February 1, 2018

TO: Media

FROM: Teresa Clark, Clerk of the Board

The regular meeting of the Lewis County Board of Legislators will be held on Tuesday, February 6, 2018 at 5:00 p.m., in the Legislative Board room at the Court House in Lowville, NY 13367. Resolutions presented for the Board’s consideration are herewith attached.

P.S. February 6, 2018: at 4:00 p.m.
Public Health Director Penny Ingham and Supervising Public Health Nurse Ashley Waite will be presenting to the Board the 5-yr. Public Health Strategic Plan
RESOLUTION NO. 28 – 2018

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator Jerry King, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of $1,726,161.10 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 ________________, seconded by Legislator ________________, and adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:
RESOLUTION NO. 29 - 2018

RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY AGRICULTURAL SOCIETY BOARD

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator RICHARD CHARTRAND as the Board’s representative to the Lewis County Agricultural Society Board.

Section 2. That the term of said appointment shall be in effective immediately through December 31, 2019.

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

Moved by Legislator ________________ , seconded by Legislator ________________ , and adopted.
RESOLUTION NO. 30 - 2018

RESOLUTION WITH REFERENCE TO INCLUSION OF AGRICULTURALLY VIABLE LAND INTO THE CERTIFIED AGRICULTURAL DISTRICT # 6 AND SETTING A PUBLIC HEARING TO OBTAIN COMMUNITY INPUT

Introduced by Legislator Ronald Burns, Chairman of the Planning Committee.

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amended NYS Agricultural and Markets Law, designated a thirty (30) day review period starting on November 15, 2017 and closing December 15, 2017 in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board received an application for inclusion of property located on Division Street, Village of Lowville, Tax Map Parcel No. 212.08-04-13.100 owned by one landowner (approximately .467 acres of crop growth and pasture); and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board has conducted a site visit to verify that the parcel proposed is “viable agricultural land,” and meets the eligibility requirements for inclusion into a Certified Agricultural District; and

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amended NYS Agricultural and Markets Law must conduct a public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board, which will be introduced at a meeting of this Board of Legislators held on February 6, 2018.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on March 6, 2018 at 5:00 p.m. at the Lewis County Courthouse, Legislative Chambers, 7660 North State Street, Lowville, New York 13367, Second Floor, for the purpose of receiving public comment and to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board, for inclusion of property located on Division Street, Village of Lowville, Tax Map Parcel No. 212.08-04-13.100 owned by one landowner (approximately .467 acres of crop growth and pasture) into Agricultural District # 6.

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 ______________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 31 - 2018

AUTHORIZING OPENING OF CERTAIN PORTIONS OF COUNTY ROADS FOR ATV SPECIAL EVENT

Introduced by Legislator Ronald Burns, Chairman of the Recreation, Forestry & Parks Committee

WHEREAS, Barnes Corners Sno-Pals Snowmobile Club (herein “Event Sponsor”), has requested that the Board of Legislators open and/or confirm the opening of the following County Roads for a one-day ATV event on April 21, 2018:

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

and

possible opening of the following road, contingent upon weather conditions and snow levels, as determined by the Director of Recreation, Forestry & Parks in consultation with the Lewis County Superintendent of Highways, in their discretion:

- CR 29 West Road; from Rector Road to Flat Rock 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 further that the local governmental authority having jurisdiction may 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 indicated to the Board of Legislators that the purpose of the proposed event is to hold a road rally for ATV’s with a prescribed route of travel over various County and town roads throughout Lewis County on April 21, 2018, 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, and the Lewis County Sheriff; and

WHEREAS, as a condition precedent to granting permission to the Event Sponsor to hold the event as requested, the Event Sponsor has agreed to enter into an agreement (herein the "Event 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 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 ATV 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 map to be used must be approved in form and substance
by the Director of Recreation, Forestry and Parks (herein 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.

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 21, 2018. 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 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 next year’s 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 all terrain vehicle (ATV) road rally event to be held on April 21, 2018:

• CR 2 Seven by Nine Road, from NYS Rte 177 south to County Line;
• CR 18 Cronk Road; from Whitesville Road, West to where the Town of Pinckney begins;
• CR 21 Whitesville Road; From NYS Rte 177 to Jefferson County Line;
• CR 27 Sears Pond Road; from Gardner Road to CR 28 Liberty Road;
• CR 28 Liberty Road; From Factory Road to CR 27 Sears Pond 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 29 West Road; from intersection with Gardner Road to the intersection of Rector Road;
• CR 194 Barnes Corners Road; from CR 21 Whitesville Road to Corey Road

and

possible opening of the following road, contingent upon weather conditions and snow levels, as determined by the Director of Recreation, Forestry & Parks in consultation with the Lewis County Superintendent of Highways, in their discretion:

• CR 29 West Road; from Rector Road to Flat Rock Road;

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 $300,000.00 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 Chairman of the Board of Legislators with the 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 ______________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 32 - 2018

RESOLUTION TO AUTHORIZE PAYMENT
CAPITAL JCC EXTENSION CENTER

Introduced by Legislator Jerry King, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the payment of $800,000 is hereby authorized to the Capital JCC Extension Center Account (Project HAN H0162000 350310) from Inter-fund Transfers A0990100 992100.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 33 - 2018

RESOLUTION TO APPROPRIATE FUNDS
CAPITAL EQUIPMENT

Introduced by Legislator Jerry King, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Equipment account, balance of $407,418.90, funds transferred from A0990100 992500 (To Capital Equipment):

**Increase Revenue:**
H0990100 350310  $297,000.00
        Project HAD

**Increase Expense:**
H0990100 499900  $297,000.00
        Project HAD

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 34 - 2018

RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND NEW YORK STATE HOUSING TRUST FUND CORPORATION (CDBG PROJECT GRANT NO. 636HO345-17)

Introduced by Ronald Burns, Chairman of the Planning Committee.

WHEREAS, the County of Lewis has applied to the New York State Housing Trust Fund Corporation (Corporation) for Community Development Block Grant (CDBG) funds to finance community development activities (NYS CDBG Project No. 636HO345-17); and

WHEREAS, the Corporation has awarded the County of Lewis $282,975.00 in Community Block Grant funds for homeownership activities.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Grant Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive $282,975.00 in Community Development Block Grant funds, and continues its approval to have Snow Belt Housing Company, Inc. serve as the County’s sub-recipient of this Grant to administer same.

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

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 35 - 2018

RESOLUTION AUTHORIZING AND NAMING COUNTY MANAGER AS SECOND SIGNATORY FOR THE NEW YORK STATE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DOCUMENTS

Introduced by Ronald Burns, Chairman of the Planning Committee.

WHEREAS, by Resolution No. 508-2016, the Lewis County Board of Legislators designated the Lewis County Planning Director as the Lewis County Fair Housing Officer and HUD Section 3 Coordinator, and authorized him to engage in activities required to maintain compliance with HUD regulations and implementation of fair housing education and enforcement resources; and

WHEREAS, pursuant to requirements by the New York State Small Cities Community Development Block Grant ("CDBG") Program, a County signatory is required on all documents under the program, such as reimbursement requests, environmental reports and other program related forms not related to contractual obligations. The Lewis County Board of Legislators adopted Resolution No. 50-2017 designating the Lewis County Planning Director as the named signatory; and

WHEREAS, CDBG now requires a second signatory for the CDBG Program in the event the Director of Planning is unavailable; and

WHEREAS, the Board of Legislators desires to authorize and name the County Manager as the alternative/secondary signatory on the CDBG Program documents.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. That the Board of Legislators of Lewis County authorizes and names the Lewis County Manager as the second signatory to execute any and all documents related to the New York State Small Cities Community Development Block Grant ("CDBG") Program to maintain compliance with HUD/CDBG regulations and implementation requirements under its Programs when the Planning Director is unavailable to sign.

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

Moved by Legislator ______________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 36 - 2018

RESOLUTION AUTHORIZING SUB-RECIPIENT AGREEMENT BETWEEN LEWIS COUNTY AND SNOW BELT HOUSING COMPANY, INC.

Introduced by Legislator Ronald Burns, Chairman of Planning Committee.

