

REGULAR MEETING
May 6, 2014

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

Roll Call: All Legislators were present.

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

There were 29 persons present.

Chairman Tabolt announced approval of the April 1, 2014 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

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

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan, Committee

Dated: May 6, 2014

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

PRIVILEGE OF THE FLOOR:

Jen Karelus, President of Farm Bureau spoke about their role in educating on the importance of agriculture in our community. In the past, part of their initiative has been to arrange tours for the Board of Legislators and other county officials. Working in conjunction with Cooperative Extension and Soil & Water, they have previously organized visits to farms, Kraft, AMF, Lumber Yards, and the Vineyard. While last year, there was no tour, they would like to provide one in September, and she asked the board for preference between a week day or a Saturday. The majority were in favor of weekdays. A ðsave the dateö will be sent out soon. The tour will consist of a tour of a 4th generation dairy farm on 126 near Carthage; there will be a panel of farmers to speak with, as well as a tour of Kraft.

Todd Lyndaker presented the Board with a petition consisting of 859 signatures in favor of eliminating the Junkyard Inspector position. They feel that it would make more fiscal sense for complaints to be handled by law enforcement, or have the responsibility turned over to Buildings & Codes. He further stated we are ðwasting a lot of moneyö on a position that is not needed.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

NYSAC Executive Director Stephen Acquario acknowledged receipt of this Board's resolution supportive of eliminating cost of State-mandates as an alternative to property tax freeze.

We acknowledge receipt of resolutions from the following County Legislatures:

Chenango County recording their objection for use of their County Seal and office names for pistol permit re-certification notices.

Greene County rejecting the Governor's plans to reward prison inmates by providing them with college educations at taxpayer expense.

Greene and Schuyler Counties, offering an alternative to the property tax freeze that will lead to property tax reductions by eliminating the cost of State mandated spending imposed on County taxpayers.

Greene and Schuyler Counties in support of the Statewide Indigent Defense Legal System and Settlement of Hurrell-Harring v. the State of New York, encouraging the Governor to fix the inefficient patchwork of County services and establish a Statewide Indigent Defense System.

Fulton County urging establishment of a residency requirement for recipients of welfare benefits.

Fulton County opposing legislation to mandate early voting in New York, due to substantial increased costs upon already overburdened taxpayers.

Schuyler County advocating to increase funding for public transportation and allow local distribution of Department of Health Transportation funds.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Deputy Clerk reported that all Legislators had received copies of the Treasurer's April monthly report, and the updated 2013 annual report; the 4/23/14 Highway Audit Report, the 4/21/14 Solid Waste Audit Report; and minutes of the 3/20/14 Telecommunications Advisory Board, 3/17/14 Soil & Water Conservation District Board of Directors, 4/10/14 Junkyard Review Board; 4/22/14 Youth Bureau Advisory Board meeting; 1/14/14 Health Services Advisory Committee meeting; and Sr. Code Enforcement Officer Ward Dailey's first quarterly report.

Sealer of Weights and Measures Barbara Cooper has submitted her April monthly activity report to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that as a result of the efforts of the Chairman, County Manager and County Attorney, a rental agreement is now in place with the Lowville Commons.

He further reported that the tanks at the Greig Convenience Store have been removed; that no 5th tank was found. There was some contamination, and we will have more information on the cost affect when the tests come back, but he feels we will probably be within the budget. Legislator Hathway again acknowledged the County Manager, County Attorney and Chairman for getting contracts out, and negotiating the sale of the store, putting the County in a neutral position of revenue and cost.

Regarding Lewis Lanes, they have met with Bernier Carr & Associates to redefine the scope. They will present a draft at the next regular Committee Meeting on June 16th, so that a final proposal can be provided by the next regular Board Meeting. The appraisal completed by Don Coon should be received in a week.

A tour of the Highway Garage was completed to see what needs to be fixed. The purchase of a new overhead door was authorized. There are many repairs that need to be made. Legislator Hathway explained that a few years ago an estimate of repair was given in the amount of \$225,000. Due to the age of the building, the Committee doesn't feel it makes sense to spend so much money on the existing building, but rather have the Department put some money away in the budget each year, to construct a new building in the future. In the meantime, there are structural issues that need to be addressed immediately. In the past, an engineering firm came in and made a recommendation. Their suggested fix was not adequate. Legislator Hathway made a motion to authorize Bernier Carr & Associates to provide an engineering evaluation of the issues, and provide options for repair and estimated cost. The cost for this service would be \$2,500.00. The motion was seconded by Legislator Chartrand, and carried.

The County cost for the energy efficient inside and outside lighting for the Highway will be \$11,462.10, and National Grid has agreed to pay \$10,956.43. It has been determined that savings would be recognized in 24 months, maximum. Legislator Hathway feels because it will take a lengthy period of time to get a new building, the lighting project should be completed. Legislator Hathway then made a motion to allow the Highway Department to take \$11,462.10 from their Capital Account for the energy efficient lighting. The motion was seconded by Legislator King, and carried.

Concerning the DSS parking lot, the Highway Department has repaired what needed major attention, and Maintenance has and will continue to patch as necessary. The estimate for full and proper repair, which includes drains and better lighting, etc, is \$586,000; which, the County does not have. Several options have been discussed, including spreading the work out over several years, which would still amount to approximately \$312,000; even with DSS reimbursement, it would ultimately cost about \$150,000. The account presently has \$64,000 so there is still a significant short fall.

