SECOND DAY
ANNUAL SESSION
November 15, 2016

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

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

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

The Chairman announced approval of the November 1, 2016 meeting minutes.

There were 18 persons present.

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.  

Bryan Moser  
Craig Brennan

Dated: November 15, 2016

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

Chairman Tabolt asked Clerk of the Board Teresa Clark to read the proclamation, which he then presented to Joshua Genter, commending him for receiving the NYS EMS Council- 2016 Basic Life Support Provider of the Year Award for exemplary service.

Chairman Tabolt then opened the public hearing for comments on the 2017 Tentative Lewis County Budget.

PRIVILEGE OF THE FLOOR:

Speaking on behalf of all local libraries, Mary Hunyadi thanked the Board for their past and current support. Libraries struggle to keep up with new technology that is necessary to assist community residents. Libraries have experienced a six percent increase in visits and have conducted 82 more children sessions during the past year. They have increased their inventories by 8,000 items and are proud of their efficiencies. Six of the twelve libraries will be markedly improved in 2017 including Internet service. Schools continue to integrate with libraries and are integral to operations.

Ms. Hunyadi made a plea for an appropriation to augment their fund raising receipts, estimating $20/person or $40,000 as the determined amount to keep pace with new technology and properly serve the communities.
PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mr. Glen Gagnier has submitted a letter of resignation from the Lewis County Planning Board effective October 27, 2016.

The Clerk read a letter from Village of Lowville Mayor Donna Smith thanking the Board for waiving the tipping fees for the wastewater treatment plant sludge removal project.

The Board acknowledges receipt of a resolution adopted by the Sullivan County Legislature encouraging the State-wide electorate to vote in favor of a Constitutional Convention referendum that will appear on the November 2017 ballot. The goal is to achieve widespread reform of New York State government and to permanently end unfunded State mandates on Counties and other local governments. It is further urged that each revision or amendment emerging from the Convention shall be, so far as practical, set forth as a distinct resolution to enable a vote on each proposal on its own merits, and not as part of a package.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the 11/10/16 Solid Waste and 11/10/16 Highway Audit Reports; and a copy of the following Apportionment of Mortgage Tax Report:

**APPORTIONMENT OF MORTGAGE TAX**  
April 1, 2016 through September 30, 2016

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**GRAND TOTAL** $162,518.94

To County of Lewis

$81,763.09

Gregory Kulzer, Chairman
Craig Brennan
Lawrence Dolhof
Taxation Committee

**WARRANT**

TO: The Treasurer of the County of Lewis
You are hereby notified by the Board of Legislators of Lewis County that the sum of $162,518.94 from the tax on mortgages from April 1, 2016 through September 30, 2016 has been apportioned to the Tax Districts entitled to same and, you are hereby directed to pay the respective Supervisors the amount due to the Towns, to their Village Treasurers the amount due the Villages, and to the County of Lewis the amount stated, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

Given under the hands of the Chairman and the Clerk of the Board of Legislators of Lewis County, and the seal of the Board of Legislators being hereto affixed on the 15th day of November 2016.

Michael A. Tabolt, Chairman
Teresa K. Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathaway, Ways and Means/Buildings and Grounds Committee Chairman, commended County Attorney Joan McNichol for representing the Board in the grievance to the Hudson River/Black River Regulating District (HRBRRD) for their overzealous assessment. He recognized her knowledgeable and distinctly delivered testimony stood out among the other regional county representatives. Legislator Hathaway further acknowledged and thanked Legislators Moser and King for actively participating in the process and urging the grievance.

Legislator Hathaway cited National Grid’s initial estimate of $729,000 to connect the solar array with a County share of $633,000. He acknowledged and thanked Chairman Tabolt and Legislators King and Chartrand for reaching out to Public Service Commission officials, whom have facilitated cost reduction down to $213,317 equating an ultimate County share of $196,317. The project is on schedule for construction in the spring of 2017.

Legislator Hathaway made a motion to authorize payment to National Grid of $213,317, $18,000 of which will be reimbursed to the County by Greenskies, to implement the solar connectivity process. The motion was seconded by Legislator Chartrand. In response to Legislator Moser, Legislator Hathaway reported the cost is well below the original projection of $500,000. The motion was then carried.

The Board had previously approved an agreement with Larsen Engineers to conduct an energy survey of County buildings. SmartWatt had subsequently reached out and renewed their offer for an energy survey at no cost. Recognizing the parallel study may identify things not otherwise discovered, while also providing a more thorough analysis and may enable additional grant options, Legislator Hathaway made a motion to authorize SmartWatt to conduct a simultaneous energy study of County buildings, seconded by Legislator Brennan and carried.

COUNTY MANAGER REPORT:

Liz Swearingin reiterated the last date for processing invoices in the current financial system will be 11/17/16, after which the core team will forward files to Tyler representatives to
be converted into the new database and sent back to the County on 11/28/16. Every general ledger account will be checked by the core team for balance accuracy before the system goes live later that week.

SPECIAL REPORT:

Pursuant to State regulations, Chairman Tabolt solicited interested County residents, irregardless whether they are supportive or in opposition to the proposed Number Three Wind, LLC project to be constructed in the Towns of Lowville and Harrisburg. Ms. Swearingin clarified that each of the towns and the county may nominate four persons. Atty. McNichol stated that if mutually agreed by all parties, the Chairman may nominate two persons, which would otherwise be selected by the State Secretary of Energy. The nominees cannot be elected officials. Planning Director Frank Pace reminded the 15-day deadline for nominee submissions started on November 9, 2016.

