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 benefitting 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 benefitting 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 Lowellville 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 Hathaway, 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 Hathaway, 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 Hathaway 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 Hathaway 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 Hathaway 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 NYSDOT 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.
RESOLUTION NO. 327 - 2016
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 $779,834.15 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 Brennan, seconded by Legislator King, and adopted by roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, and Tabolt

NAYS: None

ABSENT: None
LOCAL LAW (INTRODUCTORY NO. 3 - 2016)
COUNTY OF LEWIS

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

A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.3 MILES OF WEST ROAD (CR 51)

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

SECTION I. TITLE

This Local Law shall be known as “A Local Law Permitting All-Terrain Vehicle Operation on 1.3 miles of West Road (CR 51)”,

SECTION II. PURPOSE

The purpose of this Local Law is to amend the designation of certain highways or portions thereof within the County Highway system as being open for travel by all-terrain vehicles pursuant to the authority granted in Section 2405 of the Vehicle and Traffic Law of the State of New York.

SECTION III. DEFINITIONS

For purposes of this Local Law, the terms hereinafter identified shall have the meanings indicated:

(a) The term “County” shall refer to the County of Lewis.

(b) The term “ATV” shall refer to an “all-terrain vehicle” as defined in Section 2281(1) of the Vehicle and Traffic Law of the State of New York.

(c) The term “Trail System” shall refer to the Lewis County Trail System, as adopted and administered pursuant to Local Law No. 2 – 2009, entitled, “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM,” and as the same may be amended from time to time.

(d) The term “ATV Code” shall refer to the Lewis County ATV Code which sets forth the local rules and regulations pertaining to the operation of ATV’s on public property pursuant to Local Law No. 3 – 2009, entitled “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY ATV CODE,” and as the same may be amended from time to time.
(e) The term “CR” shall mean County Route, and is used to describe or designate the highway as owned by the County of Lewis and maintained by the Lewis County Highway Department.

SECTION IV. LEGISLATIVE FINDINGS

The Board of Legislators hereby makes the following findings:

1. That Board of Legislators has carefully reviewed a Memorandum from the County Attorney detailing the legal obligations of the Board when considering opening a County highway or portion thereof to ATV use.

2. The Board of Legislators has also reviewed a report from the Director of Recreation, Parks and Forestry which described the Amended Designation of ATV Trails and Interconnecting County Roads for Use by ATV’s dated August 19, 2016, which has been submitted to the Board of Legislators identifying the segment of CR 51 that is proposed to be opened to ATV traffic and providing a description of the trail or area that is adjacent to such road and the justification for same as required by Vehicle & Traffic Law § 2405.

3. The Board of Legislators has conducted a review of the potential adverse impacts the opening of the proposed interconnecting County Road, consistent with Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”) and after an investigation and analysis conducted by the Director of Soil & Water, has found and determined that adding this portion of CR 51 to the Lewis County Trail ATV System will not result in a significant environmental impact.

4. The Board of Legislators has also reviewed the most recent annual ATV Activity Report as compiled by the Lewis County Sheriff’s Department.

5. The County Highway Superintendent has reviewed the portion of CR 51 that is proposed to be opened to ATV traffic, and has provided the Board with his written opinion that such road or portion thereof is presently opened to all classes of motor vehicle traffic and that opening said road or portion thereof to ATV traffic will not significantly impact traffic safety at this locality.

6. In light of all the information submitted, reviewed and/or received during the public hearing, the Board of Legislators hereby determines and finds that it is otherwise impossible for ATV’s to gain access from the off-road ATV Trail on Weona Ski Resort Property to the northerly end of the off-road ATV Trail on the Peckman Charitable Remainder Property, absent the opening of that portion of West Road (CR51) a distance of 1.3 miles as described in this Local Law.
SECTION V. AMENDED DESIGNATION OF HIGHWAYS

The following County highway, or portion thereof, is hereby designated as OPEN to travel by ATV’s, IN ADDITION to the County highways or portions thereof that were designated as open under Local Law No. 5 – 2009, and/or as subsequently amended thereto:

- That certain portion of **West Road (CR 51): 1.3 miles**, beginning from a certain ATV trail located on the Weona Ski Resort Property (a/k/a Snow Ridge Ski Resort) on the westerly side of West Road and then southerly a distance of 1.3 miles to the ATV off-road trail located on the westerly side of the Peckman Charitable Remainder property incorporated into the Lewis County Trail System in 2016.

SECTION VI. CONDITIONS AND RESTRICTIONS

A. All of the conditions, restrictions, rules and regulations contained in or adopted pursuant to Article 48-C of the Vehicle and Traffic Law of the State of New York shall apply with respect to the operation of ATV’s within the areas designated in the preceding Section IV.

B. The road segment set forth above shall be deemed incorporated into the Lewis County ATV Trail System and subject to the conditions, restrictions, rules and regulations set forth in Local Law No. 2 – 2009, entitled, “**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**” as well as Local Law No. 3 – 2009, entitled, “**THE LEWIS COUNTY ATV CODE**” as the same may be amended from time to time.

C. The road segment set forth above shall have signage posted to direct ATV riders to ride on the paved road and not on the stone shoulder of the road.

SECTION VII. SAVINGS CLAUSE

Except as previously amended and modified, and as specifically amended and modified herein, Local Law No. 5 – 2009 shall in all respects remain in full force and effect.

SECTION VIII. SEPARABILITY

In the event that any part or provision of this Local Law or the application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances. Moreover, the Board of Legislators of the County of Lewis hereby declares its
intent that it would have passed this Local Law or the remainder thereof had such invalid provision or invalid application been apparent.

SECTION IX. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.
RESOLUTION NO. __328__ - 2016  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY NO. 3 - 2016), COUNTY OF LEWIS

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on September 6, 2016, Local Law (Introductory No. 3-2016) entitled “A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.3 MILES OF WEST ROAD (CR 51)’’.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on October 4, 2016, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator __Dolhof__, seconded by Legislator __Brennan__, and adopted.
LOCAL LAW (INTRODUCTORY NO. 4 - 2016)
COUNTY OF LEWIS

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

A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT
ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A "2% TAX CAP")
FOR THE LEWIS COUNTY 2017 BUDGET

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

SECTION 1  TITLE

This Local Law shall be known as “A LOCAL LAW TO AUTHORIZE OVERRIDING THE
TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A
"2% TAX CAP") FOR THE LEWIS COUNTY 2017 BUDGET.”

SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the
anticipated budgetary needs for fiscal 2017 require that Lewis County adopt the appropriate
legislation necessary to override the tax levy limit established by General Municipal Law § 3-c,
and more commonly referred to as the “2% tax cap”.

SECTION 3. ENACTMENT AUTHORITY

This Local Law is adopted pursuant to authority provided in section 10 of the Municipal Home
Rule Law of the State of New York as well as the specific authority found in General Municipal
Law § 3-c[5].

SECTION 4. OVERRIDE AUTHORIZATION

The Board of Legislators be and the same is hereby authorized to adopt a budget for fiscal year
2017 that exceeds the “tax levy limit” as that term is defined and calculated pursuant to the
provisions of General Municipal Law § 3-c.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.
RESOLUTION NO. 329 - 2016
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 4 - 2016), COUNTY OF LEWIS

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on September 6, 2016 a proposed Local Law entitled “LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2017 BUDGET.”

