project.

Section 3. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate the additional \$107,000.00 for this project, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State, and Local share costs for this phases of the project.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 268 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY DEPARTMENT**  
**AND FOIT-ALBERT ASSOCIATES FOR DESIGN AND BIDDING PROFESSIONAL**  
**SERVICES FOR THE CULVERT REPLACEMENT PROJECT**  
**– ERIE CANAL ROAD BRIDGE OVER BLACK CREEK-**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Highway Department desires to enter into an agreement with Foit-Albert Associates, authorized on the New York State list of professional engineers with the engineering expertise for culvert repair projects, to provide design and construction support services, including construction bid documents for the replacement project located on Erie Canal Road over Black Creek in New Bremen, NY; and

WHEREAS, Foit-Albert Associates have provided a detailed proposal dated November 28, 2023, with the professional scope of services and phases proffered for this project at maximum compensation of \$271,370.00; and

WHEREAS, the Highway Superintendent seeks to have the Board of Legislators authorize a contract with Foit-Albert Associates for these professional services, and to authorize an RFP for public bidding of the construction phase of the project with the assistance of Foit-Albert Associates; and

WHEREAS, the Lewis County Board of Legislators wishes to accept such services and authorize a contract with Foit-Albert Associates for this project;

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 (by and through the Lewis County Highway Department) and Foit-Albert Associates to provide engineering services necessary for the design, bidding, and construction phases of the culvert replacement project known as Erie Canal Road over Black Creek in New Bremen, New York, at a cost of \$271,370.00 as more fully set forth in the proposal dated November 28, 2023.

Section 2. That the Lewis County Board of Legislators authorizes the Highway Superintendent to send out an RFP for public construction bidding of the project with the professional assistance of Foit-Albert Associates.

Section 3. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto pending approval by the County Attorney

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 269 - 2023**  
**RESOLUTION TO TRANSFER FUNDS**  
**County Highway Department**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2024 budget transfer take place in the Highway Department Accounts for the lease payments on the Enterprise Vehicles, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

|                          |              |
|--------------------------|--------------|
| <u>Increase Revenue:</u> |              |
| DM513000 350310          | \$110,000.00 |

|                              |              |
|------------------------------|--------------|
| <u>Increase Expenditure:</u> |              |
| DM513000 223400              | \$110,000.00 |

Section 2. That the following 2024 budget transfer take place in the Highway Department Accounts for the various annual lease payments, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

|                          |              |
|--------------------------|--------------|
| <u>Increase Revenue:</u> |              |
| DM513000 350310          | \$488,000.00 |

|                              |              |
|------------------------------|--------------|
| <u>Increase Expenditure:</u> |              |
| DM513000 223300              | \$488,000.00 |

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 270 – 2023**

**RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY GENERAL HOSPITAL  
BOARD OF MANAGERS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, on December 22, 2022, the Lewis County Board of Legislators appointed Ms. Cheryl Steckly of Croghan, New York as a member of the Board of Managers of the Lewis County General Hospital by adopting Resolution No. 316-2022; and

WHEREAS, on October 11, 2023, Ms. Steckly submitted a resignation email indicating her desire to leave her role as a member the Board of Managers effective December 31, 2023; and

WHEREAS, in anticipation of the impending vacancy interest was received from Mr. John Richard Schwartz of Brantingham, New York, and the Board of Managers recommends appointing him to fulfill the unexpired term of Ms. Steckly;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Lewis County Board of Legislators hereby appoints Mr. John Richard Schwartz of Brantingham, New York, as a member of the Board of Managers of the Lewis County General Hospital to fulfill the unexpired term of Ms. Steckly.

Section 2. That the term of said appointment shall commence January 1, 2024 through December 31, 2027.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 271 – 2023  
RESOLUTION REAPPOINTING MEMBER TO  
LEWIS COUNTY GENERAL HOSPITAL  
BOARD OF MANAGERS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, on December 4, 2018, the Lewis County Board of Legislators appointed Ms. Karen Rennie of Brantingham, New York as a member of the Board of Managers of the Lewis County General Hospital by adopting Resolution No. 429-2018; and

WHEREAS, Ms. Rennie has indicated her desire to continue to serve on the Hospital Board of Managers and is being recommended for re-appoint; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Lewis County Board of Legislators hereby re-appoints Ms. Karen Rennie of Brantingham, New York, as a member of the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall be for a period of five (5) years to commence January 1, 2024 through December 31, 2028.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 272 - 2023**  
**ADOPTING UPDATED LEWIS COUNTY MANAGEMENT**  
**EMPLOYEE POLICY AND APPROVING AMENDED MANAGEMENT**  
**COMPENSATION SCHEDULE PLAN**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to Resolution Nos. 430-2017 and 195-2020, the Board of Legislators recognized the necessity and benefits of establishing a structured compensation schedule and employment policy for Exempt Management and Management/Confidential employees, which provides for different provisions from unionized employees; and

WHEREAS, in accordance with the aforementioned Resolutions, the County Manager and HR Director are to review the policy and the management salary/compensation schedule to determine any cost of living adjustments and/or grade modifications to be recommended to the Board; and

WHEREAS, the County Manager and HR Director undertook a comprehensive review and analysis of management salary levels, including but not limited to rates and grades in similarly comparable, peer counties throughout the state. The recommended changes include the addition of elected and board of election officials to the policy, changes to the Grades and adjustments to the steps in accordance with the compensation rates set forth therein, and the applicability and inclusion of annual adjustments for COLA and longevity, as indicated in the policy; and

WHEREAS, these recommended changes will be beneficial to the County in retaining management level and exempt employees, and in hiring and evaluating employees in these positions; and

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County Manager and HR Director recommend that the Board adopt the amended, updated Lewis County Exempt Employee Compensation Policy as they apply to Management and Management/Confidential employees; together with the approval of the updated Lewis County Exempt Compensation Schedule attached hereto;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and adopts the updated amendments to the Lewis County Exempt Employee Compensation Policy proposed by the County Manager and Director of Human Resources.

Section 2. That the Lewis County Board of Legislators hereby authorizes and approves the updated amended Lewis County Exempt Employee Salary Schedule proposed by the County Manager and HR Director attached hereto effective January 1, 2024.

Section 3. That the Clerk of the Board is directed to include a copy of the updated amended policy and compensation schedule in the County's Management Employee Policy Manual, and provide copies of same to the Exempt Management Level employees.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Gilbert.

Legislator Moroughan moved that Appendix A be amended to move the County Clerk to Grade 4 instead of Grade 6, seconded by Legislator Osborne, and carried.

The Resolution was then adopted on the 21<sup>st</sup> day of December, 2023.

### **Exempt Employee Compensation Policy**

The policy shall establish guidelines for compensation-based decisions related to salary increases, cost of living, and longevity for exempt employees of Lewis County. This policy shall apply to administration, department heads, elected and election officials, management, and management confidential employees with the exception to the District Attorney.

This plan has been designed to achieve the following major objectives:

1. To provide a system to establish salaries for the County's managerial and confidential employees in a consistent and fair manner, free from favoritism, partiality, or discrimination for improper reasons.
2. To ensure equal salary levels for comparable work as determined by an objective point-factor analysis of each job title and prevailing levels of pay for all job titles within the area labor market, as appropriate.
3. To attract and retain competent managerial personnel.

### **Annual Salary**

All management employees covered by this policy are placed in graded salary schedules which have been adopted by the Board of Legislators as seen in Appendix A, Exempt Compensation Grades. Each job title is assigned to a salary grade based upon wage study data as determined by an objective point-factor analysis.

### **Elected and Board of Election Officials**

The salary for each position will be determined by using the points assigned to that position and placed in the appropriate grade. These officials will be eligible for annual step increases. At that start of each new term, the salary will reset to Step 1 of the assigned grade. Officials elected for consecutive terms may be eligible to resume the last step from the immediately preceding term.

### **Step System**

The salary plan for the management titles consists of ten salary grades, Appendix A. Each salary range includes 10 steps as seen in Appendix B, Exempt Compensation Plan. Eligibility to move through the steps will be based on a successful annual performance evaluation and recommendation from the department head.

New hires, both internal and external, will be able to negotiate their starting salary upon hire which will place them on the step scale accordingly.

Step increments can take effect only on the first day of January. An employee must work six months before he/she is eligible to an increment.

### **Performance Evaluation**

Performance evaluations will be given on an annual basis to all employees, with the exception of elected and election officials, using the uniform Employee Performance Evaluation form.

Evaluations are to be based on job related performance factors and shall serve as an opportunity to provide an overall assessment of performance from the previous year, including any concerns that were addressed and recognition for accomplishments. The review meeting will allow the employee the chance to provide any input or feedback on their job performance, scope and responsibilities.

The County Manager, supported by the Human Resource Director, will conduct annual performance evaluations of department heads. Each department head will conduct annual performance evaluations of their management and confidential staff after reviewing the evaluation with the Human Resource Director. The County Manager, supported by the Chairman of the Board of Legislators, will conduct the annual performance evaluation of the Human Resource Director. The Board of Legislators will conduct the annual performance evaluations of the County Manager, County Attorney, and Clerk of the Board.

### **Cost of Living**

Cost of living adjustment (COLA) for exempt employees is set by the Board of Legislators and is to be determined and adopted with the annual budget.

### **Longevity**



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All full-time salaried employees, with the exception of elected and election officials, who have been compensated for full-time and uninterrupted service for the County, shall in addition to their regular compensation schedule, be entitled to an additional increment or increments of \$500 annually effective on the first day of the fiscal year following the completion of 8, 10, 15, 20, 25, 30, and 35 years of service. See Appendix C, Longevity.

If an employee has worked full-time and continuous for at least six months of his/her first year, it shall count as one complete year. Vacation time, sick leave time, and approved leaves of absences without pay shall not be considered as interrupted service or as uncompensated service for the purpose of this section.

