

REGULAR MEETING
May 1, 2018

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

Roll Call: All Legislators were present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

There were 16 persons present.

Chairman Dolhof declared the April 3, 2018 meeting minutes were approved by general consent.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

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

Signed by: Ronald Burns, Chairman
Jerry King
Randall LaChausse

Dated: May 1, 2018

Legislator Osborne made a motion to waive the rules, seconded by Legislator Moser, and carried.

Chairman Dolhof opened the public hearing for comments on Local Law (Introductory No. 1-2018) A Local Law Amending Local Law No. 4-1956 County of Lewis, as subsequently Amended, Being a Local Law Enumerating Rules and Regulations of the Administration of the Lewis County Self-Insurance Plan.

PRIVILEGE OF THE FLOOR:

Attorney Mark Gebo, representing the Towns of Denmark and Harrisburg, submitted opposing views to the proposed Local Law amendment for Village volunteer firefighters' workers compensation assessments. Atty. Gebo recognized the amendment somewhat relied upon an audit conducted in another county and a 1963 State Comptroller opinion. However, said opinion does not reference VFBL, which specifically allocates the responsibility for workers compensation benefits for volunteer firefighters.

He cited Volunteer Firefighter Benefit Law ("VFBL") Subdivision 2 of Section 30 interpreting that firefighter charges are the responsibility of the Village for departments within their confines. The fire department, he said, is a department of, and under control of the respective Village. By shifting the allocation to the Town, leaves them to determine how they are going to recoup the costs from other jurisdictions served.

Copenhagen firefighters, for instance, serve the Towns of Harrisburg, Denmark and Champion pursuant to contracts with the Village. Essentially, Atty. Gebo is concerned that Denmark would have to depend upon the good will of the other jurisdictional boards to reimburse proportional charges. Alternatively, it places an additional burden on Denmark taxpayers for services provided outside their border. However, Villages, he stated, contract with Towns to recoup pro rata share expenses.

In conclusion, Atty. Gebo requested the Board further investigate VFBL Section 30 prior to adopting the Local Law amendment, which he submits is in direct opposition to same.

Town of Lowville Supervisor Randall Schell reiterated Atty. Gebo's sentiments, submitting that no jurisdiction had taken issue with the historical workers compensation firefighter charges directed to Villages for located departments, urging to return to that practice.

Town of Denmark Board member Peter Jones took issue with the Town being responsible for the firefighter charges, while having no jurisdiction over the fire departments, placing the Town at a disadvantage. The Villages, he said, oversee policies of respective fire departments and therefore, should be financially responsible. Mr. Jones explained the Town of Denmark had spread the current charges among taxpayers, and neither Village of Copenhagen or Castorland taxpayers were charged their pro rata share, paying only their fire district charges. The process has created confusion and he concurs with prior statements.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Thomas Spaulding has submitted a letter of resignation from the Lewis County Planning Board effective April 23, 2018.

Lewis County Habitat Committee Chair Edward J. Knapp of the Thousand Islands Area Habitat for Humanity corresponded appreciation to the Board for their willingness to identify a county property for a Habitat project. They are grateful, however, to report that a house in the Beaver Falls area has been donated for their project.

The Board acknowledges receipt of a resolution from the Essex County Legislature calling upon the Governor and the Office of Alcoholism and Substance Abuse Services to provide funding to support treatment and transition services to individuals with substance use disorders who are incarcerated in County jails.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's April report, the 4/20 and 4/30/18 Highway Audit Reports and the 4/20/18 Solid Waste Audit Report; and minutes of the 3/13/18 Community Services Board and 4/18//18 Youth Bureau Advisory Board meetings.

REPORTS OF STANDING COMMITTEES:

Legislator John Lehman, Social Services/Office For the Aging/Youth Bureau Committee Chairman, reported that regular and emergency HEAP was closed on 4/27/18. The clean and tune for cooling systems is now open and persons who have owned their home for at least one year are eligible.

Legislator Lehman reported the Youth Bureau had awarded \$1,300 each to five local municipalities to support youth programs.

He relayed concern for the financial status of Credo, irrespective of reporting a 29 percent increase in revenue compared year-to-date last year.

Legislator Lehman reported a current senior citizen meal cost of \$8.35, an amount substantially above the State-wide average and the \$5.00 paid by Jefferson County. Office For the Aging Director Kelly Hecker proposes to issue a "Request For Proposals" for home-delivered meals five days per week, with weekend frozen meals delivered on Fridays.

Legislator Lehman made a motion to authorize DSS Commissioner Jennifer Jones to refill a permanent full-time Caseworker effective immediately, due to a resignation. The motion was seconded by Legislator King and carried.

