

REGULAR MEETING
September 6, 2016

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

Roll Call: All Legislators were present.

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

There were 24 persons present.

Chairman Tabolt thanked the Constable Hall Association for hosting the Board. On behalf of the Association, Edward Bullis welcomed everyone and expressed appreciation for the Board's willingness to hold their meeting at this location. He thanked the dedicated volunteers and staff who maintain the grounds and facilities..

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: September 6, 2016

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

Chairman Tabolt opened the public hearing for comments on Local Law Introductory No. 1-2016 "Continuing an Additional Mortgage Tax for Mortgages on Real Property Situated in Lewis County"; Local Law Introductory No. 2-2016 "Amending Local Law No. 2-2009 Regarding Opening and Closing of Lewis County Trail System and the Fees Charged for ATV Permits in the Lewis County Trail System"; Community development and housing needs and to discuss the possible submission of one or more Community Development Block Grant applications for the 2016 program year; and the addition to the Lewis County Trail System of the Peckman Charitable Remainder, Mervin E. and Lois K. Peckman privately owned property at the corner of Gomer Hill Road and West Road in Turin, NY.

PRIVILEGE OF THE FLOOR:

Planning Director Frank Pace read a prepared statement that the Community Development Block Grant Program is a federally funded program administered by the New York State Office of Community Renewal. Approximately \$15 million is available for Program Year 2016 for housing projects such as housing rehabilitation, including mobile and manufactured home replacement; homeownership; or residential water and wastewater systems. This year the application is submitted online and is due no later than 4:00 p.m. on

September 28, 2016. A county may apply for up to \$850,000 for housing activities with the principal purpose of benefitting low and moderate income persons.

At least 51% of the persons benefiting must be low and moderate-income persons according to the HUD income limits provided in the application. 70% of the NYS CDBG funds must benefit low and moderate income persons.

The Small Cities program encourages communities to minimize displacement of persons benefiting from the program. Depending on the activity proposed, displacement should not be a problem. For housing activities, homeowners should not encounter displacement unless the home to be renovated contains extensive lead based paint that would require the family to be out of the home while it is being remediated.

The municipality has to conduct at least one public hearing prior to the application to provide further information about the CDBG Program, solicit citizen comments on any proposed applications and/or to provide technical assistance to develop alternate proposals. A second public hearing would be held after the application is awarded to discuss the amount awarded and the program administration and activities.

Snow Belt Housing Executive Director Cheryl Shenkle-O'Neill had circulated a sign-in sheet to document attendance. She requested the County to submit a housing rehabilitation application that would benefit both owner-occupied as well as renter-occupied housing for an undetermined amount not to exceed \$850,000. The assistance available to income-eligible homeowners would be one hundred percent deferred payment loans for an amount not to exceed \$45,000 per housing unit. The loan would become a grant as long as the owner remained in the home for a period of five years. For renter-occupied housing units seventy-five percent grants/twenty-five percent loans are available. The loan would be repaid over a 3-5 year period and repayments would be used to assist other applicants. The types of rehabilitation authorized include plumbing, electrical, roof, windows, insulation, any work that would reduce health or safety hazards, or exterior or interior accessible modifications. Mobile home replacements may also be considered, if the home is deemed un-repairable. Previous grant programs have averaged one or two mobile home replacements.

Snow Belt Housing would administer the grant as a sub-recipient to the County, as a continuation of the program that was awarded in 2013. Ms. O'Neill reported their agency is currently soliciting applications from income-eligible households to determine the need for this program. She asked anyone interested to call their office at 315-376-2639, stating she had applications with her today, including pre-applications for landlords.

The County is asked to include landlords to improve the housing stock. Landlords could avail one-hundred percent loans, but be expected to repay twenty-five percent and commit to rent the rehabilitated units to low income eligible tenants for a period of no less than five years. The applications are available on Snow Belt Housing's website.