Adopted by Board of Legislators: 8/4/20

Revision: Adopted 12/21/23

### **Appendix A: Exempt Compensation Grades**

| <b>Grade</b> | <b>Position</b>                                                                                                                                                                                                       |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1            | County Manager<br>County Attorney                                                                                                                                                                                     |
| 2            | Commissioner DSS<br>HR Director/Personnel Officer<br>Public Health Director<br>Community Services Director<br>First Assistant District Attorney                                                                       |
| 3            | Treasurer<br>Sheriff<br>Highway Superintendent<br>IT Director<br>Planning & Community Development Director<br>Assistant County Attorney<br>Senior Assistant District Attorney                                         |
| 4            | Probation Director<br>Director of Services<br>Undersheriff<br>Buildings Supervisor                                                                                                                                    |
| 5            | OFA Director<br>Supervising Public Health Nurse<br>Deputy Public Health Director<br>Deputy Community Services Director<br>Fire & EMS Director<br>Recreation, Forestry & Parks Director<br>Assistant District Attorney |
| 6            | Director of Economic Supports<br>Staff Development Director<br>Purchasing Director                                                                                                                                    |

|    |                                                                                                                                                          |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | Real Property Director<br>County Clerk<br>Chief Deputy Road Patrol                                                                                       |
| 7  | Elections Commissioner<br>Solid Waste Director<br>Senior Codes Officer<br>Coordinator for Child with Special Needs<br>Fiscal Manager<br>Deputy Treasurer |
| 8  | Clerk to Board<br>HR Specialist<br>Deputy Director of Emergency Management<br>Benefits Specialist<br>Automotive Mechanic Supervisor                      |
| 9  | Deputy County Clerk<br>Paralegal<br>Personnel Assistant                                                                                                  |
| 10 | Deputy Clerk to Board<br>Deputy Elections Commissioner<br>Confidential Secretary to Commissioner<br>Administrative Assistant                             |

**Appendix B: Exempt Compensation Plan**

| Grade | 1         | 2         | 3         | 4         | 5         | 6         | 7         | 8         | 9         | 10        |
|-------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 1     | \$105,500 | \$109,720 | \$114,109 | \$118,673 | \$123,420 | \$128,357 | \$133,491 | \$138,831 | \$144,384 | \$150,159 |
| 2     | \$84,000  | \$87,360  | \$90,854  | \$94,489  | \$98,268  | \$102,199 | \$106,287 | \$110,538 | \$114,960 | \$119,558 |
| 3     | \$76,000  | \$79,040  | \$82,202  | \$85,490  | \$88,909  | \$92,466  | \$96,164  | \$100,011 | \$104,011 | \$108,172 |
| 4     | \$71,500  | \$74,360  | \$77,334  | \$80,428  | \$83,645  | \$86,991  | \$90,470  | \$94,089  | \$97,853  | \$101,767 |
| 5     | \$66,000  | \$68,640  | \$71,386  | \$74,241  | \$77,211  | \$80,299  | \$83,511  | \$86,851  | \$90,326  | \$93,939  |
| 6     | \$62,000  | \$64,480  | \$67,059  | \$69,742  | \$72,531  | \$75,432  | \$78,450  | \$81,588  | \$84,851  | \$88,245  |
| 7     | \$58,000  | \$60,320  | \$62,733  | \$65,242  | \$67,852  | \$70,566  | \$73,389  | \$76,324  | \$79,377  | \$82,552  |
| 8     | \$53,000  | \$55,120  | \$57,325  | \$59,618  | \$62,003  | \$64,483  | \$67,062  | \$69,744  | \$72,534  | \$75,436  |
| 9     | \$45,000  | \$46,800  | \$48,672  | \$50,619  | \$52,644  | \$54,749  | \$56,939  | \$59,217  | \$61,586  | \$64,049  |
| 10    | \$40,500  | \$42,120  | \$43,805  | \$45,557  | \$47,379  | \$49,274  | \$51,245  | \$53,295  | \$55,427  | \$57,644  |

**Appendix C: Longevity**

| Years of Service | Annual Amount |
|------------------|---------------|
| 8 & 9            | \$500         |
| 10 to 14         | \$1,000       |
| 15 to 19         | \$1,500       |
| 20 to 24         | \$2,000       |
| 25 to 29         | \$2,500       |
| 30 to 34         | \$3,000       |
| 35+              | \$3,500       |

**RESOLUTION NO. 273 - 2023  
RESOLUTION APPOINTING MEMBER TO  
JUNKYARD REVIEW BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

WHEREAS, on June 7, 2023 a resolution was adopted appointing James Dicob of New Bremen, New York as a member of the Lewis County Junkyard Review Board; and

WHEREAS, Mr. Dicob has failed to attend any meeting of the Junkyard Review Board and stated in the by-laws “Any member failing to attend three (3) meetings within the period of one (1) year may be considered unable to serve and the Board of Legislators shall be asked to appoint a replacement to fill that seat.”; and

WHEREAS, the Lewis County Junkyard Review Board recommends the appointment of Mr. Loren L. Farney to the Lewis County Junkyard Review Board to fulfill the unexpired term of Mr. Dicob;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Loren L. Farney of Lowville, New York, as a member of the Lewis County Junkyard Review Board to fulfill the unexpired term of Mr. James Dicob.

Section 2. That the term of said appointment shall commence January 1, 2024 through December 31, 2027.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 274 – 2023**

**RESOLUTION AUTHORIZING REIMBURSEMENT OF LEGAL FEES INCURRED BY  
MUNICIPAL LEADERS WHO JOIN THE SCHOHARIE TOWNS' LAWSUIT  
OPPOSING IMPLEMENTATION OF PART N OF SFY 24 EXECUTIVE REVENUE  
BUDGET TO RATIFY THE SOLAR AND WIND ENERGY SYSTEM APPRAISAL  
MODEL PUBLISHED BY THE  
DEPARTMENT OF TAXATION AND FINANCE (DTF)**

Introduced by Legislator Thomas A. Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Governor Hochul's proposed budget includes a provision known as Part N of Article VII of the Executive Revenue Budget, which effects Real Property Tax law (RPTL) 575-b. Part N essentially ratifies the prior adoption of the solar and wind energy system appraisal model developed and published by the Department of Taxation and Finance (DTF) in 2021, and seeks to determine that the proposed appraisal models are not subject to the requirements under the State Administrative Procedure Act (SAPA); and

WHEREAS, the establishment by DTF of mandated low "appraisal models" for all solar and wind energy systems across the state, was an action designed to assist developers to meet the State's green energy goals. This action however, essentially removes the right of the local municipalities to assess taxes for large-scale solar, wind and battery storage projects located within their jurisdictions and dismantles local municipalities' ability to govern; a clear violation of "Home Rule" authority; and

WHEREAS, in April, 2023, pursuant to Resolution No. 67-2023, the Board of Legislators formally opposed proposed Part N to the SFY 24 Executive State Budget which seeks to ratify the prior adoption of the solar and wind energy system appraisal model and not make same subject to the State Administrative Procedure Act, as this mandated model appraisals place all of the PILOTS and payments for Lewis County municipalities and school districts in jeopardy, with a serious, negative impact on the taxpayers in Lewis County; and

WHEREAS, the Lewis County and many of its towns have supported the efforts brought by the firm representing Town leaders in Schoharie County who challenged the implementation of DTF's state-mandated appraisal models for solar/wind projects in court. The law firm was successful in convincing the Court to issue a TEMPORARY STAY of the model appraisal implementation, arguing in part that the failure to follow or apply SAPA requirements essentially deprives local governments and communities of the right to even question or challenge the new model's application; and

WHEREAS, during the Finance and Rules committee meeting in March, 2023, Legislator Moser moved to have \$10,000.00 from Legislative Contingency be earmarked for reimbursement to town council/trustees and county legislators who individually join the lawsuit brought by Dylan C. Harris, Esq., now a partner of Whiteman, Osterman & Hanna, LLP, for his/her share of the legal fee in the pending lawsuit brought on behalf of Towns in Schoharie County against the State in referent to Part N; and

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WHEREAS, the motion made at the committee meeting was seconded and carried, but by an oversight, never brought forward to the Board of Legislators for action; and

WHEREAS, the County Manager added \$20,000.00 to the County Attorney's 2024 Legal Services budget line in order to address the intention of the Finance and Rules Committee discussion and motion in 2023;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators authorizes up to \$20,000.00 from the 2024 County Attorney's legal services budget to be used to reimburse individual Lewis County town council/trustee members or county legislators who individually sign on to the lawsuit brought by individual Schoharie Town officials against the State to challenge the adoption of state-mandated model appraisals for wind and solar systems in local municipalities.

Section 2. The Lewis County Board of Legislators hereby acknowledges that the County is not engaging Dyaln C. Harris, Esq. of the Whiteman, Osterman & Hanna LLP law firm to represent Lewis County in the pending lawsuit against the State.

Section 3. The Lewis County Board of Legislators, in the interests of municipal Home Rule and the various energy PILOTS in existence in the County upon which many Towns rely, directs that the individuals from Lewis County municipalities who sign on to the Schoharie lawsuit shall submit documentation to the County Attorney of each individual's legal joinder to the lawsuit representation by the Whiteman, Osterman, & Hanna LLP firm, together with itemized and detailed legal bills and invoices paid or to be paid. The Board authorizes reimbursement of said fees paid by the individual or to be paid directly to the Whiteman firm after review and approval by the County Attorney.

Section 4. The Lewis County Board of Legislators further acknowledges and states that in the event there a number of individuals from Lewis County who have signed on to the lawsuit and/or if the legal fees for said representation is greater than the \$20,000.00 the Board has earmarked for same, those individuals will be responsible for any additional legal fees owing.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 275 - 2023  
RESOLUTION APPOINTING MEMBERS TO  
OFFICE FOR AGING ADVISORY COUNCIL**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints the following individuals to the Lewis County Office For Aging Advisory Council:

District No. 2 – Edie A. Roggie of Croghan, NY 13327

District No. 6 – Linda Dean of Glenfield, NY 13343

District No. 9 – Joan Goodfellow of Port Leyden, NY 13433

Hospital Rep. - Margaret Grant, 7885 N. State St, Lowville, NY 13367

Treasurer Rep. – Taraden Lyndaker, 7660 N. State St, Lowville, NY 13367

Section 2. The term of said appointments shall commence January 1, 2024 and expire on December 31, 2026.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 276 - 2023  
RESOLUTION REAPPOINTING MEMBERS TO  
PLANNING BOARD**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby reappoints Donald Cook of Copenhagen, New York, and Timothy Petersen of Turin, New York, as members of the Lewis County Planning Board.

Section 2. That the term of said appointment shall be effective from January 1, 2024 through December 31, 2026.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 277 - 2023  
RESOLUTION TO RECSIND RESOLUTION NO. 239-2023 AND SET PUBLIC  
HEARING FOR PUBLIC INPUT WITH REFERENCE TO COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) FUNDING**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

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WHEREAS, the County of Lewis is eligible to apply for 2024 New York State Community Development Block Grant Program (NYS CDBG) funding administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR); and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on community development, public infrastructure, housing, public facilities, small business, and economic development needs of residents, and possible other activities, prior to the preparation of a CDBG application; and

WHEREAS, the citizen participation requirements of the programs mandate the County to conduct a public hearing prior to submission of an application for the purpose of obtaining citizens' views with the ability to respond to proposals and questions;

WHEREAS, the incorrect date and time was entered on Resolution 239-2023 and therefore needs to be rescinded;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby rescinds Resolution No. 239-2023; and authorizes a public hearing to be held and set for February 6, 2024 at 5:00 p.m. at the Lewis County Courthouse Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to solicit the views of County of Lewis citizens regarding CDBG funding for community development, public infrastructure, housing, public facilities, small business, and economic development needs under program year 2024 NYS CDBG funding applications, in amounts not to exceed \$1,500,000.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

Section 3. That within resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 278 - 2023  
RESOLUTION APPOINTING MEMBERS TO  
HEALTH SERVICES ADVISORY BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby reappoints the following individuals to serve as members of the Lewis County Health Services Advisory Board:

Amy Marti, Executive Director of Lewis County Head Start  
Carla Hellinger, Director of Lewis County Office For the Aging

Section 2. That the term of said appointments shall be effective from January 1, 2024 through December 31, 2027.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 279 - 2023**  
**RESOLUTION TO CREATE THE LEWIS COUNTY**  
**RAIL TRAIL ADVISORY COMMITTEE and SUBCOMMITTEES**  
**AND APPOINT MEMBERS TO EACH**

Introduced by Legislator Lawrence Dolhof, Chair of the Board of Legislators.

