

REGULAR MEETING
February 7, 2023

The meeting was called to order at 5:02 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present. There were 18 other persons present.

Chairman Dolhof asked Legislator Gilbert for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the January 3, 2023 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Phil Hathway
Jeffrey Nellenback
Joshua Leviker
Jessica Moser

Dated: February 7, 2023

Legislator Virkler made a motion to waive the rules, seconded by Legislator Moroughan and carried.

CLERK OF THE BOARD REPORT:

A resolution was received from St. Lawrence County opposing any alteration to New York State law that would change the mission and function of Soil and Water Districts without input from the County Board of Legislators and Supervisors, New York Farm Bureau, NYS Department of Agriculture and Markets, and the Four-Way Partnership of the Soil and Water District System that include Natural Resources Conservation Service (NRCS), New York Association of Conservation Districts (NYACD), the State Committee, and the Employee Associations.

Real Property Tax Director, Candy Akin and County Treasurer, Eric Virkler have filed an approved application for 2022 corrected tax rolls for property owners Philip, Donald, Benjamin, Jasin, Kevin Carroll, and Matthew Cooper. Weights & Measurers Director, Brian Mooney submitted the December 2022 Field Service Reports which have been placed on file. The following Departments have submitted their 2022 Annual Report: Building Codes, Buildings & Grounds, County Clerk, Emergency Management, Highway, Information Technology, Junkyards, Office For the Aging, Planning, Probation, Public Health, Purchasing, Real Property, Recreation, Forestry & Parks, Solid Waste, and Treasurer.

REPORTS OF STANDING COMMITTEES:

Legislator Chartrand as Vice-Chair of the General Services Committee moved to authorize County Attorney, Joan McNichol to move forward with completing the foreclosure process on the Lyons Falls School property, it was stayed for environmental assessment, seconded by Legislator Osborne and carried. Legislator Gilbert abstained.

Legislator Virkler stated that the Bridges Out of Poverty in Lewis County is holding an event on March 7th at the Three Willows Event Center. More information can be found on the Public Health website. It is an all-day event with lunch provided, that discusses the impact that poverty can have and is very powerful. She encouraged everyone that is able to attend.

Legislator Chartrand reported that the October Employee of the Month was Marcos Cruz, R.N. and the November Employee of the Month was Elizabeth Lawrence, R.N. The roof on the new building was completed on January 20th, which is now water-tight and the shell is enclosed. The heat was also connected that day which will allow interior work to be performed during the winter months. There was an incident with a large propane tank that was placed on disturbed earth, and it slid down an embankment but that was handled quickly with the expertise of firefighters and first responders. The final touches are being performed on the patient room on the East Wing, this allows for flexibility on the rest of the project. Like all other construction projects there are concerns with material and equipment deliveries as there are ongoing supply chain challenges. The hospital created one (1) fulltime CT Technologist and three (3) fulltime Mammography Technologist positions and abolished four (4) fulltime Radiologic Technologist positions. Supreme Court Judge, Gerald Neri, made a ruling on Friday, January 13, 2023, that NYS Public Health Law did not support mandating a vaccine on all health care workers. Mr. Cayer and other health facilities will be reaching out to HANY's to support Judge Neri's ruling.

PROJECT MANAGERS REPORT:

Mr. Jim Garito reported that the DSS building is running a couple weeks behind schedule but should still hit the finish date on the original timeline. The electrical panels are still delayed which could hold up the move but are not scheduled for April. Contractors are very aggressively working to move things along. The Highway Garage arrived but electrical panels are still an issue for completion. The building team is working on figuring out the work involved with the new entrance based on the DOT requirements.

Mr. Nick Garito reported that the Highway garage will be started on Thursday this week and should be finished in eight weeks. The Cold Storage building is having the electrical and sprinkler rough-in work done. The Wash Bay building is having the rough-in mechanicals done. The DMV/Board of Elections building trusses arrived last week and they are being set this week. The DSS interior is being finished up with floors being prepped, and ceiling grids being placed. The Maintenance Garage has the interior walls up and the exterior walls will be sided soon.

COUNTY MANAGER REPORT:

Ryan Piche reported that he is watching for state budget developments, which is the reason for tonight's late resolution. Proposed policy changes to Medicaid are not in the county's favor. Basically, Social Services administers a lot of the Medicaid programs, which means that they should be getting a apportion of the enhanced FMAP funding but instead the state wants to keep all of it. Lewis County currently pays roughly \$90,000 per week, but if the county no longer received the eFMAP funds it could go up to around \$700,000 per week. Medicaid growth is increasing far more rapidly than inflation each year. The budget and this specific piece of it will be monitored closely.

COUNTY TREASURER REPORT:

Eric Virkler reported that he attended a NYS Treasurer's Association meeting on Friday, February 3rd which discussed this being the worst state budget as in how it negatively impacts counties. The total sales tax received from 2023 was a little over \$18 million, and the first payment of 2023 is already on trend to be higher than last year. The Treasurer's annual report was distributed and if anyone has any questions, they can reach out to him. He reported that one of his initiatives for 2023 is to continue to move forward with electronic payments by using more p-card type purchases and utilizing electronic ACH payment to vendors.