There are two grant possibilities, one of which is a "Green" grant which will require a redesign, and come at a cost of \$69,000. While the Committee is hesitant because of that large cost, they would like to explore the possibility. The second grant would have a \$5,000 cost associated. The grant applications are due June 16th, so there is just a short period of time to make a decision, apply for the grant, and get the project underway. He acknowledged there are many unanswered questions and concerns that need to be resolved. There will be a meeting at 3:00 on Tuesday May 13th with Economic Development and Bernier & Carr to get further information. Because of the strict timing associated with the grant applications, he is seeking Board approval for the Committee to make the decision based on the findings and information provided by Bernier Carr. In response to Legislator Brennan's question on the availability of matching funds; Legislator Hathway replied that there are some funds available; in-kind funds, for example, by utilizing the Highway Department for some work, and Planning for estimating. Typically they have always been able to get the matching funds without "killing" the budget.

Legislator Brennan made a motion that the Board authorize the Ways & Means/ Buildings & Grounds Committee's put forth the "Green" grant application with its associated cost of \$69,000 for the engineering re-design IF the committee felt it was feasible based on the information they receive at Tuesday's meeting. The motion was seconded by Legislator Chartrand.

Legislator Moser cautioned that not everything will be covered on the project by the grant. So the project cost will be higher, and the Grant may not provide the return on funds as we hope. There can likely be so much extra cost because of specific criteria involved.

Legislator Brennan confirmed that is why further information is needed so the determination could be made as to whether or not it is feasible. Legislator Hathway reiterated the need for more information to determine what path to take. He clarified to Legislator Kulzer that if the committee decides it is not feasible, the \$69,000 in engineering costs will not be spent.

Legislator Pepper voiced his objection to a vote without hearing all of the information necessary to make the decision. Legislator Hathway offered again that the purpose of Tuesday's meeting is to gather all of the critical information necessary for making a decision; if the information received didn't concretely offer that applying for the "Green" grant made sense for the County, it would not go forward, and therefore the \$69,000 additional monies would not be spent. He again stated that the Committee is extremely skeptical, and that they will obtain all necessary information before proceeding, including whether or not the \$69,000 (which includes the engineering fees, grant application, and the indirect costs relative to the grant application) would be considered part of the project cost and therefore included in grant. While Legislator Hathway doesn't feel that the grant will be feasible, he does think it worthy of investigating. The Grant deadline is key at this time, and the reason the Committee is asking for the Board's authorization for them to make a decision based on findings at the informational meeting.

Legislator Chartrand then asked to clarify that the motion presently on the floor is basically a show faith in the Ways & Means Committee to make the decision if they feel the information provided would make the "Green" grant a worthwhile endeavor.

Chairman Tabolt asked that the decision be a "clear cut" one to the Committee, or he would ask them to then involve the full Board. Legislator Hathway then stated that if the information does not provide clarity in favor of the costly grant application, they would not move forward. Legislator Pepper again voiced his desire to hear from committee before action is taken. Chairman Tabolt asked for a vote on the motion, allowing the Committee to go forward if they feel it is feasible. The motion carried. Legislator Pepper was opposed.

Legislator Hathway acknowledged the Highway Department for their assistance with both the Greig Store project, as well as the DSS parking lot.

He went on to inform the Board that the County Manager had set up a meeting with them to help understand the 2% tax cap. Without all the details from the State, they can only use a worst case scenario as a starting point, which doesn't provide much encouragement for staying within the cap. The Ways & Means Committee will keep everyone informed as it moves along. He relayed on a more positive note, the Sales Tax revenue showed an increase of \$364,000. While largely due to the percentage increase, even at the base rate it would have been an increase of \$148,000.

Legislator Hathway informed the Board that a late resolution in the packet was created at the encouragement of Legislators Chartrand and King, in order to recapture unfilled position monies. The Committee then felt it was appropriate to put this unused money into the Legislative Contingency account, which the Board has to approve spending from.

Commenting on another late resolution, he advised that there is a safety issue with a bridge in need of repair, for which the Highway Department has gone to great lengths to get the money for from other areas of their budget in order to fix. Having \$180,000 of the necessary \$190,000, the resolution is to transfer \$10,000 out of the Legislative Contingency to cover the remaining money necessary for the bridge.

Legislator Hathway concluded on his reporting by encouraging the Board to review the year end closing papers from the Treasurer. Information contained for all departments will be useful in preparing next year's budget. More detailed information will come in the future.

Legislator Neil Pepper, Chairman of the Social Services Committee expressed sincere gratitude to the Foster Parents present at the meeting, and to his own parents, whom had adopted him as a baby. While his parents are no longer here, they were there for him through "thick and thin", and he commended them, along with the parents present at the meeting, for taking in children like him, and providing the love and caring they can only hope to get. He thanked them sincerely for all that they do.

Legislator Pepper thanked the Ways & Means committee for finding the additional space for Office for Aging. His understanding is that work is underway and they should be able to move into the new space in a couple of weeks. He reported that there will be a Senior Forum on May 21st at Maple Ridge, as well as a presentation on Alzheimers on May 24th, and commended OFA for all that they do.

Legislator Pepper then reported that the Youth Board is doing a lot of great things and that the children in our community are really stepping up and keeping things going. They have received a \$2,000.00 grant being distributed to: Pine Grove Community Church; Lowville Village Police; Cornell Cooperative Extension; Harrisville Free Library; Olympique Soccer Club; and to Mountain View Prevention for their youth day care. He additionally noted there is an article every week in the Journal, that may be of interest to many. Legislator Pepper encouraged his fellow Legislators to walk on May 8th at 4:00 for the "Walk for Wellness"; he will be walking with the youth group.

Legislator Bryan Moser, Chairman of the County Officers, Veterans and Junkyard reported that the Junkyard Inspector office is being moved to the Commons. Additionally, they are in the final stages of proposing changes to the Local Law regarding the Junkyard. Once finalized, a Public Hearing will be set.

Legislator Moser reported on the services provided by our Veterans office. In just the first quarter of 2014, 1292 services were provided, with \$268,267 in benefits awarded. In 2013, the services numbered 659, with \$135,000 in benefit awards.