WHEREAS, in support of the Lewis County Board of Legislators' resolutions for the purchase of and development of the rail corridors for public, multi-use recreational trails and activities, the Board authorized an agreement to engage with ALTA for their expertise in developing a Master Plan for the project. The Board further authorized preliminary specific tasks to be undertaken by ALTA and the County prior to final closing on the rail purchase, for the development of the structural components of an advisory committee team and structure; and

WHEREAS, in consultation with legislators, administrative staff, and the ALTA project team, the Chairman of the Board recommends the creation of the Rail Trail Advisory Committee, comprised of seven (7) representatives from County staff, with a Marketing and Branding Subcommittee comprised of the Advisory Committee and six (6) additional members, an Economic and Health Benefits Subcommittee comprised of the Advisory Committee and five (5) additional members, and a Project Management/Engineering Subcommittee (comprised of the Advisory Committee and additional members TBD and approved by the Board in 2024; and

WHEREAS, the additional members to the subcommittees are to be varied representatives from the Lewis County community, in business, local government and community agencies. The Chairman has compiled potential appointments for the Board of Legislators to consider and appoint;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby establishes the Lewis County Rail Trails Advisory Committee and Subcommittees to work with ALTA in the Master



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Plan for the rail trail, and in particular, for the preliminary tasks to be commenced with the following Advisory Committee and Subcommittees formed.

Section 2. That the following individuals are hereby appointed as members of the Lewis County Rail Trail Advisory Committee for an indefinite term:

Lewis County Legislator Chair – Lawrence Dolhof  
Lewis County Manager – Ryan Piche  
Lewis County Planning & Community Development Director – Casandra Buell  
Lewis County Highway Superintendent – Timothy Hunt  
Lewis County Attorney – Joan McNichol  
Lewis County Treasurer – Eric Virkler  
Lewis County Recreation, Forestry, and Parks Director – Jackie Mahoney

Section 3. That the following individuals are hereby appointed as members of the Lewis County Rail Trail Marketing and Branding Subcommittee for an indefinite term, along with the Rail Trail Advisory Committee:

Lewis County Legislator - Andrea Moroughan  
Naturally Lewis Director of Tourism – Kristen Aucter  
Naturally Lewis Programs & Partnership Director – Jenna Lorraine  
Naturally Lewis Executive Director – Brittany Davis  
Peace Full Ground Owner – Heidi Van Zandt  
Lewis County Community Engagement Specialist - TBD

Section 4. That the following individuals are hereby appointed as members of the Lewis County Rail Trail Economic & Health Benefits Subcommittee for an indefinite term, along with the Rail Trail Advisory Committee:

Lewis County Legislator – Jessica Moser  
Lewis County Public Health Director – Ashley Waite  
Lewis County Community Services Deputy Director – Anna Platz  
Naturally Lewis Director of Development – Cheyenne Steria  
Lewis County Office For the Aging Director – Carla Hellinger

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

Moved by Legislator Chartrand, seconded by Legislator Virkler.

Chairman Dolhof stated that there has been some concern that the public is being excluded from the Rail Trail development process. That is not true, these advisory committees are just setting up the skeleton for the Master Plan. There will be public meeting with community members and some of those individuals will be added to subcommittees.

The Resolution was then adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 280 - 2023**  
**RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN**  
**LEWIS COUNTY SHERIFF'S DEPARTMENT**  
**AND VARIOUS PROVIDERS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Sheriff's Department desires to enter into 2024 renewal agreements for services by certain providers; 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 Agreements between the County of Lewis, by and through the Lewis County Sheriff's Department and the following providers for program services in the amounts herein set forth:

| CONTRACTOR                | PURPOSE                                     | AMOUNT                                                                                                                                                                                                                                                                               |
|---------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| One Path Career Partners  | Provides Mental Health Services to Inmates  | <p>\$4,100.00 per month which includes:</p> <ul style="list-style-type: none"><li>• One (1) on site visit per month;</li><li>• One (1) phone consultation per week;</li><li>• Plus additional hourly charges as set forth in the agreement.</li></ul> <p>(No Increase from 2023)</p> |
| David F. Rosner MD, PLLC. | Provides Medical/Health Services to Inmates | <p>\$2,931.00 per month for a total of \$35,172.00 per year</p> <p>(No Increase from 2023)</p>                                                                                                                                                                                       |

Section 2. That the term of said renewal Agreements is for the period from January 1, 2024 through December 31, 2024.

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

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 281 - 2023  
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND UNITED RADIO, INC.  
FOR MAINTENANCE ON THE PUBLIC SAFETY RADIO SYSTEM FOR THE  
EMERGENCY COMMUNICATIONS SYSTEM**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis (“County”), on behalf of the Lewis County Sheriff’s Department, desires to enter into a renewal agreement with United Radio, Inc. for the maintenance of various equipment in the Emergency Communications System; and

WHEREAS, the equipment includes Dispatch Consoles at primary and backup dispatch; NMS, Provision, and Castlerock at primary and backup dispatch; Eventide recorders at primary and backup dispatch; Aviat microwave radios at existing locations; EF Johnson trunking repeaters and network devices at existing remote RF sites; Existing VHF conventional base stations and TAC base stations and gateways; Fire Station alert receiver base stations; and Law subscriber radios; and

WHEREAS, the Board of Legislators wishes to accept such agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a maintenance support Agreement with United Radio, Inc. for the Public Safety Emergency Communications System.

Section 2. That this is for the term commencing January 1, 2024 through December 31, 2024 at a cost not to exceed \$105,846.00.

Section 3. That the Chair or Vice-Chair 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 Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 282 - 2023  
RESOLUTION APPROVING  
2024 RESOURCE ALLOCATION PLAN  
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, execution of a Resource Allocation Plan qualifies 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; and

WHEREAS, the Youth Bureau Director has developed a plan for youth services in accordance with NYS OCFS Resource Allocation Program, and requests that the Board of Legislators approves same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the 2023 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (“OCFS”) for the 2024 program year in the amount of \$ 64,621.00, and any additional funding which may subsequently awarded for this program year for comprehensive planning for youth services.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to execute, seal and deliver said Resource Allocation Plan, agreement, and any modifications or amendments thereto upon review by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 283 - 2023**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND**  
**LEWIS COUNTY DEPARTMENT OF PUBLIC HEALTH**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into an Agreement with the Lewis County Department of Public Health (“Public Health” for administration services regarding the early intervention program. This program is for infants and toddlers through the age of two (2) years who have or are at risk of developmental disabilities; and

WHEREAS, each county has a designated early intervention agency for the social services district for the accumulation of early intervention expenditures that are potentially eligible for reimbursement under SSL §368-f. Public Health is to forward claims for reimbursement to DSS who will submit the claims to New York State; and

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Lewis County Department of Social Services and the Lewis County Department of Public Health to provide administration services for eligible reimbursement of claims to New York State for early intervention services under SSL §368-f.

Section 2. That the term of this Agreement shall be from January 1, 2024 through December 31, 2025. The Department of Public Health shall forward claims under the early intervention program for reimbursement to the Department of Social Services so they may submit the claims to New York State.

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

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 284 - 2023  
RESOLUTION TO APPROPRIATE FUNDS FOR  
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

NOA #PY23-3

Section 1. That the following funds be appropriated for Program Year 2023 for the period 07/01/2023 through 06/30/2025 for the Adult and Dislocated Worker program(s) per the Notice of Obligational Authority (NOA), PY23-3, dated 11/15/2023 through the New York State Department of Labor.

Increase Revenue:

|                             |              |
|-----------------------------|--------------|
| CD629300 347910 WIA Revenue | \$116,040.83 |
|-----------------------------|--------------|

Increase Expenditures:

|                                  | <b>Dislocated Worker</b> |
|----------------------------------|--------------------------|
| CD629100 110100 Wages            | \$ 23,500.00             |
| CD629100 801000 Retirement       | \$ 1,400.00              |
| CD629100 803000 FICA             | \$ 250.00                |
| CD629100 806000 Health Insurance | \$ 5,500.00              |
| CD629100 490900 Contractual      | \$ 300.00                |

|                                   |                    |
|-----------------------------------|--------------------|
| CD629100 499900 OJT/CRT Checkbook | <u>\$23,066.89</u> |
|                                   | \$54,016.89        |

**Adult**

|                                  |                  |
|----------------------------------|------------------|
| CD629200 110100 Wages            | \$37,290.00      |
| CD629200 490900 Contractual      | \$ 2,000.00      |
| CD629200 801000 Retirement       | \$ 4,100.00      |
| CD629200 803000 FICA             | \$ 4,625.00      |
| CD629200 804000 Compensation     | \$ 210.00        |
| CD629200 806000 Health Insurance | \$13,450.00      |
| CD629200 807000 Dental Insurance | <u>\$ 348.94</u> |
|                                  | \$62,023.94      |

Section 2. That the within shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 285 - 2023**

**RESOLUTION AUTHORIZING ANNUAL AGREEMENT BETWEEN THE COUNTY OF JEFFERSON AND COUNTY OF LEWIS FOR ACTIVITIES UNDER WORKFORCE INNOVATION AND OPPORTUNITY ACT (“WIOA”)**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Jefferson and Lewis Counties are designated as a multi-jurisdictional workforce development area under the Workforce Innovation and Opportunity Act (WIOA), and seek to have the area be known as the “JEFFERSON - LEWIS LOCAL WORKFORCE DEVELOPMENT AREA” by designation of its respective Chief Elected Officials; and

WHEREAS, the WIOA provides for the Chief Elected Officials of each County to be designated its respective Board’s Executive authorized to enter into an agreement to organize and implement activities pursuant WIOA, and as proposed by the Governor of the State of New York for the purpose of administering WIOA in Jefferson and Lewis Counties; and

WHEREAS, the Board of Legislators wishes to authorize such designation and Chief Elected Officials Agreement pursuant to WIOA;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with the designated Executive of Jefferson County for purposes of administering WIOA, and entering into agreements to organize and implement workforce development in the Jefferson-Lewis areas pursuant to WIOA.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of this Agreement shall be from January 1, 2024 through December 31, 2024.

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

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 286 - 2023  
RESOLUTION TO REAPPOINT MEMBERS TO  
SOIL AND WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Ashley Marolf of Carthage, NY 13619, as the Grange Representative; and Fred Munks of Lowville, NY 13367 as the Member-At-Large Representative on the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointments shall be from January 1, 2024 to December 31, 2026.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 287 – 2023  
RESOLUTION REAPPOINTING MEMBERS TO  
TRAFFIC SAFETY BOARD**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals to the Lewis County Traffic Safety Board:

Melissa Keneally of Beaver River Central School Transportation Department

Stephanie Houser-Fouse of Lewis County Public Health Department

Darrell Ortlieb, Police Chief of the Village of Lowville

Casandra Buell, Director of Lewis County Planning & Community Development

Judy LaBrake of Lewis County Opportunities, Inc.

Section 2. That the term of said appointments shall be effective from January 1, 2024 through December 31, 2026.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 288 – 2023**  
**RESOLUTION AUTHORIZING COUNTY TREASURER**  
**TO CORRECT ERRORS ON TAX ROLLS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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 2024.