RESOLUTIONS:
LOCAL LAW (INTRODUCTORY NO. 5 - 2016)
COUNTY OF LEWIS

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

A LOCAL LAW RESCINDING LOCAL LAW NO. 5 - 2016 TO OVERRIDE 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 RESCINDING LOCAL LAW NO. 5-2016 TO OVERRIDE 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 will have Lewis County remain within the tax levy limit established by General Municipal Law § 3-c, and more commonly referred to as the “2% tax cap”, as that term is therein defined and calculated.

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 NOT REQUIRED

The Board of Legislators has adopted a budget for fiscal year 2017 that does not exceed the “tax levy limit” as that term is defined and calculated pursuant to the provisions of General Municipal Law § 3-c, and therefore, the Board of Legislators authorize rescission of Local Law No. 5-2016.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.
RESOLUTION NO. 464 - 2016
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY NO. 5 - 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 November 15, 2016 a proposed Local Law entitled “LOCAL LAW RESCINDING LOCAL LAW NO. 5-2016 TO OVERRIDE 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 December 6, 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 _King_, seconded by Legislator _Moser_, and adopted.
LOCAL LAW (INTRODUCTORY NO. 6 - 2016)
COUNTY OF LEWIS

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

A LOCAL LAW PROVIDING FOR INCREASES
TO SALARIES FOR CERTAIN LOCAL OFFICIALS

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

SECTION 1. Commencing January 1, 2017, the Compensation Plan of the County of Lewis shall be amended to provide the following salaries to the following elected or appointed County employees with a fixed term of office, to-wit:

- DSS Commissioner $75,000.00
- Superintendent of Highways $72,420.00
- Director of Real Property Tax Service $52,085.00
- Sheriff $73,575.00
- County Clerk $58,640.00
- County Treasurer $74,800.00
- County Attorney $104,040.00

SECTION 2. This Local Law is subject to a permissive referendum and shall take effect 45 days after the adoption hereof and all legal requirements having been met.
RESOLUTION NO. 465 - 2016
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 6 - 2016) COUNTY OF LEWIS

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on November 15, 2016 a proposed Local Law entitled “A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS.”

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 6, 2015, 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 the 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 Fawcett, seconded by Legislator King, and adopted.
RESOLUTION NO. 466 - 2016
RESOLUTION IN SUPPORT OF THE ADIRONDACKS MEMORANDUM OF UNDERSTANDING AMONG PUBLIC AND PRIVATE ORGANIZATIONS REGARDING RECREATIONAL ACCESS TO ADIRONDACK STATE LANDS

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

WHEREAS, the Towns of Newcomb, North Hudson, Minerva, Indian Lake and Long Lake have put together a Memorandum of Understanding (MOU) regarding recreational access to Adirondack State Lands; and

WHEREAS, the MOU is a statement so that the parties work together to increase access and recreational opportunities on Adirondack state lands by public and private entities which will improve the economies of the municipalities and Counties within the region; and

WHEREAS, the Inter-County Legislative Committee of the Adirondacks hereby supports the Access Adirondacks Memorandum of Understanding between the Towns of Newcomb, North Hudson, Minerva, Indian Lake and Long Lake to increase the access and recreational opportunities on Adirondack state lands which will improve the economic health of these municipalities, Hamilton and Essex County.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Clerk shall forward a certified copy of this resolution to Governor Andrew M. Cuomo, Senator Joseph Griffo, Senator Elizabeth O’C Little, Senator Hugh Farley, Assemblyman Kenneth Blankenbush, Assemblyman Marc Butler, Assemblyman Dan Stec; Adirondack Park Agency Chairman Sherman Craig; NYDEC Division of Lands and Forests Director Robert Davies; Forest Preserve Coordinator/Special Assistant Karyn Richards; Regional Director Robert Stegemann; Adirondack Local Government Review Board Executive Director Frederick Monroe; Adirondack Association of Towns and Villages President Brian Towers; and New York State Association of Counties.

Moved by Legislator Kulzer, seconded by Legislator Hathway.

Chairman Tabolt expressed concern that the 20,000 acre tract of land may not be accessible to the general public. We are lobbying to have the property open to everyone for recreational uses on existing roads and trails. The land is wholly within the Adirondack Park and was purchased from Finch Paper who had managed the land for timber and recreational use.

The resolution was then unanimously adopted.
RESOLUTION NO. 467 - 2016
RESOLUTION AMENDING THE 2017 TENTATIVE COUNTY BUDGET
TO AMEND THE COMPENSATION PLAN
WITH REFERENCE TO CIVIL SERVICE OFFICE

Introduced by Legislator Gregory Kulzer, Member of the Board of Legislators.

WHEREAS, the Board wishes to amend the salary of the Civil Service Administrator, due to an inadvertent error of the figure in the Tentative Budget.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2017 Tentative County Budget to amend the Compensation Plan (Schedule 5) of the County of Lewis with reference to the Civil Service Office to set the 2017 base salary of the Civil Service Administrator at $47,274.00 equating a total salary of $49,224.00 including the longevity allocation.

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

Moved by Legislator Kulzer, seconded by Legislator Brennan, and adopted.
RESOLUTION NO. 468 - 2016
RESOLUTION TO AMEND 2017 TENTATIVE COUNTY BUDGET
VARIOUS ACCOUNTS

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

BE IT RESOLVED as follows:

Section 1. That the following changes are hereby approved to the 2017 Tentative Lewis County Budget to attain a levy that is within the 2% Tax Cap as imposed by General Municipal Law Section 3-C:

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<td>A3115.8999</td>
<td>Dispatch Fringe</td>
<td>2,206</td>
</tr>
<tr>
<td>A6010.8999</td>
<td>DSS Fringe</td>
<td>16,591</td>
</tr>
<tr>
<td>A1325.8999</td>
<td>Treasurer Fringe</td>
<td>1,537</td>
</tr>
<tr>
<td>A6510.8999</td>
<td>Veteran Fringe</td>
<td>326</td>
</tr>
<tr>
<td>A7310.8999</td>
<td>Youth Fringe</td>
<td>403</td>
</tr>
<tr>
<td>A9060.8901</td>
<td>Health Retiree Fringe</td>
<td>44,000</td>
</tr>
</tbody>
</table>

$220,457

Section 2. That this resolution shall take effect immediately.