Legislator Jerry King, Chairman of the Courts & Law Committee, reported that the Lewis County Police Appreciation Committee will be holding their 4th annual event on May 16th at 7 p.m. at the Beaver River Central School Auditorium.

Legislator King reported that they are in the process of getting bid documents together for shelters, towers, generators, and dirt work for the radio system project. Additionally, the paperwork has been submitted and is being processed for the \$6 million grant award.

Legislator Lawrence Dolhof, Chairman of the Economic Development and Recreation/Forestry & Parks Committee, reported that Snowbelt Housing has received a \$522,500 grant from CDBG for home owner maintenance.

He reported that the Lyons Falls Mill project will be moving forward soon, as authorization for phase 1 of demolition of the Lyons Falls Mill project will be issued in the near future.

In the Recreation/Forestry & Trails Department, interviews have been held for the seasonal positions on the trail crew, and processing through HR for hiring has begun.

The SNIRT run was held on April 23rd; most agree the changes put in place were positive, and not too much negative feedback has been received. There were some private land owner trespass issues, which they are working through.

In conclusion, Legislator Dolhof reported the website design kickoff meeting with the Paige Group was held on April 21st.

Legislator Craig Brennan, Chairman of the Transportation and Solid Waste Committee, made a motion to authorize filling an existing Recycling Laborer position on a Temporary part-time basis for a period effective May 7, 2014 for up to six months, to cover during a medical leave of absence for a regular employee. The motion was seconded by Legislator Hathway and carried.

Legislator Brennan made a motion to authorize waiving the solid waste \$15/ton tipping fee for materials removed from the Lyons Falls Pulp & Paper site for the Lewis County Development Corporation project, which will be hauled directly to the Rodman Landfill. Legislator Brennan expressed that he thought that DANC would waive their fee to assist in getting the site cleaned up. Legislator King seconded the motion. Legislator Dolhof clarified that DANC is not likely to completely waive their fee, but he feels they will reduce the fees significantly. The motion then carried.

Legislator Brennan made a motion to authorize waiving the tipping fees for the contaminated soil as a result of the tank removal from the Greig Convenient Store Site, to be transferred to the Rodman Landfill. The motion was seconded by Legislator Hathway, and carried.

Work has been completed by National Grid on the Smart Energy Project. A savings of \$2500 per year is expected, with a pay back of one and one-half to two years.

Legislator Brennan reported the Highway Department is asking for the public's patience on the Sears Pond Road from the Liberty Road to Montague, as well as the entire length of the Mackay road. The exceptional amount of run-off and rains following the harsh winter is causing the clay to push up through the stone. They are not able to immediately address the issues as the areas are not accessible by the equipment at this time.

Legislator Greg Kulzer, Chairman of Taxation, Elections and IT Department welcomed Adam Zehr, IT Director, who began work on April 21st.

Legislator Kulzer reported that the Real Property office was in need of a new plotter/scanner/printer. After comparing costs between leasing and buying, they were able to find an acceptable purchase price, and will therefore be making that purchase from Capital Equipment funds.

Legislator Chartrand, Hospital Committee Chairman, reported that the Employee of the Month is Raymond Hastwell, Respiratory Therapist in the Sleep Lab. He was

nominated for going above and beyond in his duties, and taking exceptional care with his patients.

The letter of intent for St. Joseph's in Syracuse is being worked up. Hospital CEO Eric Burch will be meeting with that hospital to discuss the Delivery System Reform Incentive Payment (DSRIP) Community Grant, as well as Capital Project Funding, and physician recruitment. Legislator Chartrand will keep the Board updated as information is received.

Legislator Chartrand reported that the Critical Access date was March 5th. Payments should be coming in soon; the money does not come in as a lump sum of \$250,000 per month, but rather piece by piece. The CFO has been asked to track this so there is reconciliation, as some of the money will come back to the county, to help in reducing the debt owed. The debt update at this time is \$11,085,157 up from \$10,839,335 reported on 3/14/14. These numbers do change rapidly, however, and they have made some payments.

In March, the Accounts Payable for all vendors owing \$500 or less and local vendors over 90 days were paid, reducing the number of open invoices by nearly 200.

A contract agreement has been entered into with Striker Corporation. They have provided \$1 million worth of orthopedic equipment, which the surgeon will utilize and bill for over a span of three years.

Legislator Andrea Moroughan, Chairperson of Public Health and Community Services, provided an overview of the resolutions being put forth for the meeting. She further reported that the Public Health Emergency Preparedness Coordinator has resigned and the position is presently being reviewed. Finally, the Community Services Board and the Sub Committees are working to finalize the Annual Local Services Plan which is due to the State by June 1, 2014.

COUNTY MANAGER REPORT:

Liz Swearingin reported that as of working day 27, she has now met with the Legislators, all Department Heads, many of their associated staff, and has had numerous meetings.

Regarding the recent flooding, she stated that many departments, businesses, churches, and state agencies quickly and professionally stepped forward in response to the need as a result of the floods; pointing out the benefit of living in a smaller community where so many are willing to reach out in time of need.

While thank you letters were sent to many external agencies, she wanted to take a moment to acknowledge the following for the roles they played in assisting the community: EMS and Jim Martin and Bob Mackenzie; Michele Ledoux, Cornell

Cooperative Extension; Penny Ingham and the Public Health staff; the Sheriff's Department; Nichelle Billhardt, Soil & Water; David Becker and the Highway team; and Frank Archer. She took note that all went above and beyond, and shared her gratitude for their service.

On May 28th, the NYS Division of Homeland Security and the Office of Emergency Management, in conjunction with Lewis County EMS will be presenting a Public Officials Conference and New York State Tier 3 Emergency Management Certification and Training Program to be held at the Lowville Elk's Club from 9:30 a.m. to 2:00 p.m. This conference will provide information on how to efficiently and effectively manage any major emergencies or disasters in our communities on a Federal, State, and Local level. Invitations have been sent out, and they are hoping for good attendance.