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 2024.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 289 – 2023  
RELEVYING UNPAID SCHOOL TAXES AND  
VILLAGE TAXES ON ASSESSMENT ROLLS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the various school districts and villages within 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 returns to the corresponding parcels listed on the 2023 Assessment Rolls for the seventeen (17) Towns in Lewis County.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 290 - 2023  
LEVYING TAXES AND ASSESSMENTS FOR  
ANNUAL TOWN BUDGETS AND  
CORRECTIONS TO TAX ROLLS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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, 2024.

DECEMBER 21, 2023

BE IT RESOLVED, that there shall 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:

| <u>Town</u> | <u>Town-Wide</u> | <u>Outside Village</u> |
|-------------|------------------|------------------------|
| Croghan     | \$852,841.00     | \$714,811.00           |
| Denmark     | 666,591.00       | 335,265.00             |
| Diana       | 698,772.00       |                        |
| Greig       | 856,758.00       |                        |
| Harrisburg  | 142,421.10       |                        |
| Lewis       | 643,422.00       |                        |
| Leyden      | 358,187.00       | 137,917.00             |
| Lowville    | 723,639.00       | 215,417.00             |
| Lyonsdale   | 368,309.00       | 213,249.00             |
| Martinsburg | 386,919.00       |                        |
| Montague    | 227,600.00       |                        |
| New Bremen  | 749,207.00       | 369,732.00             |
| Osceola     | 369,259.00       |                        |
| Pinckney    | 395,711.00       |                        |
| Turin       | 512,233.00       | 105,641.00             |
| Watson      | 1,177,506.00     |                        |
| West Turin  | 534,141.00       | 192,664.00             |

BE IT 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 District    | \$155,265.00 |
| Beaver Falls Fire District  | 83,584.57    |
| Beaver Falls Light District | 6,000.00     |
| Relevied Water and Sewer    | 48,833.07    |

Denmark:

|                                     |           |
|-------------------------------------|-----------|
| Castorland Fire Protection District | 69,977.00 |
| West Carthage Fire                  | 24,281.00 |
| Copenhagen Fire – Castorland        | 9,987.00  |
| Copenhagen Fire – Rutland           | 36,946.00 |
| Copenhagen Fire – West Carthage     | 12,689.00 |
| Relevied Sewer                      | 496.02    |

Diana:

|                              |            |
|------------------------------|------------|
| Fire Protection District     | 151,665.00 |
| Natural Bridge Fire District | 3,252.00   |

PROCEEDINGS OF THE BOARD OF LEGISLATORS

|              |                                                        |            |
|--------------|--------------------------------------------------------|------------|
|              | Natural Bridge Light District                          | 325.00     |
|              | Diana Water                                            | 15,987.64  |
|              | Diana Light                                            | 19,125.00  |
| Greig:       |                                                        |            |
|              | Fire Protection District – 3G                          | 88,353.00  |
|              | Brantingham Water Control                              | 1,800.00   |
| Harrisburg:  |                                                        |            |
|              | Fire Protection District                               | 33,124.18  |
| Lewis:       |                                                        |            |
|              | Fire Protection District                               | 46,053.00  |
| Leyden:      |                                                        |            |
|              | Fire Protection District & Ambulance                   | 29,775.00  |
| Lowville:    |                                                        |            |
|              | Fire Protection                                        | 32,638.00  |
|              | Water/Sewer Relevy                                     | 70,161.37  |
|              | Property Clean Up Charge                               | 25,684.95  |
| Lyonsdale:   |                                                        |            |
|              | Lyons Falls & Port Leyden Fire<br>Protection Districts | 38,655.00  |
|              | Lyonsdale Light                                        | 1,050.00   |
| Martinsburg: |                                                        |            |
|              | Fire Protection District                               | 130,909.00 |
|              | Glenfield Light District                               | 5,800.00   |
|              | Martinsburg Light District                             | 4,800.00   |
|              | Martinsburg Water                                      | 6,142.31   |
|              | Water/Sewer Relevies                                   | 14,364.05  |
| Montague:    |                                                        |            |
|              | Fire Protection                                        | 13,547.29  |
| New Bremen:  |                                                        |            |
|              | New Bremen Fire District                               | 91,359.00  |
|              | Beaver Falls Fire District                             | 62,915.43  |
|              | New Bremen Fire Protection District                    | 17,088.00  |
|              | Lighting District                                      | 11,350.00  |
|              | Water Relevy                                           | 2,220.72   |

DECEMBER 21, 2023

|             |                                      |           |
|-------------|--------------------------------------|-----------|
| Osceola:    |                                      |           |
|             | Fire Protection District             | 48,500.00 |
|             | Library                              | 7,500.00  |
| Pinckney:   |                                      |           |
|             | Fire Protection District & Ambulance | 15,300.00 |
| Turin:      |                                      |           |
|             | Fire Protection                      | 44,686.00 |
| Watson:     |                                      |           |
|             | Fire Protection                      | 74,154.00 |
|             | Watson Light                         | 4,200.00  |
|             | Water District                       | 30,300.80 |
| West Turin: |                                      |           |
|             | Turin Fire Protection                | 18,801.00 |
|             | Constableville Fire Protection       | 46,106.00 |

BE IT FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property tax all corrections to Tax Rolls as authorized by the Board of Legislators by the County Treasurer and Real Property Tax Director.

|             |             |
|-------------|-------------|
| Croghan     | \$ 820.63   |
| Denmark     | \$ 663.43   |
| Diana       | \$ 757.85   |
| Greig       | \$1,226.14  |
| Harrisburg  | (\$ .07)    |
| Lewis       | \$ 250.09   |
| Leyden      | \$ 319.44   |
| Lowville    | \$ 888.29   |
| Lyonsdale   | \$ 149.10   |
| Martinsburg | \$ 723.53   |
| Montague    | (\$ 429.62) |
| New Bremen  | \$ 788.54   |
| Osceola     | \$ 261.09   |
| Pinckney    | (\$ 0.07)   |
| Turin       | \$ 9,659.38 |
| Watson      | \$ 5,560.08 |
| West Turin  | \$ 104.00   |

BE IT FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown in this resolution for distribution by them in the manner provided by law.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 291 - 2023  
RESOLUTION AUTHORIZING THE SUPERVISOR  
OF EACH TOWN IN THE COUNTY OF LEWIS TO ADD  
TO THEIR TAX WARRANT THE 2024 COUNTY TAX  
APPORTIONED TO EACH**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED as follows:

Section 1. That the Supervisor of each Town in Lewis County hereby are authorized and directed to add the amount of the apportioned 2024 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 pursuant to Law.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 292 – 2023  
RESOLUTION AUTHORIZING AND RATIFYING  
TENTATIVE AGREEMENT AND FINAL THREE-YEAR CONTRACT  
BETWEEN THE COUNTY OF LEWIS AND  
LOCAL 825 OF THE CIVIL SERVICE  
EMPLOYEES ASSOCIATION, INC. (GENERAL EMPLOYEES UNIT)**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the existing contract between the County of Lewis and Local 825 of the Civil Service Employee's Association ("CSEA") for the County's general employees expires on December 31, 2023; and

WHEREAS, the negotiating teams representing the County of Lewis and the CSEA, reached a verbal Tentative Agreement (TA) on November 16, 2023, encompassing a summary of the changes agreed to for a three-year final Agreement to be effective January 1, 2024 through December 31, 2026; with the written TA executed on December 13, 2023; and

WHEREAS, the Tentative Agreement was presented by CSEA to its local membership for vote between December 12 and 15, 2023, with the final tally of votes determining that the Tentative Agreement was ratified by the local CSEA membership on December 15, 2023; and

WHEREAS, the County Manager and the County negotiating team recommend that the Board of Legislators approve and ratify the Tentative Agreement;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby ratifies the tentative agreement developed by the negotiating teams, and accepted by the CSEA Local 825 for the County's general employees unit by membership vote on December 15, 2023, and memorialized as the Tentative Agreement dated December 13, 2023.

Section 2. The Chairman, or the Vice-Chairman of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver the final contract between the County of Lewis and the Civil Service Employee's Association (General Employees Unit) based upon the terms of the Tentative Agreement, for the period January 1, 2024 through December 31, 2026, upon such form as may be approved by the County Attorney.

Section 3. That a copy of the final executed collective bargaining agreement shall be filed in the Office of the Clerk of the Board of Legislators, with additional copies distributed to appropriate Department Heads and employees affected by same.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

**RESOLUTION NO. 293 - 2023  
RESOLUTION TO SCHEDULE  
2024 ORGANIZATIONAL MEETING**

Introduced by Legislator Lawrence Dolhof, Chair 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 2024 Organizational Meeting to be held on Tuesday, January 2, 2023 to begin at 5:00 p.m. in the Courthouse, 2<sup>nd</sup> Floor Board Chambers, Lowville NY 13367.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 21<sup>st</sup> day of December, 2023.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

### OTHER BUSINESS:

County Attorney Joan McNichol reported that this years Annual Holiday Basket Raffle was a success. This is the 9<sup>th</sup> year that the County Departments have held this event. This year there were 21 baskets that raised a total of \$1,770.00 to be split between the Rene Beyer Fund and the Local Food Pantries. Since the inception of the event in 2014, there has been a total of just over \$14,000.00 raised for various charities. She recognized Cassandra Moser, Amanda Lawton, and her office staff for all the hard work they put into the event.

Chairman Dolhof reminded the Board and the incoming legislators that there will be a caucus held at Mike Young's Office at 11:00 a.m. to give time for some of the legislators to meet with the auditors before heading over.

Legislator Hathway stated that Herb Frost will be taking his place on the Board and will be able to continue his special reports on Harrisville accomplishments. He reported that Harrisville Central School students have had the opportunity to send another experiment into space, so congratulations for this amazing accomplishment.

There being no other business to come before the Board, Legislator Chartrand moved that the Board adjourn the meeting at 10:38 a.m., seconded by Legislator Hathway, and carried.

CERTIFICATION

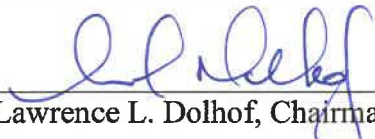
**STATE OF NEW YORK**

**SS:**

**COUNTY OF LEWIS**

We, Lawrence L. Dolhof, Chairman of the Lewis County Board of Legislators and Cassandra E. Moser, 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 2023.

