

REGULAR MEETING
April 4, 2017

The meeting was called to order at 5:16 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation, called for a moment of silence for all those who deceased within the past month, and then led the Pledge of Allegiance to the Flag

There were 45 persons present.

Chairman Tabolt declared the March 7, 2017 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.

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

Dated: April 4, 2017

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

Legislator Philip Hathway introduced the Harrisville Central School Varsity Boys Basketball Team and Coaches. On behalf of the Board, Chairman Tabolt recognized their outstanding performance at the State level, presenting them with a commending Proclamation.

Chairman Tabolt introduced Lance Evans, Executive Officer of the Jefferson-Lewis Board of Realtors and presented him with a Proclamation declaring April as "Fair Housing Month". Mr. Evans cited the 49th commemoration of the passage of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, thereby enhancing the Constitution that has protected property rights since 1789. He affirmed that all realtors must abide by the fair housing guidelines, otherwise jeopardize their license. Realtors are required to complete an education recertification every two years. Mr. Evans announced the Fair Housing Committee is planning special events to commemorate the 50th anniversary next year.

Chairman Tabolt opened the public hearing at 5:29 p.m. for comments on proposed additions to the ATV Trail System of the James Bauer properties in the Town of Leyden, and the Gordon Yancey property in the Town of Martinsburg.

PRIVILEGE OF THE FLOOR:

Mickey Dietrich referenced Local Law Introductory No. 2-2017 "Adopting the NYS

Expedited Unified Solar Permit Process for Small-Scale Solar Electric Systems”, and took exception to requiring engineered plans, unnecessarily inflating residential projects by \$500-\$1,000. He specifically noted that National Grid does not require certified plans for solar project proposals under 25 kW. In his review of the proposed local law, he did not identify a minimum, for instance, low cost panels that may be used for lighting at camps. He agreed that 10,000 watt systems or larger need engineered plans, but not smaller-scale systems. If the law is adopted, Mr. Dietrich stated he would reconsider his intent to install another solar system at his house.

Kelly Kunz of Cornell Cooperative Extension apologized to Mountain View Prevention for not including them on the distributed flyers advertising Wonder Wednesdays to be held at the Harrisville Free Library from 3:30 – 5 p.m. for 10-13 year olds. It is a collaborative effort to provide educational programs for students. Ms. Kunz informed the flyers would be re-printed and distributed.

Mountain View Prevention Services Executive Director Arlene Hall is working with ACR Health to offer a series of training for administering NARCAN either nasally or intramuscularly in response to the drug epidemic. The classes will be held on the second Monday of each month at locations throughout the County. The next class is at their Lowville office building on 4/10/17 at 6:30 p.m. There is no cost for the kits for each attendee, but persons are requested to call 315-376-2321 to register.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

County Manager Liz Swearingin submitted her letter of resignation to relocate with her husband to the Cincinnati area.

NYS Assembly Minority Leader Brian M. Kolb acknowledged receipt of the Board’s resolution, relating his understanding the need for the State to fully fund associated costs of raising the age of criminal responsibility.

NYS Agriculture and Markets Commissioner Richard A. Ball notified approval of the Lewis County Agricultural District No. 6 modifications and district renewal plan, determining its compliance with State environmental plans, policies and objectives.

Mary Pelletier-Hunyadi composed a letter of gratitude on behalf of the Lowville Free Library for the Board’s additional allocation for the purchase of Chromebooks that will enhance services to patrons of all ages.

Lewis County Youth Bureau Director Penny Demo relayed thanks to the Board for the additional allocation for the Safe Child ID Program administered by the Lowville Village Police Department. The digital records are available to enhance a search for missing children.

The Lewis County Police Appreciation Committee invites Legislators to the annual “National Police Week” recognition event to be held on 5/19/17 at 7 p.m. in the Beaver River

Central School auditorium, and the 5K walk/run on 5/21/17 at 9:30 a.m. on the school track. All residents are encouraged to decorate homes and businesses in blue ribbons, lights, balloons, etc. as a salute and respectful gesture to all law enforcement personnel.