Finally, the Governor's office has announced Round IV of the Regional Economic Development Council's Grant Competition. There is \$750,000,000 available in this round. The Economic Development team is reaching out to see if there are opportunities for municipalities, non-profits and businesses, and they stand ready to assist with grant writing and guidance where needed. The deadline is Monday, June 16th.

TREASURER'S REPORT

Treasurer Patricia O'Brien reminded everyone of the Tax Foreclosure Auction on May 21st. The last date for repurchase is May 16th, and they have approximately 60 parcels, which is slightly higher than last year, but there is time still for people to come forward.

OTHER BUSINESS:

At the request of the Chairman, the Deputy Clerk read a proclamation signed by the Chairman to declare May as Foster Parent Recognition Month. The Chairman then asked the foster parents present to stand for recognition, and thanked them for what they do, and to express how important they are to the county.

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 \$ 993,442.01 and recommend that they be audited and allowed for the amounts claimed.

Philip Hathway, Chair
Jerry King, Committee

Dated: May 6, 2014

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

RESOLUTIONS:

**RESOLUTION NO. 149 - 2014
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 993,442.01 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

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

All voted yea.

**RESOLUTION NO. 150 - 2014
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN THE NYS DEPARTMENT OF HEALTH AND THE NYS MENTAL
HYGIENE OFFICES AND THEIR LOCAL GOVERNMENTAL UNITS FOR THE
PERFORMANCE OF CERTAIN MEDICAID ADMINISTRATIVE ACTIVITIES**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee.

WHEREAS, the Lewis County Community Services Department, (Local Government Unit) desires to enter into a Memorandum of Understanding with the New York State Department of Health (öDOHö), the Office of Mental Health (öOMHö), the Office of Alcoholism and Substance Abuse Services (öOASASö), the Office for People With Developmental Disabilities (öOPWDDö), and Local Governmental Units (öLGUsö) to perform Medicaid administrative activities; and

WHEREAS, DOH is the single State agency responsible for the administration of the NYS Medicaid program under title XIX of the Social Security Act. The parties acknowledge that DOH has the authority to make all final decisions on all issues affecting the NYS Medicaid program; and

WHEREAS, OMH, OASAS, and OPWDD perform certain Medicaid administrative activities at the request of and on behalf of DOH. LGUs also perform certain Medicaid administrative activities at the request of and on behalf of OMH, OASAS, OPWDD and DOH; and

WHEREAS, DOH will seek appropriate federal Medicaid reimbursement with respect to state and local expenditures made by OMH, OASAS, and OPWDD, and LGUs in order to carry out Medicaid administrative activities which have been delegated to them by DOH.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the NYS Department of Health, the Office of Mental Health, the Office of Alcoholism and Substance Abuse Services, the Office for People With Developmental Disabilities, and Local Governmental Units, (the Lewis County Community Services Department) to perform Medicaid administrative activities at a term beginning April 1, 2014.

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

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

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

**RESOLUTION NO. 151 - 2014
RESOLUTION TO TRANSFER FUNDS
COUNTY MANAGER**

Introduced by Legislator Michael Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the County Manager account to cover salary and fringe expense:

<u>From:</u>	<u>Amount</u>
A1020.4909 (Misc)	\$98,915.00
<u>To:</u>	
A1020.1999 Personal Serv	\$60,249.00
A1020.8999 Fringe	\$38,666.00

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

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

RESOLUTION NO. 152 - 2014
RESOLUTION TO SET A PUBLIC HEARING TO
OBTAIN PUBLIC INPUT WITH REFERENCE TO
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

Whereas, the County of Lewis is eligible to apply to the New York State Small Cities Community Development Block Grant (CDBG) Program; and

Whereas, the Board of Legislators wishes to obtain the views of citizens on community development, housing needs and possible other activities, prior to the preparation of a CDBG application; and

Whereas, citizenø participation requirements of the program require that the County must conduct public hearings for the purpose of obtaining citizenø views and responding to proposals and questions. The hearings must cover community development, housing needs, development of proposed activities and a review of the CDBG program; and

Whereas, the public hearing must be held prior to submission of an application.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a public hearing to solicit the views of County of Lewis citizens, regarding community development and housing needs, to be held on June 3, 2014 at 5:00 p.m. in the chambers on second floor of the Court House at 7660 State Street, Lowville, New York.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least 10 days prior to the hearing date.

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

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

RESOLUTION NO. 153 - 2014
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
NYS DIVISION OF HOMELAND SECURITY
AND EMERGENCY SERVICES

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

WHEREAS, the County of Lewis has received a grant award from the New York State Division of Homeland Security and Emergency Services in the amount of \$6,000,000.00 for the Radio System Project (øProjectö); and

WHEREAS, the Project consists of constructing and installing capital equipment for the purpose of upgrading the emergency radio communications system for use by all emergency service agencies including but not limited to the Public Safety, Emergency Response and Law Enforcement within Lewis County, and also to be compatible with communications systems in adjoining counties; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves an Agreement between the County of Lewis and the New York State Division of Homeland Security and Emergency Services and the grant award of \$6,000,000.00 for the Radio Systems Project for the term commencing December 3, 2013 through December 2, 2014.

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

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

Moved by Legislator Pepper, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 154 - 2014
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY EMERGENCY MANAGEMENT AND
NYS DIVISION OF HOMELAND SECURITY

Introduced by Legislator Jerry King, Chairman of Emergency Management Committee.

WHEREAS, the Lewis County Emergency Management Office has been awarded a grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$28,500.00 to purchase equipment for emergency services and responders; and

WHEREAS, the Board of Legislators wishes to accept such grant; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves an Agreement between the County of Lewis, by and through the Office of Emergency Management, and the New York State Division of Homeland Security and Emergency Services in the amount of \$28,500.00 for the term commencing September 1, 2012 through August 31, 2014.

