

**REGULAR MEETING**  
**February 7, 2012**

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, who called for a moment of silence in memory of Dr. John C. Herrman whom had passed away on January 12, 2012, in remembrance of his tireless acts of kindness and dedication to Lewis County.

Chairman Bush led the Pledge of Allegiance to the Flag.

There were 42 persons present.

Chairman Bush announced approval of the January 3<sup>rd</sup> and 19th, 2012 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

The Rules and Legislation Committee had met and recommend immediate action on all pre-filed resolutions.

Richard Lucas, Chairman  
William Burke  
Patrick Wallace

Dated: February 7, 2012

Legislator Tabolt made a motion to approve the report, seconded by Legislator Burke and carried.

**PRIVILEGE OF THE FLOOR:**

Laurie Halladay, representing the Railway Historical Society of NNY, prefaced the importance of preserving the railroad corridor for future generations, citing the hands-on educational advantages for students, and distinguishing it one of the last remaining short lines in the United States. Prospective railway tourists, and many branch-off opportunities would positively effect the local economy. Their 1947 diesel locomotive passenger car is fully refurbished, they have a 1918 steam locomotive engine; and their Rutland Railroad car is 95% restored. The goal is to operate a tourist rail route from the Croghan depot to Lowville, with acquisition of the line and all related buildings along that corridor, which has been designated "historical". In conclusion, she exclaimed, that "Once it is gone, it is gone forever"; while asserting the Society has the knowledge, know how and equipment, what is needed is support.

Ned Cole, former IDA Executive Director, assured that he was not against the Legislator or the railroad, but supported less government and lower taxes. He assumed the Legislators had done appropriate research and planning for the proposed railroad acquisition.

In his former position, he was privy to railway information, querying whether the Sheriff, Highway, Hospital and Court personnel had been conferred to assure adequate resources for maintenance. The constant destruction by beavers is commonly known, as well as needs for tree removal, brush cutting, skunks and other rodents along the corridor. He urged consideration for adjacent landowners.

Mr. Cole applauded Legislator Tabolt's well-published efforts in Albany for mandate relief, invoking that residents want lower taxes. He questioned the accuracy of a newspaper article, whereby Chairman Bush stated the trail system would be self-sustaining. He further cautioned for the cost to insure the trail corridor, again, urging thorough research. In conclusion, he stated that "failing to plan, is a plan to fail".

Joanne Dicob, accompanied by her husband Rodney, stated the railroad corridor runs through their property. She questioned presumed secrecy of Board discussions, surprised the railroad acquisition was being reconsidered, while referencing the Board's 2010 defeating vote. She took exception to the disregard for landowners' rights. Mrs. Dicob questioned the validity of the reported environmental review, citing blacktop over the tracks at road intersections and overall track deterioration, moreover, querying how the tracks could sustain constant 24-7 traffic.

Mrs. Dicob asked how long the Railway Society would be afforded to get the track operational, while noting their efforts over the past several years. If they are unsuccessful, would the railway revert to the County? Considering implemented cost saving measures to outsource County services, and the unemployment rate of 8.6%, she questioned the wisdom of acquiring a railroad for trails, further expressing doubt that any ultimate savings from mandate relief would be spent wisely. Fewer State grants for such projects, she proposed, may result in true mandate relief.

Acquisition of railroads is contrary to Carthage officials who have taken issue with railroad owners for \$100,000 unpaid taxes. Mrs. Dicob asked for the amount of County expense to-date on trails, disbelieving that no taxpayer funds have, or would be used to acquire or maintain trails. She also wondered if the County would pay taxes to other jurisdictions as the railroad owner?

In closing, Mrs. Dicob urged more research, discussion, and particularly public input, prior to a vote. She made a plea to market the County as more than a destination, with emphasis on job opportunities. Mrs. Dicob then recited a list of questions that she and her husband would like addressed in writing, and then submitted the list to the Board.

Linda Sandri concurred with Mrs. Dicob's disbelief the railroad acquisition would not require taxpayer dollars. She asked for clarification of the County's 2010 proposed figure of \$100,000 for ancillary costs compared to today's proposed \$30,000; while wanting verification for supposed in-kind services equal to \$112,000. Reiterating the deteriorated condition and the non-use for over 10 years, Ms. Sandri surmised the tracks would need major upgrades, specifically citing the tressels as greater obstacles and associated costs.

Ms. Sandri relayed her understanding of the intent of the grant funding was to enhance the environment, while distinguishing that ATV's are not environmentally friendly. She asked whether the 2011 environmental review considered snowmobiling and/or train travel impacts. Her primary concern is the assumption of substantial liability.

Joseph Onyon, Tug Hill Adirondacks ATV Association President, stated that various recreation trails are being developed throughout New York and across the Country, asserting that railroad beds are most favorable due to their strong base. They are suitable for any type of travel and require the least maintenance. Mr. Onyon affirmed support and urged the Board to take action for the railroad acquisition.

Rodney Dicob took exception to supposed minimal maintenance, purporting the railroad owner's had just let it run down, and it's going to need a lot of work before it is navigable by anyone. He suggests that County personnel should be working on roadways instead of clearing or maintaining what he termed "a playground" for certain people.

Helen Pogge, member of the Adirondack Tourism Council and Railway Historical Society and Village of Croghan resident, relayed the many that have great enthusiasm for the prospective tourist Beaver River rail route to Lowville. Citing the 1948 locomotive that was entirely refurbished by volunteers, that also stand ready to clear the rail corridor, Ms. Pogge urged that in-kind services not be discounted.