Moved by Legislator [Hathway], seconded by Legislator [Fawcett], and adopted.
RESOLUTION NO. 469 - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY ETHICS BOARD

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

BE IT RESOLVED as follows:

Section 1. That pursuant to Local Law No. 5-2005 "Lewis County Ethics Law" this Board of Legislators hereby re-appoints Timothy O’Connor of 5336 Waters Terrace, Lowville, New York 13367, as a Republican representative on the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be effective from January 1, 2017 through December 31, 2019.

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

Moved by Legislator Kulzer, seconded by Legislator Fawcett, and adopted.
RESOLUTION NO. 470 - 2016
RESOLUTION APPOINTING MEMBER TO REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints Michael E. Dolhof of 7371 Brantingham Road, Greig, New York 13345, as a member of the Region 6 Fish and Wildlife Management Board, as the Lewis County Landowner’s Representative.

Section 2. That the term of said appointment shall be for the two-year period from January 1, 2017 through December 31, 2018.

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

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.
RESOLUTION NO. 471 - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS

Introduced by Legislator Richard Chartrand, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby re-appoints Michael F. Young, Esq. of 7659 North State Street, Lowellville, New York 13367 as a member of the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence January 1, 2017 and expire on December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator _Brennan_, seconded by Legislator _Moroughan_, and adopted.
RESOLUTION NO. _472_ - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS

Introduced by Legislator Richard Chartrand, Chairman of the Hospital Committee.

WHEREAS, Rae Rice has submitted her resignation as a member of the Lewis County General Hospital Board of Managers.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Philip E. McDowell of 7743 North State Street, Lowville, New York 13367 to fill the un-expired term of Rae Rice as a member of the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence November 16, 2016 and expire on December 31, 2017.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator _Moroughan_, seconded by Legislator _Chartrand_, and adopted.
RESOLUTION NO. 473 - 2016
RESOLUTION AUTHORIZING TRANSFER OF FUNDS
TO THE LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("IDA") FOR
ECONOMIC DEVELOPMENT PROJECTS AND FOR AN EXTENSION/
MODIFICATION AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY AND IDA

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

WHEREAS, the County of Lewis ("County") provided $700,000.00 in funding to the
Industrial Development Agency ("IDA") by Resolution No. 58-2016 to support economic
development projects within Lewis County upon execution of a Memorandum of Understanding
(MOU) between the County and IDA, the terms of which include, but are not limited to the IDA
keeping the Board of Legislators apprised of specific projects and potential projects on a regular
and timely basis; and

WHEREAS, as a result of its responsible fiscal management and budgeting, the County
exceeded its revenue projections in 2016 and seeks to continue its support of economic
development by providing $400,000.00 in funding to the IDA to further projects which benefit
the communities of Lewis County; and

WHEREAS, the County of Lewis will provide this funding upon the execution of an
extension and modification agreement to the Memorandum of Understanding between the
County and IDA, to include this additional funding for projects which benefit the communities of
Lewis County, together with such other terms and provisions as the County Attorney may advise.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the payment of $400,000.00
to the IDA, upon the execution of an Extension/Modification Agreement to the Memorandum of
Understanding between the IDA and County.

Section 2. That the Board of Legislators further authorizes an Extension/Modification
Agreement to the MOU between the County of Lewis and IDA, wherein the IDA agrees to
advise the Board of Legislators of specific projects and potential projects earmarked for these
additional funds, and to so advise the Board of Legislators on a regular and timely basis, and for
incorporation of such other terms and provisions required to give effect to this authorization as
the County Attorney may advise.

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

Section 4. That the Treasurer is directed to make the aforesaid payment from the Lewis
County fund balance.
Section 5. That the within resolution shall take effect immediately.

Moved by Legislator _Brennan_, seconded by Legislator _Fawcett_.

Legislator Kulzer inquired why more monies were being requested in addition to the previous $700,000 appropriation that has not been expended. Economic Development Director/Industrial Development Agency (IDA) Executive Director Eric Virkler reminded the Board of his September presentation where he proposed a $550,000 budget request for business park development, estimating a $200,000 deficit. The remaining monies would be available for future projects, i.e. incubator building and potentially more for the Lyons Falls mill project for which $100,000 had recently been allocated. There has been $20,000 expended to-date for the business park.

Legislator King took exception and expressed concern there was no memorandum of understanding (MOU) for the $100,000 allocated to the Lyons Falls mill project by the IDA, asserting prior agreement that any County appropriations be refunded upon sale of the property.

Accordingly, Legislator King made a motion to amend the resolution to declare it a loan and demand reimbursement of County funds invested in the clean-up project upon sale of the Lyons Falls mill property, or that the Board of Legislators would have the right to refuse the reimbursement. The motion was seconded by Legislator Chartrand.

Liz Swearingin stated the intent for economic development appropriations are to attract businesses and jobs and there is no mechanism for repayments.

Legislator Moser supposed that someone would benefit from the sale of the property, concurring that respective County appropriations should be reimbursed. He further relayed speaking with Legislator Dolhof who agrees there should be an MOU for the expenditure, dependent upon legalities.

