

REGULAR MEETING
February 9, 2016

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Legislator Bryan Moser offered the Invocation and asked for a moment of silence for all those who have departed since the last meeting. Chairman Tabolt then led the Pledge of Allegiance to the Flag.

There were 16 persons present.

Chairman Tabolt declared the January 5, 2016 meeting minutes were approved.

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.

Dated: February 9, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Chairman Tabolt opened the public hearing at 5:02 p.m. for comments on the effectiveness of the administration of the Lewis County Direct Homeownership Assistance Program, provided by Snow Belt Housing, Inc.

PRIVILEGE OF THE FLOOR:

Cheryl Shenkle-O'Neill, Snow Belt Housing, Inc. Executive Director, reported that in June of 2014 Lewis County applied for \$200,000 in funding through the Community Development Block Grant Program for the Lewis County Direct Homeownership Assistance Program. This application was submitted to the North Country Regional Economic Development Council. A public hearing was held on June 3, 2014 in preparation for the application and a second public hearing is being held today to provide residents with the opportunity to offer any comments on the accomplishments of the grant.

The goal of the program was to assist low- and moderate-income households to purchase their first home by providing a buy-down on the mortgage, payment of most closing costs, and assistance to rehabilitate the housing unit to ensure that it meets code and HQS (Housing Quality Standards), as developed by the U.S. Department of Housing & Urban Development (HUD).

This application was successful and the County was awarded \$200,000. A Grant Agreement was signed with a program effective date of November 12, 2014. The Agreement stipulated that all funds must be expended within 24 months (by November 11, 2016). The application anticipated that five households would be assisted with estimated program funds of \$108,750 for mortgage buy down and closing costs and \$62,500 for rehabilitation of the purchased homes. The program is nearing completion and seven households were provided assistance, two more than projected. As three of the homes didn't need any repair assistance, a budget modification was necessary to move funds from rehabilitation to down payment assistance. The final budget categories are \$121,450 for down payment and closing costs assistance and \$49,800 for repair assistance. An additional \$28,750 was used for administration and program delivery assistance, bringing the total grant amount to \$200,000.

The last home was closed on December 7, 2015 and the homebuyer received a mortgage from USDA as well as mortgage assistance from the Section 8 program. This home did not need any repair assistance. Rehabilitation of two of the homes that needed repair work is in progress and the program is expected to be completed by the end of May. Cheryl distributed a spreadsheet showing statistics about the program. She stated that the average down payment and closing costs assistance provided was \$17,350 with ranges from \$8,000 to \$25,000. Four of the homes needed repair work for an average of \$12,450 in repairs with ranges from \$9,750 to \$17,350. The average grant provided was \$24,464.00. On the summary spreadsheet the averages of down payment assistance and repair assistance don't add across to the average grant provided since three of the homes didn't need repair. The average purchase price was \$74,200 and the average mortgage was \$57,171.

There was no displacement as the homes that were purchased were either vacant or in one case, purchased by the existing tenant. The program was truly a countywide program in that two homes purchased were in the Village of Lowville, and one each in the Village of Lyons Falls, Village of Constableville, Town of New Bremen, Town of Watson, and Town of Lyonsdale.

Legislator Dolhof asked if this was about the new grant, and Cheryl responded that the county was awarded another homeownership grant in the amount of \$324,800 and we hope to assist 15 households with that grant. We currently have 10 on our waiting list from the last grant that we may be able to assist. The local housing stock, she said, is in much better condition compared to a couple of years ago. In response to Legislator Phil Hathaway, Ms. O'Neill stated the grant funds are used for closing and repair costs. Applicant eligibility is determined through an affordability analysis based on income and debt. Applicants may be required to upfront a down payment, the first year insurance premium, mortgage recording fee or appraisal fee. The USDA mortgages allow higher thresholds and have lower interest rates, but have higher closing costs.

Mr. Jeffrey Christman read his composed letter of complaint about the pistol license policy that requires any new weapon to be entered in the State's database. Although he's held a pistol license for 35 years, he was required to pay a fee to add the new pistol and be issued a laminated license and the paper license was destroyed. He insinuated the County Clerk's policy was discriminatory and has threatened a lawsuit. Mr. Christman asked for a refund of the license

fees and his original paper license. However, the State sets the policy that must be adhered by the County Clerk.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Village of Lyons Falls Mayor Katie Liendecker penned thanks to the Board for the one-time allocation from surplus revenue. To paraphrase, "Our village has been hit hard with several emergency infrastructure expenses", so the check was certainly timely and extremely appreciated.