REPORT OF THE FINANCE AND RULES COMMITTEE:

RESOLUTION NO. 9 - 2023
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$6,043,223.56 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 Virkler, seconded by Legislator Hathway, and adopted on the 7th day of February, 2023, pursuant to the following roll call vote:

AYES: Virkler, Chartrand, Gilbert, Osborne, Leviker, Moroughan, Nellenback, Hathway, Moser, and Dolhof.

NAYS: None

ABSENT: None

RESOLUTION NO. 10 - 2023
RESOLUTION AUTHORIZING AGREEMENT WITH TRANE U.S. INC. FOR
COURTHOUSE BUILDING AUTOMATION SYSTEM CONTROL UPGRADES

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Trane U.S. Inc. (“Trane”) with offices located at 15 Technology Place, East Syracuse, NY 13057, installed and maintains the HVAC System for the Lewis County Courthouse Building; and

WHEREAS, the current building automation controllers are antiquated and require replacement with upgraded system controls; and

WHEREAS, Trane has presented a proposal to remove and replace the (2) existing building control units, and install its Tracer SC⁺ System to modernize the control system and improve functionality, at a cost of \$29,862.00; and

WHEREAS, the Board of Legislators wishes to authorize this agreement for upgraded services and equipment;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with Trane U.S. Inc. to replace and install two (2) building control units together with its upgraded control system known as the Tracer SC⁺, with all other software and equipment for remote access and training at a cost of \$29, 862.00, for the Courthouse Building.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such terms and conditions approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 11 - 2023
RESOLUTION AUTHORIZING CHANGE ORDER NOS. 8, 9, 10 & 11 TO THE
AGREEMENT WITH BETTE & CRING FOR THE HIGHWAY GARAGE AND DSS
BUILDING RENOVATIONS UNDER THE FACILITIES IMPROVEMENT PROJECTS

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Bette & Cring was awarded the construction contracts for the Highway Garage and DSS Renovation Projects; and

WHEREAS, Bette & Cring submitted four (4) additional potential change orders (016, 024, 032 and 023) to address necessary changes in scope and revisions to both the DSS and Highway Garage Projects. The descriptions and amounts of these change orders are as follows:

DSS Bldg: CO # 08 - exterior wall framing -	\$ 93,061.00
CO # 09 - upgrade to main entrance (canopy)-	\$ 70,388.00
CO # 10 - floor moisture mitigation -	\$ 38,945.00

Highway Garage: CO # 11 - DOT approved changes -	
(new entrance)- not to exceed:	<u>\$430,244.00</u>

Total Change Orders to Bette & Cring Contract (not to exceed) \$632,638.00

WHEREAS, these PCOs have been fully reviewed and vetted by C&S and KT Consulting, who recommend the Board's approval of same in order to move forward with the projects;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves Chang Order Nos. 8, 9, 10, & 11 to the Agreement with Bette & Cring, for the new Highway Garage entrance approved by DOT, and additional exterior wall framing, main entrance upgrade for a canopy and floor moisture mitigation at the DSS building as outlined above and in accordance with the documentation submitted by the contractor, at a total cost not to exceed \$632,638.00.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Orders as amendments to the Agreement with Bette & Cring upon review and approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 12 - 2023
DETERMINATION OF SIGNIFICANCE FOR PROPOSED PURCHASE
OF REAL PROPERTY PURSUANT TO THE NEW YORK STATE
ENVIRONMENTAL QUALITY REVIEW ACT

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Resolution No. 276-2022, the County of Lewis (the "County") declared its intention to negotiate the terms of an agreement to purchase certain real property and improvements thereon (the "Proposed Agreement") owned by Mohawk, Adirondack & Northern Railroad Corporation, The Lowville & Beaver River Railroad Company, and Genesee Valley Transportation Co., Inc. (collectively, the "Railroad"), for use in connection with the County's development of a recreational trail system, including hiking and walking trails; and

WHEREAS, the property to be acquired by the County includes approximately 48 separate parcels, totaling more than 250 acres and improved with upwards of 30 miles of mostly inactive railroad lines in four (4) distinct rail corridor sections: (1) the "Carthage Line," running in a northerly direction from the Lowville to Carthage (Jefferson County); (2) the "Croghan Line" running in a northeasterly direction from Lowville to Croghan; (3) the "Village of Lowville" line, running north to south in and through the Village of Lowville; and (4) the "Village of Lyons Falls" line, running southerly from the County's multi-use trail through the Village of Lyons Falls to and part of the south side of McAlpine Street (collectively, the "Railroad Property"); and

WHEREAS, the Railroad commenced an action in U.S. District Court for the Northern District of New York in response to the County's exercise of its authority to conduct a pre-acquisition inspection connected with the Project; and

WHEREAS, following mediated settlement discussions, the County and Railroad agreed to terms set forth in a Memorandum of Understanding which states that the parties intend to convey the Railroad Property in consideration for the sum of \$2,500,000.00, and the parties are in the process of negotiating terms for the conveyance of fee title to the Railroad Property (the "Proposed Agreement"); and

WHEREAS, the County desires to comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617 (the "Regulations"), with respect to the Proposed Agreement; and

WHEREAS, on December 22, 2022, the County Board of Legislators adopted Resolution No. 332-2022 preliminarily classifying the Proposed Agreement as a Type 1 Action under SEQRA and declared its intent to serve as lead agency for purposes of conducting a coordinated review under SEQRA; and