County Attorney Joan McNichol referenced the MOU with the IDA for the $700,000 appropriation, whereby Legislators agreed to allow the IDA Board to approve projects and allocations, with an obligation to periodically report to the Board of Legislators. Legislator King took exception, relating his understanding the monies were earmarked solely for business park development. Legislator Kulzer reiterated his opposition to surrendering decisions to the IDA, and took issue that the September initial report was the sole report, purporting that nothing had been done.

Ms. Swearingin referred to IDA Board member Tina Purcell’s explanation and commendation to this Board for their economic development investment through the IDA, which is common throughout the State. She queried the fundamental question of whether this Board supports economic development? If so, this is a mechanism to support it; further citing this board had approved all IDA Board appointments. Having attended several meetings, she proclaimed her confidence in their decision making abilities.
Legislator Moser said that IDA’s most generally invest in property or buildings and receive returns on their investment. Contrarily, the Lyons Falls mill site is being cleaned up for sale to an ultimate benefactor, with no expectation for reimbursement to the County.

Mr. Virkler estimates that through the end of 2016 the Lewis County Development Corporation (LCDC), as the property owner, has expended $3 million from various sources to clean up the property, which will require $1.5 million to complete the project. The $300,000 local government contributions have been largely County funds, which leveraged $2.7 million from other sources. There is no guarantee, he said, of how much money could be recouped upon sale of the property, while suggesting a property lease could create an ongoing revenue source.

Legislator Hathway affirmed his support for an MOU to require reimbursement to be used for future projects. Legislator King reiterated his support for the property clean-up project, while supportive of reimbursement of County funds to be reinvested.

Legislator Brennan cautioned the goal is to develop the property to attract an ultimate business that would have access to cheaper power and add to the County economy through jobs.

Atty. McNichol clarified that an MOU with the IDA was moot, because they do not own the property.

On behalf of Economic Development Committee Chairman Dolhof, Legislator Brennan stated that Mr. Virkler reports each month on projects administered by the IDA. He declared the Board has been very open about IDA projects and use of funds, including the $100,000 to be used as leverage to obtain greater investments for project completion, as reported by Mr. Virkler at the September Board meeting.

Chairman Tabolt called for a voice vote on the motion to amend the resolution. The motion was carried, with Legislators Tabolt, Brennan and Fawcett opposed.

Legislator Hathway declared his support for the clean-up, citing a previous similar situation with the old school in the Town of Diana that could have been greatly enhanced if County assistance had been available at that time. He termed Legislator King’s initiative as “good fiscal sense”.

At the request of Legislator Chartrand, Atty. McNichol paraphrased the general terms of the MOU with the IDA, that the funds are allocated to the IDA, whereby they agree to apprise the Legislators of specific projects and potential projects earmarked for the additional funds and to advise them on a regular and timely basis.

Legislator Kulzer would like to invoke required monthly updates to the full Board from Mr. Virkler; and reiterated his opposition to additional appropriations to the IDA.

The resolution was then adopted by a voice vote. Legislator Kulzer was opposed.
RESOLUTION NO. 474 - 2016
RESOLUTION AUTHORIZING ONE-TIME DISTRIBUTION
TO TOWNS AND VILLAGES

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

WHEREAS, the County implemented various cost saving measures in 2016 together with a number of shared services under its Government Efficiency initiative, which resulted in a revenue surplus, a portion of which the County seeks to distribute to the Towns and Villages of the County as a one-time distribution, in order to assist each town and village with expenses in the continuation of Government Efficiency efforts, as each jurisdiction may determine.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the following one-time distribution of $125,000.00 to the named Towns and Villages in the County of Lewis for the amounts opposite each based on apportioned property valuations:

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of Croghan</td>
<td>18,375.59</td>
</tr>
<tr>
<td>Town of Denmark</td>
<td>6,689.51</td>
</tr>
<tr>
<td>Town of Diana</td>
<td>8,191.45</td>
</tr>
<tr>
<td>Town of Greig</td>
<td>12,479.48</td>
</tr>
<tr>
<td>Town of Harrisburg</td>
<td>2,068.61</td>
</tr>
<tr>
<td>Town of Lewis</td>
<td>3,696.95</td>
</tr>
<tr>
<td>Town of Leyden</td>
<td>4,956.11</td>
</tr>
<tr>
<td>Town of Lowville</td>
<td>6,130.61</td>
</tr>
<tr>
<td>Town of Lyonsdale</td>
<td>4,208.14</td>
</tr>
<tr>
<td>Town of Martinsburg</td>
<td>5,022.49</td>
</tr>
<tr>
<td>Town of Montague</td>
<td>2,061.89</td>
</tr>
<tr>
<td>Town of New Bremen</td>
<td>8,726.00</td>
</tr>
<tr>
<td>Town of Osceola</td>
<td>2,449.31</td>
</tr>
<tr>
<td>Town of Pinckney</td>
<td>1,860.25</td>
</tr>
<tr>
<td>Town of Turin</td>
<td>3,193.52</td>
</tr>
<tr>
<td>Town of Watson</td>
<td>11,314.68</td>
</tr>
<tr>
<td>Town of West Turin</td>
<td>5,063.46</td>
</tr>
<tr>
<td>Village of Castorland</td>
<td>656.03</td>
</tr>
<tr>
<td>Village of Constableville</td>
<td>686.35</td>
</tr>
<tr>
<td>Village of Copenhagen</td>
<td>1,594.54</td>
</tr>
<tr>
<td>Village of Croghan</td>
<td>1,552.41</td>
</tr>
<tr>
<td>Village of Harrisville</td>
<td>1,040.55</td>
</tr>
<tr>
<td>Village of Lowville</td>
<td>9,811.05</td>
</tr>
<tr>
<td>Village of Lyons Falls</td>
<td>1,688.19</td>
</tr>
<tr>
<td>Village of Port Leyden</td>
<td>912.77</td>
</tr>
<tr>
<td>Village of Turin</td>
<td>570.06</td>
</tr>
<tr>
<td>Total:</td>
<td>$125,000.00</td>
</tr>
</tbody>
</table>
Section 2. That the Treasurer is directed to make the aforesaid payments from the Lewis County fund balance.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator _Brennan_, seconded by Legislator _Hathaway_.