Dorothy Duflo referencing a newspaper article, was confused how the Historical Society could pursue if the rails were to be torn up and salvaged by the owners.

Legislator Paul Stanford referred to a 2010 petition of 500 signatures against development of the railway corridor into trails. Admittedly, the future maintenance costs are unknown. Rail banking, he said, is no more than "screwing with someone's privacy". Trail development should start with acquiring permission from property owners for access, not by usurping their rights. He suggests the issue should be the subject of public hearings until all questions are answered, further proposing referendum ballot voting.

#### PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk had distributed copies of letters from Harry P. O'Connor, Lewis County Agricultural Society President, Joe Onyon, Tug Hill Adirondacks ATV Association President, Gary Stinson, Lewis County Area Snowmobile Association President, Patrick Lyng, Long Pond Sno Sled Club President, Lisa and Mike Nortz of Croghan, and Todd Pozefsky of Clinton, CT, all expressing support for the County to acquire the railroad corridor for recreational trail development.

#### REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Treasurer and Real Property Tax Director had submitted approved applications for corrected tax rolls for Nicholas Platt, Dale and Donna Moser, and Michael J. Pominville.

Each Legislator received a copy of the January Treasurer's Report, 1/20/12 Solid Waste Audit Report, 1/19/12 Highway Audit Report, 4<sup>th</sup> Qtr. Sr. Code Enforcement Officer report, and 12/13/11 minutes of the Soil and Water Conservation District Board of Directors' meeting. Copies of the 2011 Annual Reports from Building Codes, Civil Service, County Clerk, County Sealer, Economic Development, Emergency Management/Fire Coordinator, Highway, Solid Waste, Junkyard, Probation, Real Property Tax, Reforestation, Sheriff, Trail Coordinator, Treasurer and Veterans' Departments, were also distributed to Legislators.

#### REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services Committee Chairman, reported listening to a presentation by fraud investigators on how they search for and follow-up on prospective fraud cases. He also reported the Department received 22 free computers.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a 2011 loss of \$1,214,848 directly attributable to pension costs, doctor personnel costs and an increased number of visits designated as "observation" that are reimbursed at a much lower rate than for an in-patient stay. Increased charity care totaling \$1,506,000 was above the \$1 Million budget level, which also contributed to the loss. There were 336 new born deliveries in 2011, a number that hasn't been reached in the 1970's. Nursing home employee Melanie Pate was named employee-of-the-month.

As a lasting tribute to Dr. John C. Herrman, the Medical Arts Building conference room will be renamed the "Dr. John Herrman Conference Room.

As the Board's representative on the Mandate Relief Team, Legislator Tabolt asserted that none of the proposed measures would result in additional revenue, but are meant to reign in spending for the 90% County levy that is summoned for State mandated programs. A majority of State Legislative representatives of other districts are not supportive of mandate relief, instead are pursuing school/education priority issues. Pension reform is unattainable due to constitutional law that prohibits decreasing prior committed benefits; and because financial benefits for Tier VI members will not be realized for many years. He had learned that only 10 Counties adopted the "Truth In Taxation" process of informing property taxpayers of categorical expenditures on their tax bill.

Governor Cuomo vies to infuse \$4 Billion to build the Country's largest convention center; \$1 Billion to remodel the Jacob Javitts Center; \$1 Billion to revitalize Buffalo; while increasing education support and Medicaid each by 4%.

NYSAC officials are optimistic about the progress toward Medicaid Relief, which has not been realized since 1966. Legislator Tabolt emphasized the substantial savings if the State assumes the greater portion of growth of the most costly State program.

Warren County has implemented a web-based contact form to submit directly to State representatives their opinions and/or suggestions for mandate relief.

Legislator Charles Fanning, Public Health Committee Chairman, reported they are awaiting State approval of the Certificate of Need for Hospital administration of the Certified Home Health Agency and Hospice Program.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Michael Carpinelli to purchase two new patrol vehicles, seconded by Legislator Hathway and carried.

Legislator Boyd made a motion to authorize Sheriff Carpinelli to fill two (2) part-time Deputy Sheriff positions vacated by himself and Undersheriff Monnat; and one (1) part-time Correction Officer due to a resignation on 12/31/11; and one (1) full-time Correction Officer due to a removal on 10/12/11. The motion was seconded by Legislator Lucas and carried.

Legislator Boyd made a motion to authorize Probation Director MaryJo Burkhard to fill a Senior Probation Officer position, due to her promotion. The motion was seconded by Legislator Burke and carried.

Legislator Richard Lucas, Economic Development Committee Chairman, reported meeting jointly with the Reforestation Committee to discuss the future of recreation on County lands. There is a need for a long-term plan, particularly establishing rules for camping enthusiasts at Singing Waters and other County sites.

Legislator Jerry King, Reforestation Committee Chairman, made a motion to authorize Rodney Buckingham to hire one seasonal laborer from May 1 to October 1, 2012, for up to 16 hours per week at an hourly wage of \$11.35. The motion was seconded by Legislator Stanford and carried.

Legislator King then announced a change hereafter for the Taxation/Reforestation Committee meetings will be held on the second Tuesday of each month at 8:30 a.m.

Legislator King reiterated the need for a long-term plan for development and utilization of Singing Waters, inferring research for grant funding to finance initiatives.

