

**ANNUAL SESSION
THIRD DAY
December 6, 2016**

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

Roll Call: All Legislators were present, except Legislator Brennan whom had been excused.

Chairman Tabolt offered the Invocation and then led the Pledge of Allegiance to the Flag.

There were 24 persons present.

Chairman Tabolt declared the November 15, 2016 meeting minutes were approved.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

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

Lawrence Dolhof, Chairman
Bryan Moser

Dated: December 6, 2016

Legislator King made a motion to waive the rules, seconded by Legislator Hathway and carried.

Clerk of the Board Teresa Clark read the proclamation commending Jerome LaBarge for his many years of County service. Chairman Tabolt then presented the document to Mr. LaBarge to a standing ovation.

Chairman Tabolt opened the public hearing at 5:03 p.m. for comments on Local Law Introductory No. 5-2016 "Rescinding Local Law No. 5-2016 to Override the Tax Levy Limit Established by General Municipal Law Section 3-C (A/K/A 2% Tax Cap) for the 2017 Lewis County Budget"; Local Law Introductory No. 6-2016 "Providing for Increases to Salaries of Certain Local Officials"; proposed addition to the Lewis County ATV Trail System pertaining to the property located in Turin known as the Lee Gulf Trail Properties. Said addition described as the JD Realty of Lowville, LLC Property, which runs off of the Lee Gulf Road (South of Carpenter Road) to the existing Lee Gulf Trail; and the Lewis County Agricultural and Farmland Protection Board report recommending inclusion of two parcels into Ag District # 6 being property in the Town of Leyden owned by Robert and Nancy Domagala; and property in the Town of West Turin owned by Thomas D. Edwards.

PRIVILEGE OF THE FLOOR:

Planning Director Frank Pace referenced the report of the Lewis County Agricultural and Farmland Protection Board relative to Agriculture District No. 6 that had been previously forwarded to each Legislator. Frank explained it has been a 360-day process thus far, and there were no comments received during the review period.

Mr. Pace reported that letters were mailed to all of the 5,900 agriculture and non-agriculture landowners located within Ag District No. 6. Of that number, 285 voluntary survey responses were received, equal to 5% of the total. There were two landowner inclusion applications received that are before the Board for consideration. If both are approved, it would add 325 acres to the agricultural district.

Upon Board approval, the inclusion requests would be forwarded to NYS Agriculture and Markets for approval, and thereafter be mapped into Ag District No. 6 with a peer review completed by Cornell Cooperative Extension. The final report would be forwarded to NYS Agriculture and Markets by April 2017.

Mr. Eric Griffin referred to the law requiring persons to move over for police, fire and emergency vehicles, while citing incidents where persons did not abide. He would like to simulate a media campaign he viewed on-line and create a public awareness commercial "Pull to the Right", and engage local media for public awareness. Mr. Griffin has reached out to TV 7 representatives who estimate commercial development cost of \$2,000 - \$2,500. In addition to the Legislators, he plans to ask fire departments and other local groups to support the educational initiative.

Mr. Chris Skorvira and his wife Patricia had recently purchased property on the Lee Gulf Trail. He expressed concern where the trail comes off from private property onto the Lee Gulf Trail where there is a severe knoll that poses a site-distance hazard. In response to Mr. Skorvira's inquiry about signage, Recreation, Forestry & Parks Director Jackie Mahoney stated the first part of Carpenter Road down to the turn-around spot is legally opened to ATV's. However, the Lee Gulf Trail section will not be officially opened until the Board approves it following tonight's hearing for opening next spring. She relayed that Mr. Skoriva's cited concern was identified during the SEQRA process. Upon Board approval, Ms. Mahoney would forward the landowners a map to include the new section, and assured that appropriate signs would be erected, as well as kiosks to direct ATV operators. She further reported the snowmobile clubs are searching for a better intersection onto the Lee Gulf Trail. That section will have limited grooming, but is not a funded trail this year.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

NYS Senators Joseph Griffo and Dan Stec; NYSDEC Regional 5 Director Robert S. Stegemann and Adirondack Park Agency Executive Director Terry Martino each acknowledged receipt of this Board's resolution in support of the Adirondack Memorandum of Understanding among public and private organizations regarding recreational access to Adirondack State Lands.