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

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

Moved by Legislator Moser, seconded by Legislator Moroughan.

In response to questions from Legislators Brennan and Tabolt regarding the specific use for this grant money, Legislator King noted that while he believed it was for computers, he could not confirm without the breakdown, which he will obtain. He explained that with each grant award, there is a list of items for which the money can be used. Legislator King will ask for this information to be provided with each grant going forward.

The resolution was then adopted.

**RESOLUTION NO. 155 - 2014
RESOLUTION TO APPROPRIATE FUNDS
FIRE AND EMERGENCY MANAGEMENT**

Introduced by Legislator Jerry King, Chairman of the Emergency Management Committee.

BE IT RESOLVED, as follows:

Section 1. That the FY13 HazMat Grant funds are hereby appropriated as follows:

A43052.3	FY13 HazMat CFDA#97.067	\$5,000.00
A3416.4910	FY13 HazMat CFDA#97.067	\$5,000.00

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

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

**RESOLUTION NO. 156 - 2014
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO HIGHWAY DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

Whereas, the Automotive Mechanic at Grade 19 in the Highway Department has been re-classified by Civil Service as a Mechanic Welder.

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 Highway Department, to approve the Automotive Mechanic reclassification to Mechanic Welder at Grade 21 effective May 5, 2014.

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

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 157 - 2014
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation of additional CHIPs funding is hereby approved in the Highway Department accounts :

<u>Increase Revenue:</u>	
D35011 (CHIPS Capital)	\$148,398.95
<u>Increase Expense:</u>	
D5500.491520 (Bridge Exp)	\$148,398.95

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

Moved by Legislator Moroughan, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 158 - 2014
RESOLUTION TO TRANSFER FUNDS
LEGISLATIVE BOARD**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2014 budget changes are hereby approved to transfer apportioned share of personnel appropriations due to late filled positions:

<u>From:</u>	<u>Amount</u>
A1020.4909 (Misc)	\$15,000.00
A1040.1999 (Pers Serv)	500.00
A1680.1999 (Pers Serv)	15,000.00
A1680.8999 (fringe)	<u>5,000.00</u>
	\$35,500.00
<u>To:</u>	
A1010.4199(Special Contingency)	\$35,500.00

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

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

**RESOLUTION NO. 159 - 2014
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
THE LOWVILLE VOLUNTEER FIRE DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, the Lowville Volunteer Fire Department wishes to enter into a Training and Services Agreement with the County of Lewis for the purpose of providing annual training services which will include semi-annual inspection of all fire systems, access points, and system entry maps to verify conditions and revise and/or update as necessary; conduct active training exercises for various scenarios involving possible emergencies; appoint a member to the safety committee and meet quarterly; and participate in annual meetings to review and update the Training and Services Agreement; and

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

NOW, THEREFORE, be it resolved as follows:

Section 1. That the Board of Legislators hereby approves the contract with the Lowville Volunteer Fire Department to provide annual training services at a cost of \$2,000.00, for the period of January 1, 2014 through December 31, 2014.

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

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

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

Legislator Chartrand abstained.

**RESOLUTION NO. 160 - 2014
RESOLUTION APPOINTING MEMBER TO
PUBLIC HEALTH PROFESSIONAL ADVISORY-
HEALTH SERVICES COMMITTEE**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Lewis County Animal Rabies Coordinator Dr. Jennifer Nightingale of East State Street, Lowville, New York 13367, to the Public Health Professional Advisory-Health Services Committee.

Section 2. That the term of said appointment shall take effect May 7, 2014 for an indefinite term.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Moser seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 161 - 2014
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND UNIVERSITY PATHOLOGIST LABORATORIES, LLP**

Introduced by Legislator Andrea Moroughan, Chairperson of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Public Health Agency, and University Pathologist Laboratories, LLP, pursuant to which University

Pathologist Laboratories, LLP thereby accept the New York State rate for provision of laboratory services for women served by the Cancer Services Program.

Section 2. That this Agreement shall be effective from April 1, 2014 through March 31, 2015.

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

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

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

**RESOLUTION NO. 162 - 2014
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT
AND NEW YORK STATE DEPARTMENT OF HEALTH
BUREAU OF EARLY INTERVENTION**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award from the New York State Department of Health in the amount of \$18,011 for administrative costs for the purpose of identifying and evaluating as early as possible those infants and toddlers whose healthy development is compromised and provide appropriate intervention to improve child and family development; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Public Health Department and the New York State Department of Health for the purpose of administering the Early Intervention Program for the period beginning October 1, 2013 and ending September 30, 2014 in the amount of \$18,011.

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 Moroughan, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 163 - 2014
AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT

Introduced by Legislator Larry Dolhof, Chairman of the Economic Development Committee

WHEREAS, Highmarket Wheelers Club and Catspaw Country Market, LLC have requested that the Board of Legislators open:

- CR 39 Pine Grove Road, from Eatonville Road to Odett Road, a distance of 325 feet
- CR 40 Greig Road, from Odett Road to Main Street, Glenfield, a distance of 1.4 miles
- CR 53 Main Street, Glenfield, from Greig Road South, a distance of 200 feet
- CR 41 Blue Street, from Greig Road North, a distance of 700 feet

for a one day all terrain vehicle (ATV) rally event to be held on May 31, 2014; and

WHEREAS, Vehicle and Traffic Law § 2408 authorizes a governmental agency to review and approve requests for holding special events that involve the operation of ATVs; and

WHEREAS, 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; and

WHEREAS, Highmarket Wheelers Club and Catspaw Country Market, LLC as sponsors of the event, have agreed to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any claim, liability, damage or cost of any nature whatsoever, including reasonable attorney fees incurred by reason of the conduct of the event or use of those portions of County Roads;

NOW, THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby authorizes the operation of ATVs on:

- CR 39 Pine Grove Road, from Eatonville Road to Odett Road, a distance of 325 feet
- CR 40 Greig Road, from Odett Road to Main Street, Glenfield, a distance of 1.4 miles
- CR 53 Main Street, Glenfield, from Greig Road South, a distance of 200 feet
- CR 41 Blue Street, from Greig Road North, a distance of 700 feet

for a one day all terrain vehicle (ATV) rally event to be held on May 31, 2014.