WHEREAS, Lewis County ("County") is a recipient of a Small Cities Community Development Block Grant No. 636HO345-17 in the amount of $282,975.00 for the purpose of providing direct homeownership assistance to income eligible first time homebuyers in the County; and

WHEREAS, the sum of $37,975.00 from said Grant has been made available to cover the administration and program delivery expenses of said Grant; and

WHEREAS, Snow Belt Housing Company, Inc. ("Snow Belt") is a not-for-profit corporation organized under the laws of New York State, and whose offices are located at 7500 South State Street, Lowville, New York 13367 and has the experience and is willing to act as sub-recipient to the County and provide administrative and program delivery services and expenses at an amount not to exceed $37,975.00.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Sub-Recipient Agreement between the County of Lewis and the Snow Belt Housing Company, Inc. for the purpose of administration services and program delivery for the approved Community Development Block Grant No. 636HO345-17 in the amount $282,975.00; a Grant to provide direct homeownership assistance to income eligible first time homebuyers in the County, with the sum of $37,975.00 to be made available from the Grant payable to Snow Belt, to cover the administration and program delivery expenses over the life of the project.

Section 2. That the Sub-Recipient Agreement shall commence as of January 1, 2018 and shall continue through December 31, 2019. Notwithstanding the aforementioned, pursuant to 24 CFR 570.503(a), this Agreement shall remain in effect during any period that the Sub-Recipient has control over these CDBG funds, including program income.

Section 3. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute, seal and deliver such Sub-Recipient Agreement upon such terms as may be approved by the Lewis County Attorney.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 37 - 2018

RESOLUTION AUTHORIZING A SPECIAL COUNSEL AGREEMENT WITH SIMMONS HANLY CONROY, LLC TO BRING A LAWSUIT AGAINST PHARMACEUTICAL COMPANIES ON BEHALF OF THE COUNTY OF LEWIS TO RECOVER DAMAGES AND COSTS ASSOCIATED WITH OPIOID EPIDEMIC

Introduced by Legislator Jerry King, Chair of the Ways and Means Committee.

WHEREAS, the opioid epidemic has grown considerably across the nation, causing local municipalities like Lewis County to invest significant resources to combat opioid abuse and addiction. Some of the economic resources and costs to our community because of this epidemic include, but are not limited to lost productivity, costs of training and addiction programs; equipment purchases for first responders; increased costs to our Social Services staff and programs to aide residents and families impacted by these addictions; increased health treatment and substance abuse treatment costs, increased law enforcement and prosecution costs for the Sheriff, District Attorney, Probation and County Attorney offices. More than six (6) county departments are involved and strained in multiple ways with the opioid epidemic, including the sheriff-law enforcement, district attorney, probation, county attorney, social services, community services, and public health; and

WHEREAS, the statistical information shows that there is no typical path to addiction, but pharmaceutical companies knowingly pushed for and recommended over use of highly addictive opiates as and for pain medication and management, while deliberately hiding or down-playing the highly addictive nature of these painkillers. When a patient’s prescription expires, oftentimes the patient is already addicted and turns to other drugs, legal and illegal (such as heroin, fentanyl and other derivatives) to satisfy the addiction. The result has been more drug-related deaths, over doses, crime, unemployment, family neglect and related addiction problems in our communities; and

WHEREAS, the National Institutes of Health identified drug companies’ “aggressive marketing” as a major contributor to the nation’s opioid crisis. There is indication that pharmaceutical companies have benefited financially from the opioid crisis by misleading doctors, patients and the medical community in the nature and effects of their products while marketing these highly addictive drugs as long-term pain management solutions; and

WHEREAS, a September, 2016 study by the US Centers for Disease Control and Prevention estimated the economic burden of prescription opioid and heroin abuse in the United States to be $78.5 billion annually, with nearly 25% of that number shouldered by public sources. Nationally, opioids have caused approximately 60% of drug overdoses in recent years. In Lewis County, emergency department visits with a diagnosis of opiate poisoning more than doubled between 2010-2014 (from 15 to 32); and

WHEREAS, the intent of the County litigation against manufacturers of these addicting painkillers is to hold opioid manufacturers and distributors responsible for their fraudulent marketing tactics, declaring opioids safe for pain management, despite contrary medical statistics
and studies. This deliberate and misleading marketing helped cause this crisis and the increased costs the County has incurred and continues to incur as a result of this crisis in our communities; and

WHEREAS, the Board of Legislators recognizes that such a lawsuit against the pharmaceutical companies and distributors for their actions in intentionally creating the environment for addiction by their false and misleading tactics is but one avenue available to address and remedy the harm and costs of addiction in Lewis County; and

WHEREAS, the national law firm Simmons Hanly Conroy, LLC (with offices in New York, NY) is handling such pharmaceutical litigation on behalf of numerous municipalities both in New York and other States. Other New York counties who have commenced such litigation through this law firm in order to recoup the increased costs the County has incurred as a result of these practices include, but are not limited to Cayuga, Columbia, Fulton, Greene, Oswego, Rockland, Ulster, Wyoming, Broome, Dutchess, Erie, Orange, Schenectady, Seneca, Suffolk and Sullivan; and

WHEREAS, the County Attorney has researched the above firm and the other firm who is representing Counties in this litigation, and she recommends that the County of Lewis engage Simmons Hanly Conroy on behalf of Lewis County against the pharmaceutical companies manufacturing opioids in an effort to recover costs incurred by the County from increased emergency room admissions, increased Medicaid and other public health costs, increased law enforcement and EMS costs, increased social services and community services costs, increased probation and other department costs.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby agrees and authorizes a retainer agreement between the County of Lewis and Simmons Hanly Conroy, LLC, of New York, NY to bring a lawsuit on behalf of the County of Lewis, and to join with any other joint municipal lawsuit against manufacturers and distributors of prescription opiates.

Section 2. That the Lewis County Board of Legislators hereby directs that said agreement include terms and conditions which provide that there will be zero cost to Lewis County if there is no settlement, award or judgment; and that counsel shall advance any and all costs and disbursements associated with the litigation, and shall receive 25% of any recovery after reimbursement of costs and disbursements.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement as may be required to give effect to this authorization, pending approval by the County Attorney.

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

Moved by Legislator ______________________, seconded by Legislator ______________________, and adopted.
RESOLUTION NO. 38 - 2018

RESOLUTION AUTHORIZING ONE TIME DISTRIBUTION TO CERTAIN VILLAGES TO ASSIST IN WATER INFRASTRUCTURE EXPENSES AND IMPROVEMENT COSTS

Introduced by Legislator Jerry King, Chairman of the Ways and Means Committee.

WHEREAS, the County is committed to investment in projects which will improve and grow economic development. Maintenance of and improvements to water infrastructure and systems are essential to economic development in Lewis County; and

WHEREAS, as a result of cost saving measures and frugal budgeting, the County is able to consider a one-time distribution to certain Villages in the County who maintain and operate water districts and systems, namely, the Villages of Constableville, Copenhagen, Croghan, Lowville, Lyons Falls and Port Leyden; and

WHEREAS, this one-time payment is proposed in order to assist those named Villages with the expenses associated with each Village’s water infrastructure/system costs of maintenance and upgrades so that overall economic development may improve where water infrastructures are properly maintained.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the following one time distribution of $ 67,502.99 to the following named Villages in the County of Lewis who have water district infrastructures/systems for the amounts set forth for each:

| Village of Constableville | $ 3,504.95 |
| Village of Copenhagen | 1,444.96 |
| Village of Croghan | 1,727.85 |
| Village of Lowville | 53,482.88 |
| Village of Lyons Falls | 2,663.34 |
| Village of Port Leyden | 4,679.01 |
| Total: | $ 67,502.99 |

Section 2. That the Treasurer is directed to make the aforesaid payments from the Lewis County fund balance.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator ____________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 39 - 2018

RESOLUTION TO TRANSFER FUNDS
ECONOMIC DEVELOPMENT

Introduced by Legislator Jerry King, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in Non-Departmental Account “To Other Municipalities” for Economic Development, funds from Fund Balance:

Transfer from:
A0 005990 (fund balance) $67,502.99

Transfer to:
A0869200 499900 (To Other Municipalities) $67,502.99

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 40 - 2018

RESOLUTION AUTHORIZING and RATIFYING MEMORANDUM OF UNDERSTANDING AND AUTHORIZING A LEASE AGREEMENT BETWEEN THE COUNTY OF LEWIS AND JEFFERSON COMMUNITY COLLEGE FOR BUILDING AN EDUCATIONAL CENTER IN LEWIS COUNTY WITH EDUCATIONAL CURRICULUM AND PROGRAMS PROVIDED AND SERVICED BY JCC

Introduced by Legislator Jerry King, Chair of the Ways & Means, Buildings and Grounds Committees.