#### COUNTY MANAGER REPORT:

Mr. Pendergast prefaced his report by commending Legislator Tabolt for his great representation and diligent pursuit for reform in Albany. There is ongoing debate at the State level to determine whether four (4) separate primaries are to be held, each at a cost of approximately \$60,000 for Lewis County. The first primary is scheduled for 4/24/12. Mr. Pendergast also urged earnest attention to the redistricting of the State Senate and Assembly districts. Dependent upon a definitive State ruling, he recommends composing a resolution for action by the Board to accentuate how ludicrous four primaries would be for Lewis County.

Mr. Pendergast then reiterated Legislator Tabolt's announcement of the links that would be placed on the Lewis County website, for direct submission to State representatives about mandate relief.

#### REPORT OF THE WAYS AND MEANS COMMITTEE:



RESOLUTION NO. 42 -2012

**AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator William Burke, Chairman of the Ways  
and Means Committee.

**RESOLVED** that the claims presented for payment in the total amount of  
\$ 1,592,088.51 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 Burke, seconded by  
Legislator King and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 43 - 2012

**RESOLUTION AUTHORIZING SUB-LEASE AGREEMENT  
BETWEEN MOUNTAIN VIEW PREVENTION SERVICES, INC. AND  
THE LEWIS COUNTY COMMUNITY RECOVERY CENTER**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

**WHEREAS**, the Board of Legislators has heretofore authorized a budget of \$30,088.00 for the sublease for the Lewis County Recovery Center with approximately 3,072 square feet of office space at the Mountain View Prevention Services building located at 7714 Number Three Road; and

**WHEREAS**, the Board of Legislators wishes to enter into a sublease agreement;

**NOW THEREFORE, BE IT RESOLVED**, that

Section 1. The Board of Legislators hereby approves the sublease between the Lewis County Community Recovery Center at the Mountain View Prevention Services building at an annual rental of \$30,088.00 commencing January 1, 2012 through December 31, 2012, payable in equal monthly installments of \$2,507.00.

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 approval by the County Attorney as to form.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 44 – 2012

DESIGNATION OF DEPOSITORIES

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, Subdivision 3 of Section 212 of the County Law provides that the Board of Legislators shall designate one or more depositories for deposit of all monies received by the County Treasurer, and specify the maximum amount which may be kept on deposit in each depository; and

WHEREAS, in consideration of the recent transfer of public assets by HSBC Bank to First Niagara.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the following named bank, or banking association be additionally designated as a depository for Lewis County monies and for the maximum amount set opposite the name:

First Niagara	\$20,000,000.00
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Section 2. That the Clerk of the Board be and she hereby is authorized and directed to file a certified copy of this resolution in the office of the Lewis County Clerk.

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

Moved by Legislator Boyd, seconded by Legislator Fanning,  
and adopted.

RESOLUTION NO. 45 - 2012

RESOLUTION AUTHORIZING AGREEMENT WITH  
NYS OFFICE OF HOMELAND SECURITY  
EMERGENCY MANAGEMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Emergency Management Office has submitted a grant application to the New York State Office of Homeland Security in the amount of \$43,692.00 through the State Homeland Security Program (SHSP), to prevent, respond to, and minimize the danger and recovery from terrorist acts.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Emergency Management Office and the New York State Office of Homeland Security, for the purpose to prevent, respond to and recover from terrorism acts.

Section 2. That said Agreement shall be for the period from September 1, 2011 through August 31, 2014, in the amount of \$43,692.00.

Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute, seal and deliver all documents relative to said grant Agreement.

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

Moved by Legislator Lucas, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 46 – 2012

RESOLUTION APPROVING AMENDED BY-LAWS  
LEWIS COUNTY EMERGENCY TELECOMMUNICATION  
ADVISORY BOARD- E-911 OVERSIGHT COMMITTEE

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, the Lewis County Emergency Telecommunications Advisory Board recommends amendments to their By-Laws.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following amendments of the By-Laws for the Lewis County Emergency Telecommunications Advisory Board:

- 1 – to add the E-911 Director to the voting membership
- 2 – to add Director of Lewis County Search & Rescue to the voting membership
- 3 – to amend Article VII, Section I. to read “A quorum shall be a minimum of 7 voting members for any regular or special meeting of the Board”.

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

Moved by Legislator Boyd, seconded by Legislator

Burke, and adopted.

RESOLUTION NO. 47 - 2012

RESOLUTION APPOINTING MEMBERS TO  
E-911 OVERSIGHT BOARD

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints the following members to the Lewis County E-911 Oversight Board for a term effective immediately to terminate on December 31, 2012:

Law Enforcement:

State Police: Sgt. Tim Roberts  
Sheriff: Michael Carpinelli  
LVPD: Eric Fredenburg  
NYSDEC: Joel Nowalk

Fire Service:

Fire/Emergency Mgmt: James M. Martin  
Haz. Mat. Coordinator: Richard Defone  
Fire Advisory Board: Ben Buell  
Northern Zone: Gary Ashline  
Central Zone: Tim Bush  
Southern Zone: Daryl Ortlieb

Emergency Medical Services:

EMS Coordinator: Mark Tuttle  
EMS Advisory Bd: Robert McKenzie  
Northern Zone: Michelle Widrick  
Central Zone: James Deavers  
Southern Zone: Alice Morgan  
Search & Rescue: Douglas Stano

Lewis County General Hospital: Nick Hanno  
Dale Barker

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

Moved by Legislator Lucas seconded by Legislator Boyd,

and adopted.

RESOLUTION NO. 48 - 2012

RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY GENERAL HOSPITAL  
BOARD OF MANAGERS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Thomas J. Spaulding of 3510 Halifax Road, Copenhagen, New York 13626, to the Board of Managers of the Lewis County General Hospital, to fill the unexpired term of Dr. John C. Herrman.