The Clerk acknowledged receipt of resolutions from County Legislatures that had been forwarded to Federal and State Representatives: Cayuga County Legislature calling on the State to develop a 100% State funded Indigent Legal Defense System as a way to provide mandate relief and lower property taxes; Erie County in support of ending the outdated blue laws that restrict the sale of alcohol until noon on Sunday; Tompkins County Legislature calling upon Congress to reject the Trans-Pacific Partnership Agreement; Chenango County Legislature calling upon the State to restore funding parity between the Capital Plans of the Metropolitan Transportation Authority and the NYS Department of Transportation; and Orleans County Legislature in support of New York State's Constitution Home Rule.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's January report; the 1/21/16 Solid Waste and Highway Audit Reports; Sr. Code Enforcement Officer Ward Dailey's 2015-4th Quarter Report; and minutes of the 10/20/15 Health Services Advisory Committee, 12/15/15 Soil & Water Conservation District and 1/20/16 Youth Bureau Advisory Board meetings.

The County Sealer of Weights and Measures has submitted her 2015 - 4th Quarter Activities Report to be placed on file.

Legislators have also received copies of 2015 Annual Reports from Sr. Code Enforcement Officer, Civil Service Administrator, Director of Community Services, County Clerk, Economic Development Director, Fire and Emergency Management Director, Superintendent of Highways, Director of Information Technology, Office For Aging Director, Planning Director, Probation Director, Public Health Director, Recreation, Forestry and Parks Director, Sheriff, including his ATV Report, Director of Solid Waste Management, Treasurer's Cash Report, Veterans' Service Director and Sealer of Weights and Measures.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, relayed the Committee's confidence for the proposed second distribution of County 2015 surplus revenue. The committee will propose implementation of their current year goals and objectives to complete the DSS parking lot project, conduct an engineering study of the PSB water system upgrades and energy audit, and implement safety renovations and upgrades to deter issues of workplace violence. The solar system project will also commence.

Legislator Hathway reports coordinating with Greenskies to offer an opportunity for hands-on solar installation training to Fort Drum soldiers who are attending SUNY Canton, in response to Governor Cuomo's "Soldiers and Solar" initiative.

The Committee continually and diligently reviews the County's financial status, to include forecasting future challenges, to enable knowledgeable recommendations when the Board is requested to consider varying project appropriations.

Legislator Hathway made a motion to commit 25% of resulting savings from the solar array project to the Hospital, seconded by Legislator Chartrand and carried.

The committee is exploring options with the landlord for DMV building improvements proposed by County Clerk Linda Hoskins.

Legislator Hathway referenced a separate meeting with Bernier, Carr & Associates (BC&A) to share concerns about the DSS parking lot project. Subsequently, BC&A has acknowledged a financial reduction for their service costs, which the Committee agrees is reasonable.

The Maintenance Department, led by Frank Archer, completed a record number of 1,127 work orders in 2015.

In reference to the "Soldiers and Solar" initiative, Legislator Chartrand stated his Fort Drum contact is Franz Phillippe who lives in Lowville. There is a coordinated effort to unite soldiers who are registered for related courses, with Greenskies company officials, for an opportunity to work/intern for Greenskies when they commence installation of the County's solar array. The intent is to assist with soldier transition and enhance their civil employment potential.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, referenced Governor Cuomo's executive order 151 directing the Department of Social Services (DSS) to shelter all homeless persons when the temperature falls below 32 degrees with the wind chill factor considered. They are to provide outreach and transportation. On behalf of DSS staff, he thanked the community partners, especially law enforcement personnel, for planning and implementing an action plan to care for our homeless population.

In accordance with a new State requirement, DSS mailed biennial notices to all persons with a temporary assistance lien on their real property, informing them of the outstanding balance and any recovery DSS has received since the lien was imposed. Those with questions are directed to phone the DSS offices.

Legislator Fawcett reported that DSS staff have started Foster Parent training classes with nine potential foster families, and asks anyone interested to call Linda Leonard at 376-5403.