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on October 4, 2016, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator _Hathway_, seconded by Legislator _Fawcett_, and adopted.
RESOLUTION NO. 330 - 2016
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 – 2016, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on August 2, 2016, directing that a public hearing be held by said Board on September 6, 2016, from 5:00 p.m. to 5:30 p.m. at Constable Hall located at 5909 John Street, Constableville, New York 13325, to hear all interested parties on Local Law (Introductory No. 1-2016) entitled “A LOCAL LAW CONTINUING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN LEWIS COUNTY”; and

WHEREAS, notice of said public hearing was duly advertised in the Watertown Daily Times, the official newspaper designated by the County, on August 31, 2016, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1 – 2016), County of Lewis, being “A LOCAL LAW CONTINUING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN LEWIS COUNTY”, be and the same hereby is designated as Local Law No. 2–2016, County of Lewis.

Section 2. That Local Law No. 2–2016, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator _Brennan_, seconded by Legislator _King_, and adopted pursuant to the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, and Tabolt

NAYS: None

ABSENT: None
RESOLUTION NO. 331 - 2016
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2016, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on August 2, 2016, directing that a public hearing be held by said Board on September 6, 2016, from 5:00 p.m. to 5:30 p.m. at Constable Hall, which is located at 5909 John Street, Constableville, New York 13325, to hear all interested parties on Local Law (Introductory No. 2-2016) entitled “A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 REGARDING THE OPENING AND CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM AND THE FEES CHARGED FOR ATV PERMITS IN THE LEWIS COUNTY TRAIL SYSTEM”; and

WHEREAS, notice of said public hearing was duly advertised in the Watertown Daily Times, the official newspaper designated by the County, on August 31, 2016, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 2 – 2016), County of Lewis, being “A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 REGARDING THE OPENING AND CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM AND THE FEES CHARGED FOR ATV PERMITS IN THE LEWIS COUNTY TRAIL SYSTEM”, be and the same hereby is designated as Local Law No. 3–2016, County of Lewis.

Section 2. That Local Law No. 3–2016, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator __Fawcett___, seconded by Legislator __Brennan___, and adopted pursuant to the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, and Tabolt

NAYS: None

ABSENT: None
RESOLUTION NO. 332 - 2016
FIXING DATE OF PUBLIC HEARING WITH REFERENCE TO THE EIGHT YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 6

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

WHEREAS, pursuant to Section 303 (a) of the Agriculture and Markets Law, the County Legislative Body is required to review a district eight years after its creation and every eight years thereafter; and

WHEREAS, the Lewis County Board of Legislators authorized and set the Public Comment Period for the Lewis County Agricultural District No. 6 eight-year review process for August 1, 2016 through August 31, 2016, and authorized incorporation of the 2016 annual inclusion process and thirty day open enrollment period during and simultaneously with the eight year review process, and directed that public notices for the eight-year review contain notice of incorporation of the 2016 annual inclusion process pursuant to Resolution No. 280-2016; and

WHEREAS, Lewis County Director of Planning provided the appropriate notices and surveys to the property owners in Agricultural District No. 6, and is accepting and answering any questions pertaining to this Agricultural District’s timelines, review and modification process; and

WHEREAS, municipalities and landowners within the district may propose a modification of the District by filing such proposal with Frank Pace of the Lewis County Planning Department or Clerk of the Lewis County Board of Legislators, Teresa Clark at 7660 North State Street, Lowville, NY 13367 from October 1, 2016 through October 31, 2016; and

WHEREAS, the Director of Planning will gather the information and comments received during the review process, together with requests for inclusion and/or removal after the comment period ends, and provide a Report to the Lewis County Board of Legislators during the public comment period at the public meeting of this Board of Legislators to be held on December 6, 2016; and

WHEREAS, the Director of Planning seeks to have the Lewis County Board of Legislators now set the public hearing for this Agricultural District No. 6 eight-year review.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes and sets the public hearing for Agricultural District No. 6 eight-year review to be held on December 6, 2016 at 5:00 PM at the County Courthouse, Second Floor Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367, for the purpose of receiving public comment regarding the eight-year review of Agricultural District No. 6.
Section 2. That the Lewis County Planning Department is hereby directed to publish an appropriate notice in the *Watertown Daily Times* and that such notice shall contain the information required by law.

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

Moved by Legislator [Brennan], seconded by Legislator [Dolhof], and adopted.
RESOLUTION NO. 333 - 2016
RESOLUTION TO INCORPORATE PECKMAN CHARITABLE REMAINDER PROPERTY INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA"); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 - 2009, “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM” (herein, “Local Law No. 2”); and

WHEREAS, Local Law No. 2 and the Statement of Findings contemplate future amendments to the ATV Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments and additions; and

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add property owned by Peckman Charitable Remainder, (Mervin E. and Lois K. Peckman) in the Town of Turin, known as parcel number 321.00-01-23.000 to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property and trail, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators has contemporaneously herewith completed its review under SEQRA with respect to the property and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and
determined that adding this property and trail to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owner of the property, Peckman Charitable Remainder, (Mervin E. and Lois K. Peckman), has executed an Access Agreement with the County of Lewis by and through the Director of Recreation, Forestry and Parks, that permits the County to enter upon their property for the purpose of constructing and maintaining ATV trails that will be open to the public and part of the County’s ATV trail system.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trail located on the above referenced property, known as the Peckman Charitable Remainder Property located at the Corner of Gomer Hill Road and West Road, Turin, NY, parcel number 321.00-01-23.000, and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District, is hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Board of Legislators hereby authorizes the addition of the Peckman Charitable Remainder Property trail to the Lewis County ATV Trail System, and authorizes amendment to the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trail described herein, together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 3. That the Director of Recreation, Parks and Forestry is authorized to make, execute and deliver such additional Access Agreements for the aforesaid property, upon approval of the County Attorney as to form.

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

Moved by Legislator _Dolhof_, seconded by Legislator _Brennan_, and adopted.
RESOLUTION NO. _334_ - 2016
RESOLUTION TO TRANSFER FUNDS
CIVIL SERVICE OFFICE

Introduced by Legislator Bryan Moser, Chairman of the Civil Service Committee:

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Civil Service Department accounts for the purchase of furniture:

From:
A1430.4507 Travel $191.00

To:
A1430.2211 Office Equipment $191.00

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

Moved by Legislator _Moser_, seconded by Legislator _Fawcett_, and adopted.
RESOLUTION NO. 335 - 2016
RESOLUTION TO APPROPRIATE FUNDS
COMMUNITY SERVICES

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for a State Aid increase for Mountain View Prevention Services:

Revenue
A34914 Mtn View $350.00

Expense
A4325.4999 Mtn View $350.00

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

Moved by Legislator Chartrand, seconded by Legislator Brennan, and adopted.
RESOLUTION NO. _336_ - 2016
RESOLUTION TO APPROPRIATE FUNDS
COMMUNITY SERVICES

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved in the Community Services accounts to reconcile with State Aid funds (NRCIL):

- **Decrease Revenue**
  - A34903.1 NRCIL
    - $7,048.00

- **Decrease Expense**
  - A4324.4700
    - $11,044.00

- **Increase Expense**
  - A4324.4701
    - $2,792.00
  - A4324.4702
    - $1,204.00

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

Moved by Legislator _Moser_, seconded by Legislator _Fawcett_, and adopted.
RESOLUTION NO. _337_ - 2016
RESOLUTION TO APPROPRIATE FUNDS
COMMUNITY SERVICES

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for a State Aid increase for Transitional Living Services:

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<thead>
<tr>
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<th></th>
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<tbody>
<tr>
<td>A34915 TLS</td>
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<table>
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<th>Increase Expense</th>
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<tr>
<td>A4318.4212 TLS</td>
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<td>131.00</td>
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<td>A4318.4224 TLS</td>
<td>2,768.00</td>
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<tr>
<td>A4318.4225 TLS</td>
<td>51.00</td>
</tr>
</tbody>
</table>

$33,974.00

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

Moved by Legislator _Hathway_, seconded by Legislator _King_, and adopted.
RESOLUTION NO. 338 - 2016
RESOLUTION AUTHORIZING AMENDED AGREEMENT
BETWEEN MOUNTAIN VIEW PREVENTION SERVICES, INC. AND
LEWIS COUNTY COMMUNITY SERVICES

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

WHEREAS, the Lewis County Community Services Board is responsible to provide to the residents of the County of Lewis with alcohol and substance abuse prevention services directly, and/or contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the County of Lewis acting by and through the Lewis County Community Services Department (“LCCSD”) and Mountain View Prevention Services, Inc. (“MVPS”) entered into an Agreement dated December 30, 2015 for MVPS to provide community prevention education and training services for the term beginning January 1, 2016 and ending December 31, 2016 pursuant to Resolution No. 405-2015, in the amount not to exceed $229,586.00, representing the amount to be received by State Aid; and

WHEREAS, LCCSD subsequently received notice that the 2016 New York State Office of Alcoholism and Substance Abuse Service (“OASAS”) State Aid funding to the County through the LCCSD for these services was revised upward to $233,307.00; and

WHEREAS, the County seeks to amend the amount of the payment for such services to the amount of $233,307.00, which is the actual 2016 OASAS State Aid funding.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves an amended Agreement between Mountain View Prevention Services, Inc. and the County of Lewis acting by and through the Lewis County Community Services Department for prevention education and training services commencing January 1, 2016 through December 31, 2016 at a cost not to exceed $233,307.00.

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

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator _Moroughan_, seconded by Legislator _King_, and adopted.
RESOLUTION NO. 339 - 2016
RESOLUTION TO TRANSFER FUNDS
DISTRICT ATTORNEY

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

BE IT RESOLVED, as follows:

Section I. That the following transfer is hereby approved from the Contingency Fund into the District Attorney account to cover the cost of Appellate legal services:

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<th>From:</th>
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<tr>
<td>A1990.4999 Contingency</td>
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<table>
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<th>To:</th>
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<tbody>
<tr>
<td>A1165.4901 Prof Serv</td>
<td>$12,000.00</td>
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</table>

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

Moved by Legislator _King_, seconded by Legislator _Chartrand_, and adopted.
RESOLUTION NO. 340 - 2016
RESOLUTION TO APPROPRIATE FUNDS
HIGHWAY DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes is hereby approved in the County Road account to appropriate additional Pave NY funds.

**Increase Revenue:**
D35010 CHIPS $395,903.33

**Increase Expense:**
D5150.499 Paving Material $395,903.33

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

Moved by Legislator _Moser_, seconded by Legislator _King_, and adopted.
RESOLUTION NO. _341_ - 2016
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY HIGHWAY DEPARTMENT AND
ROY TEITSWORTH, INC., dba RTI INTERNET AUCTIONS

Introduced by Legislator Greg Kulzer, Chairman of the Transportation Committee.

WHEREAS, Lewis County Highway Department wishes to enter into an Auctioneers Online Auction Agreement with Roy Teitworth, Inc., d/b/a RTI Internet Auctions, with offices at 6502 Barber Hill Road, Geneseo, New York 11454; and

WHEREAS, the Lewis County Highway Department wishes to sell surplus vehicles and items by participation in the online auction services provided by Roy Teitworth, Inc., at no cost to the County; 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 authorizes an Agreement between the County of Lewis, through the Lewis County Highway Department and Roy Teitworth, Inc., dba RTI Internet Auctions, to participate in the online auction services to sell County used vehicles and items beginning October 4, 2016 through October 11, 2016.

Section 2. That the Lewis County Highway Department Superintendent or 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 _Fawcett_, and adopted.
RESOLUTION NO. _342_ - 2016
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget change is hereby approved in the Highway Department Accounts for the purchase of a computer for the mapping program at the shop, utilizing Capital Data Processing funds, balance $129,203.98:

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<th>Increase Revenue:</th>
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<tr>
<td>D50310</td>
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<tr>
<th>Increase Expense:</th>
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<tbody>
<tr>
<td>D5010.2211</td>
<td>$1,047.41</td>
</tr>
</tbody>
</table>

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

Moved by Legislator _King_, seconded by Legislator _Moser_, and adopted.
RESOLUTION NO. 343 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY HUMAN RESOURCES DEPARTMENT AND
MESA OF NY, INC. D/B/A/ YOST EMPLOYEE ASSISTANCE PROGRAM

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Human Resources Department desires to enter into an Employee Assistance Program Agreement with Mesa of NY, Inc. d/b/a Yost EAP, ("EAP"), a New York State company, with office located at 1045 James Street, Syracuse, New York 13203; and

WHEREAS, the purpose of this Agreement is for EAP to provide an Employee Assistance Program for Lewis County employees and their dependents; 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 County of Lewis, by and through the Lewis County Human Resources Department, and Mesa of NY, Inc. d/b/a Yost EAP for the purpose of having EAP provide an Employee Assistance Program.

Section 2. That this is for the term commencing July 1, 2016 through June 30, 2017 at a cost of $20.80 per employee per year. This pricing is based on an employee count of 300 employees and will be paid in quarterly installments during the first month of each service quarter at a rate of $5.20 per employee per quarter.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators are 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 Moser, seconded by Legislator Dolhof, and adopted.
RESOLUTION NO. 344 - 2016
RESOLUTION TO AMEND THE LEWIS COUNTY POLICY AND PROCESS FOR REFILLING VACANT POSITIONS

Introduced by Legislator Bryan Moser, Chairman of the County Officers & Employees Committee and the Human Resources Committee.

WHEREAS, by Resolution No. 10 - 2010, the Lewis County Board of Legislators (BOL) determined to abolish all positions that become vacant during any fiscal year by reason of resignation, retirement or termination. This policy was approved out of concern that positions were automatically being filled without review of the need; and

WHEREAS, as a result of the 2010 policy, the process to refill a position entails a motion if the departing individual is still employed at the date of the BOL meeting, or a resolution is made if the person has left employment of the county. The resolution process involves the Department Head bringing the request through the committee, and if approved by the committee, a Resolution is crafted for consideration by the entire BOL at the next meeting. These competing processes are confusing, somewhat awkward, and causes a great deal more time, paperwork and bureaucracy by abolishing a position and then having to create a new one; and

WHEREAS, it is proposed that a new process be put in place which will provide the BOL visibility to all vacancies and the ability to reject or approve a request for refill of a position, but a process that will shorten the cycle time and reduce paperwork in filling a vacant position; and

WHEREAS, it is proposed that the new process provide: 1.) For a Department Head to notify the County Manager and Civil Service when there is a known or pending position vacancy or change. No position shall be automatically abolished until the Board of Legislators action on same. 2.) Upon approval by the County Manager, Civil Service and HR Director may immediately commence the recruitment process in filling a position, but no offer of a position shall be made until and unless the Board of Legislators approves refilling the position. 3.) The Human Resources (“HR”) committee shall review all requests for presentation to the BOL. The HR Director will present to the BOL at each monthly meeting, a written report for review of all requests for new, backfilling and/or changes to positions. Any questions can be addressed with the BOL having the right to approve or disapprove any of the requests by majority vote of the BOL. 4.) If a position issue arises after the HR committee meeting and before the monthly BOL meeting, the County Manager shall have the authority to bring forward additional appropriate resolutions(s) for the BOL consideration at the monthly meeting without having been vetted by the HR committee; and

WHEREAS, the Board of Legislators wishes to amend and herein re-state the policy and process for abolishing vacant positions during any fiscal year by reason of resignation, retirement or termination.