Jeffrey Parker spoke on behalf of Tug Hill Adirondack Association President Joseph Onyon in reference to Local Law Introductory No. 2-2016. He referenced Section 4. B. that refers to Section "11" Paragraph "4" of Local Law No. 2-2009 as last amended by Local Law No. 4-2014, requesting to add the word "Association" to respective sections (a) and (b).

County Attorney Joan McNichol had explained to Mr. Onyon that the word "Club" is deemed to include association, clarifying that his association is covered by the law. Moreover, she indicated general agreement to consider clarifying language at a later date when the entire Local Law would be restated.

Former Legislative District No. 9 representative Neil Pepper said that previously the ATV clubs were a part of the Association, asking for clarification whether their Association is representing clubs in Lewis County. Mr. Parker stated that although their association offers membership to all clubs, regardless of location, none of the clubs in Lewis County have opted to join.

At this time, Chairman Tabolt declared the August 2nd and August 30th, 2016 meeting minutes were approved.

Director of Economic Development and the Industrial Development Agency Eric Virkler distributed an outline of County economic development expenditures and a 5-year projection. A preliminary assessment and basic design for a business park is proposed on a 30-40 acre parcel just north of Lowville. The next step will be to issue a request for proposals for professional services to obtain State certification of a shovel ready location. A Consolidated Funding Application (CFA) was submitted to build one site pad, an entrance road and install basic infrastructure into the park to one site.

Other activities include ongoing outreach to Climax Mfg. owners to assist with lease or sale of the building. There is consistent review to enhance the redesigned website, augmented by the Naturally Lewis marketing brand that received multiple award recognition. The recently hired IDA part-time marketing specialist will expand those efforts. Review continues for potential use of an incubator building. Staff had assisted seven small businesses and agencies to submit grant applications, as well as the Village of Lyons Falls to provide water to the United Cerebral Palsy residential facility. Formulation of an economic development strategic plan continues with a focus on specific strategies.

In response to Legislator Hathway, Mr. Virkler said the conceptual design of the business park includes six site pads, but does not define infrastructure. A \$50,000 grant application will be submitted to augment the \$130,000 CFA submission. Dependent upon grant approval, the balance of the estimated \$680,000 project cost would fall to the County. The State will announce grant awards in December and allow 2-3 years for project completion. CFA amounts are limited to 20% of project cost.

A “Shovel Ready” designation is a positive indication to developers the site is properly zoned, transportation routes and infrastructure have been analyzed along with other critical aspects.

In response to Legislator Kulzer, Mr. Virkler assured the prospective land had not been purchased, explaining the \$12,000 engineering expense was for preliminary analysis and site cost estimate. The estimated infrastructure cost of \$2.7 million was later confirmed by Legislator Moser, as was the ultimate total engineering cost of \$64,000, if the consultant was selected for the next phase.

Mr. Virkler stated the municipal infrastructure is at the curb, but has not been certified to meet potential business park needs. There has been no decision whether to move forward with the project if grant funding is not secured. The IDA holds an option to buy the prospective property. The owner prefers to sell the entire parcel with 50% of the sale price, or \$350,000, up front and the balance paid in equal installments over 20 years. The Town and Village of Lowville each provide water and/or sewer services to the prospective property, but the volumes are dependent upon unknown ultimate users.

In response to Legislator Kulzer, Mr. Virkler reported that as a result of analysis and discussions over the last two years, the prospective site is recommended as the best option and least cost for infrastructure. Legislator Kulzer took exception, purporting a less costly option.

Mr. Virkler reported commitment of \$750,000 for the business park, \$25,000 to the United Cerebral Palsy project and \$100,000 for the Lyons Falls mill clean-up project. In response to Legislator Hathway, he estimated IDA cash reserves of \$550,000. IDA funds cannot be used for loans or other direct finance to a business, but may be used to acquire land and/or buildings. The County funds may not be used for IDA salaries and operating expenses. The collective funds must be augmented by \$190,000 to complete aforementioned projects.