WHEREAS, Part 1 of the Full Environmental Assessment Form was sent to all interested agencies for comment and the County received no objection to its serving as lead agency. Part 1 of the FEAF has been amended to address clarifications as noted, and the amended form has been provided to the Board for adoption; and

WHEREAS, the County held a public forum on November 9, 2022 to hear all persons interested in the Proposed Agreement.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby confirms and adopts the following conclusions as SEQRA lead agency:

1. The County hereby confirms its preliminary classification of the Proposed Agreement as a Type I Action under SEQRA (the “Action”);
2. The following impacts are expected to result from the Action, when compared against the criteria in Section 617.7 (c) of the Regulations:
 - a. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The acquisition of the rail will not result in an increase in noise, odor or lighting. The acquisition may result in brief visits by professionals and engineers evaluating the structural integrity of structures that traverse the Black River including trestles in Carthage, Lowville and other small bridges. Evaluation will not involve blasting nor the creation of odors for more than one hour a day, nor shining light onto adjacent properties. Therefore, the acquisition will not have a significant impact on noise, odor or light.

- b. There will not be large quantities of vegetation or fauna removed or destroyed as the result of the Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the Action; there will not be a significant impact upon habitat areas; there are no substantial adverse impacts on any known threatened or endangered species of animal or plant, or the habitat of such species; nor are there any other significant adverse impacts to natural resources.

Insofar as the contemplated construction of recreational trails on the Railroad Property may result in the potential removal of vegetation or fauna, such impacts will be minimal. While flora and fauna do exist on and adjacent to the railroad right of way, the acquisition of the railroad

will have no impact on any species of concerns or those listed as endangered by New York State or the Federal government and does not involve conversion of any forestland, grassland or locally important habitat and does not involve the use of herbicides or pesticides.

For those sections of rail that are overgrown with shrubs and young seedlings, the overgrowth will be removed to create a continuous path for walking and hiking. If there are any trees over the 9 dbh that need to be removed, the County will comply with all relevant guidelines, including "Protective measures for northern long eared bats when engaging in forestry practices" and the USFWS issued its Final 4(d) Rule for the NLEB based on the proximity of the tree to identified sensitive areas. Legal tree removal will occur within the federally established dates between October 1 and March 31 when bats are hibernating in caves and not in trees.

- c. There are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action.
- d. The Action will not result in the creation of a material conflict with the County's current plans or goals as officially approved or adopted. To the contrary, the Action is meant to further these goals by creating trails that may be used for recreational purposes.
- e. The Action will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The Action is anticipated to have a positive future impact on the quality of the community's aesthetic resources by enabling the County to create trails for public use. Ultimately, this is expected to result in substantial improvements to the quality of the community's aesthetic resources through the replacement of abandoned or underutilized railroad infrastructure with public recreational trails.

The acquisition of the Railroad Property will remove the designation of the railway as a public rail. However, the majority of the railway has not been used for several years for any actual rail transportation. Occasional maintenance has occurred on portions of the rail between Lowville and Carthage. Maintenance has not been witnessed between Lowville and Croghan and no rail cars have used the tracks for years, except for a one-mile tourism use of the rail line in Croghan by the Railroad Historical Society; such use the County intends to preserve and allow to continue. The only other portion of the track that is still capable of use by rail cars is located in the Village of Lyons Falls. Portions of this rail will be maintained by the Railroad company in

order to retain rail car storage on the tracks. The County will acquire easements to co-locate trails on those portions of the track that are still required for use by the Railroad. The intent of the acquisition of the rail is for public enjoyment and would only enhance nearby historical resources, not eliminate them. There will not be an increase in the use of either the quantity or type of energy resulting from the Action.

The acquisition of the rail will not require new or upgrades to a substation, require creation of energy transmission, utilize more than 2,500 megawatt (MW) hours per year of electricity, nor require heading or cooling. The acquisition of the rail should not have significant impact on energy use in the project area.

- f. There will not be any hazard created to human health.

The acquisition of the rail will not involve remediation, excavation, removal or disposal of hazardous or solid wastes. Genesee Valley Transportation Co., Inc., will be removing switches for their own retention, but this should have no significant impact on human health. The County is not aware of any contamination based upon on-line information provided by the NYS DEC. As part of its due diligence in connection with the transfer of title, the County will be performing a Phase 1 investigation.

- g. There will not be an irreversible change in the legal use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland. All existing easements related to agricultural lands shall remain in place and of record.
- h. The Action will not encourage or attract large numbers of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the Action.

Insofar as the contemplated construction of recreational trails on the Railroad Property may result in a potential increase in the number of people on the Railroad Property, such impacts will be minimal due to existing screening and the nature of the uses of land in the vicinity of the Railroad Property.

- i. The Action will not create a material demand for other Actions that would result in one of the above consequences.
- j. There will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact.

- k. There are not two or more related Actions which would have a significant impact on the environment.
3. Based upon the information and analysis above, the Action WILL NOT result in any significant adverse environmental impacts;
4. The information available concerning the Action was sufficient for the County to make its determination;
5. The County hereby approves and adopts the attached Full Environmental Assessment Form for the Action (Parts 1-as amended, 2, and 3);
6. A Determination of Non-Significance on the proposed Action is hereby issued;
7. The preparation of an environmental impact statement for the Action shall not be required;
8. This Determination of Non-Significance has been prepared in accordance with SEQRA and the County Attorney is hereby directed to file, publish and distribute a notice of this Negative Declaration pursuant to 6 NYCRR § 617.12(a)(1);

Section 2. That the Lewis County Board of Legislators hereby authorizes and directs the Chairman, Vice-Chairman or County Attorney to sign the Full Environmental Assessment Form Parts and issue the Negative Declaration as evidence of the County's determination.