The Youth Bureau will allocate funds for youth development programs and educational opportunities to requesting municipalities for an amount up to \$5,000. The deadline for applications is 3/11/16.

Legislator Fawcett reported and thanked Office For Aging staff for providing an introductory synopsis of their respective program areas to the committee.

Legislator Bryan Moser, County Officers/Junkyards/Veteransø Services/ Human Resources Committee Chairman, announced the next meeting of the Junkyard Review Board would be held on 2/11/16. The Committee had also approved a few requests to refill positions.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Management Director/Building Codes Committee Chairman, made a motion to authorize Sheriff Carpinelli to refill one vacant Full-time Dispatcher/Correction Officer effective immediately. The motion was seconded by Legislator Moser and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill the Jail Physician position effective immediately, due to a resignation. The motion was seconded by Legislator Moser. In response to Legislator Moser, Hospital CEO Eric Burch informed they are working toward a Jail Physician solution. The motion then carried.

Legislator King reported that installation of the doors at the Public Safety Building should be completed next week; and that a few problems with radio reception had been addressed.

Legislator King relayed completing a FEMA course in Albany, and agreed to forward information on the Constitutional Convention. He also sat in on a training sessions encouraging that un-expired food be sent to pantries to reduce quantities deposited at landfills; how to predict sales tax and the correlation with crude oil pricing; as well as the impact on counties that are in close proximity to Canada due to the low exchange rate of \$.70. The low rate prevents incentive for cross-border shopping.

In response to Legislator Moser, Legislator King stated that the radio reception issues were caused by the wind shifting equipment on the Copenhagen tower. The contractor, he said, will install a reinforcement to avoid future interruptions.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, reported the committee's recommendation to have the County Attorney review and formulate a contract with the Barnes Corners Sno-Pals Snowmobile Club for the SNIRT Run scheduled for 4/16/16.

Legislator Dolhof reported that proposed Health Plan changes will be implemented within 60 days, in response to the approval majority vote of CSEA union employees.

He referenced the new \$324,800 CDBG Direct Homeownership grant to be administered through Snow Belt Housing.

The Utica bus route had resumed on 1/19 following the winter college recess. The NYS Department of Transportation has authorized public transportation for the upcoming Maple Weekend.

Legislator Dolhof cited NYSDEC's rejection to open the Aspen Hollow Truck Trail or Q-Road, instead suggesting a request to the NYSDOT to open Route 812 for ATV traffic. Director Jackie Mahoney will forward the request to the NYSDOT.

During the period 1/1-1/10/2016 over 6,000 snowmobilers were counted on the trail between Flat Rock and Montague. Snowmobiling was offered without a permit over the 1/16-1/17/2016 weekend, during which several businesses experienced their historical best. Legislator Dolhof reported receipt of the insurance certificates for the Kite Skiing event that is planned from 2/8-2/15/2016.

In conclusion, Legislator Dolhof informed of a signed purchase option for the Matuszczak property located across from Lewis County General Hospital, to be marketed as a business park, while obtaining an infrastructure study.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, made a motion to authorize payment of the 2013, 2014 and 2015 property taxes for the seven (7) parcels used for ATV trails located in Lyons Falls, West Turin, Turin and Greig for a total amount of \$933.95 from the Recreation, Forestry and Parks account. The motion was seconded by Legislator Dolhof. Jackie Mahoney stated the taxes had been paid from the ATV Trail Fund, therefore reimbursement would be made to that fund from the County Recreation, Forestry & Parks budget. The motion then carried.

Legislator Brennan reported attending a Fort Drum Regional Liaison Organization (FDRLO) meeting to hear a report from Acting Senior Commander Paul Bontrager. Fort Drum is one of two posts being considered for a highly technical communications site which would require minimal personnel additions. However, if designated for that function and/or a potential missile defense intercept satellite, would advantage Fort Drum during future base realignment and closure procedures. Preliminary discussions for altering traffic routes in the surrounding area are being considered.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to authorize Solid Waste Director Pete Wood to execute the quotation letter from Paradigm Software, LLC to install updated software for transfer station operations at a cost of \$6,300.00. If the County defers installation, there will be an additional cost of \$8,500 for the required update and training. The motion was seconded by Legislator Hathway and carried.