The IDA endeavors to develop annual revenue streams, meanwhile, requests an annual \$50,000 County operating allocation to augment interest and investment revenue of \$20,000 and occasional fees received for executed PILOT agreements. The business park, incubator building and ownership of other buildings would provide revenue generating opportunities.

In response to Legislator Moser, Mr. Virkler reported IDA expenditure of \$400,000 - \$500,000 in the past 3-4 years to purchase buildings and equipment. One building was to assist a business with a mortgage through a lease agreement. Another building is leased inclusive of equipment for potential business expansion. The lease agreements include a 3-4% interest rate with a goal to create or retain jobs.

Mr. Virkler affirmed the 2017 County allocation request of \$550,000. County Manager Liz Swearingin clarified the IDA is not a budgetary line-item. The \$700,000 for economic development projects was a one-time allocation attributable to surplus sales tax receipts, which are not keeping pace with prior years. She requested estimates of potential IDA revenues be appended to proposed projects that may offset County appropriations.

Legislator Brennan suggests that County revenues from windmill projects be dedicated for economic development. Legislator King referenced eventual business repayments of IDA investments that are available for other business initiatives, specifically citing the Lyons Falls Pulp & Paper property. Mr. Virkler distinguished that project from customary business proposals, hopeful for returns on the substantial investment. Legislator Dolhof projects creation of jobs, citing Krueger's pending proposal to site a small manufacturing facility. However, in response to Legislator Kulzer, he reported Krueger's projected \$30 - \$40 million expansion is on hold awaiting increased power prices. Their proposed expansion was further impacted by failed attempts to obtain a power purchase agreement with the State of New York. However, Legislator Dolhof responded the company has not yet agreed to lower power rates for potential users at the old mill location.

Mr. Virkler introduced Tina Schneider, current IDA Board member, former Lewis County IDA Executive Director, and a lifelong resident. Ms. Schneider recognized the transition at the IDA Board and administration, as well as the invested community dynamics. She works for Purcell Construction based in Watertown, but referenced many of her co-workers are also Lewis County residents. Her work includes development of projects throughout the State in conjunction with several IDA's and communities. She inferred Lewis as having a very good economic development vision and team, which breeds success.

Ms. Schneider delightfully shared a reference from an un-named regional prominent individual whom had referred to Lewis County as "having their act together, doing a lot of progressive things". Referencing that very few counties do not support economic development initiatives, Ms. Schneider expressed her appreciation for the Board's commitment and budgetary appropriations for local projects as the precursor for continued prosperity.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Lewis County Planning Board Chairman Dennis Lee has tendered his resignation effective August 2016, citing personal reasons.

The Board acknowledges receipt of a resolution adopted by the Seneca County Legislature calling on State and County officials, residents and business owners to adopt the "think differently" initiative to assist individuals with special needs and their families.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's July and August reports; the 8/22/16 Solid Waste and 8/25/16 Highway Audit Reports; the 2017 Lewis County Self-Insurance Estimate and Apportionment of Expenses; meeting minutes of the 8/17/16 Youth Bureau Advisory Board and the 6/14 and 8/9/16 meetings of the Soil & Water Conservation District Board of Directors; as well as the Resolution adopted by the Agricultural and Farmland Protection Board recommending to conduct the 8-year review process of Agricultural District Number 6 as required by Agriculture and Markets Law.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that Frank Archer is negotiating for snowplowing at the tower sites. Greenskies is reviewing National Grid's proposal for the solar array and the Village of Lowville is reviewing the site plan. The memorandum of agreement for the educational facility with Jefferson Community College is progressing.

Legislator Hathway reported that County Atty. McNichol will meet with respective taxing jurisdictions of the Maple Wind projects for preliminary discussion for PILOT extension.

The signage cost for the DSS parking lot will be allocated from the \$1,900 balance of the "green" grant portion. The total to-date project cost is \$919,816, of which the County cost is \$281,728, well under the \$320,000 budget.