WHEREAS, Lewis County and the North Country as a whole, face a shortage of trained individuals to fill positions in the manufacturing, energy and agriculture sectors – the natural resources found in the County. Area employers and manufacturers are cognizant of their aging workforce and are concerned about meeting their resource needs with a skilled and educated workforce from the County and its neighbors in the North Country; and

WHEREAS, the County of Lewis seeks to partner with Jefferson Community College (“JCC”) to increase the number of employable and skilled residents from the County, at all levels, by providing an educational curriculum and a skilled instructional atmosphere, based upon the needs of the County’s workplaces and viable employment sectors, at a location of property on the East Road being donated to the County by the Lewis County Agricultural Society for educational purposes; and

WHEREAS, continuing discussions between the County’s Director of Planning and County Manager with JCC, through its Continuing Education Division, has placed strategic importance on a well- structured Career Technical Education (“CTE”) system and program for the citizens of Lewis County. CTE programs are built on the philosophy that students on all levels can enrich their lives through education with instruction and training that is career and skill based; and

WHEREAS, JCC is uniquely positioned to partner with Lewis County and provide CTE and eventually credit-bearing courses in the County, and particularly in academic programs pertaining to agribusiness and energy - two employment sectors viable in the County. Lewis County is uniquely positioned to partner with JCC by providing a suitable building and structure for this Educational Center; and

WHEREAS, the County of Lewis seeks to partner with JCC in building a suitable, 20,000 square foot, cost efficient and effective educational structure and facility, with classrooms and laboratories on property located on the East Road being donated by the Lewis County Agricultural Society to the County of Lewis for these purposes. In consideration of JCC providing at least a five (5) year commitment (5 year commitment with a 5 year anticipated renewal) to provide the educational curriculum, programs, instructors, and marketing of the facility and payment of an annual lease amount with an operational agreement, the County will commit to building the educational building and parking area at a cost not to exceed Four Million
$(4,000,000.00) Dollars, with the terms and conditions set forth in an Operational Memorandum of Understanding and a Lease Agreement; and

WHEREAS, the Lewis County Board of Legislators, by Resolution No. 324-2016, authorized the building of a 20,000 sq. ft. building on property to be provided and donated by the Lewis County Agricultural Society ("LCAS"), at a cost not to exceed $4,000,000.00; and with JCC to provide the curriculum, program, equipment, marketing and to operate and maintain the Educational Center pursuant to an Operational Agreement and separate Lease Agreement; and

WHEREAS, the Lewis County Board of Legislators, by Resolution No. 486-2016, authorized the Operational Memorandum of Understanding (MOU) and Lease Agreement with JCC for the building of an Educational Center on the property being donated to the County by the LCAS, at a cost not to exceed $4,000,000.00, and with JCC (and other educational partners in Lewis County as JCC may engage) to provide the curriculum, program, equipment, marketing and operation of the education center at an annual lease payment of $250,000.00 to the County, subject to annual adjustment; and

WHEREAS, the County and JCC entered into continuing discussions and negotiations in 2017 and were able to arrive at specific terms of the MOU, which include the initial amount of the annual lease payment to be $225,000.00, and with the County agreeing to defer, if circumstances exist, up to $50,000.00 per year in the lease obligation of JCC for the first three years, in the event JCC’s financial circumstances (funding, revenue and expenses) show an inability to meet the annual lease obligation; and

WHEREAS, JCC indicated its desire to execute the MOU and to hold a public ceremonial signing event with the County and other presumed educational partners, i.e., BOCES and Lewis County Cornell Cooperative Extension; subject to said MOU to be ratified by the Lewis County Board of Legislators and the JCC Board of Trustees at their respective monthly meetings the first week of February; and

WHEREAS, the Lewis County Board of Legislators seeks to rescind Resolution No. 486-2016 and wishes to ratify the MOU with JCC and authorize a Lease Agreement as well, in accordance with the terms and conditions set forth below.

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves and ratifies the Operational Memorandum of Understanding (MOU) between the County and Jefferson Community College ("JCC"), which was ceremonially executed by the Chairman of the Board of Legislators and the JCC President on January 26, 2018.

Section 2. That the Board of Legislators hereby rescinds Resolution No. 486-2016 and authorizes the building of an Educational Center on approximately 55 acres of land on the East Road, donated and to be transferred to the County of Lewis by the Lewis County Agricultural Society, under the terms of the MOU, to be known as the Lewis County - Jefferson Community College Education Center ("LC-JCC EC") to provide educational curricula and programs to
service the Lewis County population. Under the terms of the MOU, the County is committed to build a 22,000 sq. ft. building (2,000 sq. ft. of said space to house Lewis County Cornell Cooperative Extension) at a cost not to exceed $4,000,000.00; and with JCC committed to execute a lease Agreement to pay the County $225,000.00 per year (subject to an annual adjustment), under a five-year lease commitment with annual five year renewals. The MOU also provides, *inter alia*, that in the event JCC’s state aid reimbursement together with expected net revenue from the classes offered at the Educational Center are insufficient to pay the entire annual lease obligation, the County agrees to defer payment of the balance owing (up to a maximum of $50,000/yr. for the first 3 years), provided that JCC makes periodic payments to the County from any future revenue profits and/or any grant proceeds received pertaining to the Educational Center and its programs/curricula. The operational agreement sets forth that JCC is to provide the educational curriculum, programs, equipment, and marketing costs of the programs it operates at the Center. If there is any net profit realized by JCC, the MOU provides for JCC to pay over to the County 50% of any net profit periodically realized, as more fully described in the MOU.

Section 3. That the Board of Legislators authorizes the Lewis County Director of Planning and County Attorney to negotiate and finalize the specific terms and provisions of the Lease Agreement with JCC, consistent with the terms of the Operational Memorandum of Understanding and this Resolution, to effectuate this partnership and to move the project forward.

Section 4. That the Board of Legislators authorizes the Lewis County Director of Planning to work with appropriate members of the JCC administration to develop a Request for Proposal for a building, parking lot and premises design - turn-key construction - of a 20,000 sq. ft. educational structure with an additional 2,000 sq. ft. to house the Lewis County Cornell Cooperative Extension Department.

Section 5. Pursuant to this Resolution, the Lewis County Board of Legislators ratifies the Operational Memorandum of Understanding executed by the Chairman of the Board on January 26, 2018, and herein give authority retroactively to his execution of same.

Section 6. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver the Lease Agreement between the County and JCC, pending approval by the County Attorney as to form and content.

Section 7. That this Resolution shall take effect immediately.

Moved by Legislator _______________, seconded by Legislator _______________, and adopted.
RESOLUTION NO. _41_ - 2018

RESOLUTION TO APPROPRIATE FUNDS
CAPITAL COUNTY ROAD STRIPING

Introduced by Legislator Jerry King, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital County Road Striping account, balance of $7,061.39, with funds transferred from A0990100 992600 (To Capital Hwy Bldg):

<table>
<thead>
<tr>
<th>Increase Revenue</th>
<th>$65,100.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>H0512000 350310</td>
<td></td>
</tr>
<tr>
<td>Project HAI</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Increase Expense</th>
<th>$65,100.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>H0512000 499900</td>
<td></td>
</tr>
<tr>
<td>Project HAI</td>
<td></td>
</tr>
</tbody>
</table>

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 42 - 2018

RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COUNTY HIGHWAY DEPARTMENT

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, a long tenured employee of the Highway Department has announced his pending retirement from his Automotive Mechanic Supervisor position, and

WHEREAS, a review of the duties and responsibilities of the position in the Highway Department was conducted for proper classification, and

WHEREAS, this review identified a position more appropriately classified as a Management- Exempt position with the duties of assigning and evaluating work and disciplining employees where necessary, and overseeing the maintenance operations and mission of the department with an exemption from FLSA overtime, and

WHEREAS, this review of the duties and responsibilities being performed identified typical work activities which are more appropriately classified as a Supervisor of Automotive Equipment Maintenance and Operations, and

WHEREAS, the Lewis County Civil Service supports a reclassification to this title.

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 County Highway Department, to abolish and create the following positions:

ABOLISH:
TITLE
Automotive Mechanic Supervisor
GRADE
CSEA Grade 23
SALARY
$48,713

CREATE:
TITLE
Supervisor of Automotive Equipment and Maintenance Operations
GRADE
MGT-Grade 4
SALARY
$51,000

Section 2. That the Highway Superintendent, is hereby authorized to recruit and fill said position in compliance with Civil Service rules and regulations.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 43 - 2018

RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 4 TO D034743, BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) AND LEWIS COUNTY FOR THE TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT (PIN 775338) KNOWN AS JERDEN FALLS ROAD OVER W. BR. OSWEGATCHIE RIVER

Introduced by Legislator Andrea Moroughan, Chair of the Transportation Committee.