The Board acknowledges receipt of resolutions and correspondence on behalf of the Broome, Cattaraugus, Chenango, Erie, Greene, Rensselaer, Schuyler and Seneca County Legislatures urging Governor Cuomo and the NYS Legislature to adopt Legislation to rescind or reduce unfunded mandates imposed on counties, municipalities, school districts and businesses; to fully fund indigent legal services; to increase Counties' share of DMV revenue; to fully reimburse Counties for District Attorney salary increases; to urge increased State funding for County Cornell Cooperative Extension Associations; supporting Legislation to repeal the NY Safe Act for Upstate New York; to oppose Legislation that would require firearm owners to obtain liability insurance; to fully fund costs associated with Raising the Age of Criminal Responsibility; to provide funding for local census address updates; supporting research and funding to address harmful algal blooms in the Finger Lakes and Southern Tier Region; and urging Governor Cuomo to work with the counties and NYSAC to adopt measures to alleviate and ultimately eliminate burdensome mandates.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's March report and 1st Qtly. Bed Tax revenue report; the 3/22/17 and 3/27/17 Highway and Solid Waste Audit reports; minutes of the 3/21/17 Youth Bureau Advisory Board meeting; and 2016 Departmental Annual Reports for Civil Service, Fire, Emergency Services and EMS, Recreation, Forestry & Parks and the Sheriff's Department.

County Treasurer Patricia O'Brien and Real Property Tax Director Candy Akin submitted approved applications for corrected 2016 tax rolls for Benton's Point Trust, Andrew & Thomas Gray and Alan J. Weiman, all for respective amounts below \$2,500.00 pursuant to the Board's authorization by Resolution 527-2016.

Director of Weights and Measures James A. Richmire had submitted the March monthly report to be placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, reported ongoing redevelopment of the County website. Mohawk Networks has purchased the West Wind property in Turin for office and warehouse space and plans to create 10 new jobs. Adam Zehr reported that manager Jeff Beekhoo had presented an overview of his plans with an aggressive schedule to expand broadband opportunities to those without or having limited service. His wireless model has garnered interest at the Federal level, as a low cost effective option. Regardless of outside interest, Mr. Beekhoo has affirmed his commitment to Lewis County residents because of our willingness to work with him during project development.

Legislator Hathway reported that property tax rolls will be ready on 5/1/17; and property sales are timely posted to the website. The NYS Senate and Assembly have both voted down the initiative that would have required STAR recipients to provide income verification. However, all STAR applications must be submitted directly to the State, with the County receiving a list of those approved, without details. Therefore, County personnel can merely refer all inquiries to a State phone number.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Youth Committee Chairman, made a motion to authorize DSS Commissioner Jennifer Jones to re-fill one full-time Caseworker position effective 4/28/17, due to a retirement, seconded by Legislator King and carried. He cited the Chairman's proclamation declaring April as "Child Abuse Prevention" month. The child advocacy center will be offering adult Stewards of Children educational training on how to recognize, react responsibly and ultimately prevent child sexual abuse. It is the only national evidence-based program to enhance knowledge and improve attitudes for protective behaviors. A free 2-hour training class will be held at 5 p.m. on 4/11/17 at the Lowville Free Library to help care givers. Interested persons are asked to call 315-874-4500 to register.

Legislator Fawcett reported the HEAP application program was closed, but furnace repair and replacement applications are still being accepted. The HEAP cooling system application program will open 5/1/17; and the clean and tune program will open on 7/1/17.

Legislator Fawcett congratulated OFA employee Gretchen Lane on her impending 4/27/17 retirement after 11 1/2 years of service. The NYS Office for the Aging will conduct an audit 4/24 – 4/26/17. Their personnel processed 316 HEAP applications. Several municipal and County officials participated in the 3/20/17 Mayors For Meals event at all sites except Osceola. NY Connects in collaboration with the Hospital will host the "Spring Into Healthy Living Community Health Fair" at the hospital lobby on 4/22/17 from 10 a.m.-1 p.m. The Lowville Fairgrounds will be the site of a "Lighting Up the Dark Run/Walk" event on 5/5/17 from 6:30 – 9 p.m. hosted by the Suicide Prevention Coalition. The Office For Aging will staff a vendor table at the Mental Health Walk on 5/11/17 at the Lowville Firehall.

In response to Legislator Moser, Liz Swearingin would provide detailed numbers, adding that DSS staff process a much greater share of HEAP applications than the Office For Aging Department.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/ Human Resources Committee Chairman, reported the Junkyard Review Board will review and recommend amendments to the Junkyard Law.

Legislator Moser reported the list of personnel requests and job vacancies were sent to Legislators; and late resolutions would be discussed at the time of presentation.