Section 3. That the Lewis County Board of Legislators hereby authorizes the Chairman or Vice-Chairman of the Board to execute the Proposed Agreement and to take such further action as may be required to complete the transaction contemplated thereunder; and

Section 4. That this Resolution shall take effect immediately.

Attorney Brody reviewed the process of the SEQRA with the Board and referenced the Part 1 approval by adopting Resolution No. 332-2022 on December 22, 2022. He discussed the minor amendments to Part 1, which the Board unanimously agreed to. Brody then went through each question in Part 2 with the following answers by the Board. Question 1 – No; 2 – No; 3 – No; 4 – No; 5 – No; 6 – No; 7 – Yes, with subsection answers as no to small impact; 8 – No; 9 – No; 10 – Yes, with subsection answers as small and no to small impact; 11 – No; 12 – No; 13 – Yes, with subsection answers of no to small impact; 14 – No; 15 – No; 16 – No; 17 – no; and 18 – No. He concluded by explaining that Part 3 was covered in the above resolution.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted by on the 7th of February, 2023 pursuant to the following role call vote:

AYES: Moser, Chartrand, Gilbert, Hathway, Leviker, Moroughan, Nellenback, Osborne, Virkler, and Dolhof.

NAYS: None

ABSENT: None

RESOLUTION NO. 13 - 2023
RESOLUTION AWARDED BID AND AUTHORIZING AGREEMENT BETWEEN THE
COUNTY OF LEWIS AND NORTHERN REGIONAL CENTER FOR INDEPENDENT
LIVING TO PROVIDE PEER SERVICES UNDER THE MEDICATION-ASSISTED
TREATMENT (MAT) PLAN FOR INCARCERATED INDIVIDUALS SUFFERING FROM
SUBSTANCE ABUSE DISORDERS

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Director of Community Services sent out a Request for Proposals for qualified entities to provide services outlined in chapter 432 of the 2021 Laws of New York, which require the County to develop a medication-assisted treatment and transition services plan for incarcerated persons (IP) who suffer from substance abuse disorders as defined under the law; and

WHEREAS, bid proposals were opened on November 10, 2022 at 2:00 pm by the Clerk of the Board with the Director of Community Services, Purchasing Director and Legislator Hathway present; and

WHEREAS, all bid proposals were reviewed and analyzed by the Director of Community Services and County Manager in consultation with the Lewis County Sheriff and staff as well as the County Attorney. The Director of Community Services recommends that award for peer services be awarded to Northern Regional Center for Independent Living, Inc. (NRCIL), 5520 Jackson Street, Lowville, NY 13367 as the qualified, responsive bidder to provide peer services to qualified Ips under the MAT program, in the amount of \$41,250 for twenty (20) hours per week , for the scope of peer services set forth in the RFP;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid for peer services IPs under the MAT Program Plan developed by the Director of Community Services and County Manager, in consultation with the Lewis County Sheriff and staff pursuant to the RFP, to NRCIL, Inc. of Lowville, NY 13367, in the amount of \$41,250 for 20 hours per week of such peer services, retroactive to January 1, 2023 through December 31, 2023.

Section 2. That the Lewis County Board of Legislators hereby authorizes a contract with NRCIL for the identified, specific services outlined in the RFP for peer services pertaining to the MAT Program Plan, together with any additional terms, conditions and provisions recommended by the Director of Community Services.

Section 3. That compensation paid under this contract award is from OASAS funding provided to the Director of Community Services.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, together with execution of the Agreement(s) by the Director of Community Services and Lewis County Sheriff, upon such terms and conditions as may be recommended by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 14 - 2023
RESOLUTION AUTHORIZING ADDITIONAL ONLINE ACCESS OPTIONS UNDER
THE “IQS” PUBLIC WEB SEARCH SYSTEM IN THE COUNTY CLERK’S OFFICE

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis is currently in a contract with Info Quick Systems (“IQS”) that provides a computer system and related software to the Lewis County Clerk’s Office to perform records management, which includes hardware, software, support and maintenance; and

WHEREAS, the Lewis County Clerk’s Office currently utilizes digitized images for many public records; and

WHEREAS, the agreement with IQS includes revenue sharing for provision of record access online based upon two (2) options. One is a 6-month subscription at \$600 plus \$.65 per printed page fee; the second option is a \$15 all day access plus \$.65 per printed page. IQS pays over to the County Clerk 40% of all fees for online access; and

WHEREAS, the County Clerk seeks to expand the online access to include two additional options: an option for a monthly subscription of \$125, plus \$.65 per printed page fee; and an option to pay a flat fee of \$5 per document viewed, inclusive of printing the document. This flat fee option would have the user sign in as guest; and