WHEREAS, a Project for the Bridge Replacement and Repair on Jerden Falls Road over the West Branch of the Oswegatchie River (PIN 775338; BN 3340000) (the “Project”) in the Town of Croghan, 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 Incidentals Phases of the Project by Resolution 369-2014 adopted November 4, 2014; and

WHEREAS, the Superintendent of Highways received notice from the NYSDOT of Non-allocated Marchiselli Construction and Construction Inspection funding for Project, which amends the previously adopted Schedule A funding. Specifically, the County will receive an additional $1,662,000.00 for the construction and construction inspection phase “321” of this project ($1,329,600.00 Federal Source and $332,400.00 State Source); and

WHEREAS, in order for the County to receive the full, additional funding and reimbursement for the construction and construction inspection phase “321”, a Supplemental Agreement titled “Supplemental Agreement No. 4 to D034743” must be executed.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute a supplemental agreement to the Jerden Falls Road over the West Branch of the Oswegatchie River Contract with NYSDOT, identified as “Supplemental Agreement No. 4 to D034743” for additional Non-allocated Marchiselli Construction and Construction Inspection funding for the Construction Phase of the project.
Section 2. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all 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 the Supplemental Agreement No. 4 to D034743, in connection with the Project.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 44 - 2018

RESOLUTION TO APPROPRIATE FUNDS
JERDEN FALLS RD OVER OSWEGATCHIE RIVER

Introduced by Legislator Jerry King, Chairman of Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That $1,329,600.00 shall be appropriated in the Capital Bridge Program to facilitate the Supplemental Agreement #4 PE/Design Phase and Row Incidentals and Construction Phases of the Bridge on Jerden Falls Rd over Oswegatchie River.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue:
H0512000 345970 FEDERAL $1,063,680.00
H0512000 350310 LOCAL $265,920.00
Project HAK

Expense:
H0512000 499900 $1,329,600.00
Project HAK

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

Moved by Legislator _____________, seconded by Legislator _____________, and adopted.
RESOLUTION NO. 45 - 2018

RESOLUTION AUTHORIZING LEWIS COUNTY TO ACCEPT
REAL PROPERTY OBTAINED BY THE STATE OF NEW YORK
RELATIVE TO THE COUNTY ROUTE 33 VAN AMBER ROAD BRIDGE
OVER BEAVER RIVER PROJECT (BIN 3339920, PIN 7753.06.201)

Introduced by Legislator Andrea Moroughan, Chair of the Transportation Committee.

WHEREAS, Lewis County had a project for the CR 33 Van Amber Road bridge replacement over Beaver River in the Towns of Croghan and New Bremen in Lewis County; and

WHEREAS, this project required the Right of Way (ROW) acquisitions of real property by New York State Department of Transportation as shown on Map No. 1, Parcel 1; Map No. 2, Parcel 2; Map No. 3, Parcel 3; (attached) and

WHEREAS, Lewis County owns and maintains the affected portion of CR 33 Van Amber Road; and

WHEREAS, the project has been completed and the ROW acquisitions are considered “excess property” for New York State, requiring ownership of the property be returned to Lewis County. The State of New York has requested that the County agree to accept the real property acquisitions.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That upon completion of the CR 33 Van Amber Road Bridge over Beaver River, Lewis County Board of Legislators hereby authorizes acceptance of the real property ROW acquisitions by the State of New York for the project, as described herein, and agrees to accept all responsibility, maintenance and jurisdiction of said property.

Section 2. That the Chairman of the Board of Legislators is hereby authorized to enter into any agreements and/or execute any other documents to carry out the intent of this resolution.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
NEW YORK STATE
DEPARTMENT OF TRANSPORTATION
ACQUISITION MAP

VAN AMBER ROAD BRIDGE
COUNTY ROAD 33

PIN 7753.06
PARCEL NO. 1
MAP NO. 1
SHEET 2 OF 2 SHEETS

APR 14 2014

All that piece or parcel of property hereinafter designated as Parcel No. 1, situate in the Town of New Bremen, County of Lewis, State of New York, as shown on the accompanying map and described as follows:

Beginning at a point on the westerly road boundary of the existing Van Amber Rd. (C.R. 33), said point being 1.21 feet distant easterly measured at right angles from station 17+00.00 of the hereinafter described 2010 Survey Baseline for the replacement of Van Amber Rd. (C.R. 33) bridge (B/N 33395020) over the Beaver River thence northerly through the property of Thomas Schantz and Catherine M. Schantz (Reputed Owners) the following four (4) courses and distances:
1) N80°52'44"W, 2111.2 feet to a point, said point being 5.00 feet westerly measured at right angles from station 17+00.00 of said survey baseline; 2) N16°55'12"E, 142.02 feet to a point, said point being 12.00 feet easterly measured at right angles from station 19+21.00 of said survey baseline; 3) N88°52'17"W, 13.00 feet to a point, said point being 1.00 westerly measured at right angles from station 19+21.00; 4) N0°59'31"E, 112.51 feet, partially through the bed of Beaver River, to a point on the northerly division line between the property of Thomas Schantz and Catherine M. Schantz (Reputed Owners) on the south and the property of Terry E. Noffzger and Linda J. Noffzger (Reputed Owners) on the north, said point being 5.12 feet easterly measured at right angles from station 20+33.81 of said survey baseline, said division line also being the Town Line between the Town of New Bremen on the south and the Town of Croghan on the north thence easterly along said division line, and in the bed of the Beaver River as it meanders, a distance of 47.01 feet to a point on the aforementioned westerly road boundary, said point being 50.72 feet easterly measured at right angles from said survey baseline thence southerly along said road boundary, and partially through the bed of the Beaver River, a distance of 266.75 feet to the point of beginning, being 7095.8 square feet more or less, of which 3136.7 square feet is underwater.

The above mentioned survey baseline is a portion of the 2010 Survey Baseline for the replacement of Van Amber Rd. (C.R. 33) bridge (B/N 33395020) over Beaver River, as shown on a map and plan on file in the Office of the Lewis County Highway Department and described as follows:

Beginning at Station 17+28.34; thence North 10°02'43" East to Station 23+11.25.

All bearings are based on True North at the 76°35' Meridian of West Longitude.

I hereby certify that the real property mapped above is necessary for this project, and the acquisition thereof is recommended.

Mark E. Fredericks, P.E.
Acting Regional Director of Transportation
Region No. 7

THOMAS SCHANTZ AND
CATHERINE M. SCHANTZ
(REPUTED OWNERS)

"Unauthorized alteration of a survey map bearing a licensed land surveyor’s seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current NYSBET policies, standards and procedures.

Prudent Engineering LLP
Engineering and Land Surveying
By Michael J. Wright, Land Surveyor
L.S. License No. 049155

Map of property which the Commissioner of Transportation deems necessary to be acquired by appropriation in the name of Lewis County in fee, for purposes connected with the highway system of said county pursuant to Section 30 of the Highway Law, as made applicable by Section 10, Subdivision 34-A, of the Highway Law and the Emigrant Domain Procedure Law.

There is excepted from this appropriation the right, title and interest, if any, of the United States of America in or to said property.

Pursuant to the statutory set forth above and the authority delegated to me by Official Order of the Commissioner of Transportation, this acquisition map is hereby approved and filed in the main office of the New York State Department of Transportation.

I have compared the foregoing copy of the map with the original thereof, as filed in the office of the State Department of Transportation, and I do hereby certify the same to be a true and correct copy of the original and of the whole thereof.

Director, Office of Right-of-Way

APR 8 2014
NEW YORK STATE
DEPARTMENT OF TRANSPORTATION
ACQUISITION MAP
PIN 7753.06

VAN AMBER ROAD BRIDGE
COUNTY ROAD 33

MAP NO. 2
PARCEL NO. 2
SHEET 2 OF 2 SHEETS

APR 14 2014

All that piece or parcel of property hereinafter designated as Parcel No. 2, situate in the Town of Croghan, County of Lewis, State of New York, as shown on the accompanying map and described as follows:

Beginning at a point on the westerly road boundary of the existing Van Amber Rd, (C.R. 33), in the bed of the Beaver River, at its intersection with the division line between the property of Terry E. Noftsier and Linda J. Noftsier (Reputed Owners) on the north and the property of Thomas Schantz and Catherine M. Schantz (Reputed Owners) on the south, said point being 50.71 feet distant easterly measured at right angles from station 20+92.11 of the hereinafter described 2010 Survey Baseline for the replacement of Van Amber Rd, (C.R. 33) bridge (B31) 35392020 over the Beaver River; thence westerly along said division line and through the bed of the Beaver River as it meanders a distance of 41.02 feet to a point, said point being 5.11 feet easterly measured at right angles from station 20+133.87 of said survey baselines thence northeasterly through the property of Terry E. Noftsier and Linda J. Noftsier (Reputed Owners), and partially through the bed of the Beaver River, the following two (2) courses and distances: 1) N1°39'36"E, 126.41 feet to a point, said point being 12.00 feet easterly measured at right angles from station 21+60.00 of said survey baselines; 2) N0°08'35"W, 6.31 feet to a point on the division line between the property of Terry E. Noftsier and Linda J. Noftsier (Reputed Owners) on the north, said point being 10.25 feet easterly measured at right angles from station 21+46.81 of said survey baselines thence southeasterly along said division line a distance of 21.82 feet to an angle point, said point being 30.12 feet easterly measured at right angles from station 21+58.87 of said baseline survey thence continuing northeasterly along said division line a distance of 19.52 feet to a point of intersection on the foresaid westerly road boundary, said point being 39.52 feet easterly measured at right angles from station 21+75.87 of said survey baselines thence southerly along said road boundary, and partially through the bed of the Beaver River, a distance of 19.52 feet to the point of beginning, being 6671.2 square feet more or less, of which 2853.1 square feet is underwater.