The Board acknowledges receipt of a resolution adopted by the Greene County Legislature urging the Governor to sign the Public Defense Mandate Relief Act into Law.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's November report; the 3rd Quarter Board of Health report, the 10/18/16 Quality Assurance report; and meeting minutes of the 11/10/16 Soil and Water Conservation District meeting, as well as the 11/16/16 Youth Bureau Advisory Board meeting.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that all departments are within budgetary appropriations and will oversee eleven projects next year.

The Committee heard a presentation from Clean Energy Communities (CEC) Coordinator Jamie Rogers and Larsen Engineers who will assist to maximize the County's NYSERDA grant application process and development of an energy efficiency policy for County buildings. There is consideration to purchase a hybrid car through the CEC grant that would require installation of a charging station estimated at \$1,800.00.

Legislator Hathway stated that weekly updates on the solar system will be relayed to the Board as the system progresses.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported that youths had raised and contributed \$369.00 to purchase child friendly items for the waiting room of the newly established Youth Child Advocacy Center.

The Youth Bureau announced availability of \$13,000 for Youth Development programs targeted toward early intervention and prevention services to deter high priority problems for youths most likely to become involved in the juvenile justice system.

Office For the Aging staff continue to process 276 HEAP applications and had mailed out applications to 61 new applicants for the season opened from 11/14/16 to 3/15/17. They will accept emergency HEAP applications starting on 1/3/17.

Legislator Fawcett reported assistance to 286 persons during the open enrollment period for the Health Information Counseling and Assistant Program (HICAP) from 10/15/16 through 12/7/16.

Legislator Fawcett announced the senior holiday meal will be served on 12/15/16 at all meal sites; and urged support for his sponsored resolutions. He also relayed gratitude from Nutritionist Molly Mallette for authorizing her travel to Boston for a nutrition conference.

Legislator Fawcett made a motion to authorize DSS Commissioner Jennifer Jones to re-fill the following positions upon the impending resignation, retirement or promotion of existing employees: one Part-time Social Services Investigator up to 14 hours/week; one Full-time Social Services Program Examiner; one Full-time Caseworker; one Full-time Homemaker; and one Full-time Employment and Training Assistant. The motion was seconded by Legislator Moroughan. DSS Commissioner Jenny Jones affirmed the requests were to fill vacant positions only. The motion then carried.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/ Human Resources Committee Chairman, reported the County Attorney had requested appearance tickets be issued for the Junkyard Review Board on 12/8/16 to a couple of West Leyden junkyard owners for persistent non-compliance issues.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Management Director/Building Codes Committee Chairman, reported that radios continue to be upgraded; and that the equipment inventory would be completed by January. He also urged support of his sponsored resolutions.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, reported a new commercial has been launched for the Transportation Program to inform the public of Utica destinations.

The stream gauge flood monitoring system was activated on 12/2/16 for access by local Emergency Management personnel, the Buffalo Storm Center and USGS, and will be made available to the Regulating District within one week.

The engineering and design of the hospital drainage project will be done this winter to enable project completion in the spring.

Legislator Dolhof requested support of his sponsored resolution to partner with BOCES for the Manufacturing Academy of Science and Technology (MAST) program. Applications have been forwarded to the five local school districts, and six students from each school will be selected to participate in the camp next summer.

Legislator Dolhof said he would divulge more details in the near future for the demonstration garden project through Cornell Cooperative Extension.

He reported early-stage discussions for PILOT agreements for two proposed wind projects; and that 40 persons had attended the 11/15/16 business leader's breakfast forum.

The IDA approved a sales tax exemption to Lowville Producers Dairy Cooperative for \$240,000 laboratory equipment purchase. Legislator Dolhof referenced a newspaper article indicating the Burrough's Paper Company in Lyonsdale had been sold to the Twin Rivers Paper Company of Maine.