Legislator Lehman made a motion to authorize Office For Aging Director Kelly Hecker to fill the vacant full-time Administrative Assistant position, effective immediately. The motion was seconded by Legislator Burns and carried.

Legislator Lehman made a motion to authorize Director Kelly Hecker to advertise a "Request For Proposals" for the congregate and home-delivered meals program effective 1/1/2019. The motion was seconded by Legislator King and carried.

Legislator Bryan Moser, Veterans Services/Human Resources Committee Chairman, reported there were 71 veteran claims opened during the first quarter; and disability benefit payments of \$554,196, \$69,782 for pensions and education payments of \$88,351. There were 28 veteran healthcare enrollments. Although, first quarter receipts are typically higher, escalated disability receipts included two claims that were finally adjudicated after six and seven years, equating \$176,000 and \$155,000 respectively.

Legislator Moser relayed a U.S. Court of Appeals ruling in favor of veterans having chronic pain that no longer requires them to provide a doctor opinion that links current medical treatment to an in-service diagnosis. The Rapid Appeals Modernization Program (RAMP) was initiated in an effort to speed up the lengthy appeals process. Also, the VA Choice legislation allows for expanded medical care options.

Legislator Moser reported a monthly average of two to six junkyard complaints since code officers began documenting non-compliance issues. He suggests the Junkyard Law that

requires anyone with two unregistered vehicles to build a fence, may be too restrictive, urging the Committee and full Board to review the law to determine feasible amendments.

Legislator Jerry King, Ways and Means/Buildings and Grounds Committee Chairman, announced that all Legislators had received a copy of the architect's final County building condition survey report. He suggests the Board meet as a whole to discuss project options.

Legislator King informed the Interoperability radio channels project will continue with the overlay phase.

Legislator Thomas Osborne, Public Health/Community Services Committee Chairman, informed that lab-confirmed influenza reports continue to decline and numbers are below 2017 levels. The vaccination statistics for the 4/26/18 Emergency Preparedness drill will be reported next month; as well as the Board of Health quarterly report.

Legislator Osborne relayed woeful national statistics that one in five persons is affected by mental health conditions resulting in \$193.2 Billion annual lost earnings. Students aged 14 to 21 with a mental health diagnosis and served by special education programs have a 37 percent drop out rate. Additionally, each day 18 to 22 veterans commit suicide. According to the 2016 Center of Disease Control statistics, the farmer (dairy, fishing, forestry) suicide rate is 3.4% higher than any other occupation.

In March 2018, he reported there were 1,131 clients being seen at the behavioral health center in Lewis County; and 29 recorded suicide deaths from 2012-2016. Help is available through NY Farm Net, Behavioral Health & Wellness and Northern Regional Center for Independent Living. In June the Suicide Prevention Coalition will launch community crisis response teams to provide supportive services to agencies, businesses and/or individuals who have experienced a recent suicide, sudden traumatic loss of a loved one or other impact incident.

Legislator Osborne announced the commemorative Mental Health Walk will be held on 5/17/18 from the Lowville Firehall to Tops Plaza followed by a dinner and door prizes.

Legislator Ronald Burns, Recreation/Forestry & Parks Committee Chairman, commended Director Jackie Mahoney for furthering the search that resulted in an additional \$10,000 auction proceeds for sale of the 2014 County truck.

Legislator Gregory Kulzer, Courts and Law Enforcement/Fire & Emergency Management Director/Building Codes Committee Chairman, announced that District Attorney Leanne Moser has hired former Jefferson County District Attorney Cindy Intschert as her Assistant, and awaits State approval for her residency waiver.

Legislator Kulzer reported the need for a facility contract for secured detention by 10/1/18 when the "Raise the Age" regulations will prohibit 16 year olds from being processed or housed at the jail. The Children's Home of Jefferson County may be an option for juvenile non-secured detention.

Emergency Management Director Robert MacKenzie, III has received a \$2,500 grant from the Garrett Loomis Foundation that will be used to add thermo probes to the fire training tower, as well as a roof top training prop and safety railing.

Legislator Kulzer reported the Sheriff has ordered three new vehicles, of which the cost of one will be offset by insurance recovery for a damaged vehicle. The Committee also authorized purchase of the 2018 Ski-doo snowmobile at a 30% discount from Smith Marina of Old Forge, which is eligible for 50% State reimbursement.

Legislator Kulzer stated that the 4/21/18 SNIRT Run had over 4,500 participants with minimal reported incidents.