Section 2. That the term of said appointment shall commence February 8, 2012 and expire on December 31, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Lucas,  
and adopted.

RESOLUTION NO. 49 - 2012

**RESOLUTION IN SUPPORT OF NYS LEGISLATION TO AMEND  
SECTION 882 OF GENERAL MUNICIPAL LAW TO  
PROTECT CONTINUED OPERATIONS OF  
INDUSTRIAL DEVELOPMENT AGENCIES**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

**WHEREAS**, the Lewis County Legislative Board authorized the formation of the Lewis County Industrial Development Agency (IDA); and

**WHEREAS**, the Lewis County IDA provides important services for industrial and economic development; and

**WHEREAS**, the Lewis County Board of Legislators believes that the existence of our local organizations should be determined locally, thereby retaining the ultimate authority on the continued operation of the Lewis County IDA;

**WHEREAS**, the NYS Economic Development Council and others have proposed revisions to General Municipal Law Section 882 whereby an industrial development agency would cease to exist only upon the event that all of the bonds or notes issued by the agency shall have been redeemed or cancelled all straight-lease back transactions have been terminated, **and upon resolution by the municipality for whose benefit the agency was formed;**

**NOW, THEREFORE, BE IT RESOLVED** as follows:

Section 1. That the Lewis County Board of Legislators strongly supports the proposed revision of New York State General Municipal Law Section 882, to insert the following clause immediately following the word "cancelled": "...and all straight-lease transactions have been terminated, and upon resolution by the municipality for whose benefit the agency was formed..."

Section 2. That the Clerk of the Board is hereby directed to forward a certified copy of this resolution to NYS Senators Joseph Griffo and James S. Alesi, Commerce, Economic Development and Small Business Committee Chair; and Assemblymen Kenneth Blankenbush, and Robin Schimminger, Economic Development, Job Creation, Commerce and Industry Committee Chair.

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

Moved by Legislator Hathway, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 50 - 2011

RESOLUTION APPOINTING MEMBER TO  
INTER-COUNTY LEGISLATIVE  
COMMITTEE OF THE ADIRONDACKS

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Michael

A. Tabolt as their representative to the Inter-County Legislative Committee of the Adirondacks.

Section 2. That the term of said appointment shall be effective from January 1, 2012 through December 31, 2013.

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

Moved by Legislator King, seconded by Legislator Boyd,

and adopted.

RESOLUTION NO. 51 – 2012

RESOLUTION TO AMEND COMPENSATION PLAN WITH REFERENCE TO MENTAL  
HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, the Assistant Controller has taken a leave of absence effective January 6, 2012, and the job duties have been delegated to current Lewis County Community Mental Health Center (LCCMHC) staff; and

WHEREAS, existing staff resources are not sufficient to absorb the reassignment of duties.

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 Mental Hygiene Department, to authorize the temporary and voluntary increase of up to five (5) hours a week at the current wage rate for three (3) Account Clerks.

Section 2. This increase will not exceed 45 hours per week for any of the three affected employees.

Section 3. The increased hours shall take effect immediately up through June 30, 2012.

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

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 52 – 2012

RESOLUTION TO TRANSFER FUNDS  
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget transfers be approved in the Mental Health Department for the Adjustment for the Oneida-Lewis Chapter, NYSARC Allocation:

From:

A4310.4301	\$1,000.00
A4310.4401	1,000.00
A4310.4405	500.00
A4310.4407	793.00
A4310.4501	1,000.00
A4310.4503	500.00
A4310.4507	791.00
A4310.4703	793.00
A4310.4903	8,750.00
A4310.4907	500.00
A4310.4909	2,500.00
A4330.4903	1,100.00
A4335.4901	4,000.00
A4312.1999	2,200.00
A4312.8999	300.00
A4310.4901	<u>5,000.00</u>
	\$30,727.00

To:

A4322.4909	\$30,727.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King,

and adopted.

RESOLUTION NO. 53 - 2012

RESOLUTION TO TRANSFER FUNDS  
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2012 budget transfer be approved in the Mental Health

Department to cover line item expenses:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A4335.1999	A4310.1999	\$7,500.00
A4310.4505	A4335.4505	\$1,400.00

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

Moved by Legislator King, seconded by Legislator Lucas,

and adopted.

RESOLUTION NO. 54 – 2012

RESOLUTION TO TRANSFER FUNDS  
NON-DEPARTMENTAL

Introduced by Legislator William Burke, Chairman of the Ways & Means  
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved in the 2012 Budget  
for an increase in the New York State Association of Counties (NYSAC) invoice for  
membership dues:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A1990.4999 (Contingency)	A1920.4999 (Municipal Dues)	\$130.00

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

Moved by Legislator Burke, seconded by Legislator  
Boyd, and adopted.

RESOLUTION NO. 55 – 2012

RESOLUTION TO ESTABLISH  
PUBLIC HEALTH SERVICE FEES

Introduced by Legislator Charles Fanning, Chairman of the Public Health  
Committee.

Whereas, Certified Public Accountant Jack Venesky recommends increasing the  
fee for Public Health nursing visits to maximize the County's Medicaid reimbursements.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby establishes the following fees for  
Public Health services:

Skilled Nursing – Increase from \$190.00 to \$205.00 per visit

Home Health Aide – Increase from \$80.00 to \$85.00 per visit

Section 2. That the established fees are effective for services provided effective  
January 1, 2012.

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

Moved by Legislator King, seconded by Legislator  
Wallace, and adopted.