Dated at Lowville, New York on December 29, 2023

  
\_\_\_\_\_  
Lawrence L. Dolhof, Chairman

  
\_\_\_\_\_  
Cassandra E. Moser, Clerk of the Board



**Lewis County**  
**2023 Year End Cash Balances Report**

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| FUND                  | BEG             |               | Cash Accounts |                    |                  |                  | TOTAL            |                    | \$ Change |
|-----------------------|-----------------|---------------|---------------|--------------------|------------------|------------------|------------------|--------------------|-----------|
|                       | BALANCE         | RECEIPTS      | DISBURSEMENTS | 12/31/2023 BALANCE | INVESTMENTS      | 12/31/2023       | 12/31/2022       |                    |           |
| <b>GENERAL FUND</b>   |                 |               |               |                    |                  |                  |                  |                    |           |
| General               | 1,758,285.96    | 95,741,872.48 | 96,614,542.78 | 885,615.66         |                  |                  |                  |                    |           |
| DSS                   | 507,131.15      | 12,861,030.52 | 13,314,744.68 | 53,416.99          |                  |                  |                  |                    |           |
| Merchant Acct         | 0.00            | 60.00         | 60.00         | 0.00               |                  |                  |                  |                    |           |
| Pub Health Merchant   | 0.00            | 120.00        | 120.00        | 0.00               |                  |                  |                  |                    |           |
| Total General Fund    | 2,265,417.11    | 76,917,327.10 | 81,200,161.05 | 939,032.65         | 28,114,371.74    | 29,053,404.39    | 32,086,292.86    | (3,032,888.47)     |           |
| <b>OTHER FUNDS</b>    |                 |               |               |                    |                  |                  |                  |                    |           |
| ATV Trail Fund        | 179,991.04      | 304,927.71    | 188,054.22    | 296,864.53         |                  | 296,864.53       | 179,991.04       | 116,873.49         |           |
| Hospital              | 2,133,256.06    | 40,305,278.09 | 41,743,613.04 | 694,971.11         | 28,093,224.89    | 28,788,146.00    | 38,727,280.06    | (9,939,134.06)     |           |
| WIA                   | 0.00            | 133,886.68    | 133,886.68    | 0.00               |                  | 0.00             | 0.00             | (0.00)             |           |
| County Road           | 876,028.22      | 12,763,065.11 | 13,497,178.60 | 141,914.73         | 424,745.63       | 566,660.36       | 936,101.19       | (369,440.83)       |           |
| County Machinery      | 132,430.61      | 3,247,526.36  | 3,318,360.84  | 61,596.13          | 136,547.82       | 198,143.95       | 447,360.36       | (249,216.41)       |           |
| Health Insurance Fund | 159,945.19      | 22,117,445.72 | 21,636,289.97 | 641,100.94         | 584,343.81       | 1,225,444.75     | 2,357,402.32     | (1,131,957.57)     |           |
| Self Insurance        | 744,958.92      | 2,359,266.25  | 3,043,115.27  | 61,109.90          | 3,775,557.36     | 3,836,667.26     | 3,518,866.76     | 317,800.50         |           |
| Solid Waste           | 277,944.39      | 2,750,274.25  | 2,812,509.37  | 215,709.27         | 0.00             | 215,709.27       | 406,368.66       | (190,659.39)       |           |
| Trust Funds           | 247,806.59      | 17,787,835.24 | 17,838,663.73 | 196,978.10         |                  | 196,978.10       | 247,806.59       | (50,828.49)        |           |
| Payroll (County)      | 0.00            | 16,157,240.74 | 16,157,240.74 | 0.00               |                  |                  |                  |                    |           |
| Payroll (Hospital)    | 0.00            | 22,619,642.67 | 22,619,642.67 | 0.00               |                  |                  |                  |                    |           |
| <b>CAPITAL</b>        | 1,260,969.04    | 25,842,100.36 | 24,107,749.32 | 2,995,320.08       | 2,183,606.29     | 5,178,926.37     | 18,908,252.04    | (13,729,325.67)    |           |
|                       | \$ 8,278,747.17 |               |               | \$ 6,244,547.44    | \$ 63,312,397.54 | \$ 69,556,944.98 | \$ 97,815,721.88 | \$ (28,258,776.90) |           |

DRAFT - 1/24/2024  
Unaudited Balances

# ANNUAL CASH REPORT

Page 2

## Lewis County 2023 Year End Cash Balances Report

### Capital Funds Detail

|                         | BEG<br>BALANCE | RECEIPTS      | DISBURSEMENTS | Cash Accounts<br>12/31/2023<br>BALANCE | Investment   |
|-------------------------|----------------|---------------|---------------|----------------------------------------|--------------|
| <b>Bridges</b>          |                |               |               |                                        |              |
| HAU Marshey Rd          | 0.00           | 15,894.39     | 30,008.06     | (14,113.67)                            |              |
| HAT Woodbottle Rd       | 0.00           | 58,943.41     | 39,867.80     | 19,075.61                              |              |
| HAV Bailey Rd           | (12,881.76)    | 55,408.43     | 49,651.35     | (7,124.68)                             |              |
| HAG Whitesville         | 0.00           | 9,459.49      | 11,474.82     | (2,015.33)                             |              |
| HAP West Rd             | 239.51         | 27,350.43     | 29,775.00     | (2,185.06)                             |              |
| HAQ CR 43               | 2,190.55       | 0.00          | 30,419.18     | (28,228.63)                            |              |
| HAW-CHR Crofoot Hill    | (9,250.10)     | 24,820.61     | 75,712.75     | (60,142.24)                            |              |
| HAX-GR Gardner Rd       | (8,818.92)     | 98,220.03     | 95,419.59     | (6,018.48)                             |              |
| HAY-OBH O'Brien Rd      | -12,784.43     | 101,194.56    | 95,307.95     | (6,897.82)                             |              |
| Totals                  | (41,305.15)    | 391,291.35    | 457,636.50    | (107,650.30)                           |              |
| <b>Capital Reserves</b> |                |               |               |                                        |              |
| HAZ ARPA Funds          | 46,517.80      | 7,325,870.05  | 7,235,350.08  | 137,037.77                             |              |
| HAC - Building Reserve  | 550.47         | 2,004,600.00  | 1,854,048.31  | 151,102.16                             | 841,520.42   |
| HAD - Equipment Reserve | 156,070.97     | 808,189.28    | 964,260.25    | 0.00                                   | 97,897.35    |
| HAE - IT Reserve        | 147,063.15     | 80,866.85     | 227,930.00    | 0.00                                   | 24,316.18    |
| HAI - Road Striping     | 5,106.69       | 0.00          | 0.00          | 5,106.69                               | 0.00         |
| HAL - Clean up fund     | 55,843.25      | 166,452.12    | 111,111.01    | 111,184.36                             | 0.00         |
| HIM - E911              | 0.00           | 0.00          | 0.00          | 0.00                                   | 0.00         |
| Capital Project - HAR   | 0.00           | 12,470,531.50 | 12,470,531.50 | 0.00                                   | 841,840.03   |
| Solid Waste HAS         | (108,878.14)   | 317,198.00    | 208,319.86    | 0.00                                   |              |
| Broadband HEB           | 1,000,000.00   | 335,099.81    | 578,561.81    | 756,538.00                             | 378,032.31   |
| Rail Recreation HEV     | 0.00           | 1,942,001.40  | 0.00          | 1,942,001.40                           |              |
| Totals                  | 1,260,969.04   | 25,842,100.36 | 24,107,749.32 | 2,995,320.08                           | 2,183,606.29 |

DRAFT - 1/24/2024  
Unaudited Balances

### Report Information

The above cash report was made to report the Cash Flow of funds through the Lewis County Treasurer's Office. This report shall not be considered as a report of actual operating revenues or expenses.

Completed and Certified by Lewis County Treasurer:

Date:

  
1/24/2024

# PROCEEDINGS OF THE BOARD OF LEGISLATORS

## TAX WARRANT TOWN OF CROGHAN

|                          |          |                              |           |
|--------------------------|----------|------------------------------|-----------|
| SPECIAL DISTRICT TAX KEY |          | General Tax Key-Town Wide    | 4.259600  |
| Croghan Fire Protection  | 0.851676 | General Tax Key-Outside Town | 3.760344  |
| Beaver Falls Fire Dist   | 5.830865 | Highway Tax Key              |           |
| Beaver Falls Light Dist  | 0.458530 | County Tax Key Cty           | 3.000970  |
| Equalization Rate 47.50  |          | County Tax Key NY            | 10.396216 |

STATE OF NEW YORK}  
 ss:  
 County of Lewis }

To : Megan Simpson

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            | \$ | 852,840.67 | 852,840.67 |
| Town Outside Tax Levy General         | \$ | 15,414.00  | 15,414.00  |
| Highway Money-Outside Village Item 1  | \$ | 699,397.11 |            |
| (Donovan Plan)Outside Village Item 1A | \$ |            | 699,397.11 |

### Special District Tax:

|                             |  |            |
|-----------------------------|--|------------|
| Croghan Fire Protection     |  | 155,265.00 |
| Beaver Falls Fire District  |  | 83,584.57  |
| Beaver Falls Light District |  | 6,000.00   |
| Sewer/Water                 |  | 48,833.07  |

**TOTAL TO SUPERVISOR** \$ 1,861,334.42

### TO THE COUNTY TREASURER:

|                                      |    |              |                        |
|--------------------------------------|----|--------------|------------------------|
| County Tax                           | \$ | 2,588,294.61 |                        |
| Levy & Assess BR Regulating District | \$ |              |                        |
| Workmen's Compensation Insurance     | \$ | 0.00         |                        |
|                                      |    |              | \$ <u>2,588,294.61</u> |

### Taxes to be Re-Assessed, viz:

|                       |    |            |                      |
|-----------------------|----|------------|----------------------|
| Returned School Tax   | \$ | 176,563.55 |                      |
| Returned Village Tax  | \$ | 6,460.22   |                      |
| Amount Spread on Town | \$ | 820.63     |                      |
|                       |    |            | \$ <u>183,844.40</u> |

**TOTAL TO COUNTY TREASURER** \$ 2,772,139.01

### WHOLE AMOUNT OF WARRANT

|                              |    |  |                        |
|------------------------------|----|--|------------------------|
| LESS: Balance Due Town       | \$ |  | \$ <u>4,633,473.43</u> |
| Amount Paid County Treasurer | \$ |  | \$ <u>0.00</u>         |

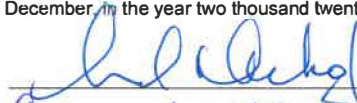
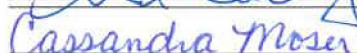
**NET AMOUNT OF WARRANT** \$ 4,633,473.43

### AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit \$ 0.10  
 \$ 4,633,473.53

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 21st day of December, in the year two thousand twenty three.