WHEREAS, upon recommendation of and request by the County Clerk, the Board of Legislators wishes to accept said amendments to the online access and revenue sharing contract;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the additional online access options of: an option for a monthly subscription of \$125, plus \$.65 per printed page; and an option to pay a flat fee of \$5 per document viewed, inclusive of printing the document. IQS will continue to pay over to the Lewis County Clerk on a periodic basis 40% of all fees received from all options under the online access system.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver any amendment which may be required to give effect to this change, upon such form as may be approved by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 15 - 2023
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY HIGHWAY DEPARTMENT, LEWIS COUNTY SOLID WASTE
DEPARTMENT, LEWIS COUNTY RECREATION, FORESTRY AND PARKS
DEPARTMENT, AND LEWIS COUNTY BUILDINGS AND GROUNDS DEPARTMENT
WITH LEWIS COUNTY GENERAL HOSPITAL OCCUPATIONAL MEDICINE

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Highway Department, Lewis County Solid Waste Department, Lewis County Recreation, Forestry and Parks Department and Lewis County Buildings and Grounds Department wish to enter into Agreements with Lewis County Health System Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Agreements between the Lewis County Highway Department, Lewis County Solid Waste Department, Lewis County Recreation, Forestry and Parks Department and Lewis County Buildings and Grounds Department with Lewis County General Hospital Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same.

Section 2. That this is for the term beginning January 1, 2023 and ending December 31, 2023 for the Company/Consortium Pricing Package at a rate of \$150.00 per employee, a 36% increase from 2022. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$110.00; Breath Alcohol Test – \$25.00; Breath Alcohol Confirmation Test – \$25.00; Onsite Testing – \$50.00 and after hours testing - \$200.00.

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

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 16 - 2023
RESOLUTION TO APPROPRIATE FUNDS

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation take place to provide additional funds needed for increased expenses due to the high cost of fuel requiring a higher contract payment to towns for snow and ice agreements:

Transfer from:

DO 005990 Fund balance	\$ 18,000.00
------------------------	--------------

Transfer to:

DO 514200 490120 CR Snow and Ice	\$ 18,000.00
----------------------------------	--------------

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 17 - 2023
RESOLUTION AUTHORIZING JUST COMPENSATION
FOR ACQUISITION OF EASEMENTS IN THE RIGHT-OF-WAY
FOR BRIDGE REPLACEMENT PROJECT- (PIN 7753.94)
(CR 21 OVER GULF STREAM – BIN 10239780)

Introduced by Legislator Ian Gilbert, Chair of General Services Committee.

WHEREAS, the County authorized the bridge repair and replacement project known as the “CR 21 over Gulf Stream” in the Town of Pinckney, referred to as PIN# 7753.95, BIN 10239780 with Federal and State funding; and

WHEREAS, the replacement of the bridge requires acquisition of easements from landowners adjacent to the Bridge over the Gulf Stream in order for the Highway Department to have right-of-way access; a permanent easement to 1,368 +/- square feet of real property (of which 319 +/- sq. ft. is underwater) of a portion of the lands owned by Paul King and known as tax map no. 171.04-01-07.0, on CR 21 adjacent to the Bridge over Gulf Stream, in order for the County Highway Department to have right-of-way access; and

WHEREAS, the bridge repair right-of-way consultant, RK Hite & Co, Inc., has identified, reviewed and appraised two (2) adjacent parcels which require a portion of same to provide either a temporary or permanent easement for access to the Right-of-Way. The parcels, type of easement, and compensation for same are as follows:

Parcel # & Owner	Easement Type/Description	Compensation
171.04-01-07.0 - King	Permanent – to 1,368sq ft (319 sq ft being underwater) adjacent to the bridge	\$2,000.00
171.04-02-11.0 - Wasser	Temporary 2 yrs – to 5,303 sq ft (684 sq ft being underwater) adjacent to the bridge	\$200.00 for 2 yrs

WHEREAS, in recommending that Lewis County acquire these easements in the right-of-way for this bridge, and pay the compensation as set forth above, the County has considered the Federal Highway Administration and NYS DOT guidelines for right-of-way acquisitions; and

WHEREAS, the Superintendent of Highways requests that the Board of Legislators authorize the acquisition of the above identified easements of a portion of the parcels of land from the owners named, their successors or assigns, at the amounts set forth;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby establishes and authorizes the payment of \$2,000 for the permanent easement and \$200.00 for the temporary easement to the landowners of the identified parcels named above in the Town of Pinckney for the portions of land for the County's right-of-way rights adjacent to the bridge known as "CR 21 over Gulf Stream" in the Town of Pinckney, referred to as PIN# 7753.95, and as depicted on the maps drawn for each easement.

Section 2. The Lewis County Board of Legislators authorizes the permanent and temporary easement acquisitions, with the compensation for same to be charged against Bridge Project PIN #7753.95.

Section 3. That the Chairman of the Board, or Vice-Chairman in his absence, be and is hereby authorized and directed to execute all necessary agreements and documents in connection with acquiring these easements from the identified property owners, as approved as to form by the County Attorney.

Section 4. That the Superintendent of Highways is authorized to execute the acquisition map required for filing of the easements, upon review by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 18 - 2023
RESOLUTION TO TRANSFER FUNDS
County Highway Department

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2023 budget transfer take place in the Highway Department Accounts for the lease payments on the Enterprise Vehicles, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

<u>Increase Revenue:</u>	
DM513000 350310	\$130,000.00

<u>Increase Expenditure:</u>	
DM513000 223400	\$130,000.00

Section 2. That the following 2023 budget transfer take place in the Highway Department Accounts for the various annual lease payments, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

<u>Increase Revenue:</u>	
DM513000 350310	\$442,000.00

<u>Increase Expenditure:</u>	
DM513000 223300	\$442,000.00

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 19 – 2023
RESOLUTION OPPOSING GOVERNOR HOCHUL'S
PROPOSED BAN ON FOSSIL FUEL HEATING EQUIPMENT
IN RESIDENTIAL AND COMMERCIAL BUILDINGS

Introduced by Legislator Philip Hathway, Vice-Chair of the Finance & Rules Committee.