The above mentioned survey baseline is a portion of the 2010 Survey Baseline for the replacement of Van Amber Rd, (C.R. 33) bridge (B31) 35392020 over Beaver River, as shown on a map and plan on file in the Office of the Lewis County Highway Department and described as follows:

Beginning at Station 17+28.343 Thence North 10°08'43" East, to Station 23+11.25.

All bearings are based on True North at the 78°35' Meridian of West Longitude.

I hereby certify that the real property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date: January 23, 2013

Mark E. Frachette, P.E.
Acting Regional Director of Transportation
Region No. 7

“Unauthorized alteration of a survey map bearing a licensed land surveyor’s seal is a violation of the New York State Education Law.”

I hereby certify that this map was prepared in accordance with current NYS DOT policies, standards and procedures.

Date: December 21, 2012

Prudent Engineering LLP
Engineering and Land Surveying
By Michael J. Wright, Land Surveyor
L.S. License No. 049195

TERRY E. NOFTSIER AND
LINDA J. NOFTSIER
(REPUTED OWNERS)

Map of property which the Commissioner of Transportation deems necessary to be acquired by appropriation in the name of Lewis County in fee, for purposes connected with the highway system of said County pursuant to Section 30 of the Highway Law, as made applicable by Section 18, Subdivision 34-A, of the Highway Law and the Eminent Domain Procedure Law.

There is excepted from this appropriation all the right, title and interest, if any, of the United States of America in or to said property.

Pursuant to the statute set forth above and the authority delegated to me by official Order of the Commissioner of Transportation, this acquisition map is hereby approved and filed in the main office of the New York State Department of Transportation.

Date: APR 18 2014

Office of Right-of-Way

I have compared the foregoing copy of the map with the original thereof, as filed in the Office of the State Department of Transportation, and do hereby certify the same to be a true and correct copy of the original and the whole thereof.

Date: APR 18 2014

Office of Right-of-Way
All that piece or parcel of property hereinafter designated as Parcel No. 3, situate in the Town of Cragman, County of Lewis, State of New York, as shown on the accompanying map and described as follows:

Beginning at a point on the westerly road boundary of the existing Van Amber Rd. (CR 33), at the intersection of the division line between the property of Pine Grove Mennonite Church (Reputed Owner) on the north and the property of Terry J. Hoffner and Linda J. Hoffner (Deputed Owners) on the south, said point being 39.91 feet distant easterly measured at right angles from Station 21+78.81 of the hereinafter described 2010 Survey Baseline for the replacement of Van Amber Rd. (CR 33) bridge (BN 3339920) over Beaver River thence southeasterly along said division line a distance of 19.51 feet to an angle point, said point being 30.32 feet easterly measured at right angles from station 21+58.81 of said survey baseline thence continuing northeasterly along said division line a distance of 21.83 feet to a point 10.22 feet easterly measured at right angles from station 21+46.01 of said survey baseline thence N91°09’30”W through the property of Pine Grove Mennonite Church (Reputed Owner) 116.67 feet to a point on the aforesaid road boundary, said point being 22.35 feet easterly measured at right angles from station 22+78.02 of said survey baseline thence southerly along said road boundary a distance of 115.61 feet to the point of beginning, being 2027.5 square feet more or less.

The above mentioned survey baseline is a portion of the 2010 Survey Baseline for the replacement of Van Amber Rd. (CR 33) bridge (BN 3339920) over Beaver River, as shown on a map and plan on file in the Office of the Lewis County Highway Department and described as follows:

Beginning at Station 17+28.34 thence North 10°02’43” East to Station 23+11.25.

All bearings are based on True North at the 76°35’ Meridian of West Longitude.

I hereby certify that the real property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date January 3, 2013
Mark E. Frachette, P.E.
Acting Regional Director of Transportation
Region No. 7

“Unauthorized alteration of a survey map bearing a licensed land surveyor’s seal is a violation of the New York State Education Law.”

I hereby certify that this map was prepared in accordance with current NYDOT policies, standards and procedures.

Date December 23, 2017
Prudent Engineering LLP
Engineering and Land Surveying
By Michael J. Wright, Land Surveyor
L.S. License No. 049155

Map of property which the Commissioner of Transportation deems necessary to be acquired by appportion in the name of Lewis County in fee, for purposes connected with the highway system of said county pursuant to Section 30 of the Highway Law, as more applicable by Section 15, Subdivision 344, of the Highway Law and the Eminent Domain Procedure Law.

There is excepted from this appropriation as the right, title and interest, if any, of the United States of America in or to said property.

Pursuant to the statutory set forth above and the authority delegated to me by official order of the Commissioner of Transportation, this acquisition map is hereby approved and filed in the main office of the New York State Department of Transportation.

Date APR 9 2014
Director, Office of Right-of-Way

Office of Right-of-Way

MRD and FLP 1/29/2018
RESOLUTION NO. 46 - 2018

RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
LEWIS COUNTY GENERAL HOSPITAL

Introduced by Legislator Richard Chartrand, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

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

<table>
<thead>
<tr>
<th>TITLE</th>
<th>STATUS</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Nurse Case Manager</td>
<td>Full-time</td>
<td>$28.55 - $36.00/hr.</td>
</tr>
</tbody>
</table>

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 47 - 2018

RESOLUTION AUTHORIZING EXTENSION TO AGREEMENT
BETWEEN FRONTIER COMMUNICATIONS
AND THE COUNTY OF LEWIS

Introduced by Legislator Randall LaChausse, Chairman of the Information Technology Committee.

WHEREAS, the County of Lewis desires to extend an Agreement with Frontier Communications for its county phone service and internet connection with two revisions, which include a reduced rate for Primary Rate Interface ("PRI’s") and increased bandwidth and rate for Metro E Ethernet.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators agree to extend the Agreement with Frontier Communications for its county phone service and internet connection for the term commencing October 1, 2017 through September 30, 2020 at the following costs:

• $650.00 per month (plus surcharges & fees) for PRI’s with 300 DID’s (phone numbers)
• $650.00 per month (plus surcharges & fees) for 20M Metro E Ethernet
• $500.00 per month (plus surcharges & fees) for long distance block of 20,000 minutes

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

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 48 - 2018

RESOLUTION TO TRANSFER FUNDS
LYONS FALLS HISTORICAL SOCIETY

Introduced by Legislator Jerry King, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved from Contingency to Lyons Falls Historical account:

From: 
A0199000 499900 Contingency  
Amount  
$1,000.00

To: 
A0752600 499900 Lyons Falls Hist  
$1,000.00

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 49 - 2018

RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PROBATION DEPARTMENT AND
CHILDREN’S HOME OF JEFFERSON COUNTY

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, Children’s Home of Jefferson County ("Agency") is a private non-profit agency authorized by the New York State Office of Children and Family Services that provides a non-secure detention program; and

WHEREAS, the Lewis County Probation Department wishes to enter into an agreement with this Agency to utilize their services for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the Probation Department by the Family Court.

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 Probation Department, and Children’s Home of Jefferson County for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the Lewis County Probation Department by the Family Court for the term beginning January 1, 2018 through December 31, 2018, at a cost of $350.00 per day. Upon submission of a voucher, the State may reimburse up to 40% of the cost.

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

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

Moved by Legislator ____________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 50 - 2018

RESOLUTION AUTHORIZING AND ADOPTING
LEWIS COUNTY PUBLIC HEALTH’S “HEALTH STRATEGIC PLAN”
TO PROMOTE AND PROTECT THE WELLBEING OF OUR COMMUNITY

Introduced by Legislator Bryan Moser, Member of the Public Health Committee.