 Chairman  
 Clerk

# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF DENMARK

|                                 |          |                                  |                 |
|---------------------------------|----------|----------------------------------|-----------------|
| <b>SPECIAL DISTRICT TAX KEY</b> |          | <b>General Tax Key-Town Wide</b> | <b>4.016473</b> |
| Castorland Fire Protection      | 0.958180 | General Tax Key-Outside Town     | 2.674031        |
| W Carthage Fire                 | 0.484024 | Highway Tax Key                  |                 |
| Copenhagen Fire - Castorland    | 0.487294 | County Tax Key Cty               | 1.657433        |
| Copenhagen Fire - Rutland       | 0.487275 |                                  |                 |
| Copenhagen Fire - West Carth    | 0.485787 |                                  |                 |
| <b>Equalization Rate 86.00</b>  |          | <b>County Tax Key NY</b>         | <b>5.741821</b> |

STATE OF NEW YORK)

County of Lewis } ss:

To : Prudence Greene

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            | \$ | <u>666,591.00</u> | \$ | <u>666,591.00</u> |
| Town Outside Tax Levy General         | \$ | <u>8,198.00</u>   | \$ | <u>8,198.00</u>   |
| Highway Money-Outside Village Item 1  | \$ | <u>327,067.00</u> | \$ |                   |
| (Donovan Plan)Outside Village Item 1A | \$ |                   | \$ | <u>327,067.00</u> |

### Special District Tax:

|                              |  |                  |
|------------------------------|--|------------------|
| Castorland Fire Protection   |  | <u>69,977.00</u> |
| W Carthage Fire              |  | <u>24,281.00</u> |
| Copenhagen Fire - Castorland |  | <u>9,987.00</u>  |
| Copenhagen Fire - Rutland    |  | <u>36,946.00</u> |
| Copenhagen Fire - West Carth |  | <u>12,689.00</u> |
| Ag Conversion                |  | <u>0.00</u>      |
| RW231                        |  | <u>496.02</u>    |

### TOTAL TO SUPERVISOR

\$ 1,156,232.02

### TO THE COUNTY TREASURER:

|            |    |                     |    |                     |
|------------|----|---------------------|----|---------------------|
| County Tax | \$ | <u>1,231,735.45</u> | \$ | <u>1,231,735.45</u> |
|------------|----|---------------------|----|---------------------|

### Taxes to be Re-Assessed, viz:

|                       |    |                  |    |                   |
|-----------------------|----|------------------|----|-------------------|
| Returned School Tax   | \$ | <u>96,210.71</u> |    |                   |
| Returned Village Tax  | \$ | <u>47,222.04</u> |    |                   |
| Amount Spread on Town | \$ | <u>663.43</u>    |    |                   |
|                       |    |                  | \$ | <u>144,096.18</u> |

### TOTAL TO COUNTY TREASURER

\$ 1,375,831.63

### WHOLE AMOUNT OF WARRANT

\$ 2,532,063.65

LESS: Balance Due Town

\$           

Amount Paid County Treasurer

\$           

\$ 0.00

### NET AMOUNT OF WARRANT

\$ 2,532,063.65

EXCESS/DEFICIT

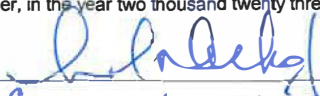
\$           

### AMOUNT OF TAX LIST(Final Recapitulation)

\$ 2,532,063.62

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 21st day of December, in the year two thousand twenty three.

  
Cassandra Moser

Chairman

Clerk

# PROCEEDINGS OF THE BOARD OF LEGISLATORS

## TAX WARRANT TOWN OF DIANA

|                               |          |                              |          |
|-------------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY      |          | General Tax Key-Town Wide    | 2.966357 |
| Diana Fire Protection         | 0.626604 | General Tax Key-Outside Town |          |
| Natural Bridge Fire District  | 1.341363 | Highway Tax Key              |          |
| Natural Bridge Light District | 0.536392 | County Tax Key Cty           | 1.425400 |
| Diana Light                   | 0.731010 | County Tax Key NY            | 4.937994 |
| Equilization Rate 100         |          |                              |          |

STATE OF NEW YORK)

County of Lewis } ss:

To : Andrea Paterson

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            | \$ | 698,772.00 | \$ | 698,772.00 |
| Town Outside Tax Levy General         | \$ |            | \$ | 0.00       |
| Highway Money-Outside Village Item 1  | \$ |            |    |            |
| (Donovan Plan)Outside Village Item 1A | \$ |            | \$ | 0.00       |

### Special District Tax:

|                               |            |
|-------------------------------|------------|
| Diana Fire Protection         | 151,665.00 |
| Natural Bridge Fire District  | 3,252.00   |
| Natural Bridge Light District | 325.00     |
| Diana Water Relevy            | 15,987.64  |
| Diana Light                   | 19,125.00  |

TOTAL TO SUPERVISOR

\$ 889,126.64

### TO THE COUNTY TREASURER:

|            |    |              |    |              |
|------------|----|--------------|----|--------------|
| County Tax | \$ | 1,413,393.83 | \$ | 1,413,393.83 |
|------------|----|--------------|----|--------------|

### Taxes to be Re-Assessed, viz:

|                       |    |            |    |            |
|-----------------------|----|------------|----|------------|
| Returned School Tax   | \$ | 189,408.46 |    |            |
| Returned Village Tax  | \$ | 0.00       |    |            |
| Amount Spread on Town | \$ | 757.85     |    |            |
|                       |    |            | \$ | 190,166.31 |

TOTAL TO COUNTY TREASURER

\$ 1,603,560.14

### WHOLE AMOUNT OF WARRANT

\$ 2,492,686.78

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$ 0.00

\$ 0.00

NET AMOUNT OF WARRANT

\$ 2,492,686.78

Excess/Deficit

\$ 0.27

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 2,492,687.05

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 21st day of December, in the year two thousand twenty three.

  
Chairman  
  
Cassandra Moser Clerk

# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF GREIG

|                           |          |                              |          |
|---------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY  |          | General Tax Key-Town Wide    | 3.754696 |
| Greig Fire Protection     | 0.377316 | General Tax Key-Outside Town |          |
| Brantingham Water Control | 0.021359 | Highway Tax Key              |          |
| Equalization Rate 74.50   |          | County Tax Key Cty           | 1.913267 |
|                           |          | County Tax Key NY            | 6.628105 |

STATE OF NEW YORK

County of Lewis } ss:

To : Thomas Gunn

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            | \$ | 856,757.50 | \$ | 856,757.50 |
| Town Outside Tax Levy General         | \$ |            | \$ |            |
| Highway Money-Outside Village Item 1  | \$ |            | \$ |            |
| (Donovan Plan)Outside Village Item 1A | \$ |            | \$ |            |

### Special District Tax:

|                           |           |
|---------------------------|-----------|
| Greig Fire Protection     | 88,353.00 |
| Brantingham Water Control | 1,800.00  |

### TOTAL TO SUPERVISOR

\$ 946,910.50

### TO THE COUNTY TREASURER:

|            |    |              |    |              |
|------------|----|--------------|----|--------------|
| County Tax | \$ | 1,933,535.26 | \$ | 1,933,535.26 |
|------------|----|--------------|----|--------------|

### Taxes to be Re-Assessed, viz:

|                       |    |            |
|-----------------------|----|------------|
| Returned School Tax   | \$ | 184,173.86 |
| Amount Spread on Town | \$ | 1,226.14   |
|                       | \$ | 185,400.00 |

### TOTAL TO COUNTY TREASURER

\$ 2,118,935.26

### WHOLE AMOUNT OF WARRANT

\$ 3,065,845.76

|                              |    |  |    |      |
|------------------------------|----|--|----|------|
| LESS: Balance Due Town       | \$ |  | \$ |      |
| Amount Paid County Treasurer | \$ |  | \$ | 0.00 |

### NET AMOUNT OF WARRANT

\$ 3,065,845.76

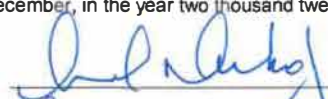
Excess/Deficit \$ 0.02

### AMOUNT OF TAX LIST(Final Recapitulation)

\$ 3,065,845.78

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 21st day of December, in the year two thousand twenty three.

  
Chairman  
  
Clerk

# PROCEEDINGS OF THE BOARD OF LEGISLATORS

## TAX WARRANT TOWN OF HARRISBURG

|                            |          |                              |          |
|----------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY   |          | General Tax Key-Town Wide    | 3.120041 |
| Harrisburg Fire Protection | 0.330960 | General Tax Key-Outside Town |          |
|                            |          | Highway Tax Key              |          |
| Equalization Rate 79.0     |          | County Tax Key Cty           | 1.804261 |
|                            |          | County Tax Key NY            | 6.250477 |

STATE OF NEW YORK)

ss:  
County of Lewis }

To : Karen Bowen

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            | \$ | 142,421.10 | 142,421.10 |
| 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 | 33,124.18 |
|----------------------------|-----------|

**TOTAL TO SUPERVISOR**

\$ 175,545.28

**TO THE COUNTY TREASURER:**

|            |    |            |    |            |
|------------|----|------------|----|------------|
| County Tax | \$ | 358,335.58 | \$ | 358,335.58 |
|------------|----|------------|----|------------|

**Taxes to be Re-Assessed, viz:**

|                       |    |           |  |
|-----------------------|----|-----------|--|
| Returned School Tax   | \$ | 26,772.66 |  |
| Amount Spread on Town | \$ | (0.07)    |  |
|                       | \$ | 26,772.59 |  |

**TOTAL TO COUNTY TREASURER**

\$ 385,108.17

**WHOLE AMOUNT OF WARRANT**

\$ 560,653.45

|                              |    |  |      |
|------------------------------|----|--|------|
| LESS: Balance Due Town       | \$ |  |      |
| Amount Paid County Treasurer | \$ |  | 0.00 |

**NET AMOUNT OF WARRANT**

\$ 560,653.45

Excess/Deficit \$ (0.20)

**AMOUNT OF TAX LIST(Final Recapitulation)**

\$ 560,653.25

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 21st day of December, in the year two thousand twenty three.

  
Chairman

  
Cassandra Morse Clerk

# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF LEWIS

|                          |          |                              |          |
|--------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY |          | General Tax Key-Town Wide    | 9.913748 |
| Lewis Fire Protection    | 0.683250 | General Tax Key-Outside Town |          |
|                          |          | Highway Tax Key              |          |
| Equalization Rate 73.12  |          | County Tax Key Cty           | 1.949352 |
|                          |          | County Tax Key NY            | 6.753114 |

STATE OF NEW YORK}

ss:  
County of Lewis }

To : Olivia M. Fruin

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            | \$ 643,422.00 | \$ 643,422.00 |
| Town Outside Tax Levy General         | \$            | \$            |
| Highway Money-Outside Village Item 1  | \$            | \$            |
| (Donovan Plan)Outside Village Item 1A | \$            | \$            |

### Special District Tax:

|                       |           |
|-----------------------|-----------|
| Lewis Fire Protection | 46,053.00 |
|-----------------------|-----------|

### TOTAL TO SUPERVISOR

\$ 689,475.00

### TO THE COUNTY TREASURER:

|            |               |               |
|------------|---------------|---------------|
| County Tax | \$ 548,452.13 | \$ 548,452.13 |
|------------|---------------|---------------|

### Taxes to be Re-Assessed, viz:

|                       |               |               |
|-----------------------|---------------|---------------|
| Returned School Tax   | \$ 100,751.01 |               |
| Amount Spread on Town | \$ 250.09     |               |
|                       |               | \$ 101,001.10 |

### TOTAL TO COUNTY TREASURER

\$ 649,453.23

### WHOLE AMOUNT OF WARRANT

\$ 1,338,928.23

|                              |    |         |
|------------------------------|----|---------|
| LESS: Balance Due Town       | \$ | \$      |
| Amount Paid County Treasurer | \$ | \$ 0.00 |

### NET AMOUNT OF WARRANT

\$ 1,338,928.23

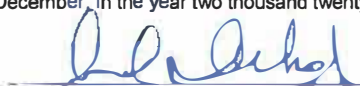
Excess/Deficit \$ (0.30)

### AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,338,927.93

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 21st day of December, in the year two thousand twenty three.