Legislator King said he was not against the municipalities, while distinguishing they are also taxing jurisdictions. He voiced favor, instead, to appropriate the surplus to the fund balance and issue refunds directly to taxpayers.

Legislator King made a motion to reduce the 2017 tax levy by $125,000 with an offsetting Fund Balance appropriation and process refunds directly to taxpayers. He cited the recurring surplus of sales tax revenues. There was no second to the motion.

Legislator Hathaway opposed the action, because it would impose a need to find a like amount for subsequent annual budgets.

Liz Swearingin referenced the Board’s agreement of two years ago to establish a plan to reduce fund balance use to below $500,000 by 2021. In the past, the amount has been as high as $2 million to balance the budget. Through a phased in reduction, the 2017 level is $820,000 with plans to reduce the amount annually by $100,000.

Referencing the unknown of future revenue collections, Ms. Swearingin does not recommend increasing fund balance use to balance the budget.

In essence, Legislator King submits the taxpayers were overtaxed in 2016; while stating that decisions should be made separately each year based on revenue levels. “To levy taxes and then transfer surplus revenues to other taxing jurisdictions is totally wrong”, he declared.

Legislator Moser inquired why the $125,000 could not be applied to lower the 2017 fund balance appropriation of $820,000, citing the nearly one million revenue surplus. Legislator Hathaway projects an end of year sales tax surplus of $803,755, which aggregate amount continues to lessen, and rejects using those funds to reduce the fund balance appropriation. Legislator Moser insisted he would rather give the instant taxpayer benefit, and address next year, if or when necessary.

Ms. Swearingin strongly recommends the highly variable sales tax revenue not be used for affixed County obligations. She recognized the above budgeted level sales tax receipts of the past two years, differentiating the one-time surplus allocations, while strongly cautioning against dependency as a revenue source that would be fiscally irresponsible.

Logistically, Legislator Hathaway indicated the challenge and expense to issue checks for 24,328 separate land parcels in the County, while not against doing so.
In response to Legislator Chartrand, Ms. Swearingin said there was no proposal to allocate the balance of the $800,000 surplus revenues beyond the $400,000 to the IDA and $125,000 to the municipalities.

Legislator Hathway referenced 2016 IGT receipts that were substantially above budget appropriations, could occur again next year. There was also consideration for the solar project allocations, which has been decreased from initial projections. He cautioned the surplus would be completely exhausted if the lower of two IGT projections of $658,000 is considered, coupled with the IDA and municipal allocations.

In essence, Legislator Brennan opined the monies are being returned to the taxpayer through the local governments to enhance their communities.

The resolution was then adopted by a voice vote. Legislators King, Moser and Kulzer were opposed.

Legislator Hathway thereafter suggested researching for future years, the possibility of issuing tax refunds to property owners and including them in their tax bills.
RESOLUTION NO. 475 - 2016
RESOLUTION TO APPROPRIATE AND TRANSFER FUNDS
IDA AND MUNICIPALITIES

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

BE IT RESOLVED, as follows:

Section 1. That the following 2016 budget changes are hereby approved in the various accounts due to an increase in sales tax revenue, funds from Fund Balance:

   Transfer from:
   A599 (Fund balance) $525,000.00

   Transfer to:
   A6412.4999 (LCIDA) $400,000.00
   A8692.4999 (To Other Municipalities) $125,000.00

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

Moved by Legislator __Hathway__, seconded by Legislator __Brennan__, and adopted. Legislator’s King, Moroughan, and Kulzer were opposed.
RESOLUTION NO. 476 - 2016  
RESOLUTION AUTHORIZING RETAINER AGREEMENT WITH ROEMER WALLENS GOLD & MINEAUX, LLP FOR LABOR RELATIONS LEGAL CONSULTING SERVICES AND LABOR NEGOTIATION REPRESENTATION AND CONSULTATION SERVICES

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

WHEREAS, the Board of Legislators, through the Human Resources Director and County Attorney has heretofore retained the Law Firm of Frank W. Miller for the provision of labor contract negotiations and consulting services with regard to the collective bargaining agreement between the County of Lewis and United Public Service Employees Union ("UPSEU"), the local bargaining unit for the Lewis County Sheriff's Department Road Patrol Unit. The negotiations are at a Declaration of Impasse stage; and

WHEREAS, the Board of Legislators has received a proposal from Roemer Wallens Gold & Mineaux, LLP (hereinafter "Roemer") for the provision of comprehensive labor contract negotiations and consulting services on behalf of the County with regard to all three (3) collective bargaining units (Sheriff’s Road Patrol Unit, Sheriff’s Employees and General County Employees (not Lewis County General Hospital Employees) at a flat monthly fee rate of $3,000.00; and

WHEREAS, the Roemer proposal and flat rate fee also provides for legal consultation, advice and representation in connection with initial steps of contract grievance procedures, pre-hearing matters before PERB, preparation of pleadings, attendance at all pre-hearing conferences and other matters specifically set forth in the proposed agreement. In addition, the aforesaid fee includes consultation and advice to the County on all rights and liabilities in connection with various State and Federal Labor Laws and Regulations, two (2) management and supervisory training sessions in connection with employee corrective action, contract administration and policies, plus delivery of periodic reports on public sector labor law changes and decisions and attendance at relevant labor/management meetings and meetings of the Legislative body as requested; and