NOW, THEREFORE BE IT RESOLVED, that
Section 1. The Board of Legislators hereby amends and re-states the policy and process for abolishing and refilling of vacant positions during any fiscal year by reason of resignation, retirement or termination as follows:

A. No position shall be deemed automatically abolished without the approval of the Board of Legislators.

B. The Department Head is to notify the County Manager and Civil Service of any known/pending vacancy in the Department; and the Department Head’s intention to request to refill the position.

C. Upon approval of the County Manager, Civil Service and the HR Director may immediately commence the recruitment process in filling a position, but no offer of a position shall be made until and unless the Board of Legislators approves refilling the position.

D. The HR Committee shall review all requests for presentation to the Board of Legislators. The HR Director will present to the BOL at each monthly meeting, a written report for its review of all requests for new, backfilling and/or changes to positions. By motion, the BOL shall have the right to approve or disapprove any of the requests by majority vote of the Board of Legislators.

E. If a position issue (vacancy and possible refill) arises after the HR committee monthly meeting and before the monthly BOL meeting, the County Manager shall have the authority to bring forward additional appropriate resolutions(s) for the BOL’s consideration at the monthly meeting without having been previously vetted by and through the HR committee;

Section 2. Upon the Board of Legislator’s abolishing such position(s) pursuant to this Resolution, the Lewis County Treasurer is hereby directed to transfer all funds that have been or shall be allocated to such position(s) to “A1010.4199 Board of Legislators Contingent Account”, to be held in such account until such time as a position may be re-established by the Board of Legislators.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator _Dolhof_, seconded by Legislator _Fawcett_, and adopted.
RESOLUTION NO. 345 - 2016
RESOLUTION DESIGNATING
LEWIS COUNTY CHAMBER OF COMMERCE AS
TOURIST PROMOTION AGENCY
AND COMMIT MATCHING FUNDS

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby designates the Lewis County Chamber of Commerce as Tourist Promotion Agency for the County of Lewis in its application for Matching Funds (I Love NY) Program for 2016-2017.

Section 2. That this Board hereby endorses the application of Lewis County Chamber of Commerce, and hereby commits matching County funds in the amount of $50,000.00 in support of the said application.

Section 3. That the Chairman, or Vice-Chairman, of the Lewis County Board of Legislators is hereby authorized to sign any and all necessary papers and documents in connection with said application.

Section 4. That this resolution shall take effect immediately.

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

Following adoption of the resolution, County Manager Liz Swearingin informed the commitment of funds represents a $10,000 increase. Legislator Dolhof said the funds are used to print the tourism booklets every other year that are distributed at trade shows and designated locations. Legislator King asked if resulting tourism revenues were being tracked to justify the expenditure. Recreation, Forestry and Parks Director Jackie Mahoney stated that one ATV coupon was put in each booklet. She would obtain and report the number of returned coupons later, as also requested by Legislator Kulzer. She further clarified the tourism booklet encompasses advertisements for the various tourism factions.
RESOLUTION NO. 346 - 2016
RESOLUTION AUTHORIZING EXTENSION AND MODIFICATION TO
MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND MOHAWK
NETWORKS, INC.
TO EXPAND BROADBAND SERVICE TO BENEFIT
RURAL COMMUNITIES IN THE NORTH COUNTRY

Introduced by Legislator Craig Brennan, Chairman of the Information Technology Committee.

WHEREAS, New York State announced a $500 million dollar investment to expand broadband in New York, especially to underserved and rural areas through 2018.

WHEREAS, Mohawk Networks, LLC ("Mohawk") submitted a grant proposal under the New York State Broadband Initiative, to expand wireless internet service in the North Country, including Lewis County, especially to rural areas not currently served, by a “last mile broadband” pilot project utilizing a wireless point to multipoint delivery; and

WHEREAS, the County authorized a Memorandum of Understanding to be entered into with Mohawk, which allowed Mohawk to lease tower and equipment space on the County’s Public Safety Building tower, and its shelter space at the WWTI tower in Copenhagen, at no cost for this initial pilot through December, 2016. The MOU also provided for the parties to extend the term of the agreement upon mutual consent; and

WHEREAS, the Mohawk was not awarded any grant funds in the first round, but continues its application for funding in the next round, and seeks to extend the MOU with the County for another year or until Mohawk has 500 customers, whichever event first occurs; and

WHEREAS, the County of Lewis seeks to continue support of Mohawk in this pilot program and request for grant funding to expand wireless broadband to the underserved and rural areas in Lewis County by extending the MOU for another year.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County to continue its participation and support of this broadband initiative pilot project provided same does not interfere in any way with the County’s Emergency 911 upgrade project and development.

Section 2. That the Lewis County Board of Legislators hereby authorizes an amendment to the Memorandum of Understanding between the County and Mohawk, to extend the terms and conditions therein stated to December 31, 2017 or upon Mohawk having 500 customers, whichever event first occurs.
Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Modification/Extension Agreement, upon such form as approved by the County Attorney.

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

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.
RESOLUTION NO. 347 - 2016
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND MOHAWK NETWORKS, INC. TO EXPAND BROADBAND SERVICE TO BENEFIT RURAL COMMUNITIES IN THE TOWN OF DIANA AREA

Introduced by Legislator Craig Brennan, Chairman of the Information Technology Committee.

WHEREAS, New York State announced a $500 million dollar investment to expand broadband in New York, especially to underserved and rural areas through 2018.

WHEREAS, Mohawk Networks, LLC ("Mohawk") submitted a grant proposal under the New York State Broadband Initiative, to expand wireless internet service in the North Country, including Lewis County, especially to rural areas not currently served, by a "last mile broadband" pilot project utilizing a wireless point to multipoint delivery; and

WHEREAS, the County authorized a Memorandum of Understanding to be entered into with Mohawk, which allowed Mohawk to lease tower and equipment space on the County’s Public Safety Building tower, and its shelter space at the WWTI tower in Copenhagen, at no cost for this pilot project, which has been extended through December 31, 2017 or upon Mohawk obtaining 500 customers, whichever event first occurs; and

WHEREAS, Mohawk was not awarded any grant funds in the first round, but continues its application for funding in the next round with the Pilot agreement. Regardless of the grant consideration, Mohawk seeks to move forward and offer service to homes in the Town of Diana area, with Mohawk investing the costs of the necessary equipment and apparatus on the County’s tower in the Town of Diana without any grant funding, to provide wireless broadband service to this underserved area; and

WHEREAS, Mohawk seeks to have the County allow for its lease of tower space and of the equipment building at the Town of Diana tower pursuant to an MOU, at no cost for one year or until Mohawk has 250 customers from this wireless service area, whichever event first occurs; and

WHEREAS, the County of Lewis seeks to continue its support of Mohawk to expand wireless broadband to the underserved and rural areas in Lewis County by granting the lease of this tower space for a year at no cost or until Mohawk has 250 customers, whichever event first occurs.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County to enter into a Memorandum of Understanding with Mohawk Networks, LLC in support of its wireless broadband expansion initiative, provided same does not interfere in any way with the County’s Emergency 911 upgrade project and development.
Section 2. That the Lewis County Board of Legislators hereby authorizes an MOU between the County and Mohawk, to allow for Mohawk to lease space on the County’s tower in the Town of Diana at no initial cost for a year or upon Mohawk having 250 customers in this wireless service area, whichever event first occurs.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Agreement, upon such form as approved by the County Attorney.