Section 2. That the permission granted herein is specifically conditioned upon Highmarket Wheelers Club and Catspaw Country Market, LLC entering into a written agreement with the County of Lewis whereby:

1. Highmarket Wheelers Club and Catspaw Country Market, LLC agree to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any loss, claim, liability, lawsuit, damage, cost or expense including reasonable attorney fees incurred by reason of injury to person(s) or property, including death arising out of or in any way connected with the conduct of the event or the use of those portions of County Roads for such event;
2. Highmarket Wheelers Club and Catspaw Country Market, LLC agree to provide proof that it has obtained general liability insurance insuring such event in an amount not less than \$1,000,000 for injuries including wrongful death to any one person and in an amount not less than \$2,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and
3. Sponsors agree to pay for and fully indemnify, save and hold harmless the County and all of its officers, agents and employees from and against any and all property damage claims and expenses incurred and/or made by any person or entity as a result of this Event.
4. Such other terms as the Chairman of the Board of Legislators with the consultation of County Attorney may deem acceptable.

Section 3. That the Chairman of the Board of Legislators, or in his absence, the Vice-chairman, be and the same is hereby authorized to execute and deliver such written agreements or other documents as may be necessary to carry out the terms of this Resolution.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator King , seconded by Legislator Kulzer .

Legislator Dolhof informed the Board that the proceeds of this ride will go to people in need in this County through "Taking Care of their Own". Legislator Pepper noted that each year this group chooses a different organization to which the funds will go.

The resolution was then adopted.

RESOLUTION NO. 164 - 2014
RESOLUTION TO AUTHORIZE ACCESS AGREEMENTS
BETWEEN THE COUNTY OF LEWIS AND PROPERTIES OWNED BY
PAMELA STRATTON AND WALTER BURSZTYNSKI

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, the County of Lewis owns property in the Town of Turin near Mill Creek and intends to perform construction, repair or maintenance work in, on, or about the public trail by stabilizing a stream bank by Mill Creek; and

WHEREAS, Pamela Stratton, (Tax Map No. 322.00-02-2.15) and Walter Bursztynski, (Tax Map No. 322.00-02-2.14) each own property that adjoins or is in close proximity to County owned property, where the public trail is located and the County has certain ingress and egress rights to enter over, upon and through the properties; and

WHEREAS, the County of Lewis wishes to enter into Access Agreements with these properties owners; and

WHEREAS, the property owners wish to grant the County of Lewis a temporary license to access the adjoining trail.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes Access Agreements between the County of Lewis, by and through the Recreation, Forestry and Parks Department, with Pamela Stratton and Walter Bursztynski to provide access to their properties that adjoins or is in close proximity to County owned property in the Town of Turin near Mill Creek, where the public trail is located so the County can stabilize a stream bank.

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

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

Moved by Legislator Brennan, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 165 - 2014
RESOLUTION AUTHORIZING REIMBURSEMENT TO
ATV CLUBS FOR MEMBERS WITH VALID ATV PERMIT
TO COVER COST OF NYSORVA INSURANCE

Introduced by Legislator Larry Dolhof, Chairman of the Economic Development Committee.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a reimbursement in the amount of \$5.00 to Lewis County ATV Clubs with active county trail agreements to cover the cost of New York State Off-Highway Recreational Vehicle Association (öNYSORVAö) insurance for members with a valid Lewis County ATV permit.

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

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

**RESOLUTION NO. 166 - 2014
RESOLUTION AUTHORIZING THE SALE OF CERTAIN
REAL PROPERTY**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, this Resolution is adopted pursuant to County of Lewis Local Law No. 1-1991; and County Law Section 215, Subdivision 2 and 3; and

WHEREAS, the County is the owner of a certain parcel of land situate in the Town of Greig, County of Lewis and State of New York, more commonly known as 5223 Greig Road, Greig, NY, and commonly referred to as the former Greig Convenience Store, and more particularly described and identified as tax map # 290.02-01-21.000 (öPropertyö).

WHEREAS, the County offered the Property for sale and has received an offer to purchase the Property for the purchase price of \$24,000.00.

WHEREAS, the parcel of land and improvements thereon are not needed for any public purpose; and

WHEREAS, the parcel of land has out-of-service petroleum storage tanks which the County is in the process of having removed and closed in accordance with the New York State Department of Environmental Conservation oversight, rules, regulations and consent agreement; and

WHEREAS, the above referenced offer is deemed to be fair and adequate consideration for said parcel;

NOW, THEREFORE, BE IT RESOLVED as follows:

- Section 1. The Board of Legislators hereby finds and declares that the said County parcel of land is not necessary for public use and therefore desires to grant, sell, convey and transfer the same.
- Section 2. The Board of Legislators hereby authorizes and approves the sale of the Property, commonly known as 5223 Greig Road, Greig, NY 13345 located in the Town of Greig, County of Lewis, and State of New York and is commonly identified by Tax Map No. 290.02-01-21.000 for the sum of Twenty-Four Thousand Dollars (\$24,000.00) to DAVID KOGUT, of 5249 Greig Road, Greig, NY 13345.
- Section 3. The Property is being sold ðas is, where isö without any warranty of any nature as to the condition of the real property, or the improvements thereon. Transfer of title shall be by quit claim deed without any warranty of any kind or nature as to the condition of title to the property or the accuracy of any property description, but subject to the removal of the tank, the back fill of same, and compliance with the Department of Environmental Conservation requirements. Closing of title to take place on or about June 1, 2014 or as soon as reasonably possible after receipt of the compliance report/letter from the Department of Environmental Conservation with respect to the tank removals and disposals of same. Purchaser, who is currently in possession of said premises, shall pay any and all utilities incurred on said premises, and pay the sum of \$200.00 per month as rent to the County commencing June 1, 2014 and the first day of each month thereafter as a month-to-month tenant, until closing of title or termination of the month- to- month tenancy.
- Section 4. That the within conveyance of real property shall not be consummated until such time as the transfer documents are satisfactory to the County Attorney as to form.
- Section 5. The Chairman or Vice-Chairman of the Board of Legislators be and the same are hereby authorized to make, execute, seal and deliver any and all contracts, deeds or other papers and documents necessary to complete the transaction.
- Section 6. The within Resolution shall take effect immediately.

Moved by Legislator Brennan , seconded by Legislator Moser , and adopted.

RESOLUTION NO. 167 - 2014
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

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

BE IT RESOLVED as follows:

Section 1. That the following appropriation of insurance recover funds is hereby approved in the Sheriff's Department account to cover vehicle repairs:

<u>Increase Revenues</u>	<u>Amount:</u>
A26800 (Insurance Recoveries)	\$ 255.20

<u>Increase Expense:</u>	<u>Amount</u>
A3110.4701 (Vehicle Repairs)	\$ 255.20

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

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 168 - 2014
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

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

BE IT RESOLVED, as follows:

Section 1. That the FY13 Homeland Security Grant funds are hereby appropriated to the Sheriff's Department accounts:

<u>Revenue</u>	
A43051.5 FY13 Homeland Grant-Sheriff	\$10,000.00

<u>Expense</u>	
A3119.2908 FY13 Homeland-Sheriff Equip	\$ 1,450.00
A3119.2218 FY13 Homeland-Sheriff Computer	\$ 8,550.00

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

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

RESOLUTION NO. 169 - 2014
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved to the Sheriff Department accounts for the PSAP Grant:

Revenue

A30888 PSAP Grant	\$808,615.00
A50310 Local Share	\$ 37,044.00

Expense

A3115.2908 PSAP Grant-Equip	\$604,634.00
A3115.4908 PSAP Grant-Services	\$241,025.00

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

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

RESOLUTION NO. 170 - 2014
RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS
AND NEW YORK STATE HOUSING TRUST FUND CORPORATION

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development 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 the community development activities (NYS CDBG Project No. 636HR51-13); and

WHEREAS, the Corporation has awarded the County of Lewis \$522,500.00 in Community Block Grant funds for housing rehabilitation.

Now, Therefore, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby approves the Grant Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive \$522,500.00 in Community Development Block Grant funds.

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

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

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 171 - 2014
RESOLUTION APPROPRIATING FUNDS
SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has received approval from the New York State Office of Temporary and Disability Assistance for the period October 1, 2013 through September 30, 2014 to increase the Nutrition Education State Plan in the amount of \$28,092.00:

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the sum of \$28,092.00 be appropriated to Expense Account No. A6143.4999, DSS Food Stamp Nutrition Education.

Section 2. That this be financed by Federal Aid in the amount of \$28,092.00 to be appropriated to Revenue Account No. A46430.

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

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

**RESOLUTION NO. 172 - 2014
RESOLUTION TO APPROPRIATE FUNDS
STOP DWI**

Introduced by Legislator Jerry King, 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 Victim Impact payments:

<u>Increase Revenue:</u>	<u>Amount:</u>
A26151VIP	\$621.00
<u>Increase Expense:</u>	
A3315.4907 VIP	\$621.00

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

Moved by Legislator Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 173 - 2014
RESOLUTION APPOINTING MEMBERS TO
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Neil Pepper, Chairman of the Youth Bureau Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals as members of the Lewis County Youth Bureau Advisory Board:

Michele Ledoux
Ward Dailey
Mickey Dietrich
Dan Myers
John Monnat

Section 2. That the term of said appointments shall be effective from May 6, 2014 through May 6, 2016.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 174 - 2014
RESOLUTION AUTHORIZING ENGINEERING SERVICES AGREEMENT
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT
AND BARTON & LOGUIDICE**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department (hereinafter "Highway Department") desires to enter into an Agreement with BARTON & LOGUIDICE, D.P.C.,

(hereinafter "B&L"), engineers, planners and landscape architects, with offices located at 290 Elwood Davis Road, Box 3107, Syracuse, New York 13220; and

WHEREAS, the Highway Department seeks to have B&L provide engineering services for the rehabilitation of the bridge carrying French Settlement Road over West Branch Oswegatchie River (BIN 3339990), which is in need of repair, with B&L's services to include but not be limited to gathering site data, develop repair design in compliance with all NYSDOT requirements and regulations, prepare contract plans and specifications to be used in obtaining bids on the Project, attend pre-construction conference with the Highway Department and successful bidder(s), provide administration and oversight of the construction with onsite visits and inspections to assess the execution and quality of executed construction in accordance with the contract documents; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Highway Department and Barton & Loguidice that provides engineering, repair design, contract plans and specifications for bids, and administration and oversight of construction.

Section 2. That the term of this Agreement shall be from May 7, 2014 through June 30, 2015 for an amount not to exceed \$25,000.00, in accordance with a detailed Scope of Services.

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 Dolhof, seconded by Legislator Hathway, and adopted.

Legislator Tabolt abstained.