RESOLUTION NO. 56 – 2011

RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health  
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2011 budget appropriation be approved for the  
contract with NYS Division of Homeland Security and Emergency Services:

<u>Increase Revenue</u>		<u>Amount</u>
A44896	OHS Grant T-839294	\$27,778.00
<u>Increase Expense</u>		
A4092.4905	OHS Grant T-839294	27,778.00

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

Moved by Legislator Fanning, seconded by Legislator  
Burke and adopted.

RESOLUTION NO. 57 – 2012

RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health

Committee:

BE IT RESOLVED, as follows:

Section 1. That the following 2012 budget appropriation be approved for the Susan Komen Foundation Grant:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A27055.5	Contributions-Komen	\$20,000.00
A4035.4504	Medical Services-Komen	\$20,000.00

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

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

**RESOLUTION NO. 58 - 2012**

**RESOLUTION REGARDING SEQRA REVIEW OF FUNDING  
AND ACQUISITION OF RAILROAD CORRIDORS  
AND DECLARING NO SIGNIFICANT IMPACT**

Introduced by Legislator Richard Lucas, Chair, Economic Development Committee.

**WHEREAS, MOHAWK, ADIRONDACK & NORTHERN RAILROAD CORPORATION** (“MA&NRC”) owns the following railroad tracks in Jefferson, Lewis and St. Lawrence Counties, New York, beginning at Adelaide Street in the Village of Carthage, New York:

- Lowville Industrial Track (the “LIT”) running south from Adelaide St. over the Black River into West Carthage and then southeasterly into Lewis County, terminating in Lowville, New York.
- Lowville Beaver River (“L&BR”)line running generally northeasterly from the Village of Lowville to the Village of Croghan.

**WHEREAS**, MA&N has offered to convey to the County of Lewis the real property underlying the railroad corridor consisting of the LIT located within Lewis County, including MA&N buildings and property in the Village of Lowville for a purchase price of One Dollar (\$1) upon certain terms and conditions; and

**WHEREAS**, MA&N has offered to convey to the County of Lewis the real property underlying the railroad corridor consisting of the L&BR corridor located within Lewis County, including MA&N buildings and property in the Village of Lowville for a purchase price of Four Hundred Twenty Five Thousand Dollars (\$425,000) upon certain terms and conditions; and

**WHEREAS**, the Lewis County Trails Coordinator together with the Economic Development Director have made applications and presentations to various agencies for the purpose of obtaining funding for the acquisition and development of the proposed railway corridors; and

**WHEREAS**, the NYS Office of Parks, Recreation and Historic Preservation, by letter dated April 21, 2010 has awarded the County of Lewis a grant in the amount of \$450,000 from the Environmental Protection Fund for the **Railroad Corridor Acquisition** project; 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 28, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

**WHEREAS**, upon completion of its SEQR review, 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**, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails including without limitation the conversion of abandoned railroad corridors to recreational trails and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

**WHEREAS**, the Trails Coordinator has caused a site-specific environmental review of the proposed acquisition sites pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 28, 2009, and requests action thereon;

**NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:**

Section 1. The Board of Legislators has received two reports, dated February 2, 2012 (the "Reports") from Soil and Water Conservation District, the County's environmental consultants for this project, detailing their investigations and findings with respect to the proposed funding and acquisition of the above described railroad corridors, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

Section 2. Based upon its review and analysis of the data contained in the Reports, the Board of Legislators hereby finds and determines that:

- a. The Reports adequately set forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- b. The Reports adequately describe the consultant's investigations and analysis as to the significant adverse impacts and necessary mitigations for the specific site(s);
- c. The consultant's findings set forth in the Reports are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- d. The investigation and analysis of the sites described herein did not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.
- e. In the event that the rail corridor known and identified as the L&BR, is ultimately restored to use as a tourist train, that such restoration constitutes either (1) maintenance or repair involving no substantial changes in an existing structure or facility; or (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, that does not exceed any of the thresholds set forth in section 6 NYCRR 617.4 and therefore such restoration constitutes a Type II action and no further environmental review is required.

- f. In the event that the rail corridor known and identified as the L&BR, is ultimately converted to a recreational trail, as stated above, the Reports did not reveal any adverse environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the funding and acquisition of the proposed railroad corridors for future development in part as recreational trails and in part as recreational trails and/or tourism train facility will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), neither a supplemental Findings Statement nor a negative declaration need be prepared or filed and no further action need be taken with regard to the County's environmental review of the sites identified herein and therefore the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Wallace

County Attorney Richard Graham explained the amendment from the original proposed resolution in Section 2, subdivisions e and f, referencing the LB&R the line between Lowville and Croghan. In accordance with State Environmental Quality Review (SEQR) regulations, when you restore the previous use of a structure, it is a Type II action and, thereby, exempt from SEQR review. It is unknown whether the Railway Historical Society will eventually restore railway travel on the LB&R line from Croghan to Lowville, but the Resolution includes that possibility.

He further reported that Lewis County Soil and Water Conservation District staff had traversed the entire rail corridor in the Fall of 2011 to conduct a thorough evaluation, inclusive of endangered species, wetlands or other environmental impact issues, in accordance with the standards set by the original General Environmental Impact Statement (GEIS) for establishing additional trails. Their report is void of any new environmental impact issues along the rail corridor that was not addressed in the initial GEIS.

Atty. Graham clarified that the Board's adoption of the SEQR evaluation report, is a prerequisite to authorizing a grant agreement.

Legislator Stanford made a motion to table the Resolution until the Board's April meeting, seconded by Legislator Hathway. Legislator Stanford wants more time for discussion, review and public input, particularly citing insurance concerns.