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

Moved by Legislator _Hathway_, seconded by Legislator _King_, and adopted.
RESOLUTION NO. 348 - 2016
RESOLUTION TO EXPAND BROADBAND SERVICE
TO BENEFIT RURAL COMMUNITIES
IN LEWIS COUNTY AND OTHER NORTH COUNTRY COMMUNITIES

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

WHEREAS, New York State announced a $500 million dollar investment to expand broadband in New York, especially to underserved and rural areas through 2018; and

WHEREAS, Mohawk Networks, LLC ("Mohawk") submitted a grant proposal under the New York State Broadband Initiative, to expand wireless internet service in the North Country, including Lewis County, in an effort to deliver internet service to rural areas not currently served, by a “last mile broadband” pilot project utilizing a wireless point to multipoint delivery; and

WHEREAS, the County of Lewis, recognizing the need for broadband expansion to its underserved residents and businesses, supported Mohawk’s application for funding and entered into an agreement with Mohawk as a pilot project for wireless internet service, by providing tower and equipment space at no cost to Mohawk during the pilot to provide wireless broadband internet access. Mohawk was not awarded any grant funds in the first round, but continues its application for funding in the next round, with the County continuing its support of Mohawk’s application and this pilot program; and

WHEREAS, the initial results provided to Lewis County under the pilot project reveal that the test businesses and residences in Lewis County under the pilot are experiencing exceptional internet reception; and

WHEREAS, Broadband is crucial to lifting a County like Lewis to a viable level so that its residents and businesses can compete on a level playing field. Broadband expansion helps the County’s students, businesses and farms; it extends the opportunity to improve workforce training and sets a foundation for expanding healthcare to rural areas efficiently and cost effectively; and

WHEREAS, the Board of Legislators of the County of Lewis hereby calls upon the Governor to support Broadband expansion in Lewis County by awarding Mohawk Networks grant funding in the second round. Lewis County is one of the most rural and underserved broadband counties in the State, and precisely one of the areas described by the Governor to whom this million-dollar initiative and investment was designed to reach.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators of the County of Lewis strongly urge Governor Cuomo and his Broadband initiative team to support Broadband in Lewis County by awarding grant funds to Mohawk Networks. In so doing, the Governor will recognize that Lewis County, one of the most rural and underserved broadband serviced counties in the State, will greatly
benefit economically and educationally with expanded wireless internet service proffered by Mohawk Networks’ program and project to provide “the last mile of broadband” to areas with little or no broadband internet service.

Section 2. That the Board of Legislators of the County of Lewis calls upon their local representatives NYS Senator Joseph A. Griffo and NYS Assemblyman Ken Blankenbush, to advocate for a grant award to Mohawk Networks, Inc. in order to provide expansion of internet Broadband service to the underserved in Lewis County and other North Country communities.

Section 3. That copies of this resolution shall be sent to Governor Andrew M. Cuomo, NYS Senator Joseph A. Griffo, NYS Assemblyman Ken Blankenbush, the New York State Association of Counties, the Inter-County Legislative Committee of the Adirondacks, and all others deemed necessary and proper by the Chairman of the Board of Legislators.

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

Moved by Legislator _Moser_, seconded by Legislator _Brennan_, and adopted.
RESOLUTION NO. 349 - 2016
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 for county staff and county buildings 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, 2016 through December 31, 2016.

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 Moser, seconded by Legislator King, and adopted. Legislator Chartrand abstained.
RESOLUTION NO. 350 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS, BY AND THROUGH THE LEWIS COUNTY OFFICE FOR THE AGING AND LEWIS COUNTY COMMUNITY SERVICES, FOR THE RENTAL OF SUITE D IN THE LOWVILLE COMMONS FOR SHARED CONFERENCE AND TRAINING ROOM

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For the Aging Committee.

WHEREAS, the Lewis County Office for the Aging ("OFA") and Lewis County Community Services ("CS") Departments are located in the Lowville Commons Building owned by Transitional Living Services of Northern New York ("TLS") located at 7550 South State Street, Lowville, New York 13367; and

WHEREAS, OFA and CS desire to enter into an agreement with TLS to rent Suite D in the Lowville Commons for a shared conference and training room at a cost of $550.00 per month which includes heat and utilities.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the agreement between the County of Lewis, by and through the Lewis County Office for the Aging and Lewis County Community Services, and property owner Transitional Living Services of Northern New York for the rental of Suite D in the Lowville Commons for a shared conference and training room.

Section 2. That this is for the period beginning September 1, 2016 through December 31, 2017 at a cost of $550.00 per month with heat and utilities included, and the cost per month is shared equally between Lewis County Office for the Aging and Lewis County Community 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 this Resolution shall take effect immediately.

Moved by Legislator _Moroughan_, seconded by Legislator _Moser_, and adopted.
RESOLUTION NO. 351 - 2016
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Office for the Aging accounts to appropriate new funding from Central NY Alzheimer's Association Caregiver Support Initiative.

Increase Revenues
A27003 AlzCSI $5,300.00

Increase Expense
A6772.1999 Personal Svs-OFA Prog $ 530.00
A6772.4913 Prof Svc Respite $4,770.00

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

Moved by Legislator _Fawcett_, seconded by Legislator _King_, and adopted.
RESOLUTION NO. 352 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PLANNING DEPARTMENT

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning Committee.

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 Planning Department, to increase the hours of the Planner position from 35 to 40 hours per week, effective immediately.

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

Moved by Legislator Hathway, seconded by Legislator Moser, and adopted.
RESOLUTION NO. 353 - 2016
RESOLUTION AUTHORIZING ADDENDUM TO THE
PARTNERSHIP MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
NYS QUALITY & TECHNICAL ASSISTANCE CENTER

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

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency ("Public Health"), and NYS Quality & Technical Assistance Center ("QTAC") entered into an Agreement dated October 1, 2013 pursuant to Resolution No. 441-2013 for the Diabetes Prevention Program for the term beginning October 1, 2013 through December 31, 2014 and to remain in effect until dissolved by either party with thirty (30) days written notice; and

WHEREAS, Public Health desires to add Exhibit "H" to the original and existing MOU to include Tai Chi for Arthritis workshop each year utilizing trained and certified Tai Chi for Arthritis program instructors; and

WHEREAS, Lewis County Office for the Aging will be functioning under this MOU and are independently organizing the Tai Chi for Arthritis workshops and will be reporting to QTAC through Public Health; and

WHEREAS, the County seeks to amend the original and existing MOU to include Exhibit "H" to add the program for Tai Chi for Arthritis, with no County share; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Addendum, inclusive of Exhibit "H" to the Partnership Memorandum of Understanding between the County of Lewis, by and through the Lewis County Public Health Agency, and NYS Quality and Technical Assistance Center which is for Tai Chi for Arthritis workshop each year utilizing trained and certified Tai Chi for Arthritis program instructors, with no County share.

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 Board of Legislators authorizes Brenda J. Bourgeois, Director of Lewis County Office for the Aging, to execute such Exhibit "H".