Legislator Moser reported receipt of four County Manager applications, inviting all Legislators to participate in the interview process, as well as Liz Swearingin. In response to Legislator Kulzer's objection, Legislators Dolhof and Brennan each supported Ms. Swearingin's

involvement, valuing her knowledgeable input. Legislator Chartrand reminded it would be customary for the County Manager to participate. While HR Director Chris Boulio confirmed 4/14/17 as the application deadline, he reported expanding the search by advertising in a government magazine named "Indeed".

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Services/Building Codes Committee Chairman, reported notification of an approved NYS Homeland Security grant of \$539,000 to sustain the communications radio system, awaiting receipt of the contract to confirm covered expenses. The proposed resolution to transfer contingency funds to cover radio system cost has been withdrawn, due to the grant funding. He expressed appreciation to County Treasurer Patricia O'Brien and Liz Swearingin for adept financing strategies that allows early project payoff. Legislator King confirmed retention of the final EF Johnson payment until the County accepts the completed project.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks Committee Chairman, made a motion to authorize renewal of all County general and professional liability insurance policies with NYMIR for the period 4/5/2017 to 4/5/2018 for a premium of \$178,374.46, seconded by Legislator Moser. The reduced premium is attributable to increased coverage deductibles after considering there have been no claims. In response to Legislator Kulzer, Legislator Dolhof affirmed the increased County exposure, while deemed within the parameters of reasonable risk. If all coverage remained static, the premium would have increased by \$800. Treasurer O'Brien confirmed that premium savings could not be specifically appropriated for an unknown tragic occurrence. Legislator Dolhof cautioned the Board would soon consider purchasing a cyber liability policy for a premium that may usurp a large portion of the savings. Responding to Legislator Brennan, Ms. O'Brien stated the identified risk could be considered when determining future "risk pool" contingency appropriations. The motion was then unanimously carried.

Legislator Dolhof made a motion to authorize Recreation, Forestry and Parks Director Jackie Mahoney to advertise for bids to purchase a stump grinder that mounts on the front of a Bobcat to be shared with the Highway Department. The motion was seconded by Legislator King. The estimated \$5,000 purchase will be covered by Capital Equipment funds at a ratio of 75/25 from Recreation Trails and Highway Departments respectively. The motion was carried.

Legislator Dolhof reported the SNIRT Run sponsor contract had been executed with attendant insurance certificate. Director Jackie Mahoney would administer a Facebook page to alert trail openings and closures.

Legislator Dolhof encouraged all Legislators to attend the 4/12/17 Business Leaders Breakfast at the Lowville Elks Club. A completed engineering survey has determined developable areas at the prospective business park site.

In response to Legislator King, Atty. McNichol affirmed the SNIRT Run contract holds the sponsor responsible to clean the roadway that is closed by the County during the event. The Board is asked to also close the West Road portion for traffic safety reasons during the moe.down concert, however, there is no contract with the sponsor.

Legislator Craig Brennan, Ways and Means/Buildings and Grounds Committee Chairman, made motion to authorize Buildings Supervisor Frank Archer to refill one full-time Building Maintenance Worker position effective immediately, due to an employee promotion; to refill one full-time Cleaner position effective immediately, due to a resignation; and to refill one full-time HVAC Technician effective immediately, due to a retirement. The motion was seconded by Legislator King and carried.

Legislator Brennan cited the Committee's five recommended actions to support State legislation to increase County DMV fee retention to 25%, authorize extending the County Clerk's student worker, authorize Frank Archer to schedule HVAC Technician Mark Maryhugh up to 16 hours per week as needed for training for a period of six months, approve appropriation transfer to purchase Probation software upgrades, and appropriate contributions to the K-9 expense line.

Legislator Brennan reported meeting with Frank Archer, Frank Pace and SmartWatt representatives and requested they reconsider their recommended building energy efficiencies for expensive heating units in buildings that may soon be remodeled or not occupied by County personnel.

The committee recommends the Board consider retaining an engineering consultant for an overall building survey and all encompassing 5-year facility plan.

Legislator Brennan reiterated withdrawal of the proposed resolution to transfer contingency funds to cover radio communication project expenses, because of the Homeland Security grant award. A portion of the funds will be used to purchase back-up radios for the Sheriff's Department and to facilitate interoperability with adjoining counties. Legislator King awaits the State contract, assuming it would be phrased to allow wide-ranging expenditures, but did not want to speculate.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to award the Bituminous oil bids to Suit-Kote at the 2017 per sq. yd. price list on file with the Clerk of the Board for Type II and Type III oils based on quantities. The motion was seconded by Legislator Moser and carried.