Legislator Kulzer reported an increase of \$65.00/year over the 5-year contract for the new Viking plow truck, attributable to increased interest rate. Also, the sand, stone and concrete bids will be opened on 2/10/16.

He reported the cost to rehabilitate the Jerden Falls Bridge will be \$1.7 million, of which the County share will be 5%. Highway Superintendent David Becker stated that the Blue Street Bridge may be given priority and financed by the Governor's additional budget allocations.

Legislator Kulzer reported the cost of clear draw-string bags at the Lowville or Croghan transfer station are \$18.00 for a box of 120 13-gallon bags or \$.15/single bag; and \$17.50 for 70 39-gallon bags or \$.25/single bag. In response to Legislator King, Legislator Kulzer affirmed that clear bags are available at Walmart. Other Legislators confirmed the bags are available at various locations. Legislator Kulzer reported the Solid Waste Department is on schedule to begin single sort recycling in April; and that yellow recycle bins are available to residents at a cost of \$20.00.

Legislator Richard Chartrand, Hospital Committee Chairman, reported that Timothy Reagan had resigned from the Board of Managers. Liz Swearingin reported receipt of a letter from one interested candidate and has asked to re-advertise for additional applicants.

Legislator Chartrand announced the Hospital Auxiliary plans to sell chocolate covered cherries and pretzels in the lobby on 2/12/2016.

Legislator Chartrand reported the official start of the flu season, and that 92% of Hospital staff have been immunized or have agreed to wear required masks. He encouraged everyone to get immunized.

The Hospital paid vendors with the \$1.2 million IGT revenues in January, effecting 94.3 days for vendor payments. However, they await receipt of nursing home IGT funds. General surgeon Nick Gabriel will work 4 days/week every other week; and orthopedic surgeon Steven Adcock will replace Dr. Gates in the orthopedic office in mid-March.

Legislator Chartrand reported a gain of \$46,800 versus a budgeted gain of \$14,715; and the 2015 annual audit will commence in February. The County debt as of 1/15/16 was \$3.6 million.

He announced the December 2015 employee-of-the-month was Certified Nursing Assistant/Ward Clerk Sally Young. Sally is referred to as "The hardest working employee on the east wing", who assures patients are well cared for. Her professional conduct and being a team player are strong attributes.

In response to Legislator Hathway, CEO Eric Burch stated the Hospital has a 6-month agreement with Dr. Gabriel. He has performed weekend call and the hope is for a long-term relationship to replace Dr. Gates in the orthopedic office with Dr. Swift.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported the 2015 4th Quarter Board of Health report was distributed to each Legislator. The former jail nurse will continue to train the newly appointed nurse, and is paid from the Public Health budget. When necessary, a budget transfer will be considered to cover the un-budgeted

expense. Also, the CDC and local health department are closely monitoring the Zika Virus outbreak.

Legislator Moroughan reported that Director of Community Services Patricia Fralick will provide in-service training for Social Services caseworkers to identify and respond to persons under the influence of drugs and/or alcohol.

The Lewis County Leadership class will focus on Community Services programs, to include a panel discussion encompassing representatives from various contractual vendor agencies. Tammi McIntyre and Chris Eckerson will also present information on the "Systems of Care" local initiative.

Legislator Moroughan relayed Dr. Tuttle-Malone's comment from this morning's Community Services Board meeting, complimentary and appreciative for the Tele-psychiatry services available through the Hospital facility, if one day per week for two hours.

COUNTY MANAGER REPORT:

Liz Swearingin introduced Nick Altmire, Managing Editor of Linking Lewis County, reporting his on-line site receives up to 10,000 daily hits.

On behalf of Solid Waste Director Pete Wood, she announced he will be meeting with haulers tomorrow to inform and discuss the impending clear bag requirement.

The kick-off meeting with Tyler-Munis was held last week, which evoked appreciation for the mammoth amount of work faced by employees to implement the new system.

Ms. Swearingin reported that labor negotiations will commence at the end of the month with the UPSEU that represents road patrol employees.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$250,000.00; Contingency Fund-\$475,000.00; Capital Data Processing Fund-\$141,442.36 and Capital Equipment Fund - \$251,055.45, of which \$15,214.19 is the Highway portion. She also reported 2015 sales tax revenues of \$11,926,732.57, well above the budgeted level of \$10,100,000.00. The current Hospital debt is \$3.5 million.