Legislator Lucas stated the issue had been thoroughly discussed, suggesting there are answers to all posed questions, while urging timely action on the trail corridor.

Legislator Tabolt suggested scheduling a Committee meeting-of-the-Whole Board to address all concerns, so the issue could be voted on by the Board's March 6<sup>th</sup> meeting.

Legislator Fanning would like written clarification, possibly from judicial sources, specifically, queries surrounding adjacent landowner rights.

Legislator Lucas invoked that untimely action would jeopardize the respective grant funding.

The motion to table the issue until April was defeated by a vote of 4 to 6, with Legislators Boyd, Burke, Lucas, Tabolt, Wallace and Bush opposed.

Legislator Tabolt then made a motion to table the issue until the March 6<sup>th</sup> meeting, while asking Chairman Bush to set a Committee Meeting-of-the-Whole on February 13<sup>th</sup> at 8:30 a.m. The motion was seconded by Legislator Hathway and carried

RESOLUTION NO. 59 - 2012

RESOLUTION TO AUTHORIZE REAL PROPERTY TAX DIRECTOR  
TO PROCESS ASSESSMENT ROLLS FOR  
VILLAGE OF CROGHAN

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, the Village of Croghan has requested the County to process their assessment rolls; and

WHEREAS, the Taxation Committee recommends the County do so for a charge of \$1.00 per parcel.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Real Property Tax Director to process the field book, enter any changes, run the Tentative Roll, enter any grievance changes and process the Assessor's Annual Report for the Village of Croghan.

Section 2. That a charge of \$1.00 per parcel shall be imposed upon the Village of Croghan, payable to the Lewis County Treasurer, for the aforesated procedures.

Section 3. That said procedures and attendant charges shall become effective on January 1, 2013.

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

Moved by Legislator Stanford, seconded by Legislator

King

Legislator Tabolt made a motion to table the resolution at the request of the Village of Croghan Board. They want to meet with County officials to discuss their questions and concerns. The motion was seconded by Legislator King and carried.

RESOLUTION NO. 60 – 2012

RESOLUTION AUTHORIZING AGREEMENT WITH  
NYS OFFICE OF HOMELAND SECURITY  
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement  
Committee.

WHEREAS, the Lewis County Sheriff's Department has submitted a grant application to the New York State Office of Homeland Security in the amount of \$22,308.00 through the Terrorism Prevention Program, for the purpose of enhancing terrorism intelligence capabilities for the prevention of, and response to, terrorism acts.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Sheriff's Department and the New York State Office of Homeland Security, for the purpose to enhance terrorism intelligence capabilities to prevent, detect and respond to terrorism acts.

Section 2. That said Agreement shall be for the period from September 1, 2011 through August 31, 2014, in the amount of \$22,308.00.

Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute, seal and deliver all documents relative to said grant Agreement.

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

Moved by Legislator Boyd, seconded by Legislator  
King, and adopted.

**RESOLUTION NO. 61 -2012**

**AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS  
AND NEW YORK STATE HOUSING TRUST FUND CORPORATION**

Introduced by Legislator Richard Lucas, Chairman of Economic Development Committee.

**WHEREAS**, the County of Lewis has applied to New York State Housing Trust Fund Corporation (“Corporation”) for Community Development Block Grant (“CDBG”) funds to finance the community development activities (Project No. 636HR88-11); and

**WHEREAS**, the Corporation has awarded the County of Lewis \$428,560.00 in Community Block Grant funds for housing rehabilitation;

**NOW, THEREFORE BE IT RESOLVED**, that

Section 1. The Board of Legislators hereby approves the Grant Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive \$428,560.00 in Community Development Block Grant funds.

Section 2. The Chairman, or Vice Chairman, of the Board of Legislators is and he hereby is authorized to execute, seal and deliver said Grant Agreement and any related and necessary supplemental documents.

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

Moved by Legislator Lucas, seconded by Legislator King,  
and adopted.

**RESOLUTION NO. 62 - 2012**

**RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE  
(COUNTY OF LEWIS TO G. DOUGLAS LAMONT A/K/A  
GERALD D. LAMONT AND RHONDA LAMONT)**

Introduced by Jack T. Bush, Chairperson of the Lewis County Board of Legislators.

**WHEREAS**, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Mortgage to the County of Lewis dated June 24, 1999, and recorded in the Lewis County Clerk's Office on June 24, 1999 in Volume No. 534 and Page 49 to secure payment of a loan in the amount of \$26,466.00 administered by the Lewis County Micro-Enterprise and Micro-Loan Program; and

**WHEREAS**, said loan has been paid in full and a Discharge of Mortgage is now warranted.

**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 Discharge of Mortgage for the aforescribed Mortgage.

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

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 63 - 2012**

**RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE  
(COUNTY OF LEWIS TO G. DOUGLAS LAMONT A/K/A  
GERALD D. LAMONT AND RHONDA LAMONT)**

Introduced by Jack T. Bush, Chairperson of the Lewis County Board of Legislators.

**WHEREAS**, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Mortgage to the County of Lewis dated October 1, 1999, and recorded in the Lewis County Clerk's Office on October 1, 1999 in Volume No. 543 and Page 344 to secure payment of a loan in the amount of \$13,534.00 administered by the Lewis County Micro-Enterprise and Micro-Loan Program; and

**WHEREAS**, said loan has been paid in full and a Discharge of Mortgage is now warranted.

**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 Discharge of Mortgage for the aforescribed Mortgage.

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

Moved by Legislator Lucas, seconded by Legislator  
Burke, and adopted.