Legislator Kulzer made a motion to award a the low bid for Highway and Solid Waste Department uniform services to Unifirst at \$13.45/uniform for a term of 36 months. The motion was seconded by Legislator King and carried.

Legislator Kulzer urged support of the resolution to authorize a 5-year lease agreement for the new plow. He announced that Joann Maring had been hired as the Highway/Solid Waste account clerk.

The Development Authority of the North Country will sponsor an open house at the Lowville Transfer Station on 4/13/17, during which they will present an approximate \$310,000

check to the County, representing 50% of building renovations and equipment upgrades to enhance recycling.

The committee recommends the Board approve selling bags of municipal yard waste compost at the transfer stations. Director Pete Wood will pay the Oneida-Herkimer Solid Waste facility \$1.25/bag, and can economically back-haul the materials and sell at \$2.50/bag.

Legislator Kulzer reported the baler did not sell, so Mr. Wood is researching another on-line site to advertise. In response to Legislator Moser, Jackie Mahoney stated the Soil & Water Conservation District has a baler and they accept farmer ag bags for recycling. There is no current issue, however, Mr. Wood will initiate photos at the transfer station to identify and penalize those responsible for excessive recyclables in garbage.

Legislator Richard Chartrand, Hospital Committee Chairman, reported Mark Murphy, Senior Vice-President of Systems Development and Ambulatory Care Leadership for St. Joseph's Hospital updated the Board of Managers on affiliations and challenges to fill vacant nursing positions. He had explained what St. Joseph's Hospital is doing and recommended initiatives for Lewis County General Hospital. Drs. Manoj Vora and Shirley Tuttle-Malone were commended for their participation with St. Joseph's Hospital Clinic Network Quality Board; and he had expressed gratitude for the Hospital's and provider's level of commitment.

Legislator Chartrand reported a February gain of \$286,995 vs. the budgeted \$270,501; a year-to-date surplus of \$306,130 vs. the budgeted \$232,675; and a County debt balance of \$2.1 million. They await notification on the \$4.4 million Essential Provider Grant. He reported a cash on hand equivalent of 66.4 days as an all-time high vs. the budgeted 11.7 days. Accounts payables are down to \$4 million. In response to Legislator Hathway, he later reported ongoing efforts to reduce the current 100 days for accounts payables. The Hospital received the 2015 IGT nursing home funds, which was matched and paid by the County.

Legislator Chartrand reported an overtime problem which has increased from 600 hours per 2-week pay period last year to 1,200, largely attributable to employee burnout and inability to recruit registered nurses. The Hospital is offering a \$5,000 sign-on bonus competitive with Carthage Area Hospital and Samaritan Medical Center; and has expanded the advertising search.

Dr. Catherine Williams had updated on the program planned in June when medical students of SUNY Upstate Medical will tour and learn about our facility to peak their interest to ultimately locate and practice at our hospital. Dr. Lynn Pisaniello is coordinating a stroke readiness program through SUNY Upstate Medical; and Dr. Manoj Vora is conducting a survey of employed medical staff for opinions and recommendations to improve productivity. The hospitalists are taking over on-call time for the nursing home to relieve other physicians.

Legislator Chartrand reported that CEO resumes are due by 4/15/17, and the list will be refined with interviews planned in early May.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported Director Penny Ingham is monitoring State and Federal level discussions for public

health funding. A “Healthy Happy Hour” at the public health lobby on 4/5/17 in recognition of National Public Health Week.

Legislator Moroughan reports Alcohol Awareness Month was established in 1987 to help reduce the stigma often associated with alcoholism. It is a chronic progressive disease genetically predisposed and fatal if untreated. As many as 20 million people are living in recovery. The 2017 theme “Connecting the Dots- Opportunities For Recovery” is designed to highlight many opportunities available to help prevent teen alcohol use. Reducing underage drinking is critical to securing a healthy future for America’s youth in a society that broadly promotes alcohol use. There is a great need to provide children education on the danger of alcohol and/or drug abuse and connect the dots that lead to recovery.

The tenth Lewis County community survey indicates that 38.2% of those surveyed feel that alcohol use is a major issue, with 20% being personally affected. Anyone seeking information or treatment may reach out to Mountain View Prevention Services, Credo and/or the Northern Center For Independent Living for assistance.

Legislator Moroughan announced a training session to be held on 4/6/17 for intervention procedures and tips focused toward area restaurants, bars and other establishments that serve alcohol. Community Services will staff a vendor table at the 4/22/17 Wellness Fair to be held in the hospital lobby. There is a safe pill drop off at the hospital on 4/29/17.