WHEREAS, in 2016, the US Department of Health and Human Services launched the Public Health 3.0 initiative and hosted listening sessions across the country. Local leaders and community members shared successes and provided insight on actions that would ensure a more supportive policy and resource environment to spread and scale this model; and

WHEREAS, the Public Health 3.0 initiative leverages local data and partnerships to facilitate discussion and collaboration across sectors to support environmental, policy, and system-level efforts that address the social determinants of health. This transformed approach to public health will strengthen the Lewis County Public Health infrastructure in order to achieve health equity and advance the health and wellbeing of our community;

WHEREAS, Public Health plays the role of Chief Health Strategist and Lewis County Public Health (“Department”) desires to implement a Health Strategic Plan for 2017-2022 that will guide the Department’s strategic directions and priorities over the next five (5) years. The plan highlights key areas where they seek to make improvements as a public health agency.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby adopts and authorizes Lewis County Public Health to implement its proposed Health Strategic Plan for 2017-2022 that will guide the Department’s strategic directions and priorities over the next five (5) years and that will highlight key areas where they seek to make improvements as a public health agency to achieve health equity and advance the health and wellbeing of our community.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 51 - 2018

RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND WAYNORTH, LLC

Introduced by Legislator Bryan Moser, Member of the Public Health Committee.

WHEREAS, WayNorth, LLC, ("WayNorth") is a business located at 242 Washington Street, Suite 6C, Watertown, New York 13601 that provides web design, hosting and marketing services; and

WHEREAS, the Lewis County Public Health Agency wishes to enter into an Agreement with WayNorth to receive the services of an App Developer and App Host to provide the development, hosting and maintenance of a healthy food and exercise/fitness app for Lewis County and Lewis County Public Health.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, to enter into an Agreement with WayNorth, LLC to provide the services of developing, hosting and maintenance of a healthy food and exercise/fitness web App for Lewis County and Lewis County Public Health.

Section 2. That this is for the period commencing February 7, 2018 through December 31, 2020 at the following costs:

- $3,000 for development, publishing, hosting and maintenance for initial term of one year
- $1,000 for publishing, hosting and maintenance for subsequent years

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

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

Moved by Legislator ________________, seconded by Legislator ________________,
and adopted.
RESOLUTION NO. 52 - 2018

RESOLUTION APPOINTING MEMBER TO
HEALTH SERVICES ADVISORY BOARD

Introduced by Legislator Bryan Moser, Member of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints CHERYL KELLY of 7043 West Road, Lowville, New York as a member of the Health Services Advisory Board.

Section 2. That the term of said appointment shall be effective February 7, 2018 through December 31, 2019.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 53 - 2018

FIXING DATE OF PUBLIC HEARING FOR OPENING
SECTION OF CR 28 TO LEWIS COUNTY SNOWMOBILE TRAIL

Introduced by Legislator Ronald Burns, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, Barnes Corners Sno Pals requests a re-route of a portion of their snowmobile trail due to excessive and continuous water issues on a portion of the existing trail; and

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on February 6, 2018, a proposed opening of .2 miles of County Route 28 (Liberty Road) from the intersection of Worth Road South to the intersection of the Sears Pond and Salmon River Roads in the Town of Montague for snowmobile access.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on March 6, 2018 at 5:00 p.m. at the Lewis County Courthouse, Legislative Chambers, 7660 North State Street, Lowville, New York 13367, Second Floor, for the purpose of receiving public comment regarding the opening of .2 miles of County Route 28 (Liberty Road) from the intersection of the Worth Road, south to the intersection of the Sears Pond and Salmon River Roads in the Town of Montague, for snowmobile access.

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 ________________ , seconded by Legislator ________________ , and adopted.
RESOLUTION NO. 54 - 2018

RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND AVIAT NETWORKS
FOR REMOTE MAINTENANCE AND SUPPORT SERVICES
ON THE MICROWAVE RADIOS AND ANTENNA SYSTEMS
RELATED TO THE EMERGENCY COMMUNICATIONS SYSTEM

Introduced by Legislator Gregory Kulzer, Chairman of the Courts & Law Enforcement Committee.

WHEREAS, the County of Lewis upgraded its emergency radio communications system for use by all emergency service agencies with one of the components being upgrades to the Microwave Radio System that meets New York State and local government requirements; and

WHEREAS, by Resolution No. 107-2014, the County awarded to and authorized an agreement with AVIAT NETWORKS ("Aviat") to provide wireless communications between multiple radio communications sites in Lewis County; and

WHEREAS, the 911 committee seeks to enter into an Agreement with Aviat for the AviatCare Maintenance and Support Services which includes access to Aviat Networks customer online technical support site, repair services and remote technical support at a cost not to exceed $1,620.00 described more fully in the AviatCare Maintenance and Support Services Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement with Aviat Networks to provide remote maintenance and support services with access to Aviat Networks customer online technical support site, repair services and remote technical support at a cost not to exceed $1,620.00 for the term February 1, 2018 through January 31, 2019.

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

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

Moved by Legislator _______________, seconded by Legislator _______________, and adopted.
RESOLUTION NO. 55 - 2018

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF LEWIS, BY AND THROUGH THE LEWIS COUNTY SHERIFF'S DEPARTMENT AND 911 EMERGENCY OPERATIONS UNIT, WITH SNOWMOBILE CLUBS FOR ACCESS TO THE COUNTY’S 911 EMERGENCY SYSTEM

Introduced by Legislator Gregory Kulzer, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, Lewis County Snowmobile Clubs service various snowmobile trails in Lewis County and have a certain number of snowmobile trail “groomers”. The Clubs have indicated to the 911 Emergency Radio System Unit in the Sheriff’s Department that they will be purchasing radio(s) for their groomers and seek access to the County’s 911 Emergency System for communication use on the County’s 911 radio system only in emergencies; and

WHEREAS, the County’s 911 Upgrade Project is now in service, with the County able to program a Countywide Channel for use by the snowmobile club groomers specifically and solely for what the County deems an emergency. This programmed Channel will allow an operator of the club’s groomer to communicate with the County’s 911 Dispatch Center, Fire and Sheriff’s Departments to report an emergency, but not to report weather conditions, trail conditions, or anything other than a 911 emergency matter; and

WHEREAS, the County of Lewis, by and through the Lewis County Sheriff’s Department and 911 Emergency Operations Unit, desires to enter into a Memorandum of Understanding with Lewis County Snowmobile Clubs to foster this emergency radio access and communication for snowmobile club groomers.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis, by and through the Lewis County Sheriff’s Department and 911 Emergency Operations Unit with the Lewis County Snowmobile Clubs to gain access to the 911 Emergency Radio System Unit in the Sheriff’s Department for their snowmobile trail groomers to have channel access on the County’s 911 radio system only to report emergencies.

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

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 56 - 2018

RESOLUTION TO RESCIND RESOLUTION NO. 126-2017 AND AUTHORIZE A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND THE HARRISVILLE FIRE DEPARTMENT TO LEASE SPACE ON COUNTY’S HARRISVILLE TOWER AND IN ITS EQUIPMENT SHELTER

Introduced by Legislator Gregory Kulzer, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Harrisville Fire Department (hereinafter “Department”) is located next to a senior citizens’ facility. The Department cannot place its siren on its building without causing serious disruption to the seniors in the next door building. The Department has requested that it be allowed to lease space on the County’s tower located in the vicinity, but far enough away from the seniors as to negate the disruption caused by the siren going off intermittently at all hours of the day and night. In addition, the location on the tower will enable the Department to reach a wider area of the Harrisville community for fire-fighting coverage; and

WHEREAS, the County has invested substantial funds to upgrade its Emergency 911 system, and desires to participate and assist in this request, provided the use of the County tower and equipment shelter does not and will not interfere with and/or conflict in any way with the County’s Emergency 911 upgrade project and system; and

WHEREAS, the Department provided the County with the detail and specifications pertaining to placement of a siren on the tower and it appears that doing so will not cause interference or conflict with the County’s emergency 911 functioning at that tower site; and

WHEREAS, by Resolution No. 126-2017, the Lewis County Board of Legislators authorized a Memorandum of Understanding between the Harrisville Fire Department and the County for the lease of space on the County’s tower and in the equipment shelter at its Harrisville location, at no cost at the time. The County has now determined that a nominal fee of $5.00 per month is appropriate to charge the Department for the use of the space and use of electricity at the site; and

WHEREAS, the County seeks to rescind Resolution No. 126-2017 and approve a Memorandum of Understanding for the lease of space at the Harrisville tower site by the Harrisville Fire Department for placement of its siren, at a nominal monthly fee of $5.00 ($60.00 per year) commencing January 1, 2019.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby rescinds Resolution No. 126-2017 and authorizes the Harrisville Fire Department to lease space on the County’s Harrisville Tower and in its equipment shelter for the Department’s siren, at a fee of $5.00 per
month ($60.00 per year), and subject to the County’s right to terminate the Agreement if there is any interference by the Department’s lease of the space with the County’s Emergency 911 functioning.