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

Moved by Legislator _Fawcett_, seconded by Legislator _Moser_, and adopted.
RESOLUTION NO. _354_ - 2016
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

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

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts to cover Rabies Post Exposure Treatment:

From:
A4042.4367 Vaccines/Pharmaceutic $ 3,000.00

To:
A4042.4901 Professional Services $ 3,000.00

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

Moved by Legislator _Moroughan_, seconded by Legislator _King_, and adopted.
RESOLUTION NO. 355 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO 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 Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Sheriff’s Department, to create the following position. This will be an additional employee, but is adequately covered by the Sheriff’s budget appropriations:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>STATUS</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Sheriff</td>
<td>Part-time</td>
<td>Grade 22A</td>
</tr>
</tbody>
</table>

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position in compliance with Civil Service rules and regulations, effective immediately.

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

Moved by Legislator __King__, seconded by Legislator __Kulzer__, and adopted.
RESOLUTION NO. 356 - 2016
RESOLUTION TO TRANSFER 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 budget transfer is hereby approved in the Sheriff’s Department accounts to cover the Jail Physician expense:

From: A3150.1101 Pers Serv Amount $31,882.00

To: A3150.4901 Prof Serv $31,882.00

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

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.
RESOLUTION NO. 357 - 2016
RESOLUTION TO TRANSFER 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 budget transfer is hereby approved in the Sheriff’s Department accounts to cover telephone expenses:

<table>
<thead>
<tr>
<th>From:</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3110.4703 Vehicle Expenses</td>
<td>$8,530.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>To:</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3110.4301 Telephone</td>
<td>$8,530.00</td>
</tr>
</tbody>
</table>

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

Moved by Legislator Moser, seconded by Legislator Kulzer, and adopted.
RESOLUTION NO. 358 - 2016
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 budget appropriation is hereby approved to appropriate Youth Program donations into the Education Material account for the McGruff Costume.

Increase Revenue:
A27058 (Contributions) $2,410.00

Increase Expense:
A7310.4503 (Education Material) $2,410.00

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

Moved by Legislator Moser, seconded by Legislator Kulzer, and adopted.
RESOLUTION NO. 359 - 2016
RESOLUTION AUTHORIZING PARTIAL RELEASE OF MORTGAGED PREMISES BETWEEN THE COUNTY OF LEWIS AND TERRANCE MILLER, SR. AND DOREEN A. MILLER

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

WHEREAS, Terrance Miller, Sr. and Doreen A. Miller ("Mortgagors") executed a Grant and Mortgage in favor of the County of Lewis ("County") dated December 17, 2014, and recorded in the Lewis County Clerk’s Office September 14, 2015, as Instrument No. 2015-004390 to secure payment of a loan in the amount of $19,600.00; and

WHEREAS, these funds were provided under the Community Development Block Grant ("CDBG") Program of the United States Department of Housing and Urban Development / Office of Community Renewal in connection with the improvement of the property administered by Snow Belt Housing Company, Inc., which covered approximately 169 acres; and

WHEREAS, the County, at the request of the Mortgagors, have agreed to give up and release eighty-six (86) acres of vacant land to the Mortgagors, and have agreed to hold and retain the residue of the mortgage lands, including the improvements therein, as security for the money remaining due on said mortgage.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Release of Part of Mortgaged Premises for the aforescribed Grant and Mortgage.

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

Moved by Legislator __Dolhof__, seconded by Legislator __King__, and adopted.
RESOLUTION NO. 360 - 2016
RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO WORK WITH NEW YORK’S CONGRESSIONAL DELEGATION TO AMEND AND IMPROVE THE FAMILY FIRST PREVENTION SERVICES ACT OF 2016 TO ENSURE ESSENTIAL FISCAL RESOURCES ARE MAINTAINED TO SUPPORT FAMILIES IN NEED

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

WHEREAS, the Family First Prevention Services Act of 2016, H.R. 5456, is moving rapidly through Congress with no public hearings and little debate; and

WHEREAS, the legislation is well intentioned in that it would for the first time allow federal Title IV-E reimbursement for some preventive services to help children at risk of neglect or abuse; and

WHEREAS, the federal legislation also requires extensive new reporting and information system requirements, eliminates federal funding for currently authorized services, imposes restrictive administrative and implementation barriers, puts in place punitive maintenance-of-effort funding requirements, among other shortcomings and oversights; and

WHEREAS, New York’s Office of Children and Family Services estimates that New York State and its counties could lose up to $250 million annually in currently available federal funds for child welfare; and

WHEREAS, the counties of New York fund a large percentage of these child welfare services with locally raised property taxes and other revenues; and

WHEREAS, New York State and its counties have provided prevention services for this population without any federal matching funds for decades, and this bill would provide no credit to states like New York that were proactive and early adopters in providing prevention services for children and families at risk; and

WHEREAS, Governor Cuomo, on behalf of the New York State Office of Children and Family Services (OCFS) sent a recent letter to United States Senators’ Charles E. Schumer and Kirsten E. Gillibrand notifying them of the harmful impact this legislation would have on New York, and also provided suggested amendments; and

WHEREAS, some of the specific amendments requested related to expanding the 12-month time limit for Mental Health and Substance Abuse Prevention funding to not exceed 24 months when certified by a qualified mental health or substance abuse clinician; Aid to Families with Dependent Children (AFDC) delinking; and placement settings for 16-17 year olds; and

WHEREAS, the loss of federal funding and the restrictions within the current bill will jeopardize child welfare services in New York State.
NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls upon Governor Andrew M. Cuomo and the State Legislature to work closely with New York’s Congressional Delegation to amend and improve the Family First Prevention Services Act of 2016 so that early adopter states like New York (and its counties) are not penalized by strict maintenance-of-effort provisions; that current federal reimbursement streams be maintained; and that sufficient flexibility be provided to meet the unique circumstances in different states.

Section 2. That certified copies of this resolution be forwarded to Governor Andrew M. Cuomo, New York State Senator Joseph Griffo, New York State Assemblyman Kenneth Blankenbush, Congresswoman Elise Stefanik, U.S. Senator Charles Schumer and U.S. Senator Kirsten Gillibrand, the New York State Association of Counties and all others deemed necessary and proper.

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

Moved by Legislator _Fawcett_, seconded by Legislator _Dolhof_.

Chairman Tabolt credited NYSAC for alerting that State representatives should coordinate their efforts with the Congressional Delegation to avoid duplicating expense upon Counties.

Commissioner of Social Services Jennifer Jones informed the Board, that if approved, the legislation could significantly decrease the funding for youths placed in residential foster care, while increasing requirements for multiple court reviews to determine appropriateness for placement of children in residential foster care; limiting the provision of preventive services to children to try to stop them from entering foster care to a one year maximum. “It could be incredibly financially detrimental for the county to have to pick up the cost for providing services”, she said.