The Singing Waters Park restroom facility has been cited for non-compliance with the Americans with Disabilities Act (ADA) regulations and the septic system does not properly operate. Legislator Dolhof made a motion to retain the engineering services of Terry Thisse for an amount not to exceed \$2,500.00, to address the restroom and septic system issues at the Singing Waters Park. The motion was seconded by Legislator Fawcett and carried.

In consideration of the \$70,000.00 comparative reduction for the Snowmobile Club grant, Legislator Dolhof expects clubs will be challenged with grooming this season, due to the lack of revenue.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, reported the recycling baler would be auctioned on-line with a suggested low price of \$15,000.00. The recycling building renovations are nearing completion. The compactor will be delivered within two weeks, but the delivery date of the trailer is yet unknown.

Legislator Kulzer reported opening of Highway Department oil bids that are being analyzed by the Superintendent. The CHIP's paperwork has been completed and filed with the State. There may be a need for an additional account clerk in their department next year.

Legislator Richard Chartrand, Hospital Committee Chairman, reported October outpatient and adult day care visits above budgeted levels; and that 43% of providers saw a greater number of patients than anticipated. The nursing home occupancy rate was 90.4%; and the current month balance was \$918,460.

The Hospital is assisting the South Lewis Central School district to create a school-based health center and hire a Physician's Assistant and LPN to compliment school staff, separate from the South Lewis Health Clinic.

Rachel Zehr, M.D. visited the extended-hours clinic and is seriously considering the Hospital's offer and will advise her decision by the end of December.

Dr. Michael Corbin, OBGYN has given a verbal commitment to join the Hospital staff within the next 90 days.

Eric Schell of Stroudwater Associates recommends merging the East Wing with the Intensive Care Unit and creating a "Progressive Care Unit" to keep up with health care changes to enhance quality of care and positively impact reimbursement rates.

Legislator Chartrand confirmed receipt of \$6.1 million 2014 IGT monies. The year-to-date surplus is \$2,869,112; the County debt is current at \$2.5 million, and the pension December payment has been paid.

The Hospital has responded to attorney inquiries for the Department of Justice in regard to self-disclosure for Medicare billing issues.

Legislator Chartrand reported that during the past month Hospital CEO Michele Prince had attended the Hospice staff and volunteer recognition dinner, community meetings in Harrisville, Lyons Falls and Lowville, the Priorities Council meeting, community health improvement plan meeting, the HANY's and Department of Health Listening session in Syracuse, as well as the Excellus BCBS Health System event in Syracuse.

As recommended for physician contracts, Ms. Prince has facilitated conversion of Dr. Leuenberger's contract to a 100% RVU model beginning in January 2017. Other physician contracts will be similarly converted as they expire.

Legislator Chartrand announced the September employee-of-the-month as Clinic LPN Jami Lyndaker, a very energetic personable nurse who treats the patients like family, and willingly adjusts to ever changing health care requirements. She is truly an inspiration and role model for nursing staff.

In response to Legislator Kulzer, Legislator Chartrand affirmed the physician's assistant and nurse for the South Lewis School district would be financed through grant funding garnered by the school district.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported Public Health Director Penny Ingham updated year end estimates with emphasis on the Pre-School program, and provided the quarterly Board of Health report and the quality assurance and compliance report. The community health assessment/community health improvement plan will be completed in December.

Legislator Moroughan relayed the community efforts to cope with recent overdoses from opiate use. County and provider agencies, law enforcement and the community at-large are working together to educate the public about drug use, treatment and support. Everyone is welcome to a 6:30 p.m. meeting tonight at the Port Leyden community hall. Future events will be advertised on linkinglewiscounty.com. Credo has professionals to treat for substance abuse and can be reached at 376-5958; as well as Mountain View Prevention Services at 376-2321.

Legislator Moroughan reported that Director of Community Services Patricia Fralick hosted a summit with County Department Heads, Hospital, Mental Health and Substance Abuse providers, and other community-based organizations. They brainstormed community needs with a focus on Federal and State initiatives and a goal toward improving health care of our population, while keeping costs down.