Section 2. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding to be entered into between the County and the Harrisville Fire Department to set forth the terms and conditions of the Department’s lease of the space on the County’s tower and in its equipment shelter at this site, including but not limited to payment of a monthly fee of $5.00 commencing January 1, 2019, and with specific terms and requirements of the County’s Emergency 911 Committee for location of the siren on the tower, equipment placement in the shelter space, power service, and the County’s right to terminate the arrangement at any time if there is any adverse effect upon the Emergency 911 functioning.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Agreement, upon such form as approved by the County Attorney.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 57 - 2018

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND LEWIS COUNTY SEARCH & RESCUE, INC. TO LEASE SPACE ON COUNTY’S TOWER AND EQUIPMENT SHELTER AT NUMBER THREE ROAD SITE

Introduced by Legislator Gregory Kulzer, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the County has invested substantial funds to upgrade its Emergency 911 system, and desires to assist in the request of Lewis County Search & Rescue, Inc. (LCSR) to lease space on the County’s tower and in its new equipment shelter at the Number Three Road site, provided the use of the County tower and equipment shelter does not and will not interfere with and/or conflict in any way with the County’s Emergency 911 upgrade project and system; and

WHEREAS, the County Emergency 911 Committee has determined that this Tower and Equipment Shelter can accommodate LCSR’s radio and equipment, and the County, therefore, seeks to authorize a Memorandum of Understanding between the County and LCSR for the lease of space at the Number Three Road tower site, at a nominal monthly fee of $5.00 ($60.00 per year), with terms and conditions to protect the integrity and functioning of the County’s Emergency Communications System.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Lewis County Search & Rescue, Inc. to lease space on the County’s Number Three Road Tower and in its equipment shelter for LCSR’s radio and related equipment, at a fee of $5.00 per month ($60.00 per year), and subject to the County’s right to terminate the Agreement if there is any interference by LCSR’s lease of the space with the County’s Emergency 911 Communications functioning.

Section 2. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding to be entered into between the County and the LCSR to set forth the terms and conditions of the lease of the space on the County’s tower and in its equipment shelter at this site, including but not limited to payment of a monthly fee of $5.00 commencing January 1, 2019, with specific terms and requirements of the County’s Emergency 911 Committee for location of the radio on the tower, equipment placement in the shelter space, power service, and the County’s right to terminate the arrangement at any time if there is any adverse effect upon the Emergency 911 communications functioning.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Agreement, upon such form as approved by the County Attorney.

Section 4. That the within resolution shall take effect immediately.
Moved by Legislator ______________, seconded by Legislator ______________,
and adopted.
RESOLUTION NO. _58_ - 2018

RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the office of the Sheriff’s Department using donated funds.

Increase Revenues
A0311000 327062 (Sheriff’s Contribution) $1,732.00

Increase Expense
A0311200 499900 (Parks & Recreation Expenditures) $1,732.00

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 59 - 2018

RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY UNDERSHERIFF

Introduced by Legislator Bryan Moser, Chairman of Human Resources Committee.

WHEREAS, the Sheriff appointed Jason A. McIntosh as Lewis County Undersheriff effective October 24, 2017 at a base salary of $61,000; and

WHEREAS, this appointment removed Sergeant McIntosh from recognition and membership under the UPSEU labor contract provisions, including the continuance of the $2,600 longevity payments under that contract; and

WHEREAS, the Board of Legislators upon adoption of the Management Policy Manual on January 2, 2018 created and formalized terms and conditions of employment for exempt management employees, including those entitled to longevity pay, which includes the newly appointed Undersheriff; and

WHEREAS, the value of longevity payments under the Management Policy Manual differs from longevity pay under the UPSEU contract. It is necessary and appropriate, therefore, to amend the Compensation Plan for Lewis County with reference to the Lewis County Undersheriff to correctly reflect his longevity and base salaries as an exempt management employee and to adjust the compensation plan to reflect same.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan for the County of Lewis as follows:

<table>
<thead>
<tr>
<th>From Undersheriff</th>
<th>Base Salary</th>
<th>Longevity</th>
<th>2018 Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$61,000</td>
<td>$2,600</td>
<td>$63,600</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>To Undersheriff</th>
<th>Base Salary</th>
<th>Longevity</th>
<th>2018 Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$62,625</td>
<td>$975</td>
<td>$63,600</td>
</tr>
</tbody>
</table>

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

Moved by Legislator _______________, seconded by Legislator _______________, and adopted.
RESOLUTION NO. 60 - 2018

RESOLUTION AMENDING THE COMPENSATION PLAN
TO CREATE ADDITIONAL FULL-TIME STAFF
IN THE SHERIFF’S DEPARTMENT

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee, and Legislator Gregory Kulzer, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Sheriff’s Department has operated with three (3) part-time Dispatch/Correction Officers in 2017, and

WHEREAS, the number of hours worked by the part-time staff exceeded full-time equivalent hours in 2017, and

WHEREAS, an analysis of staffing needs and actual hours worked by part-time staff indicate a need to create more full-time positions in the Dispatch operations, which may reduce overtime costs, and

WHEREAS, the Sheriff and the Board of Legislators wish to address full-time staffing requirements for the Dispatch by creating one (1) additional Dispatcher/Correction Officer position in the 2018 budget utilizing existing part-time staff and appropriations.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis by creating and authorizing the Sheriff to fill the following position:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>STATUS</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dispatcher/Correction Officer</td>
<td>Permanent Full-Time</td>
<td>Grade 18</td>
</tr>
</tbody>
</table>

Section 2. That the Board of Legislators hereby amends the 2018 County Budget by approving a transfer of funds as follows:

From A0311500.110200 Temp Personal Services 2018 Budget $ 39,600

To A0311500.110100 Personal Services $ 39,600

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 61 - 2018

RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE TO SHERIFF’S DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Sheriff’s Department, to create the following position:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>STATUS</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Sheriff/ Criminal Investigator</td>
<td>Permanent Full-time</td>
<td>Grade 25A</td>
</tr>
</tbody>
</table>

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position effective at the beginning of the next payroll period on February 19, 2018, in compliance with Civil Service rules and regulations.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 62 - 2018

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE LEWIS COUNTY SHERIFF AND LEWIS COUNTY GENERAL HOSPITAL REGARDING PROVISION OF JAIL PHYSICIAN SERVICES TO THE INMATES OF THE PUBLIC SAFETY BUILDING

Introduced by Legislator Gregory Kulzer, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, pursuant to Correction Law § 500-c, the county sheriff is the custodian of the county jail and must receive and safely keep in the county jail of his county each person lawfully committed to his custody; and

WHEREAS, the Jail Physician is appointed by the Board of Legislators pursuant to Correction Law § 501 and provides certain medical services to the inmates at the county jail (hereinafter referred to as “Public Safety Building” or “PSB”); and

WHEREAS, the Lewis County General Hospital (the “LCGH”) is willing to provide the services of a Jail Physician through its medical staff in the delivery of medical services to such inmates, at an annual compensation of $35,172.00, payable in equal monthly installments of $2,931.00; and

WHEREAS, the Board of Legislators wishes to provide for reimbursement to the LCGH through the Sheriff’s Department for the costs associated with providing such medical services; and

WHEREAS, the parties seek to enter into a Memorandum of Understanding (MOU) to set forth their understandings of the responsibilities of the LCGH in providing a Jail Physician through its medical staff in the performance of the duties as Jail Physician, as well as the compensation arrangements and budgeting of the time and expenses associated therewith.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves a Memorandum of Understanding to be entered into by and between the Lewis County Sheriff and the Lewis County General Hospital to provide for reimbursement to the Hospital through the Sheriff’s Department for the costs of furnishing Jail Physician medical services, and to set forth the position duties and responsibilities and reporting requirements of the LCGH’s medical staff providing such medical services as Jail Physician, together with such other relevant provisions to give effect to same.

Section 2. The term of this Memorandum of Understanding shall be for one (1) year with annual renewable options, and shall commence effective March 1, 2018 and continue through February 28, 2019, with the LCGH to be compensated at a flat rate annual payment of $35,172.00, payable in monthly installments of $2,931.00 upon receipt of monthly invoices from the LCGH, which shall include detail of time and description of services provided.
Section 3. That the Chairman or Vice-Chairman of the Board of Legislators along with the Lewis County Sheriff are hereby authorized to make, execute, seal and deliver said Agreement upon such form as may be approved by the County Attorney.