WHEREAS, the Board of Legislators wishes to accept the proposal of Roemer Wallens Gold & Mineaux, LLP.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a retainer agreement with Roemer Wallens Gold & Mineaux, LLP for the provision of labor contract negotiation and consulting services for the negotiation of the collective bargaining agreement between the County of Lewis and CSEA Local 1000, AFSCME, AFL-CIO, Lewis County Local 825 of the Civil Service Employees – Unit 7250-03 (Sheriff's Employee Unit), Unit 7250-01 (General County Employee Unit), and for the same services with regard to the stage of contract negotiations between the County and UPSEU – Sheriff's Road Patrol Unit; said negotiations to continue through binding arbitration or interest arbitration (Road Patrol Unit) for a flat monthly
rate of $3,000.00. The flat monthly rate shall also include legal advice and consultation on County rights and liabilities in connection with various labor laws and regulations, advice and representation in initial contract grievance proceedings, pre-hearing matters, attendance at pre-hearing conferences, attendance at relevant labor/management meetings and legislative body meetings, management and supervisory training and periodic updates on relevant changes in the law and cases. Any services not specifically covered under the flat retainer will be billed at the rate of $230.00 per hour for partners and senior associates and $190.00 per hour for associate attorneys in year 2017 with small increases in 2018 and 2019 as set forth in the agreement, plus reasonable disbursements.

Section 2. That the term of this agreement shall be from November 16, 2016 through December 31, 2019, subject to the right of the County to terminate the agreement upon thirty days prior written notice. Any time expended by the firm in 2016 shall not be subject to compensation if the services are described under the monthly retainer description of services.

Section 3. That the Board of Legislators hereby authorizes the firm of Roemer Wallens Gold & Mineaux, LLP to substitute as the attorneys of record for the County in the pending labor negotiations with UPSEU for the Sheriff’s Road Patrol Unit in place and in stead of the Law Firm of Frank W. Miller.

Section 4. That the Chairman, or the Vice-Chairman of the Board of Legislators be and the same is hereby authorized to execute and deliver such retainer agreement to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 5. That the within Resolution shall take effect immediately.

Moved by Legislator _Moser_, seconded by Legislator _King_, and adopted.
RESOLUTION NO. 477 - 2016
RESOLUTION TO AMEND RESOLUTION NO. 454-2016
COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES

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

WHEREAS, Resolution No. 454-201 created and set the salary for the position of Social Services Program Examiner at $17.56/hr; and

WHEREAS, the union schedule Grade level should have been noted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends Resolution No. 454-2016 to set the Grade level for the following title:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Services Program Examiner</td>
<td>Grade 20</td>
</tr>
</tbody>
</table>

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Moser.

In response to Legislator Kulzer, Ms. Swearingin cited the many unique titles within the department. She, along with the Human Resources Director and Civil Service Administrator have been working for months with New York State Civil Service officials to accomplish title changes that would affect work performance flexibility and create efficiencies. The goal is for title changes, not additional positions.

Commissioner Jennifer Jones stated this title change would allow her to assign employees to multiple departments and functions. A Social Welfare Examiner position has been abolished in each 2015 and 2016 through attrition. Although, she said, one examiner continues to work 14 hours per week, due to the loss of six examiners to retirement and/or resignation.

Ms. Jones reported thus far, contrary to their commitment, the State has taken over only 21 percent of the Medicaid cases, leaving the more complex cases for local staff to administer, at least through May 2017. Concurrently, the State has imposed additional programs without attendant appropriations. Moreover, Ms. Swearingin cited the compounding affect of the staggering number of long-term employees that have retired or resigned over the past eight months.

The resolution was then adopted.
RESOLUTION NO. _478_ - 2016
RESOLUTION TO CREATE AND APPROPRIATE FUNDS
FOR STUDENT WORKER PROGRAM
ONE YEAR COLLEGE STUDENT IN-SERVICE - PRATT NORTHAM

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

WHEREAS, the Pratt-Northam Foundation is providing funds to establish a one year In-Service for a college student during the Fall/Winter of 2016-2017 at the hourly rate of $9.00/$9.70, minimum wage and;

WHEREAS, the cost to the County of Lewis would only be for respective fringe benefits other than Social Security.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That as approved by the Pratt-Northam Foundation, the following amounts will be appropriated to expense account Nos. A6380.1999- $5,526.50 and A.6380.8999 - $422.77 and revenue account No. A27052- $5,949.27.

Section 2. That as approved by the Foundation, said student shall be employed at the Lewis County Department of Social Services.

Section 3. That in conjunction with this program the title of Student Worker is hereby created.

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

Moved by Legislator _Brennan_, seconded by Legislator _Moser_, and adopted.
RESOLUTION NO. 479 - 2016
RESOLUTION APPOINTING MEMBERS TO TRAFFIC SAFETY BOARD

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints the following individuals as members of the Lewis County Traffic Safety Board:

Donald Mattimore of NYSDOT, Bostwick Street, Lowville, NY
Robert MacKenzie, III as Fire and Emergency Management Director
Jennifer Marachion as Emergency Medical Services Assistant

Section 2. That the term of said appointments shall be for three years, effective from January 1, 2017 through December 31, 2019.