Legislator Hathway reported receipt of a fleet management proposal from Enterprise, Inc. following Legislator Brennan's recommendation. The company estimates initial savings of \$291,000 over the next ten years for Hospital and County vehicle expenditures, during the same period projecting \$315,000 savings for sale of existing vehicles. Enterprise will refine their proposal in response to Committee inquiries, including segregation of Hospital vehicles, for further consideration.

Legislator Hathway made a motion to authorize County Treasurer Patricia O'Brien to re-fill the Full-time Deputy County Treasurer, Benefits Specialist and Sr. Account Clerk positions, due to anticipated promotions, effective upon the date of retirement of Deputy County Treasurer Cindy Wiedrick. The motion was seconded by Legislator Chartrand and carried.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported that DSS has launched a Facebook page dedicated to foster parenting for recruiting foster parents. Foster parent training classes will begin on 12/14/16. DSS will use the reverse 911 option on 11/14/16 to phone and inform persons their HEAP eligibility has been pre-determined, in an effort to reduce the number of calls to the office. Emergency HEAP applications will be accepted after 1/4/17 and the program continues through 3/15/17.

Local department officials and agencies are partnering with the Jefferson County Child Advocacy Center to establish a Lowville satellite office to provide appropriate space for forensic interviews of abused children.

Legislator Fawcett reported that all Senior Farmer's Market Nutrition Program coupons have been distributed. Office For Aging (OFA) and NY Connects will sponsor a table to distribute information at the 9/8/16 "Night Out" event. The 25th senior golf tournament at the Brantingham Golf Club and the senior prom at the Ridgeview Inn will both be held on 9/9/16.

The Alzheimer's Caregivers Support Group meets on the third Thursday of each month at the Maple Ridge Center focused on caring for those with dementia or Alzheimer's. OFA and

Public Health staff will provide six weekly classes beginning on 9/19 for Chronic Disease self-management at the Cooperative Extension conference room. Also, a dedicated specialist has been hired to assist individuals with health information and policies.

The annual Oktoberfest and public hearing is scheduled for 9/30/16 at the 3-G Firehall featuring a 50's and 60's sock hop.

Legislator Fawcett announced the Youth Bureau Advisory Board, in conjunction with the Lewis County Sheriff's Department, Northern Regional Center for Independent Living and Lewis County Opportunities, Inc. will sponsor the "National Night Out" event to be held at the fairgrounds on 9/8/16 with activities to heighten crime and drug prevention.

Orientation was provided at the August Youth Advisory Board for revised By-laws and amended allocation procedures adopted by the Office of Children and Family Services. Student representatives Madeline Lehman and Reegan Domagala were commended for recording media advertisements for the "Night Out" event.

Legislator Fawcett made a motion to authorize re-filling a Part-time (up to 17 hrs. per week) Title V Aging Services Aide, effective October 18, 2016. The program has a durational limit of 4 years set by the NYS Office for the Aging, and the current person will be terminating. The motion was seconded by Legislator Moroughan and carried.

Legislator Fawcett made a motion to authorize OFA Registered Dietician Molly Mallette to travel to Boston, MA for a Food and Nutrition Conference & Expo on 10/18/16. 75% of the cost is covered by budgeted Federal and State grant funds. The motion was seconded by Legislator Brennan and carried.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/Human Resources Committee Chairman, urged support of his sponsored resolution to amend the County policy for re-filling vacancies.

Legislator Moser reported that at his request, Lewis County Magistrates Association President and Town of Lyonsdale Justice Keith Todd, informed the Junkyard Review Board that Town justices were unfamiliar with the County Junkyard Law. In response, Sr. Building Codes Officer Ward Dailey had forwarded a copy of the law to each justice to enhance accountability of non-compliant offenders. The Committee had also directed that Code Officers consistently report non-compliance issues they personally view throughout the county, for consideration by the Junkyard Review Board.

Legislator Moser reported that the Veteran Services Director's budget is within budgetary appropriations.