 Chairman  
 Clerk



# PROCEEDINGS OF THE BOARD OF LEGISLATORS

## TAX WARRANT TOWN OF LEYDEN

|                             |          |                              |          |
|-----------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY    |          | General Tax Key-Town Wide    | 3.415007 |
| Leyden Fire Prot & Ambulanc | 0.310080 | General Tax Key-Outside Town | 1.480346 |
|                             |          | Highway Tax Key              |          |
| Equalization rate 79.00     |          | County Tax Key Cty           | 1.804261 |
|                             |          | County Tax Key NY            | 6.250477 |

STATE OF NEW YORK}

County of Lewis } ss:

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            | \$ 358,187.00 | \$ 358,187.00 |
| Town Outside Tax Levy General         | \$ 20,550.00  | \$ 20,550.00  |
| Highway Money-Outside Village Item 1  | \$ 117,367.00 |               |
| (Donovan Plan)Outside Village Item 1A | \$            | \$ 117,367.00 |

### Special District Tax:

|                                    |           |
|------------------------------------|-----------|
| Leyden Fire Protection & Ambulance | 29,775.00 |
| Town District Water Relewy         | 542.16    |

### TOTAL TO SUPERVISOR

\$ 526,421.16

### TO THE COUNTY TREASURER:

|            |               |               |
|------------|---------------|---------------|
| County Tax | \$ 847,068.69 | \$ 847,068.69 |
|------------|---------------|---------------|

### Taxes to be Re-Assessed,viz:

|                       |               |               |
|-----------------------|---------------|---------------|
| Returned School Tax   | \$ 115,265.95 |               |
| Returned Village Tax  | \$ 32,988.48  |               |
| Amount Spread on Town | \$ 319.44     |               |
|                       |               | \$ 148,573.87 |

### TOTAL TO COUNTY TREASURER

\$ 995,642.56

### WHOLE AMOUNT OF WARRANT

\$ 1,522,063.72

|                              |    |  |
|------------------------------|----|--|
| LESS: Balance Due Town       | \$ |  |
| Amount Paid County Treasurer | \$ |  |

### NET AMOUNT OF WARRANT

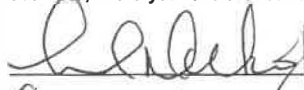
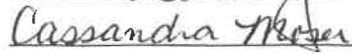
\$ 1,522,063.72

### AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit \$ 0.02  
\$ 1,522,063.74

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 21st day of December, in the year two thousand twenty three.

 Chairman  
 Clerk



# PROCEEDINGS OF THE BOARD OF LEGISLATORS

## TAX WARRANT TOWN OF LYONSDALE

|                           |          |                              |          |
|---------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY  |          | General Tax Key-Town Wide    | 4.528321 |
| Lyonsdale Fire Protection | 0.501805 | General Tax Key-Outside Town | 2.874670 |
| Lyonsdale Light District  | 0.916070 | Highway Tax Key              |          |
| Equalization Rate: 61.00  |          | County Tax Key Cty           | 2.337217 |
|                           |          | County Tax Key NY            | 8.096788 |

STATE OF NEW YORK}

ss:  
County of Lewis }

To : Tracy Hoage

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            | \$ 368,309.00 | \$ 368,309.00 |
| Town Outside Tax Levy General         | \$ 3,300.00   | \$ 3,300.00   |
| Highway Money-Outside Village Item 1  | \$ 209,949.00 |               |
| (Donovan Plan)Outside Village Item 1A | \$            | \$ 209,949.00 |

### Special District Tax:

|                           |           |
|---------------------------|-----------|
| Lyonsdale Fire Protection | 38,655.00 |
| Lyonsdale Light District  | 1,050.00  |
| Water Relevy              | 0.00      |

### TOTAL TO SUPERVISOR

\$ 621,263.00

### TO THE COUNTY TREASURER:

|            |               |               |
|------------|---------------|---------------|
| County Tax | \$ 815,601.43 | \$ 815,601.43 |
|------------|---------------|---------------|

### Taxes to be Re-Assessed, viz:

|                       |               |               |
|-----------------------|---------------|---------------|
| Returned School Tax   | \$ 104,322.12 |               |
| Returned Village Tax  | \$ 8,980.71   |               |
| Amount Spread on Town | \$ 149.10     |               |
|                       |               | \$ 113,451.93 |

### TOTAL TO COUNTY TREASURER

\$ 929,053.36

### WHOLE AMOUNT OF WARRANT

\$ 1,550,316.36

|                              |    |         |
|------------------------------|----|---------|
| LESS: Balance Due Town       | \$ |         |
| Amount Paid County Treasurer | \$ | \$ 0.00 |

### NET AMOUNT OF WARRANT

\$ 1,550,316.36

### AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit  
\$ 0.06  
\$ 1,550,316.42

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 21st day of December in the year two thousand twenty three.

 Chairman  
 Clerk

# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF MARTINSBURG

|                             |          |                              |          |
|-----------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY    |          | General Tax Key-Town Wide    | 3.919694 |
| Martinsburg Fire Protection | 0.645229 | General Tax Key-Outside Town |          |
| Glenfield Light District    | 0.492544 | Highway Tax Key              |          |
|                             |          | County Tax Key Cty           | 1.827457 |
| Martinsburg Light District  | 0.775092 | County Tax Key NY            | 6.330832 |
| Equalization Rate 78.00     |          |                              |          |

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            | \$ 386,919.00 | \$ 386,919.00 |
| Town Outside Tax Levy General         | \$            | \$            |
| Highway Money-Outside Village Item 1  | \$            | \$            |
| (Donovan Plan)Outside Village Item 1A | \$            | \$            |

### Special District Tax:

|                                     |            |
|-------------------------------------|------------|
| Martinsburg Fire Protection         | 130,909.00 |
| Glenfield Light District            | 5,800.00   |
| Martinsburg Fire District           |            |
| Martinsburg Light District          | 4,800.00   |
| Glenfield Water and Glenfield Sewer | 14,364.05  |
| Martinsburg Water                   | 6,142.31   |
| Aq Conversion Penalty               | 0.00       |

**TOTAL TO SUPERVISOR** \$ 5 48934.36

### TO THE COUNTY TREASURER:

|            |               |               |
|------------|---------------|---------------|
| County Tax | \$ 784,001.87 | \$ 784,001.87 |
|------------|---------------|---------------|

### Taxes to be Re-Assessed,viz:

|                       |              |
|-----------------------|--------------|
| Returned School Tax   | \$ 47,145.32 |
| Amount Spread on Town | \$ 723.53    |
|                       | \$ 47,868.85 |

**TOTAL TO COUNTY TREASURER** \$ 831,870.72

### WHOLE AMOUNT OF WARRANT

|                              |    |                 |
|------------------------------|----|-----------------|
| LESS: Balance Due Town       | \$ | \$ 1,380,805.08 |
| Amount Paid County Treasurer | \$ | \$ 0.00         |

### NET AMOUNT OF WARRANT

\$ 1,380,805.08

Excess/Deficit \$ 0.18

### AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,380,805.26

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 21st day of December, in the year two thousand twenty three.

 Chairman  
 Clerk

# PROCEEDINGS OF THE BOARD OF LEGISLATORS

## TAX WARRANT TOWN OF MONTAGUE

|                           |          |                              |          |
|---------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY: |          | General Tax Key-Town Wide    | 5.872127 |
| Montague Fire Protection  | 0.348880 | General Tax Key-Outside Town |          |
|                           |          | Highway Tax Key              |          |
|                           |          | County Tax Key Cty           | 1.804261 |
| Equalization Rate: 79.00  |          | County Tax Key NY            | 6.250477 |

STATE OF NEW YORK}  
 ss:  
 County of Lewis }

To : Ashley Lucas

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            | \$ | <u>227,600.00</u> | \$ | <u>227,600.00</u> |
| Town Outside Tax Levy General         | \$ | <u>          </u> | \$ | <u>          </u> |
| Highway Money-Outside Village Item 1  | \$ | <u>          </u> |    |                   |
| (Donovan Plan)Outside Village Item 1A | \$ | <u>          </u> | \$ | <u>          </u> |

**Special District Tax:**

|                          |  |                  |
|--------------------------|--|------------------|
| Montague Fire Protection |  | <u>13,547.29</u> |
|--------------------------|--|------------------|

**TOTAL TO SUPERVISOR** \$ 241,147.29

**TO THE COUNTY TREASURER:**

|                                      |    |                   |    |                   |
|--------------------------------------|----|-------------------|----|-------------------|
| County Tax                           | \$ | <u>309,079.69</u> |    |                   |
| Levy & Assess BR Regulating District | \$ | <u>          </u> |    |                   |
| Workmen's Compensation Insurance     | \$ | <u>0.00</u>       |    |                   |
|                                      |    |                   | \$ | <u>309,079.69</u> |

**Taxes to be Re-Assessed, viz:**

|                       |    |                  |    |                  |
|-----------------------|----|------------------|----|------------------|
| Returned School Tax   | \$ | <u>26,699.01</u> |    |                  |
| Amount Spread on Town | \$ | <u>(429.62)</u>  |    |                  |
|                       |    |                  | \$ | <u>26,269.39</u> |

**TOTAL TO COUNTY TREASURER** \$ 335,349.08

**WHOLE AMOUNT OF WARRANT**

|                              |    |                   |    |             |
|------------------------------|----|-------------------|----|-------------|
| LESS: Balance Due Town       | \$ | <u>          </u> |    |             |
| Amount Paid County Treasurer | \$ | <u>          </u> | \$ | <u>0.00</u> |

**NET AMOUNT OF WARRANT**

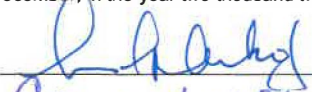
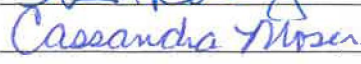
\$ 576,496.37

**AMOUNT OF TAX LIST(Final Recapitulation)**

Excess/Deficit \$ 0.21  
\$ 576,496.58

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 21st day of December, in the year two thousand twenty three.

 Chairman  
 Clerk

# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF NEW BREMEN

|                            |          |                              |          |
|----------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY   |          | General Tax Key-Town Wide    | 4.095938 |
| New Bremen Fire District   | 1.082515 | General Tax Key-Outside Town | 2.180765 |
| Beaver Falls Fire District | 3.900226 | Highway Tax Key              |          |
| New Bremen Fire Protection | 0.272607 | County Tax Key Cty           | 1.676943 |
|                            |          | County Tax Key NY            | 5.809410 |

Equalization Rate 85.00

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            | \$ 749,207.00 | \$ 749,207.00 |
| Town Outside Tax Levy General         | \$ 1,077.00   | \$ 1,077.00   |
| Highway Money-Outside Village Item 1  | \$ 368,655.00 |               |
| (Donovan Plan)Outside Village Item 1A | \$            | \$ 368,655.00 |

### Special District Tax:

|                            |           |
|----------------------------|-----------|
| New Bremen Fire District   | 91,359.00 |
| Beaver Falls Fire District | 62,915.43 |
| New Bremen Fire Protection | 17,088.00 |
| New Bremen Light District  | 11,350.00 |
| Water Relevy               | 2,220.72  |

### TOTAL TO SUPERVISOR

\$ 1,303,872.15

### TO THE COUNTY TREASURER:

|            |                 |                 |
|------------|-----------------|-----------------|
| County Tax | \$ 1,362,859.86 | \$ 1,362,859.86 |
|------------|-----------------|-----------------|

### Taxes to be Re-Assessed, viz:

|                       |               |               |
|-----------------------|---------------|---------------|
| Returned School Tax   | \$ 124,102.01 |               |
| Returned Village Tax  | \$ 3,282.73   |               |
| Amount Spread on Town | \$ 788.54     |               |
|                       |               | \$ 128,173.28 |

### TOTAL TO COUNTY TREASURER

\$ 1,491,033.14

### WHOLE AMOUNT OF WARRANT

\$ 2,794,905.29

|                              |    |         |
|------------------------------|----|---------|
| LESS: Balance Due Town       | \$ |         |
| Amount Paid County Treasurer | \$ | \$ 0.00 |

### NET AMOUNT OF WARRANT

\$ 2,794,905.29

Excess/Deficit \$ (0.19)

### AMOUNT OF TAX LIST(Final Recapitulation)

\$ 2,794,905.10

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 21st day of December, in the year two thousand twenty three.