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

Moved by Legislator _Moser_, seconded by Legislator _Moroughan_, and adopted.
RESOLUTION NO. 480 - 2016
RESOLUTION TO AUTHORIZE BANK WIRES

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

BE IT RESOLVED as follows:

That the municipality authorize and designate, and the Lewis County Board of Legislators hereby does authorize and designate the following named individuals to direct and effect wire transfers of funds from the municipality’s account with Community Bank, N.A. (hereinafter identified as “Bank”) by instructions to the Bank in the form indicated for each:

<table>
<thead>
<tr>
<th>Individual</th>
<th>Title</th>
<th>Instruction Form</th>
<th>Dollar Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joyce Hodkinson</td>
<td>Benefits Specialist</td>
<td>Telephonic</td>
<td>$20,000</td>
</tr>
</tbody>
</table>

And the Bank is hereby authorized to honor and to implement wire transfer requests from the municipality’s accounts so issued without inquiry to CanaRx Group Inc.

RESOLVED, that the Chairman of the Board of Legislators of the County of Lewis, be and he is authorized to certify to the above bank, the foregoing resolutions and that the provisions thereof are in conformity with the laws and policies of Lewis County.

No law, ordinance, statute or other binding stipulation contains any special requirements as to the number of members required to pass such resolutions, or any requirement or prior approval or consent to such resolutions, or otherwise conflict with or prohibit the action of the resolutions as herein before stated.

FURTHER RESOLVED, that the authority conferred herein shall continue in full force until written notice of its revocation shall be received by the Bank.

The following are the genuine signatures of each and every individual granted authority under the foregoing resolutions:

<table>
<thead>
<tr>
<th>Individual</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patricia L. O’Brien</td>
<td>Lewis County Treasurer</td>
</tr>
<tr>
<td>Cynthia C. Wiedrick</td>
<td>Deputy Lewis County Treasurer (temporary)</td>
</tr>
<tr>
<td>Taszden S. Newton</td>
<td>Deputy Lewis County Treasurer</td>
</tr>
</tbody>
</table>

That the within shall take effect November 15, 2016.

Moved by Legislator _Moser_, seconded by Legislator _Fawcett_, and adopted.
RESOLUTION NO. 481 - 2016
RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR
COMMENCING JANUARY 1, 2017 MAKING APPROPRIATIONS
FOR THE CONDUCT OF COUNTY GOVERNMENT AND
ESTABLISHING RATES OF COMPENSATION FOR OFFICERS
AND EMPLOYEES FOR FISCAL YEAR 2017

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

WHEREAS, the governing body has met and considered the 2017 Tentative County Budget and has conducted a public hearing thereon as required by Section 359 of the County Law.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Tentative Budget as amended and revised and as hereinafter set forth is hereby adopted and that the several amounts as set forth in the “Adopted” column of such budget be and hereby are appropriated for the objects and purposes specified, and the salaries and wages set forth in Schedule 5 of that budget shall be and hereby are fixed at the amount shown therein, or by employees’ contract effective January 1, 2017.

Moved by Legislator _King_, seconded by Legislator _Fawcett_.

Legislator Kulzer inquired whether to consider additional appropriations to the libraries. Legislator Hathway recommended reconsideration after the final 2016 sales tax revenue receipts are known. At that time, the Board could consider a one-time allocation.

The resolution was then adopted by the following roll call vote:

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

NAYS: None

ABSENT: Dolhof
RESOLUTION NO. 482 - 2016
ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF
LEGISLATORS ON THE 15th DAY OF NOVEMBER 2016
AS PROVIDED FOR UNDER COUNTY LAW

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

WHEREAS, the Board of Legislators of the County of Lewis by Resolution No. 481-2016 adopted on the 15th day of November 2016, has adopted a County Budget for fiscal year 2017; and

WHEREAS, the said Board of Legislators by Resolution No. 481-2016 adopted on the 15th day of November 2016, has made appropriations for the conduct of Lewis County Government for fiscal year 2017.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That there be, and hereby is, assessed and levied upon and against the taxable property of the County of Lewis liable therefore the sum of $15,338,189.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted by the following roll call vote:

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

NAYS: None

ABSENT: Dolhof
RESOLUTION NO. 483 - 2016
RESOLUTION AUTHORIZING AND ADOPTING AN ENERGY BENCHMARKING POLICY FOR CERTAIN MUNICIPAL BUILDINGS IN THE COUNTY OF LEWIS

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

WHEREAS, buildings are the single largest user of energy in the State of New York, and the poorest performing buildings typically use several times the energy of the highest performing buildings, for the same exact building use; and

WHEREAS, the County of Lewis desires to formulate a Building Energy Benchmarking Policy to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in and by the County of Lewis; and

WHEREAS, collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide; and

WHEREAS, equipped with this information, the County of Lewis will be able to analyze relevant data to make smarter, more cost-effective operational and capital investment decisions, reduce expenses, promote continuous improvement, and build on the County’s interest in development of renewable energy resources and a smaller carbon footprint; and

WHEREAS, the Board of Legislators wishes to promulgate the following terms and provisions as the Lewis County Building Energy Benchmarking Policy:

Definitions:

(A) “Benchmarking Information” shall mean information generated by the Coordinator, as herein defined, including descriptive information about the physical building(s) and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Coordinator” shall mean the Director of Planning and/or such other Department Head the County Manager may designate.

(D) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the County of Lewis that is 1,000 square feet or larger in size.

(E) “Department” shall mean the Planning Department or other authorized Body assigned the responsibility of administering the Energy Benchmarking program.

(F) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in utility bills or other documentation of actual energy use.

(G) “Energy Performance Score” shall mean the numeric rating generated by the Portfolio Manager that compares the energy usage of the building to that of similar buildings.
(H) “Energy Use Intensity (EUI)” shall mean the kBTUs (1,000 British Thermal Units) used per square foot of gross floor area.