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

Moved by Legislator ____________, seconded by Legislator ____________, and adopted.
RESOLUTION NO. 63 - 2018

RESOLUTION TO TRANSFER FUNDS
SHERIFF’S DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved in the Sheriff’s Department account from Contingency to cover the purchase of an inmate wand checking system:

<table>
<thead>
<tr>
<th>From:</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A0199000 499900 Contingency</td>
<td>$3,058.97</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>To:</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A0315000 460500 Repairs</td>
<td>$3,058.97</td>
</tr>
</tbody>
</table>

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

Moved by Legislator __________________, seconded by Legislator __________________, and adopted.
RESOLUTION NO. 64 - 2018

RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
JEFFERSON COMMUNITY COLLEGE

Introduced by Legislator John Lehman, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services ("DSS") desires to enter into an Agreement with Jefferson Community College for the Human Services/Chemical Dependency Degree Programs Internship Education Program; and

WHEREAS, the purpose of this agreement is to collaborate in providing an experiential education for Human Services/Chemical Dependency student(s) in preparation for practice as Human Services professionals.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Jefferson Community College for the Human Services/Chemical Dependency Degree Programs Internship Education Program and collaborate in providing an experiential education for Human Services/Chemical Dependency student(s) in preparation for practice as Human Services professionals.

Section 2. That the term of this Agreement shall be from January 1, 2018 through July 1, 2018.

Section 3. That the Board of Legislators hereby authorizes the Commissioner of Lewis County Department of Social Services to 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 ______________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 65 - 2018

RESOLUTION AUTHORIZING AGREEMENT WITH DANC TO RECYCLE
MATTRESSES AND TRANSFER FEES CHARGED FOR SAME

Introduced by Legislator Andrea Moroughan, Chair of the Solid Waste Committee.

WHEREAS, the Development Authority of the North Country ("DANC") operates the
landfill in Rodman where Lewis County Solid Waste ("LCSW") delivers waste products,
including mattresses and box springs. DANC has communicated with our Solid Waste Director
the problem of such items becoming wrapped around compacters and other machinery at the
landfill as a result of these items being in the waste stream. DANC seeks to have these specific
items removed from the waste stream and recycled; and

WHEREAS, DANC has contracted with a reputable company to recycle mattresses and
box springs at a cost of approximately $14.00 per item. DANC seeks to enter into an agreement
with Lewis County Solid Waste to have this company set up a trailer at the LCSW location on
Route 26 in Lowville, NY, with LCSW sorting out mattresses and box springs from waste and
depositing same in the trailer to be hauled away by the company engaged by DANC. In
exchange, DANC seeks to have LCSW transfer its receipt of the $7.75 fee charge for each
mattress or box spring to DANC, and for DANC to be financially responsible for any and all fees
(approximately $14/ per) and set up fees, transportation, etc. for the hauling away and recycling
of mattresses and box springs; and

WHEREAS, this agreement will benefit LCSW and will preserve the DANC landfill.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby agrees and authorizes the
Director of Lewis County Solid Waste to enter into an agreement with DANC to have a trailer
set up at the Solid Waste station in Lowville and to have mattresses and box springs removed
from the waste stream and placed in the trailer to be hauled away when full for recycling.
LCSW is authorized to transfer the $7.75 per item fee it charges and receives for mattresses and
box springs to DANC as its contribution toward the costs of setting of the trailer, hauling and
removing these specific items for recycling.

Section 2. That the Lewis County Board of Legislators hereby agrees to this transfer of
the fees received by LCSW for such items, provided that DANC secures and contracts with a
reputable company to set up a trailer at the solid waste station, who then hauls away such filled
trailer for recycling.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby
authorized to make, execute, seal and deliver such Agreement as may be required to give effect
to this authorization, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.
Moved by Legislator ________________, seconded by Legislator ________________,
and adopted.
RESOLUTION NO. 66 – 2018

RESOLUTION AMENDING TIP FEE SCHEDULE
LEWIS COUNTY TRANSFER STATIONS
SOLID WASTE DEPARTMENT

Introduced by Legislator Andrea Moroughan, Chairman of the Solid Waste Committee.

WHEREAS, the Tip Fee Schedule for the Lewis County Transfer Stations was last amended pursuant to Resolution 124-2017 effective March 8, 2017; and

WHEREAS, the County transports their bulk tires to Seneca Meadows in Waterloo, New York, for which they have implemented a price increase of 10% effective January 1, 2018.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Lewis County tip fee schedule for bulk tires for the Lewis County Transfer Stations as follows:

<table>
<thead>
<tr>
<th>WASTE</th>
<th>COMMERCIAL HAULER/ RESIDENT RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulk Tires, 21” or larger</td>
<td>$350.00/Ton</td>
</tr>
<tr>
<td>Bulk Tires, 20” or less</td>
<td>$200.00/Ton</td>
</tr>
</tbody>
</table>

*Tires with rims are not accepted

Section 2. The above tip fee schedule shall take effect February 7, 2018.

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

Moved by Legislator _________________, seconded by Legislator _________________, and adopted.
RESOLUTION NO. 67 - 2018

RESOLUTION TO APPROPRIATE FUNDS
DWI DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the DWI accounts for NYS STOP-DWI 2017-2018 “Crackdown” grant funds:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase Revenue:</td>
<td>$9,972.00</td>
</tr>
<tr>
<td>A0331500 333110(DWI Grant)</td>
<td></td>
</tr>
<tr>
<td>Increase Expense:</td>
<td>$9,972.00</td>
</tr>
<tr>
<td>A0331500 492400(DWI Grant)</td>
<td></td>
</tr>
</tbody>
</table>

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

Moved by Legislator _______________, seconded by Legislator _______________, and adopted.
RESOLUTION NO. 68 - 2018

RESOLUTION AUTHORIZING APPLICATION TO NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR APPROVAL OF INSTALLATION OF FORTY (40) LEWIS COUNTY PUBLIC TRANSPORTATION BUS STOP SIGNS UNDER THE COUNTY’S 2017/2018 ACCELERATED TRANSIT CAPITAL FUND

Introduced by Legislator Ronald Burns, Chairman of the Planning Committee.

WHEREAS, the Accelerated Transit Capital (ATC) program administered by the New York State Department of Transportation (NYSDOT), provides state capital funding for upstate public transportation sponsors to rehabilitate, restore and modernize public transit assets; and

WHEREAS, under the Lewis County Transportation System, the Planning Department seeks to submit an application to NYSDOT under ATC funding for the funds to cover the installation of forty (40) Lewis County Public Transportation bus stop signs along the identified Lewis County Public Transportation routes, the cost of which is approximately $5,000. It is proposed that this cost be paid out of 2017/2018 ATC funds.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an application to the NYSDOT for use of 2017/2018 Accelerated Transit Capital funds for the installation of forty (40) Lewis County Public Transportation bus stop signs, the cost of which is approximately $5,000, under the Lewis County Public Transportation System.

Section 2. That upon the NYSDOT approval of this application, the Lewis County Board of Legislators hereby authorizes the above cost for installation of said bus stop signs along the identified Lewis County Public Transportation routes with funds from the 2017/2018 ATC account.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Application and other required agreements for this funding, upon such form as may be approved by the County Attorney.

Section 4. That a certified copy of this Resolution shall be filed with the New York State Department of Transportation by attaching it to the Application.

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

Moved by Legislator _______________, seconded by Legislator _______________, and adopted.
RESOLUTION NO. 69 - 2018

RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY TREASURER’S OFFICE AND
VENESKY & COMPANY

Introduced by Legislator Jerry King, Chairman of the Ways and Means Committee.

WHEREAS, the Lewis County Treasurer seeks to enter into an agreement with Venesky & Company ("Venesky") to provide consulting services for the purpose of assisting the County in the preparation of the Consolidated County-Wide Cost Allocation Plan (CAP), Department of Social Services’ ("DSS") Indirect Cost Proposal and required annual certification including details, as well as the determination and instructions on how to claim indirect costs applicable to other County Departments. In addition, Venesky will prepare necessary supporting documentation to recover Maintenance in Lieu of Rent expenses for DSS and other County departments in the form of a Space Occupancy Cost Analysis Report.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Treasurer’s Department and Venesky & Company for the purpose of receiving professional consulting services pertaining to County-Wide Cost Allocation Plans (CAP) and Indirect Cost Allocation Plans in applicable County Departments for the period of January 1, 2018 through December 31, 2022. The annual cost for such services shall not exceed $10,400 in the years 2018 and 2019, and shall not exceed $10,750 in the years 2020 through 2022.

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

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator ______________, seconded by Legislator ______________, and adopted.