**RESOLUTION NO. 64 - 2012**

**RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE  
(COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY TO  
G. DOUGLAS LAMONT A/K/A GERALD D. LAMONT AND RHONDA LAMONT)**

Introduced by Jack T. Bush, Chairperson of the Lewis County Board of Legislators.

**WHEREAS**, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Mortgage to the County of Lewis dated June 24, 1999, and recorded in the Lewis County Clerk's Office on June 24, 1999 in Volume No. 534 and Page 49 to secure payment of a loan in the amount of \$26,466.00 administered by the Lewis County Micro-Enterprise and Micro-Loan Program; and

**WHEREAS**, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Mortgage to the County of Lewis dated October 1, 1999, and recorded in the Lewis County Clerk's Office on October 1, 1999 in Volume No. 543 and Page 344 to secure payment of a loan in the amount of \$13,534.00 administered by the Lewis County Micro-Enterprise and Micro-Loan Program; and

**WHEREAS**, G. Douglas LaMont a/k/a Gerald D. LaMont and Rhonda LaMont were granted a Consolidation Agreement to the County of Lewis Industrial Development Agency dated October 1, 1999, and recorded in the Lewis County Clerk's Office on October 1, 1999 in Volume No. 544 and Page 1 to secure payment of a loan in the amount of \$39,790.09 administered by the County of Lewis Industrial Development Agency; and

**WHEREAS**, said loan has been paid in full and a Discharge of Mortgage is now warranted.

**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 Discharge of Mortgage for the aforescribed Mortgage.

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

Moved by Legislator Lucas, seconded by Legislator  
King, and adopted.

**RESOLUTION NO. 65 - 2012**

**RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
THE CENTER OF LIFELONG EDUCATION AND RECREATION  
OF SUNY POTSDAM**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

**WHEREAS**, the Lewis County Department of Social Services wishes to enter into an Agreement with the Center of Lifelong Education and Recreation of SUNY Potsdam to provide professional workshops and training projects for the Department of Social Service employees; 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 the Center of Lifelong Education and Recreation of SUNY Potsdam to provide professional workshops and training projects for the Department of Social Service employees.

Section 2. That the term of this Agreement shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed \$7,200.00.

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

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

Moved by Legislator Hathway, seconded by Legislator Boyd,  
and adopted.

RESOLUTION NO. 66 - 2012

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND  
CORNELL UNIVERSITY COOPERATIVE EXTENSION  
OF LEWIS COUNTY**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

**WHEREAS**, the Lewis County Department of Social Services wishes to enter into an Agreement with Cornell University Cooperative Extension of Lewis County to receive rehabilitative and supportive services to families whose children have been named in an indicated child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements could be shortened through the provision of such services; and

**WHEREAS**, these services will be for the period of February 1, 2012 through January 31, 2013 for an amount not to exceed \$15,000.00; 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 Lewis County Department of Social Services, and Cornell University Cooperative Extension of Lewis County for the purpose of to receiving rehabilitative and supportive services to families whose children have been named in an indicated child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements could be shortened through the provision of such services.

Section 2. That the term of this Agreement shall be from February 1, 2012 through January 31, 2013 for an amount not to exceed \$15,000.00.

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 Hathway, seconded by Legislator Tabolt,

and adopted.

**RESOLUTION NO. 67 - 2012**

**RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
DANSER AND KNUDSEN PSYCHOLOGICAL SERVICES, P.C.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

**WHEREAS**, the Lewis County Department of Social Services wishes to enter into an Agreement with Danser and Knudsen Psychological Services, P.C., to receive psychological services to families whose children have been named in an indicated child abuse and/or maltreatment report; those who have been assessed at risk of foster care placement; or whose placements could be shortened through the provision of such services; and

**WHEREAS**, these services will be for the period of January 1, 2012 through December 31, 2012 for an amount not to exceed \$70.00 per hour for therapy; \$110.00 per hour for psychological evaluations; \$65.00 per hour for clients receiving group treatment; and \$135.00 per hour for expert court testimony.

**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 Danser and Knudsen Psychological Services, P.C. for the purpose of providing psychological services to families whose children have been named in an indicated child abuse and/or maltreatment report; those who have been assessed at risk of foster care placement; or whose placements could be shortened through the provision of such services.

Section 2. That the term of this Agreement shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed \$70.00 per hour for therapy; \$110.00 per hour for psychological evaluations; \$65.00 per hour for clients receiving group treatment; and \$135.00 per hour for expert court testimony.

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 Boyd, seconded by Legislator King,

and adopted.

RESOLUTION NO. 68 - 2012

RESOLUTION ESTABLISHING COUNTY POLICY FOR FOSTER CARE RATES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the NYS Office of Children and Family Services provides to Social Services Districts the Maximum State Aid Rates allowed for Foster Care Programs including Room and Board Rates and Clothing Allowance Rates, the County is responsible to set the rates; and

WHEREAS, the County rates have not been increased since July 1, 2008, therefore, the Lewis County Department of Social Services is requesting a small cost-of-living rate increase of Foster Care Rates for Room and Board and Clothing Grants.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an increase for the Foster Care Room and Board rate; and Clothing Grant rates as listed in the charts below to become effective commencing on February 8, 2012:

ROOM AND BOARD RATES

ACCORDING TO AGE LOD 1 = NORMAL RATE	MONTHLY RATE	DAY RATE (Current Rate)	DAY RATE Effective 2/8/2012	ALLOWANCE Effective 2/8/2012
Ages 0 – 5	\$383.70 (30 days) 396.49 (31 days)	12.79	13.79	5.50
Ages 6 – 11	448.50 (30 days) 463.45 (31 days)	14.95	15.95	11.00
Ages 12 – 21	481.20 (30 days) 497.24 (31 days)	16.04	17.04	22.00
NY AGE LOD 2=Special Rate		21.47	25.47	According to Age
ANY AGE LOD 3=EXCEPTIONAL			43.10	According to Age
PINS RESPITE		46.20	40.00	

CLOTHING GRANT

AGE	APRIL	AUGUST	DECEMBER	TOTAL/YEAR (Currently)	PER DAY (CURRENT RATE)	PER DAY Effective 2/8/2012
Age 0 – 5	119.33	119.33	119.33	358.00	.98/day	.98/day
Age 6 – 11	166.67	166.67	166.67	500.00	1.37/day	1.37/day
Age 12 – 15	236.00	236.00	236.00	708.00	1.94/day	2.18/day
Age 16+	253.00	253.00	253.00	759.00	2.08/day	2.25/day

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

Moved by Legislator Boyd, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 69 - 2012

RESOLUTION APPROVING TIP FEE SCHEDULE  
LEWIS COUNTY TRANSFER STATIONS

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following Tip Fee schedule for Lewis County Transfer Stations:

<u>Waste Class</u>	<u>Commercial Hauler Rate/ Resident Rate</u>
Residential MSW	\$76.00/ton
Commercial MSW	\$76.00/ton
C & D – Lowville	\$95.00/ton
C & D – Croghan	\$31.00/Cu. Yd.
Bag Price (33 gal.)	\$4.75
Bag Price (Small)	\$2.50
Croghan MSW	\$31.00/Cu.Yd.
Barrels	\$15.50
Loose Trash	\$76.00/ton
Compacted Trash	\$76.00/ton
Minimum Fee Over Scales	\$31.00
Tires less than 17” No Rim	\$3.25
Tires less than 17” With Rim	\$6.50
Truck 17” or Larger	\$15.50
Off Road, Tractor	\$180.00/ton
Bulk Tire Rate	\$180.00/ton
White Goods	\$7.75
Small Household Appliance	\$4.25
Scrap Metals	\$36.00/ton
Vehicle Weight Charge	\$7.25
Ag Bags	\$76.00/ton
Bed Mattresses, Large Furniture, TV’s etc.	\$7.75

Section 2. That the above Lewis County Transfer Station Tip Fee Schedule shall take effect April 1, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

Legislator Wallace made a motion to table the resolution for further discussion, seconded by Legislator King and carried.

RESOLUTION NO. 70 – 2012

RESOLUTION TO TRANSFER FUNDS  
SOLID WASTE DEPARTMENT

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste  
Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers be approved in the Solid Waste Department  
to increase the revenues for the Refuse Collection Invoices and decrease the revenues for Refuse  
and Garbage Charges :

<u>Increase Revenue</u>	
ES21302	\$540,000

<u>Decrease Revenue</u>	
ES21300	\$540,000

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

Moved by Legislator Stanford , seconded by Legislator Boyd ,  
and adopted.

RESOLUTION NO. 71 - 2012

RESOLUTION TO TRANSFER FUNDS  
STOP DWI PROGRAM

Introduced by Legislator John Boyd, Chairman of the Courts and Law  
Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer be approved in the  
STOP DWI accounts to cover the contractual amount owed to Mountain View  
Prevention Services, to administer the STOP DWI Program:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A3315.1999	A3315.4901	\$2,400.00

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

Moved by Legislator Boyd, seconded by Legislator  
Burke, and adopted.

RESOLUTION NO. 72 - 2012

RESOLUTION TO TRANSFER FUNDS  
TREASURER'S OFFICE

Introduced by Legislator William Burke, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved in the 2012 Budget for payment of a Payroll Management Guide:

<u>From:</u>	<u>Amount</u>
A1325.4901 (Prof Services)	\$700.00
<u>To:</u>	
A1325.4505 (due/subscriptions)	\$700.00

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

Moved by Legislator Lucas, seconded by Legislator  
King, and adopted.

## OTHER BUSINESS:

Legislator Stanford referenced a statement on the Black River Valley 4 Wheelers Club website about changes to trail permit fees, relating Clubs' concerns for resulting less funding. Legislator Lucas affirmed the Chamber of Commerce collects County permit fees. The change streamlines the process of verifying club membership, or otherwise opting for Tug Hill Association membership. Executive Director Anne Merrill stated membership entitles the applicant to a discounted permit rate. In response to Legislator King, Fanning and Stanford's queries about funding to clubs, Legislator Lucas asserted the clubs are part of the Association, and that funds are primarily for trail development.

The Clerk announced the Chairman's appointment of Legislator William Burke to the Agriculture and Farmland Protection Board for a 2 year term.

The clerk also announced date and time changes for Legislative Committee meetings: Transportation/Solid Waste on 2/13 at 11:00 a.m.; Taxation/Reforestation Committee on 2/14 at 8:30 a.m.; Social Services Committee on 2/15 at 10:30 a.m. and Office For Aging Committee on 2/15 at 11:30 a.m.

Legislator Wallace made a motion to enter executive session at 6:27 p.m. to discuss personnel issues and legal matters. The motion was seconded by Legislator Boyd and carried. Chairman Bush called a short recess. The session commenced at 6:37 p.m. Following the session, Legislator Stanford moved to re-enter regular session at 7:11 p.m., seconded by Legislator Fanning and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Stanford and carried.