WHEREAS, in her State of the State speech, Governor Hochul called for the state Legislature to phase out the sale of fossil fuel heating equipment and appliances (including gas stoves) in new residential and commercial buildings by 2025 and 2030 respectively; and to ban the sale of fossil fuel heating equipment in existing residential and commercial buildings by 2030 and 2035 respectively as a way to continue to fight greenhouse gas output and climate change; and

WHEREAS, gas appliances, including cooking stoves, leak both methane and nitrogen oxides which are of concerns not only for the environment but also for health of those using these appliances; and

WHEREAS, while the Governor's proposed ban is intended to help address climate change, it is evident that a full, outright government ban of such appliances will only serve to place additional burdens on our residents, businesses and manufacturing facilities; and

WHEREAS, these proposed regulations demonstrate, once again, Albany's short-sightedness and inability to understand the effects of such state-wide policies upon small, rural communities in upstate New York. Just some of the effects that these proposals ignore are:

- the cost to convert a residential house to electric will result in between \$20,000 - \$50,000, (without considering the cost of a backup system in the event of power outages – a common occurrence in upstate New York);
- gas heating and cooking systems are better suited for the harsh winter weather and storms which frequently occur in upstate New York, and leave thousands of residents with the ability to safely cook and have hot water during the numerous days needed to restore electricity;
- the Climate Action Council itself recognizes that these one-size-fit-all proposals will cost residents in colder climates to incur more financial costs, as they will need two heating sources with this ban. Mandating the purchase of electrical appliances places increased costs on families who cannot afford them;
- the health dangers associated with gas appliances can be remedied with attention to ventilation;
- the older, single homes in upstate New York will require considerable, costly electrical upgrades to accommodate the increased demand from these required electric appliances;
- the costs to and for new construction builders will adversely affect either

their ability to keep employees, or cause them to pass on these increased costs to the prospective homeowner; and

WHEREAS, a ban on gas appliances and water heaters will cause many residents and businesses to move out of state and contribute to the increased accelerated population loss many counties are already experiencing because of the high costs of living in New York; and

WHEREAS, Lewis County has been at the forefront of taking reasonable, considered and measured steps to reduce its carbon footprint by years of investing in green initiatives which are tailored to and make sense for its residents and local environment; and

WHEREAS, the Governor's ban, while intended to help address climate change, will only serve to be another burden on our region's residents and increase the costs to our businesses who struggle to meet all of the mandates imposed by the leaders in Albany. The President of the United States has expressed opposition to any prohibition against the use of gas appliances; and

WHEREAS, mandating the purchase of electrical appliances is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth; and

WHEREAS, the ban on fossil-fuel powered heating equipment and appliances will cause severe hardship on the residents and businesses within Lewis County and the North Country;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators vehemently opposes the Governor's proposed all-out ban on gas heating systems and appliances as not feasible, too broad, and counter-productive for Lewis County residents and upstate New York communities in general.

Section 2. That the Lewis County Board of Legislators declares that New York is not a "one-size fits all" environment; and strongly urges the Governor and New York State Legislature to examine the real life impacts and financial realities these proposed broad bans will have on the residents in rural communities such as Lewis County, who are least able to afford the drastic costs these proposals will have on them and the businesses operated therein.

Section 3. That the Lewis County Board of Legislators calls upon the New York State Senate and Assembly to oppose any such broad-based legislation to eliminate and/or phase out the sale of fossil fuel heating and cooking equipment and appliances, and urges instead, that the State Legislative bodies cautiously measure

their steps and actions when considering drastic prohibitions on the residents and businesses in New York while balancing the interests in preserving our environment and natural resources with the demands and needs of its citizens.

Section 4. That this Resolution shall take effect immediately.

Section 5. That the Clerk of the Board is directed to forward certified copies of this resolution to Governor Hochul, Senator Mark Walczyk, Assemblyperson Kenneth Blankenbush, the Majority and Minority leaders of the State Senate and Assembly, New York State Association of Counties, and any other party deemed necessary and proper.

Moved by Legislator Hathway, seconded by Legislator Nellenback.

Legislator Hathway thanked the Clerk of the Board, Cassandra Moser and County Attorney, Joan McNichol for coming up with the resolution based on his thoughts.

The Resolution was then adopted on the 7th day of February 2023.

RESOLUTION NO. 20 - 2023
RESOLUTION TO ACCEPT GRANT AND APPROPRIATE FUNDS FOR
COUNTY-WIDE SHARED I.T. SERVICES INITIATIVE PROJECT

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to prior submissions for shared services through NYS grant funds, an application for a County-Wide Shared I.T. Services Initiative Project was submitted to NYS by the Planning Director; and

WHEREAS, these funds will be used to coordinate digital codification of all interested municipalities' local laws, building codes, and zoning regulations online for ease of access for residents and developers. Using the County's new website platform, the County will be able to utilize these funds to host up to 25 municipal sub-sites, and provide secure and reliable emails for officials; and

WHEREAS, the Planning Department received notification of the grant award in the amount of \$499,668.00 and requests approval to accept same and provide for the budget appropriation;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby accepts the grant award, authorizes an agreement between the County of Lewis, by and through the Planning Department and New York State, and appropriates the funds for this shared service I.T. project.