The resolution was then unanimously adopted.
RESOLUTION NO. 361 - 2016
RESOLUTION AUTHORIZING AFFILIATION AGREEMENT BETWEEN STATE UNIVERSITY OF NEW YORK COLLEGE AT BROCKPORT AND NAZARETH COLLEGE OF ROCHESTER WITH LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES FOR FIELD WORK CREDIT TO EMPLOYEES IN THE GREATER ROCHESTER COLLABORATIVE MSW PROGRAM AND UNDERGRADUATE PROGRAMS

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, employees of the Lewis County Department of Social Services ("LCDSS") are pursuing advanced Masters of Social Work ("MSW") degrees through the Greater Rochester Collaborative program offered through the State University New York College at Brockport ("SUNY Brockport") and Nazareth College of Rochester ("Nazareth"); and

WHEREAS, the Commissioner of the LCDSS has received proposed contracts of affiliation from SUNY Brockport and Nazareth, through the Greater Rochester Collaborative program administrator, advising that the employees attending these programs may receive up to one semester’s credits toward his/her degree for field work experience because of their caseworker employment positions at LCDSS, provided that the Commissioner and the Supervisory Staff at LCDSS provide assignments, field work and evaluations to the colleges’ program administrators; and

WHEREAS, the Commissioner seeks to provide this field work evaluation so that the employees can obtain credits toward the degree program, and to enter into the Affiliation Agreements with SUNY Brockport and Nazareth upon the Lewis County Board of Legislators authorization and approval; and

WHEREAS, the Board of Legislators commends the employees for advancing their education and degrees, and wishes to approve said Agreements and authorize the Commissioner to execute same.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Commissioner of Lewis County Department of Social Services to execute Affiliation Agreements with SUNY Brockport and Nazareth College to enable the Commissioner and her Supervisors to accept supervision and evaluation of the student-employees in the program so that they may receive up to one semester’s worth of credits of field work toward the degree under the Greater Rochester Collaborative Program.

Section 2. That the Commissioner of Lewis County Department of Social Services is hereby authorized to make, execute, seal and deliver such Agreements, pending approval by the County Attorney.
Section 3. That the within resolution shall take effect immediately.

Moved by Legislator _Fawcett_, seconded by Legislator _Brennan_, and adopted.
RESOLUTION NO. _362_ - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
BINNACLE TECHNOLOGY SOLUTIONS, LLC

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Binnacle Technology Solutions, LLC, with its principal place of business located at 762 Boston Post Road, Madison, Connecticut 06443 for the purchase of support, maintenance, and enhancements for AccuFund Representative Payee accounting software; 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 Binnacle Technology Solutions, LLC for the purchase of support, maintenance, and enhancements for AccuFund Representative Payee accounting software for the period of October 1, 2016 through September 30, 2018 at a cost not to exceed $2,497.50 for a two (2) year period.

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 _King_, seconded by Legislator _Fawcett_, and adopted.
RESOLUTION NO. _363_ - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND CAYUGA HOME FOR CHILDREN

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with Cayuga Home For Children for the provision of foster care services; 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 authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Cayuga Home For Children for the provision of foster care services.

Section 2. That this is for the period of January 1, 2017 through December 31, 2017 at a cost in accordance with the rates set forth by the state in the Agreement. There is no local share cost until costs exceed the foster care block grant, and then local share is 37.5% for residential and foster care and is based on the eligibility of the client.

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 __Moroughan__, seconded by Legislator __Fawcett__, and adopted.
RESOLUTION NO. 364 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
CHILDREN’S HOME OF JEFFERSON COUNTY

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Children’s Home of Jefferson County (“Agency”) is a foster care agency authorized by the New York State Office of Children and Family Services to provide foster care services; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with this Agency to utilize their services of foster care, emergency respite care and non-secure detention services; 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 authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Children’s Home of Jefferson County for the provision of foster care, emergency respite care and non-secure detention services for the term beginning January 1, 2017 through December 31, 2017 at a cost in accordance with the rates set forth by the State in the Agreement, with no local share cost until foster care costs exceed the block grant, and then local share to be 37.5% for residential/foster care and is based on the eligibility of the client.

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 _Fawcett_, seconded by Legislator _Moroughan_, and adopted.
RESOLUTION NO. 365 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
ELMCREST CHILDREN’S CENTER

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Elmcrest Children’s Center ("Agency") is a foster care agency authorized by the New York State Office of Children and Family Services to provide foster care services; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with this Agency to utilize their services of foster care; 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 Department of Social Services, and Elmcrest Children’s Center for the provision of foster care services, at per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health.

Section 2. That the term of this agreement shall be from January 1, 2017 through December 31, 2017 and there is no local share cost until costs exceed the foster care block grant and then the local share is 37.5% for residential/foster care and is based on the eligibility of the client.

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

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

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.
RESOLUTION NO. 366 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LIFELINE SYSTEMS, INC.

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with Lifeline Systems, Inc. for personal emergency response services to Medical Assistance Recipients; 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 Lifeline Systems, Inc. for personal emergency response services to Medical Assistance Recipients for the period of January 1, 2017 through December 31, 2017 at no local share cost. This service is billed through Medicaid and rates are set by the State.

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 Hathaway, seconded by Legislator Fawcett, and adopted.
RESOLUTION NO. 367 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LIFE NET (S.T.A.T. COMMUNICATIONS)

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with Life Net (S.T.A.T. Communications) for personal emergency response services to Medical Assistance Recipients; 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 Life Net (S.T.A.T. Communications) for personal emergency response services to Medical Assistance Recipients for the period of January 1, 2017 through December 31, 2017 at no local share cost. This service is billed through Medicaid and rates are set by the State.

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 ___Dolhof___, and adopted.
RESOLUTION NO. 368 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OFFICE FOR THE AGING

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

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 Department of Social Services, and Lewis County Office for the Aging for the purpose of providing the Home Energy Assistance Program (HEAP) outreach and certification services to low income residents of Lewis County.

Section 2. That the term of this Agreement shall be from October 1, 2016 through September 30, 2017 at a cost not to exceed $11,000.00, with no local share cost due to the HEAP program being 100% federally funded.

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

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

Moved by Legislator Fawcett, seconded by Legislator Moroughan, and adopted.
RESOLUTION NO. 369 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES
SUMMER YOUTH EMPLOYMENT PROGRAM

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, pursuant to Resolution No. 160-2016 the Board had authorized hiring two Summer Youth PINS Counselors through August 19, 2016; and

WHEREAS, the Committee recommends approving DSS Commissioner Jennifer Jones’ request for one of the counselors to work through August 24, 2016.

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 Department of Social Services, to authorize payment to one Summer Youth PINS Counselor at $12.50/hour (County portion is $3.50/hour) through and including August 24, 2016.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator __King__, seconded by Legislator __Dolhof__, and adopted.
RESOLUTION NO. 370 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
VICTIM ASSISTANCE CENTER OF JEFFERSON COUNTY

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Victim Assistance Center of Jefferson County ("Center") provides crisis intervention, shelter admission, emotional support, advocacy, information and referrals; and

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to enter into an Agreement with the Center to utilize this facility for women and their dependent children from Lewis County that are in crisis and in need of emergency safe housing; 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 Agreement between the Lewis County Department of Social Services and Victim Assistance Center of Jefferson County to provide crisis intervention, shelter admission, emotional support, advocacy, information and referrals for women and their dependent children from Lewis County that are in crisis and in need of emergency safe housing.

Section 2. That this is for the period beginning January 1, 2017 and ending December 31, 2017 at a cost of $108.70 per person per night; the local share is 25% to 100% depending on the eligibility of the client.

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 _Moroughan_, seconded by Legislator _King_, and adopted.
RESOLUTION NO. 371 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE WILLIAM GEORGE AGENCY FOR CHILDREN’S SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, The William George Agency for Children’s Services, Inc. (“Agency”) is a foster care agency authorized by the New York State Office of Children and Family Services to provide foster care services; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with this Agency to utilize their services of foster care; 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 Department of Social Services, and The William George Agency for Children’s Services, Inc. for the provision of foster care services.