RESOLUTION NO. 175 - 2014
RESOLUTION TO APPROPRIATE FUNDS
HIGHWAY

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee:

BE IT RESOLVED as follows:

Section 1. That the following 2014 budget change take place in the Highway Dept Account for the repair of a bridge:

Part One:

<u>From:</u> A1010.4199 (Special Contingency)	<u>Amount:</u> \$10,000.00
<u>To:</u> A9901.9912 (to County Rd)	\$10,000.00

Part Two:

<u>Increase Revenue:</u> D50310(Inter fund Revenue)	\$10,000.00
<u>Increase Expense:</u> D5500.491520(Bridge Supplies)	\$10,000.00

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

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

RESOLUTION NO. 176 - 2014
RESOLUTION APPROVING AGREEMENTS BETWEEN LEWIS COUNTY
PUBLIC HEALTH AGENCY AND VARIOUS PROVIDERS FOR PRESCHOOL
SPECIAL EDUCATION PROGRAM

Introduced by Legislator Andrea Moroughan, Chairperson of the Public Health Committee:

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contracts related to the following agencies that provide services to the Preschool Special Education Program for children with special education and health care needs for the period beginning July 1, 2014 and ending June 30, 2015 at a cost in accordance with the rates set forth by the State Education Department.

AGENCY CONTRACTORS
Special Programs, Inc. (d/b/a Little Lukes)
Milestones Childrens Center
The Rowland Center
Upstate Cerebral Palsy
Madison-Oneida BOCES
Central Association for the Blind and Visually Impaired
Jefferson Rehabilitation Center

Faxton-St. Lukes
Lewis County General Hospital
St. Lawrence-Lewis BOCES
Benchmark Family Services
Building Blocks
INDEPENDENT CONTRACTORS
Susan Gydesen, CSW

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 Brennan , seconded by Legislator Moser .

Legislator Pepper questioned the services provided by Benchmark Family Services. Public Health Director Penny Ingham reported that they are contracted to provide an Aide to a student at Copenhagen School.

The resolution was then adopted.

RESOLUTION NO. 177 - 2014
RESOLUTION APPROVING AGREEMENTS BETWEEN LEWIS COUNTY
PUBLIC HEALTH AGENCY AND VARIOUS PROVIDERS FOR PRESCHOOL
SPECIAL EDUCATION PROGRAM

Introduced by Legislator Andrea Moroughan, Chairperson of the Public Health Committee:

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the extension of the contracts related to the following contractors that provide services to the Preschool Special Education Program for children with special education and health care needs for the period beginning July 1, 2014 and ending August 31, 2014, at a cost in accordance with the rates set forth by the State Education Department to allow the Independent Contractors to complete their work with the individual children through the summer session.

INDEPENDENT CONTRACTORS
Sandra Beasock, PT
Christine Lee, OT
Patricia Jones, SLP
Tina Sullivan, OT

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Contract.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 178 - 2014
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation of (DA Proceeds of Arrest) T87.01 is hereby approved in the Sheriff's Canine accounts for the purchase of a kennel:

Increase Revenue:

A27063(Canine Fund)	\$1,000.00
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Increase Expense:

A3110.4911(Canine fund)	\$1,000.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 179 - 2014
RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY
SOIL AND WATER CONSERVATION BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints William Burke, 4218 State Route 177, Lowville, New York 13367 to the Lewis County Soil and Water Conservation District Board of Directors as a Member-at-Large.

Section 2. That the term of said appointment shall be effective May 6, 2014 to December 31, 2016.

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

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

RESOLUTION NO. 180 - 2014
RESOLUTION AUTHORIZING THE TOWN OF MARTINSBURG TO
PURCHASE A PARCEL FROM LEWIS COUNTY THAT WAS LISTED FOR
SALE IN THE TAX FORECLOSURE AUCTION PROCEEDINGS FOR
DELINQUENT TAXES

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee

WHEREAS, the County is the owner of certain real property located in the Town of Martinsburg, County of Lewis and State of New York, more commonly known as 5657 Glendale Road, and more particularly described and identified as tax map number 243.03-05-08.000; and

WHEREAS, the Town of Martinsburg has cleaned up the property at their own expense and now desires to purchase the parcel at the cost of the taxes and penalties that are due; and

WHEREAS, the County of Lewis desires to sell this parcel to the Town of Martinsburg at the cost of the taxes and penalties still owing in the amount of \$1,396.43; and

WHEREAS, the Lewis County Taxation Committee has reviewed this offer and deemed it to be fair and adequate consideration for said parcel;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the sale of the real property located at 5657 Glendale Road, Martinsburg, New York, County of Lewis and State of New York at the cost of the taxes and penalties still owing in the amount of \$1,396.43; and

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 Pepper, seconded by Legislator Dolhof, and adopted.

OTHER BUSINESS:

Legislator Hathway made a motion to appoint Chairman Mike Tabolt to the Black River - St. Lawrence Resource, Conservation & Development Council, (RC&D), replacing Legislator Hathway on the Council. The motion was seconded by Legislator King, and carried.

Legislator Bryan Moser read a Proclamation signed by the Board of Legislators recognizing Chairman Tabolt for his service as acting County Manager. The Proclamation was presented to the Chairman by Legislator King.

The Deputy Clerk read proclamations signed by the Chairman to declare:

- 1 - May as Older Americans Month
- 2 - May as Mental Health Month
- 3 - National Nursing Home Week ó May 12 to May 16, 2014
- 4 - Police Appreciation Week ó May 12 to May 16, 2014

Legislator Brennan made a motion to enter Executive Session at 6:27 p.m. for the purpose of discussing present litigation, seconded by Legislator Kulzer, and carried.

Regular Session resumed at 6:51 on motion by Legislator Moser, seconded by Legislator Brennan, and carried.

Legislator Hathway made a motion authorizing the County Attorney to settle a present litigation matter at the recommendation of our Insurance Carrier Legal Counsel. The motion was seconded by Legislator Brennan, and carried.

There being no further business to come before the Board, the meeting adjourned at 6:53 p.m. on motion by Legislator Pepper, seconded by Legislator Chartrand, and carried.