Section 2. That the following budget appropriations be approved in the Planning Department to accept the specified NYS grants funds and authorize the revenue and expenditure amounts for this program, i.e., County-Wide Shared Services Initiative Project Implementation Grant:

Increase Revenue:

A0802000 327072 NYS Shared Services grant 2023	\$499,668.00
--	--------------

Decrease Expenditure:

A0802000 495500 Planning Projects	\$ 49,967.00
-----------------------------------	--------------

Increase Expenditure:

A0802000 495300 2023 NYS Shared Services	\$549,635.00
--	--------------

Section 3. That the Chair or Vice-Chair 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 Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 21 - 2023
RESOLUTION TO ACCEPT GRANT AND APPROPRIATE FUNDS FOR SMART GROWTH COMMUNITY PLANNING AND ZONING

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to Resolution No.158-2022 the Lewis County Board of Legislators authorized an application and agreement (if awarded) for a Smart Growth Community Planning and Zoning Grant to update zoning regulations on behalf of the Town of Watson; and

WHEREAS, this grant requires a commitment of a 10% match from the County and Town, not to exceed \$10,000.00 with the County's portion provided by the Planning and Community Development Department through its Community Development line item; and

WHEREAS the Planning Department has been awarded the grant and requests the budget appropriations for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators approves the following budget appropriations in the Planning Department to accept the specified NYS grant funds and authorize the revenue and expense amounts for this program, i.e., Smart Growth Community Planning and Zoning Grant:

Increase Revenue:

A0802000 339014 Smart Growth 2023 Community Planning	\$90,000.00
--	-------------

Decrease Expenditure:

A0802000 495500 Planning Projects	\$ 10,000.00
-----------------------------------	--------------

Increase Expenditure:

A0802000 495700 Smart Growth Expenditure 2023 Grant	\$100,000.00
---	--------------

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said agreement, pending approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 22 - 2023
RESOLUTION TO SET A PUBLIC HEARING WITH REFERENCE TO
INCLUSION OF AGRICULTURALLY VIABLE LAND INTO THE CERTIFIED
AGRICULTURAL DISTRICT # 6

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Board of Legislators, in accordance with § 303-b of the Agricultural and Markets Law, designated November 15 to December 15 as the annual thirty (30) day review period in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District; and

WHEREAS, the Lewis County Planning Department received one (1) application for inclusion of properties into Agricultural District # 6. This parcel is located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC, (approximately 2.3 acres); and

WHEREAS, the Planning Department duly forwarded the application to the Lewis County Agricultural and Farmland Protection Board, who is verifying that the parcel proposed is “viable agricultural land,” and will meet the eligibility requirements for inclusion into a Certified Agricultural District and, once approved by the Agricultural and Farmland Protection Board, will thereafter report to the Lewis County Board of Legislators with a recommendation for or against inclusion; and

WHEREAS, in accordance with § 303-b of the Laws of 2003 amending NYS Agricultural and Markets Law, the Lewis County Board of Legislators seeks to set the public hearing to consider this request;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby sets a public hearing to be held on March 7, 2023 at 5:00 p.m. for the purpose of receiving public comment to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board, for inclusion of the parcel located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC, (approximately 2.3 acres).

Section 2. That the hearing will be held at the Board’s regular meeting at the Courthouse Building, 7660 N. State Street, Lowville, NY 13367, Second Fl. Legislative Chamber, on Tuesday, March 7, 2023 at 5:00 p.m. Written comments received via email, mail or hand delivery on or before Monday, March 6, 2023 by 4:00 p.m. to the Clerk of the Board at cassandramoser@lewiscounty.ny.gov or at 7660

North State Street, Lowville, NY 13367 will be read into the record prior to any action by the Board.

Section 3. 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 Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 23 - 2023
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE PROBATION DEPARTMENT AND
BERKSHIRE FARM CENTER & SERVICES FOR YOUTH

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Berkshire Farm Center and Services for Youth (“Agency”) is a non-secure detention center authorized by the New York State Office of Children and Family Services to provide non-secure detention services; and

WHEREAS, the Lewis County Probation Department wishes to enter into an agreement with this Agency to utilize their services for a non-secure detention center, when required by Probation;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Probation Department, and Berkshire Farm Center and Services for Youth for the provision of non-secure detention services when required.

Section 2. That the term of this agreement shall be from January 1, 2023 through December 31, 2023 at a per diem rate for an unreserved bed of \$545.00.

Section 3. That the Chair or Vice-Chair 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 Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

**RESOLUTION NO. 24 - 2023
 RESOLUTION AUTHORIZING AGREEMENT
 BETWEEN DEPARTMENT OF PROBATION AND
 RUBENZAHL, KNUDSEN & ASSOCIATES PSYCHOLOGICAL SERVICES, P.C.**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Probation Department (“LCPD”) wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Probation Department and Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals, and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required.