(I) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(J) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(K) “Utility” shall mean an entity that distributes and sells energy to the covered municipal buildings.

(L) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

Application:

This Policy is applicable to all Covered Municipal Buildings as defined in item (D) above, except that the Coordinator may exempt a particular Covered Municipal Building from the benchmarking requirement if the Coordinator determines that it has characteristics that make benchmarking impractical.

Steps and Time Frames:

(A) No later than June 1st of each year, the Coordinator or his or her designee shall enter into the Portfolio Manager Program the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year;

(B) For new Covered Municipal Buildings that have not accumulated 12 months of energy use data by the first applicable date following input of energy use into the Portfolio Manager, the Coordinator or his or her designee shall begin inputting data in the following year;

(C) No later than September 1st of each year, the Department shall make available to the public on the County’s website, the Benchmarking Information for Covered Municipal Buildings for the previous calendar year;

(D) The Department shall make available to the public on the County’s website and update at least annually, the following Benchmarking Information:

(1) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information;

(2) For each Covered Municipal Building individually:

   (i) The status of compliance with the requirements of this Policy; and

   (ii) The building address, primary use type, and gross floor area; and

   (iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available;

(E) The Buildings and Grounds Department shall maintain energy bills and other documents received from tenants and/or utilities and provide such documents to the Coordinator in order to calculate and input data to provide the Benchmark Information described herein.

Administration and other procedures:
(A) The Coordinator or his or her designee shall be the Administrator of this Policy unless or until modified by the Board of Legislators of the County of Lewis;

(B) The Coordinator of this Policy may propose additional procedures necessary for the administration of the requirements of this Policy to the Lewis County Board of Legislators for their action and authority on same;

(C) At the August Board of Legislators’ public meeting, the Coordinator of the Benchmarking Policy shall submit a report to the Board of Legislators and County Manager, including but not limited to summary statistics on energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Coordinator determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby adopts the aforesaid terms and provisions as the Lewis County Building Energy Benchmarking Policy.

Section 2. The Lewis County Board of Legislators hereby assigns and names the Lewis County Director of Planning as the Coordinator and Administrator of the Policy.

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

Moved by Legislator __King__, seconded by Legislator __Brennan__.

Atty. McNichol explained this is a policy recognized by the State to establish and monitor energy efficiencies to meet their established goals, implementation of which may enhance approval of the County’s Clean Energy Communities Program grant application.

The resolution was then adopted.
RESOLUTION NO. 484 - 2016
RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING UNDER THE NYS CLEAN ENERGY COMMUNITIES PROGRAM AND TO AUTHORIZE IMPLEMENTATION OF SPECIFIC ACTIONS BY THE COUNTY TO BE DESIGNATED A CLEAN ENERGY COMMUNITY

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

WHEREAS, Lewis County authorized an agreement with Larsen Engineers to undertake engineering research and services and budget cost analysis to support a NYSERDA Funding application by the County of Lewis for a Clean Energy Community (CEC) grant; and

WHEREAS, local governments in New York State can use the Clean Energy Communities program to implement clean energy actions, save energy costs, create jobs and improve the environment. Local governments who complete four out of ten “high impact actions” outlined under the CEC program can be designated by New York State as a “Clean Energy Community” and be eligible for grants to fund additional clean energy projects; and

WHEREAS, the ten (10) “high impact actions” recognized by the CEC are:

1. Benchmarking: Adopt a policy to report the energy use of buildings.
2. Clean Energy Upgrades: Achieve 10% reduction in greenhouse gas emissions from buildings.
3. LED Street Lights: Convert street lights to energy efficient LED technology.
4. Clean Fleets: Install electric vehicle charging stations or deploy alternative fuel vehicles.
5. Solarize: Undertake a local solarize campaign to increase the number of solar rooftops. (Local efforts to bring together potential solar customers through outreach and education).
8. Climate Smart Communities Certification: Get certified by NYS DEC.
10. Energize New York Finance: Offer energy upgrade financing to businesses and non-profits (Property Assessed Clean Energy Financing); and

WHEREAS, the County of Lewis can or will meet at least six (6) of the above identified high impacts by: 1.) Draft of a Building Energy Benchmarking Policy for adoption by the Board of Legislators; 2.) Replacement of lighting in buildings with LED efficient fixtures and LED lighting of parking lots to achieve 10% reductions in emissions and electric use; 3.) Contracting with vehicle leasing company for electric vehicle or alternative fuel vehicles for part of the County’s vehicle fleet; 4.) Development and implementation of outreach and education of county residents about solar availability through the County’s community outreach program;
5.) Draft and implement a Local Law to encompass a Unified Solar Permit system and process modeled after the NY-Sun Initiative in order to expedite the solar permitting process and make solar technology more affordable to residents and businesses; 6.) Provide training opportunities for code compliance officers to maintain knowledge on building codes and energy code best practices; and

WHEREAS, the Board of Legislators seeks to undertake to be designated a Clean Energy Community by New York State and be eligible to apply for grants to fund additional clean energy projects by taking as many appropriate steps and actions to meet as many of the ten criteria as possible.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County of Lewis, through the Lewis County Planning Department, to apply for a Clean Energy Community (CEC) grant under NYSERDA Funding.

Section 2. That the Lewis County Board of Legislators hereby authorizes the County Attorney to draft a proposed Local Law providing for a standardized, unified solar permit and application process for municipalities in Lewis County.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Grant Application upon such form as may be acceptable to the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator  Hathway, seconded by Legislator  Chartrand, and adopted.
OTHER BUSINESS:

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Chartrand at 6:20 p.m., seconded by Legislator Brennan and carried.