Legislator Jerry King, Courts and Law Enforcement/Emergency Services/Fire Coordinator/Building Codes Committee Chairman, made a motion to award the bid for the water upgrade project and removal of the existing tank and pump system at the Public Safety Building

to McCabe's Mechanicals, Inc. in the amount of \$28,700.00, seconded by Legislator Hathway and carried.

Legislator King reported participating in radio system coverage testing of 2,500 of the total 3,670 test points at half-mile grids throughout the County, with 97.3% coverage. The remaining spots were not accessible by vehicle. During a live call, the system was overloaded by several responders. The situation was thereafter recreated when it was determined that one ambulance was out of reception range, which was to be re-checked.

Legislator King had also accompanied the contractor for pager testing last week in Lowville, Croghan Harrisville and Castorland to document issues. The contractor will provide a responding plan within the next few weeks to County officials. Liz Swearingin reported the County Attorney had forwarded correspondence to E.F. Johnson informing awareness of reaching 97% coverage, while insisting response to a dozen listed issues, before processing their final payment.

Legislator Lawrence Dolhof, Economic Development/Planning/Recreation, Forestry & Parks Committee Chairman, reported submission of the Phase II annual Snowmobile grant application. The State has reduced the Countywide high snow trail miles by 86 effecting a \$25,000 funding reduction.

Legislator Dolhof reported 576 participants in the Peak-to-Brew relay race from Whiteface through a portion of Lewis County to the Utica Brewery; and 106 participants in 98 boats for the Riverfest.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, reported that Mohawk Networks is moving forward to expand broadband service to County residents.

Legislator Kulzer reported a few used Highway and Solid Waste vehicles would be auctioned on-line. Paving was completed in August, and the Sears Pond Road was resurfaced. They are working to replace pipes on the Snell, Cutt-Off and Redfield Roads. The Cemetery Road Bridge project was completed. Barton & Loguidice engineers corresponded with the NYS DOT to request assistance on behalf of the County, for repair of the yellow-flagged Liberty Road Bridge.

Legislator Kulzer anticipates renovations of the recycling building will be done by November. Year-to-date transfer station revenue is comparatively low. The annual Hazardous Household Waste Day to be held at the Lowville Transfer Station on 9/10/16 has been well advertised and to inform items that would not be accepted, including latex paint. Also, Director Pete Wood recently guided facility tours to two separate groups.

Legislator Richard Chartrand, Hospital Committee Chairman, reported a \$398,900 gain versus a budgeted loss of \$205,000 in July. The year-to-date surplus is \$2,429,000 versus a budgeted surplus of \$1,604,000. The facility anticipates receipt of almost \$15 million from multiple revenue sources by the end of December, acknowledging the \$4 million IGT funding

may not be forthcoming. Pending revenue receipts, the plan is to pay off capital project debt, accounts payable and possible accelerated debt payments to the County.

Legislator Chartrand reported the 2017 budget is being formulated based on global assumptions, project volumes, physician practice visits and the capital budget. Hospital administration is working in conjunction with County officials on the enterprise lease program.

In response to Legislator Moser, Legislator Chartrand stated that not all of the revenue sources would be continued annually.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, made a motion to authorize Penny Ingham to refill a full-time Account Clerk position effective immediately, due to a transfer to another County department, seconded by Legislator Fawcett and carried.

Legislator Moroughan reported that Public Health Planner Ashley Waite had presented the second quarter Board of Health report documenting customary health operations. The Quality Assurance and Corporate Compliance reports document that all indicators had been satisfactorily met. The quality improvement plan and data for the community health assessment will be presented to stakeholders on 9/15/16.

Legislator Moroughan reported that herself, along with Community Services Board members Jon Waterhouse and Douglas Ort, County Manager Liz Swearingin and Director of Community Services Patricia Fralick have been meeting with Transitional Living Services/ Behavioral Health and Wellness Center (TLS) Executive Director and Board Chair Stevie Kiggins to monitor local outpatient mental health services. TLS has increased the number of active clients by 40% and referrals by 75% since 2015, while reporting a 52% reduction in operating losses. The results have been accomplished by participating in programs to enhance reimbursements, increased number of patients being served, and staff restructuring.