Ms. O'Brien stated the Internal Service Fund for health insurance expenses, remains deficient. Greater premium receipts since the November increase, coupled with the impending health plan changes, should positively affect the fund's balance.

SPECIAL REPORTS:

Chairman Tabolt had attended the NYSAC conference in Albany. Aware of U.S. Senator Charles Schumer attendance, he sought him out and personally thanked him for his visit to the

Kraft Heinz facility, while relating wastewater issues and the need for funding to accommodate their planned expansion project. During his luncheon speech, Senator Schumer devoted a great deal of focus on the Kraft Heinz facility, and twice acknowledged the Lewis County representatives to the large group gathered from around the State.

Also in attendance was NYS Senator Joseph Griffo, who responded favorably to Chairman Tabolt's funding request, expressing his support of the Kraft Heinz expansion project and offering any available assistance. He also related the financial difficulties for ReEnergy in Lyonsdale, due to the depressed energy prices and the expiration of tax credits. Thereafter, he updated Senator Griffo's Chief of Staff Dwight Evans.

Chairman Tabolt readily accepted a personal invitation to the Governor's mansion, where he apprised Lt. Governor Kathy Hochul of the need for wastewater project funding, subsequently being referred to her Chief of Staff. Thereafter, he seized an opportunity to relate the critical funding need personally to Governor Cuomo, and later to his Director of Regional Affairs. The next morning he received calls from State officials offering funding assistance.

He had also spoken with NYS Senator Patty Ritchie, who continues to await a response from the environmentalist group in response to the proposed concessions by the pro-ATV relative to increasing the allowed weight for UTV registration. She remains optimistic for supporting legislation, citing supposed support from the Governor's administration.

Chairman Tabolt had also spoken with Assemblyman Blankenbush, along with other regional State representatives.

Albany was also the venue for a joint meeting of the Inter-County Legislative Committee of the Adirondacks and the Western Inter-County Committee to discuss issues of mutual concern. Upon hearing Western New York officials expressing similar opposing views related to the \$15.00 minimum wage, he encouraged them to compose and adopt an opposing resolution to inform the Governor, likewise as Lewis County's Legislature had done.

Chairman Tabolt stated that NYSAC Executive Director had reported their priority legislative issue was for State takeover of the expenses related to Indigent Legal Defense.

He announced the next Inter-County Legislative Committee meeting will be hosted by Fulton County in Johnstown on 2/25/2016.

He further announced his plans to attend the Governor's Winter Challenge in Lake Placid on 2/28/2016.

After no one responded to a request for comment on the CDBG grant program, Chairman Tabolt declared the public hearing closed at 6:04 p.m.

REPORT OF THE WAYS AND MEANS COMMITTEE:

OTHER BUSINESS:

Legislator Hathway proudly announced that Tyler Eddy of Harrisville Central School student and also serves as a Youth Bureau Advisory Board member will be recognized on a televised broadcast on 2/23/16 as an Academic All-Star.

Legislator Hathway gushed with pride while reporting the Harrisville Central School District has commenced a "Tiny House" incubator project, one of only four in the country. There are nine student participants that will construct the building. They endeavor to incorporate solar energy so that the structure is entirely independent from the electric grid. Upon completion, the "Tiny House" will be auctioned, and the proceeds will fund the following year project. Several Legislators were impressed with the project, having heard and viewing a televised report.

Chairman Tabolt recognized Legislator Brennan for earning a distinguished certificate for completing educational courses offered by the Dennis A. Pelletier County Government Institute, Inc., established in coordination with Cornell University to enhance the knowledge, skills and abilities of county officials.

Chairman Tabolt referenced a previous discussion about holding some meetings at different venues throughout the County, asking Legislators to inform him of proposed dates and places.

Legislator Dolhof made a motion to enter executive session at 6:31 p.m. to discuss specific personnel issues, seconded by Legislator King and carried. After a short recess, the session began at 6:38 p.m. At 7:11 p.m. Legislator Brennan made a motion to re-enter regular session, seconded by Legislator Fawcett and carried.

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