In conclusion, Legislator Moroughan thanked Director of Community Services Patricia Fralick for her tireless efforts to combat the opioid and drug abuse epidemic.

SPECIAL REPORT:

Chairman Tabolt announced he had appointed Legislator Kulzer as the liaison to the Double Play Community Center Advisory Board.

The County had hosted the 3/23/17 Inter-County Legislative Committee of the Adirondacks with a tour of Otis Technology. Chairman Tabolt was impressed by the level of technology utilized at their facility. The meeting and lunch was at the River Valley Inn restaurant.

He had also attended the 3/30/17 local government conference hosted by the Tug Hill Commission.

COUNTY MANAGER REPORT:

Liz Swearingin encouraged Legislators to attend the upcoming Business Leaders Breakfast meeting, at which Fort Drum Garrison Commander will be the guest speaker.

She referenced proposed Federal replacement of the Affordable Care Act; and the potential of the State taking over the Counties’ share of Medicaid, equating \$5 million annually for Lewis County. If ultimately approved, the impact on the County tax rate would reduce from

\$7.43 to \$5.0 per thousand of assessed value, of course, assuming there were no State imposed mandates equating County increases.

Ms. Swearingin reported Gilroy, Kiernan & Gilroy (GKG) consultants will provide educational meetings for all employees this week to explain healthcare in America and comparative healthcare in Lewis County. They will explain how healthcare works, who is paying for it and pose recommendations to consider for plan changes.

The Contingency budget of \$1,176,000 has risk pool obligations of \$391,000, and pending approval of three separate items proposed today, the balance would drop to \$1,039,121. The only risk pool expenditure not pre-determined was \$40,000 for inmate boarding.

Ms. Swearingin will forward all Legislators the PFM Financial Services LLC P-card information supported by NYSAC requesting their review and input. Other counties utilize the card for goods and services, entitling them to annual rebates (about 1%) based on the amount of purchases. Putnam County uses the card and they also have the Tyler/Munis financial system. They utilize the card for large item expenditures such as road salt to advantage the rebate.

There are no annual fees, and the number of transactions and check writing would be substantially reduced. All purchases would be listed on a sole monthly statement, attendant to the Department and specific detail for each purchase. The advantage to vendors is receiving bank payment within 48 hours. The cards have been refined since their inception 20 years ago.

The primary issue for Board consideration is whether to accept the process of paying for items prior to Board approval. However, the card could reasonably be used for bid and contractual vendors, which have previous Board approval. Expenditures would be provided on the monthly list of claims, likewise as prior-to-audit expenses are listed. Alternatively, minimizing authorized purchases would negate the P-card rebate benefits. The auditing process would continue by the Clerk and Deputy Clerk of the Board. The Board could initially implement the card on a small scale and expand purchases as you become more confident of the procedures, concluded Ms. Swearingin.

A mandatory defensive driver course has been implemented for every employee required or authorized to drive County-owned vehicles. Other employees may advantage the course at their own expense and benefit time. The \$22.00/employee fee is a good investment to promote safety conscious drivers. As reported earlier by NYMIR agent Kevin Townsend, this positively impacted on the county's insurance renewal. Ms. Swearingin will work out an acceptable process with the Sheriff for his employees. An on-line course may be more feasible for that department.

Ms. Swearingin thanked Patricia Fralick for educating herself and rallying agency representatives and treatment providers for collaborating discussions and forums on opioid addictions, with a goal to promote positive outcomes.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$395,000.00; Contingency Fund-\$428,698.00; Capital Data Processing Fund-\$126,272.08 and Capital Equipment Fund - \$348,815.82, of which \$239,362.59 is the Highway portion, year-to-date sales tax revenues of \$1,012,274.51; and the current Hospital debt is \$2.1 million.

The 2/28/17 balance of the Internal Service Fund is \$1,208,051.77 after a net monthly deficit of (\$82,699.23).

At 6:44 p.m. Chairman Tabolt declared the public hearing closed.

REPORT OF THE WAYS AND MEANS COMMITTEE:

OTHER BUSINESS:

Chairman Tabolt reported presenting proclamations to respective advocates earlier today, declaring April as “Alcohol Awareness Month” and “Child Abuse Prevention Month”.

There being no other business to come before the Board, the meeting adjourned at 7:30 p.m. on motion by Legislator Brennan, seconded by Legislator Moser and carried.