Legislator Moroughan relayed appreciation from the planning committee for those who participated in the 8/31/16 International Overdose Awareness Day that heightened awareness of heroin use and resources available.

She announced the second annual candlelight vigil for worldwide suicide prevention will be held on 9/10/16 at the Lowville Memorial Park sponsored by the American Legion Post 162.

COUNTY MANAGER REPORT:

Liz Swearingin reported compilation of the preliminary 2017 budget by next week. Tyler/Munis payroll and finance system training continues.

A vacancy on the Lewis County General Hospital Board of Managers has been advertised.

Considerable time is being spent to prepare for the health care opt out option for pre-65 aged retirees effective 1/1/2017.

Legislator Richard Chartrand announced the resignation of Rae Rice from the Board of Managers to assume a new job opportunity.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$249,168.00; Contingency Fund-\$431,000.00; Capital Data Processing Fund-\$129,203.98 and Capital Equipment Fund - \$239,032.77, of which \$137,213.98 is the Highway portion. She also reported year-to-date sales tax revenue of \$5,935,182.31; and the current Hospital debt of \$2.8 million. The balance of the Internal Service Fund of \$837,814.06 remains well below the recommended level of \$3.5 - \$4 million.

SPECIAL REPORT:

Chairman Tabolt recognized and commended County Attorney Joan McNichol for recently being installed to serve as President of the Mid-York Women's Bar Association. Atty. McNichol said it was her second year and proudly announced that Court of Appeals Judge Leslie Stein of Albany would be making a presentation to their group of 150 attorneys on 9/28/16. They are hopeful the Court of Appeals will sit in at a court session in one of the surrounding counties.

Chairman Tabolt had attended a ceremony at SUNY Potsdam when Governor Cuomo announced the broadband initiative.

He had participated in a phone conference set up by Adirondack North Country Association Executive Director Kate Fish, with the NYS Energy Commission to discuss the possibility for Lewis County residents to opt for Re-Energy Holdings, LLC Lyonsdale as their energy supplier. At the Chairman's request, NYSAC Executive Director Stephen Acquario is researching whether this would be feasible, and Ms. Fish is reviewing the Governor's 157-page renewable energy incentives.

Hudson River Black River Regulating District representatives presented their fee schedule for the upcoming year. They will hold their 9/13/16 regular meeting in Lowville and Legislators are encouraged to attend.

Chairman Tabolt also reported meeting with Village of Lowville Council members and Kraft-Heinz representatives to offer assistance to progress the expansion project.

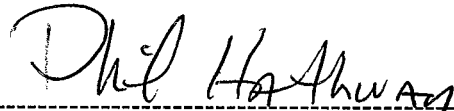
At 6:36 p.m. the Chairman closed the public hearing.

REPORT OF THE WAYS AND MEANS COMMITTEE:

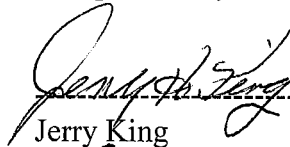
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

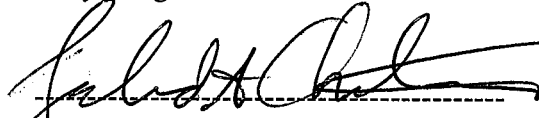
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 779,834.15 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: September 6, 2016

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

OTHER BUSINESS:

Clerk of the Board Teresa Clark read a proclamation executed by Chairman Tabolt to recognize "Lewis County Night Out" to be held on 9/8/16 at the Lewis County Fairgrounds as an annual event to promote police-community partnerships and cooperation in crime prevention efforts.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Brennan at 7:06 p.m., seconded by Legislator Hathway and carried.