  
Chairman

  
Clerk

**TAX WARRANT**  
**TOWN OF OSCEOLA**

# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF PINCKNEY

|                          |          |                              |          |
|--------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY |          | General Tax Key-Town Wide    | 8.735428 |
| Pinckney Fire Protection | 0.332694 | General Tax Key-Outside Town |          |
|                          |          | Highway Tax Key              |          |
|                          |          | County Tax Key Cty           | 1.516347 |
| Equalization Rate 94.00  |          | County Tax Key NY            | 5.253060 |

STATE OF NEW YORK}

ss:

County of Lewis }

To : Melissa Birchenough

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            | \$ 395,711.00 | \$ 395,711.00 |
| Town Outside Tax Levy General         | \$            | \$            |
| Highway Money-Outside Village Item 1  | \$            |               |
| (Donovan Plan)Outside Village Item 1A | \$            | \$            |

### Special District Tax:

|                                      |           |
|--------------------------------------|-----------|
| Pinckney Fire Protection & Ambulance | 15,300.00 |
|--------------------------------------|-----------|

### TOTAL TO SUPERVISOR

\$ 411,011.00

### TO THE COUNTY TREASURER:

|                                      |               |               |
|--------------------------------------|---------------|---------------|
| County Tax                           | \$ 261,399.98 |               |
| Levy & Assess BR Regulating District | \$            |               |
| Workmen's Compensation Insurance     | \$ 0.00       |               |
|                                      |               | \$ 261,399.98 |

### Taxes to be Re-Assessed,viz:

|                       |              |              |
|-----------------------|--------------|--------------|
| Returned School Tax   | \$ 27,519.69 |              |
| Amount Spread on Town | \$ (0.07)    |              |
|                       |              | \$ 27,519.62 |

### TOTAL TO COUNTY TREASURER

\$ 288,919.60

### WHOLE AMOUNT OF WARRANT

\$ 699,930.60

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

### NET AMOUNT OF WARRANT

\$ 699,930.60

Excess/Deficit

\$ 0.06

### AMOUNT OF TAX LIST(Final Recapitulation)

\$ 699,930.66

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 21st day of December, in the year two thousand twenty three.

 Chairman  
 Clerk



# PROCEEDINGS OF THE BOARD OF LEGISLATORS

## TAX WARRANT TOWN OF TURIN

|                          |          |                              |          |
|--------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY |          | General Tax Key-Town Wide    | 6.641424 |
| Turin Fire Protection    | 0.625118 | General Tax Key-Outside Town | 1.561598 |
|                          |          | Highway Tax Key              |          |
|                          |          | County Tax Key Cty           | 1.676902 |
| Equalization Rate 85.00  |          | County Tax Key NY            | 5.809267 |

STATE OF NEW YORK}

ss:  
County of Lewis }

To : Sheena Dickinson

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            | \$ 512,233.00 | \$ 512,233.00 |
| Town Outside Tax Levy General         | \$ 5,640.00   | \$ 5,640.00   |
| Highway Money-Outside Village Item 1  | \$ 100,001.00 |               |
| (Donovan Plan)Outside Village Item 1A | \$            | \$ 100,001.00 |

### Special District Tax:

|                       |           |
|-----------------------|-----------|
| Turin Fire Protection | 44,686.00 |
|-----------------------|-----------|

**TOTAL TO SUPERVISOR** \$ 662,560.00

### TO THE COUNTY TREASURER:

|            |               |               |
|------------|---------------|---------------|
| County Tax | \$ 583,199.93 | \$ 583,199.93 |
|------------|---------------|---------------|

### Taxes to be Re-Assessed,viz:

|                          |              |               |
|--------------------------|--------------|---------------|
| Returned School Tax      | \$ 87,743.92 |               |
| Returned Village Tax     | \$ 11,455.88 |               |
| Property Clean Up Charge | 0.00         |               |
| Amount Spread on Town    | \$ 9,659.38  |               |
|                          |              | \$ 108,859.18 |

**TOTAL TO COUNTY TREASURER** \$ 692,059.11

### WHOLE AMOUNT OF WARRANT

|                              |    |         |
|------------------------------|----|---------|
| LESS: Balance Due Town       | \$ | \$      |
| Amount Paid County Treasurer | \$ | \$ 0.00 |

### NET AMOUNT OF WARRANT

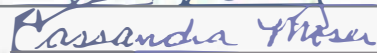
\$ 1,354,619.11

### AMOUNT OF TAX LIST(Final Recapitulation)

|                |                        |
|----------------|------------------------|
| Excess/Deficit | \$ (0.04)              |
|                | \$ <u>1,354,619.07</u> |

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 21st day of December, in the year two thousand twenty three.

  
 Chairman  
  
 Clerk

# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF WATSON

|                          |          |                              |          |
|--------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY |          | General Tax Key-Town Wide    | 5.604126 |
| Watson Fire Protection   | 0.335911 | General Tax Key-Outside Town |          |
|                          |          | Highway Tax Key              |          |
|                          |          | County Tax Key Cty           | 1.759754 |
| Equalization Rate 81.0   |          | County Tax Key NY            | 6.096291 |

STATE OF NEW YORK}

County of Lewis } ss:

To : Michelle Ward

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            | \$ 1,177,506.00 | \$ 1,177,506.00 |
| Town Outside Tax Levy General         | \$              | \$              |
| Highway Money-Outside Village Item 1  | \$              | \$              |
| (Donovan Plan)Outside Village Item 1A | \$              | \$              |

### Special District Tax:

|                                |           |
|--------------------------------|-----------|
| Watson Fire Protection         | 74,154.00 |
| Watson Light & Water Districts | 34,500.80 |

**TOTAL TO SUPERVISOR** \$ 1,286,160.80

### TO THE COUNTY TREASURER:

|            |                 |                 |
|------------|-----------------|-----------------|
| County Tax | \$ 1,629,317.65 | \$ 1,629,317.65 |
|------------|-----------------|-----------------|

### Taxes to be Re-Assessed, viz:

|                       |               |
|-----------------------|---------------|
| Returned School Tax   | \$ 144,981.98 |
| Amount Spread on Town | \$ 5,560.08   |
|                       | \$ 150,542.06 |

**TOTAL TO COUNTY TREASURER** \$ 1,779,859.71

### WHOLE AMOUNT OF WARRANT

|                              |    |                 |
|------------------------------|----|-----------------|
| LESS: Balance Due Town       | \$ | \$ 3,066,020.51 |
| Amount Paid County Treasurer | \$ | \$ 0.00         |

### NET AMOUNT OF WARRANT

\$ 3,066,020.51

### AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit \$ 0.23  
\$ 3,066,020.74

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 21st day of December, in the year two thousand twenty three.

 Chairman  
 Clerk

# PROCEEDINGS OF THE BOARD OF LEGISLATORS

## TAX WARRANT TOWN OF WEST TURIN

|                                |          |                              |          |
|--------------------------------|----------|------------------------------|----------|
| SPECIAL DISTRICT TAX KEY       |          | General Tax Key-Town Wide    | 3.824932 |
| Turin Fire Protection          | 0.809644 | General Tax Key-Outside Town | 1.942457 |
| Constableville Fire Protection | 0.585289 | Highway Tax Key              |          |
|                                |          | County Tax Key Cty           | 1.863266 |
| Equalization Rate: 76.50       |          | County Tax Key NY            | 6.454886 |

STATE OF NEW YORK}

ss:  
County of Lewis }

To : Beth 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            | \$ | <u>534,141.00</u> | \$ | <u>534,141.00</u> |
| Town Outside Tax Levy General         | \$ | <u>1,744.00</u>   | \$ | <u>1,744.00</u>   |
| Highway Money-Outside Village Item 1  | \$ | <u>190,920.00</u> |    |                   |
| (Donovan Plan)Outside Village Item 1A | \$ |                   | \$ | <u>190,920.00</u> |

### Special District Tax:

|                                |  |                  |
|--------------------------------|--|------------------|
| Turin Fire Protection          |  | <u>18,801.00</u> |
| Constableville Fire Protection |  | <u>46,106.00</u> |

### TOTAL TO SUPERVISOR

\$ 791,712.00

### TO THE COUNTY TREASURER:

|            |    |                     |  |                     |
|------------|----|---------------------|--|---------------------|
| County Tax | \$ | <u>1,110,056.70</u> |  |                     |
|            |    |                     |  | <u>1,110,056.70</u> |

### Taxes to be Re-Assessed, viz:

|                       |    |                   |    |                   |
|-----------------------|----|-------------------|----|-------------------|
| Returned School Tax   | \$ | <u>155,893.70</u> |    |                   |
| Returned Village Tax  | \$ | <u>45,981.36</u>  |    |                   |
| Amount Spread on Town | \$ | <u>104.00</u>     |    |                   |
|                       |    |                   | \$ | <u>201,979.06</u> |

### TOTAL TO COUNTY TREASURER

\$ 1,312,035.76

### WHOLE AMOUNT OF WARRANT

\$ 2,103,747.76

|                              |    |                             |    |                             |
|------------------------------|----|-----------------------------|----|-----------------------------|
| LESS: Balance Due Town       | \$ | <u>                    </u> | \$ | <u>                    </u> |
| Amount Paid County Treasurer | \$ | <u>                    </u> | \$ | <u>0.00</u>                 |

### NET AMOUNT OF WARRANT

\$ 2,103,747.76

### AMOUNT OF TAX LIST(Final Recapitulation)

|                |    |                     |
|----------------|----|---------------------|
| Excess/Deficit | \$ | <u>(0.36)</u>       |
|                | \$ | <u>2,103,747.40</u> |

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 21st day of December, in the year two thousand twenty three.

 Chairman  
 Clerk

BUDGET

2024

ADOPTED  
COUNTY BUDGET

LEWIS COUNTY

RYAN PICHE  
BUDGET OFFICER

ERIC VIRKLER  
DEPUTY BUDGET OFFICER

PRESENTED TO CLERK OF THE BOARD  
11/07/2023

(Pursuant to Section 354-County Law)

PUBLIC HEARING  
November 21,2023

Adopted 11/21/2023

BUDGET ON FILE WITH CLERK OF THE BOARD

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