Section 2. That the term of this agreement shall be from January 1, 2017 through December 31, 2017 at a per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until foster care costs exceed the Block Grant, and then local share may be from 37.5% to 100% depending upon the Treatment Plan and client eligibility; and

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

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

Moved by Legislator _Fawcett_, seconded by Legislator _King_, and adopted.
RESOLUTION NO. 372 - 2016
RESOLUTION TO AUTHORIZE A TEMPORARY EASEMENT TO DAVID SZALACH FOR THE PURPOSE OF UNDERGROUND PIPE ACCESS TO THE MOOSE RIVER

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

WHEREAS, David Szalach owns property on Laura Street, Lyons Falls, NY and for 20 years installed and operated an in-ground sprinkler system for the purpose of watering his lawn in the summer months. With the permission of Lyons Falls Pulp & Paper (the prior property owner directly behind him), Mr. Szalach gained access to run a line to the Moose River to withdraw water in order to water his lawn. Lyons Falls Pulp & Paper subsequently sold that parcel and Mr. Szalach was denied access to the River by the new owner; and

WHEREAS, Lewis County owns property adjacent to Mr. Szalach on Lyons Falls Road to the Moose River. Mr. Szalach has requested access via an easement over the County’s property to the Moose River for the purpose of pumping water for his underground sprinkler system in the summer months in the event of lack of rain. He intends to install and bury a 3” stainless steel pipe 2 to 3 feet deep, from the back of his garage onto the County’s property and then to the River, with a pump placed on the riverbank, and with said pump removed for storage during the winter, all at his own cost and expense pursuant to a map and proposed pipe location provided to the County; and

WHEREAS, the Department of Environmental Conservation advised Mr. Szalach that his intermittent, limited withdrawal of water as proposed would not require a permit. The Lewis County Superintendent of Highways has advised that there is no road/highway issue with this proposed access so long as the pipe is not within 30 feet of the road; and

WHEREAS, the Board of Legislators seeks to authorize a temporary/provisional easement be granted to Mr. Szalach specifically for the intended use of a buried pipe across the County’s property at said location to the Moose River 1) provided that Mr. Szalach have the land disturbed be returned to its reasonable original condition after installation and subsequent removal, 2) provided that the pipe not be laid within 30 feet of Lyons Falls Road (CR 76), 3) provided that the County retain the right to demand removal of the pipe and pump and to terminate the temporary easement at any time, and 4) that the County be compensated in the amount of $200.00 for its consideration of this grant of a temporary easement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a temporary easement from the County of Lewis to David Szalach for the placement, maintenance and repair of an underground 3” pipe to the Moose River, to be located under certain property of the County located on Lyons Falls Road, Lyons Falls, NY (CR76), the location of such easement not to be within 30 feet of Lyons Falls Road, with such grant of access to be terminated at any time by the County for any reason, and with such additional and further terms and provisions of such temporary easement deemed appropriate by the County Attorney.
Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute seal and deliver such temporary easement upon approval of the terms and conditions by the County Attorney, and for consideration of Two Hundred ($200.00) Dollars payable by Mr. Szalach.

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

Moved by Legislator __King__, seconded by Legislator __Dolhof__.

Legislator Brennan was concerned this sets precedence for other property owners to request easement access to water on County property not only at this location, but any others. Legislator Dolhof stated that the easement may be revoked at any time.

The resolution was adopted. Legislator Brennan was opposed.
RESOLUTION NO. 373 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO TREASURER'S DEPARTMENT

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

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 Treasurer’s office to authorize retaining Lewis County Deputy Treasurer Cindy Wiedrick on the County payroll following the date of her retirement, for the purpose of training replacement staff. She is authorized to work up to three (3) days per week through June 30, 2017

Section 2. That the annualized compensation rate shall be $53,500.

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

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.
RESOLUTION NO. 374 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY TREASURER’S OFFICE
AND SYSTEMS EAST, INC.

Introduced by Legislator Craig Brennan, Chairman of the Information Technology Committee.

WHEREAS, Systems East, Inc. wishes to enter into an agreement with the Lewis County Treasurer’s Office for the purpose of providing software support and maintenance services; 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 Systems East, Inc. to provide software support and maintenance services for the period of January 1, 2016 through December 31, 2016 at a cost not to exceed $26,712.00.

Section 2. That Patricia O’Brien, Lewis County Treasurer, 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 _King_, seconded by Legislator _Dolhof_, and adopted.
RESOLUTION NO. 375 - 2016
RESOLUTION AUTHORIZING A ROAD AGREEMENT
BY AND BETWEEN THE COUNTY OF LEWIS, TOWN OF DENMARK AND
COPENHAGEN WIND FARM, LLC

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

WHEREAS, COPENHAGEN WIND FARM, LLC (the “Company”) proposes to acquire, construct, install and operate an approximately 80 Megawatt (MW) wind-powered electric generating facility, together with associated electric transmission facilities and related infrastructure (the “Project”), in the Town of Denmark, Lewis County; and

WHEREAS, Lewis County and the other jurisdictions affected by this Project, i.e., Copenhagen Central School District, Lowville Academy & Central School District, and the Town of Denmark (collectively referred to herein as the “Taxing Jurisdictions”) have agreed to enter into a payment in lieu of tax agreement (“PILOT Agreement”) involving the Lewis County Industrial Development Agency (“LCIDA”), and to enter into an agreement with COPENHAGEN WIND FARM, LLC as to the financial terms to be incorporated into the PILOT; and

WHEREAS, in connection with the Company’s development, construction, operation and maintenance of the Project, it will be necessary for the Company and its contractors and sub-contractors and/or designees to transport heavy equipment and materials over certain roads and highways located in the Town and County (“Designated Roads”); and

WHEREAS, the County and Town, through their respective attorneys and highway department superintendent, have been negotiating the appropriate terms and conditions of a Road Agreement with the Company, and have been presented with a final proposed Agreement for final review and execution, with any additional changes requested by the County and/or Town; and

WHEREAS, the Lewis County Board of Legislators seeks to finalize and execute the Road Agreement upon final terms and conditions proposed by the Lewis County Superintendent of Highways and County Attorney.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a ROAD AGREEMENT between the County of Lewis, Town of Denmark, and COPENHAGEN WIND FARM, LLC, or its successor.

Section 2. That the Road Agreement shall reflect any additional terms and conditions proposed by the Lewis County Superintendent of Highways and County Attorney.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators is hereby authorized to negotiate, make, execute, seal and deliver such Road Agreement, provided
that any modifications meet with the approval of the County Attorney. Any such modifications shall be reported to the Board of Legislators upon final approval and execution by all parties.

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

Moved by Legislator _King_, seconded by Legislator _Moser_, and adopted.
RESOLUTION NO. 376 - 2016
RESOLUTION SETTING 2017 CHARGE-BACK
APPORTIONMENT FOR WORKERS’
COMPENSATION PLAN PARTICIPANTS

Introduced by Legislator Lawrence Dolhof, Chairman of the Workers’ Compensation Committee.

WHEREAS, the Board of Legislators imposes a proportionate assessment of the Lewis County Self-Insurance Plan based on participant expenses; and

WHEREAS, as a standard industry practice, a portion of the assessment shall be based on the ratio of payroll for each participating entity.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby sets the computation for the 2017 workers’ compensation assessment for participants of the Lewis County Self-Insurance Plan, to assess a 50% experience rating based on actual respective expenses in 2013, 2014 and 2015 that shall be capped at $40,000 for any one claim per annum; 20% shall be computed on proportionate property valuation; and the remaining 30% based on respective 2016 gross payroll figures.

Section 2. That the within resolution shall take effect immediately

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