COUNTY MANAGER REPORT:

Liz Swearingin reported receipt of 14 lease bids from Enterprise Fleet Management, Inc. for various departments, plus several for the Highway Department. She will create a summary sheet for the Ways and Means Committee, however, does not envision they will all be replaced in the first year.

The Tyler-Munis is up and running, and about 300 requisitions have been processed. Consultant support staff will be on-site for troubleshooting to resolve issues as they arise, but she expects system transactions will be running smoothly by year end. Implementation of the payroll system is on schedule for the end of March 2017.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$249,168.00; Contingency Fund-\$336,655.16; Capital Data Processing Fund-\$127,422.72 and Capital Equipment Fund - \$260,778.80, of which \$68,067.13 is the Highway portion. She also reported year-to-date sales tax revenues of \$9,000,256.95; and the current Hospital debt is \$2.5 million.

The balance of the Internal Service Fund had increased incrementally to \$1,166,739.54, but remains well below the recommended level. Legislator Chartrand noted the marginal increase was attributable to a combination of increased premiums and lesser claim expenditures.

SPECIAL REPORTS:

Chairman Tabolt commended County Attorney Joan McNichol for her knowledgeable representation of the Board at the grievance proceedings of the Hudson River/Black River Regulating District (HRBRRD). The HRBRRD has informed they have deferred their decision another month to consider the County's installation of stream gauges along the river that are utilized by HRBRRD to monitor and control water levels. Mr. Robert Smullen, HRBRRD Chairman has asked for a follow-up meeting.

Chairman Tabolt reported that he and Clerk of the Board Teresa Clark had attended the 11/17/16 meeting of the Inter-County Legislative Committee of the Adirondacks hosted by Warren County in Queensbury, N.Y. They participated in a tour of the Angio Dynamics plant where various types of catheters are manufactured for use in medical procedures.

At that meeting, NYSAC representative Dave Lucas had informed of the 12/31/16 deadline for the Governor to call up and sign the Indigent Defense bill into law. In response to NYSAC's urging, Legislators agreed to Chairman Tabolt's intent to forward a letter urging the Governor's signature on the important legislation.

On 12/2/16, Chairman Tabolt had a focused discussion with U.S. Senator Charles Schumer while he was visiting the Lewis County General Hospital, to advocate for projects of importance to Lewis County.

He had attended the 11/26/16 ribbon-cutting ceremony for the local Dollar Tree store; and plans to attend the Regional Economic Development Council (REDC) grant award announcements in Albany on 12/8/16.

On behalf of Information Technology Committee Chairman Legislator Brennan, Legislator Hathway was pleased to report that Mohawk Networks was actively conducting broadband testing in the Diana/Harrisville area.

Chairman Tabolt closed the public hearing at 6:56 p.m.

REPORT OF THE WAYS AND MEANS COMMITTEE:

OTHER BUSINESS:

Clerk of the Board Teresa Clark reported the Chairman's re-appointment of Arleigh Rice to the Agriculture and Farmland Protection Board as an active farmer representative.

Chairman Tabolt reminded and encouraged everyone to participate in the Court House holiday basket auction on 12/16/16. All proceeds will, again, be donated to the Renee Beyer Memorial Fund.

Chairman Tabolt had talked with several Legislators who favored an informal gathering over the traditional luncheon following the final Board meeting on 12/20/16. Legislator Chartrand will coordinate the event at the Lowville Elks Club.

On 12/20/16 the Board will meet jointly with the Hospital Board of Managers for an executive session discussion about the Chief Executive Officer recruitment.

He also reminded any interested Legislator to inform the Clerk's office if they wished to be registered for the NYSAC conference to be held in Albany 1/30/17 – 2/1/17.

Lastly, Chairman Tabolt informed that the event to honor volunteers of the Lewis County Historical Society will also be a memorial tribute to Assistant County Attorney Mary Iocovozzi, who untimely passed away earlier this week. He then called for a moment of silence in her memory.

There being no other business to come before the Board, the meeting adjourned at 6:30 p.m. on motion by Legislator Chartrand, seconded by Legislator Moser and carried.