Legislator Kulzer made a motion to authorize Sheriff Carpinelli to retain the retired Cook Manager at the Jail part-time for a period up to four (4) weeks to train his replacement, seconded by Legislator Lehman and carried.

Legislator Chartrand, Hospital Committee Chairman, recognized and congratulated March employee-of-the-month nurse manager Tracy Goldthrite; and 2017 employee-of-the-year Human Resources Assistant Melissa Clark.

Legislator Chartrand reported submission of a \$60 million Transformation Grant application to the NYS Department of Health. He also made a plea to encourage all Legislators to attend the scheduled 9/22/18 Hospital Foundation Gala.

Legislator Chartrand reported a March gain of \$275,473 equating a year-to-date surplus of \$290,224. Gross in-patient, out-patient and skilled nursing facility revenue were higher than projections. Although the Hospital hired eight nurses from each of the three certified nursing assistant classes completed this year, staffing levels remain below NYSDOH mandatory levels. It is commonly known that various medical facilities market local nurses. Hospital CEO Gerald Cayer cautioned that available beds may be reduced if the current 25 open nursing positions remain unfilled.

Mr. Cayer also informed the facility received a “clean audit” report, meaning no significant findings. The comparison of pre-audit operation financials with post-audit figures indicate a very narrow gap of \$157,000 computed on an \$80 million operation, concluding that monthly financials accurately reflect actual expenses.

Legislator Andrea Moroughan who had suffered a recent heart attack, thanked her colleagues for their kind wishes, along with Marcy Teal, the emergency room nurse and doctor, and the four ambulance personnel who transported her to LCGH and then to Utica. “I am feeling good”, she declared.

Legislator Andrea Moroughan, Transportation/Solid Waste Committee Chair, urged support of her sponsored resolutions to award contracts for bridge projects.

Legislator Moroughan reported that a 4-H group has indicated their willingness to educate the public about recycling during the Lewis County Fair, so the County will donate 15 yellow recycling containers to facilitate their efforts.

COUNTY MANAGER REPORT:

Ryan Piche announced the 5/10/18 Business Leaders' breakfast to be held at the Croghan Firehall. Also, the County will be hosting the 5/24/18 Inter-County Legislative Committee of the Adirondacks for a tour of the solar project and luncheon meeting at Ridgeview Inn.

The inaugural Community Cup event will be held from 5/29-6/2/18 as put forth by the Health & Wellness Committee to promote healthy activities.

Mr. Piche will coordinate a ribbon-cutting ceremony for the solar project that is now producing electricity onto the grid.

A survey was compiled and forwarded to all County Department employees this morning, with over 100 responses already returned. Paper copies are to be distributed to Highway and Solid Waste employees.

Mr. Piche had also composed and forwarded a separate survey to each Legislator, responses of which will be referenced to develop a County mission and vision.

He was impressed with the organizers of the SNIRT Run and commended law enforcement and their partnered agencies for effectively patrolling the event.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$99,381.46; Contingency Fund-\$358,179.03; Capital Data Processing Fund- \$98,326.11 and Capital Equipment Fund - \$497,704.27, of which \$158,431.24 is the Highway portion. She stated that year-to-date sales tax revenue of \$2,257,264.15 is slightly below projections; and the current Hospital debt of \$800,000. The balance of the Internal Service Fund is \$2,529,963.36.

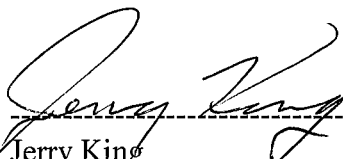
At 5:44 p.m. Chairman Dolhof declared the public hearing closed.

REPORT OF THE WAYS AND MEANS COMMITTEE:

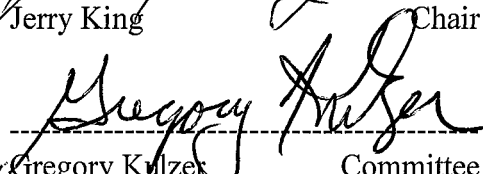
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

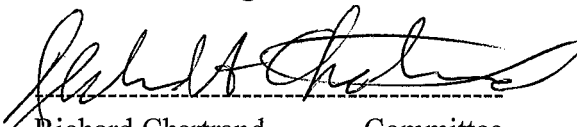
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,095,585.86 and recommend that they be audited and allowed for the amounts claimed.



Jerry King Chair



Gregory Kulzer Committee



Richard Chartrand Committee

Dated: May 1, 2018

Approved on motion by Legislator Moser, seconded by
Legislator Lehman, and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Moser at 8:03 p.m., seconded by Legislator Lehman and carried.