Section 2. That the term of this agreement shall be January 1, 2023 through December 31, 2023 at the following fee rates:

SEX OFFENDER ASSESSMENT AND THERAPY	PSYCHOLOGICAL SERVICES FOR JUVENILE DELINQUENTS
\$75.00 per session for group therapy	\$100.00 per hour for therapy
\$120.00 per hour for individual therapy	\$125.00 per hour for psychological evaluations
\$140.00 per hour sex offender evaluation	\$75.00 per hour for clients receiving group treatment
	\$175.00 per hour for expert court testimony
	\$90.00 per session, to include RKPS presence at monthly clinical treatment team meeting if applicable

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

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 25 - 2023
RESOLUTION AWARDDING BID AND AUTHORIZING AGREEMENT BETWEEN THE
COUNTY OF LEWIS AND GYMO ARCHITECTURAL, ENGINEERING, & LAND
SUVEYING DPC FOR THE
PSB PARKING LOT RENOVATION PROJECT

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Director of Buildings and Grounds sent out a Request for Proposals to qualified companies for design and construction administration services in the repair and renovation of the PSB parking lot, as more fully described in the RFP; and

WHEREAS, bid proposals were returnable on December 8, 2022 at 2:00 pm, at which time they were opened with the Purchasing Director, Deputy Clerk of the Board, County Attorney and Director of Buildings and Grounds present; and

WHEREAS, the two (2) bids received were reviewed and analyzed by the Director of Buildings & Grounds in consultation with the County Manager, with the Director recommending that the bid be awarded to GYMO, 18969 US Rte 11, Watertown, NY 13601, as the qualified, responsive low bidder in the amount of \$74,400.00 for design and construction administration professional services as more fully set forth in the bid proposal dated December 8, 2022;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid for parking lot renovation and improvements at the PSB pursuant to the RFP, to the qualified low bidder, GYMO, of Watertown, NY 13601 in the amount of \$74,400.00 (Concept Development- \$16,200; Geotechnical Allowance - \$7,500; Design - \$31,000; Bidding - \$6,000; and Construction Administration - \$13,700).

Section 2. That the Lewis County Board of Legislators hereby authorizes a contract to be entered into with GYMO, for the identified professional services in each listed phase in accordance with the specifications, conditions, start and completion dates set forth in the RFP.

Section 3. That the Chairman, or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 26 - 2023
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY
DEPARTMENT OF SOCIAL SERVICES
AND LEWIS COUNTY OPPORTUNITIES, INC.
UNDER NY SAFE HARBOUR PROJECT

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Safe Harbour for Exploited Children Act of 2008 provides protections for children who are victims of commercial sexual exploitation and provides for the ability to access specialized services; and

WHEREAS, the New York State Office of Children and Family Services implemented the Safe Harbour: NY Project. This program supports counties in developing their capacity to identify youth who have been trafficked, sexually exploited, or are at risk of victimization and to meet identified service needs of these youth by providing the County with state funds to provide appropriate services under the program. 2023 will be year four (4) of Safe Harbour funding from NYSOFC with LCDSS to administrate; and

WHEREAS, Lewis County Opportunities, Inc, (“LCOI”) is a well established not-for-profit agency licensed or otherwise authorized by the New York State Department of Social Services to provide domestic violence services. They have a long-standing history of working with victims of abuse, including trafficked and sexually exploited children and youth in Lewis County and have the ability to provide the services under the Safe Harbour Project; and

WHEREAS, the County of Lewis, by and through the Lewis County Department of Social Services desires to enter into an agreement with LCOI to provide intensive case planning to meet the needs of sexually exploited youth related to child trafficking and exploitation in Lewis County; to provide safe long and short term housing, including the use of respite when appropriate; to provide guidance and oversight to programs that respond to trafficked and exploited youth; to promote community awareness on exploited and trafficked children, all as outlined in the Safe Harbour: NY Project, at a cost of \$31,350.00; and

WHEREAS, the Board of Legislators wishes to enter into this Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Department of Social Services Lewis County Opportunities, Inc. to provide the described identified support and outreach services under the Safe Harbour: NY Project program.

Section 2. That this agreement is for the period beginning January 1, 2023 and ending December 31, 2023. The funds are provided by New York State Office of Children and Family Services to Lewis County Department of Social Services under the Safe Harbour: NY Project. The agreement shall provide for LCDSS to compensate Lewis County Opportunities, Inc. for the sum of \$31,350.00 for the services outlined in the Safe Harbour budget from NYSOCFS.

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

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 27 - 2023
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES AND
WITH COMMUNITY ACTION PLANNING COUNCIL
OF JEFFERSON COUNTY, INC.

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Commissioner of Social Services of Lewis County is an authorized Social Services official responsible and designated by the New York State Office of Children and Family Services, insofar as funds are available for that purpose, to register and inspect family day care and school aged child care providers in Lewis County; and

WHEREAS, the Community Action Planning Council of Jefferson County, Inc. ("CAPC") is qualified by its present established base in the community and is disposed to fulfill the required responsibilities of the Local Commissioner in fulfilling the obligation to inspect and register daycare providers. The Commissioner of Lewis County Department of Social Services ("DSS") desires to enter into an Agreement with CAPC to provide such services; and

WHEREAS, the Board of Legislators wishes to authorize said agreements;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes Agreements between the County of Lewis, by and through the Department of Social Services with:

A. New York State Office of Children and Family Services for the purpose of providing federal funding to the Lewis County Department of Social Services in the amount of \$8,400.00 quarterly (Maximum Funding Amount of \$33,600.00), for an acceptable level of compliance and performance as specified by the Division of Child Care Services for registration and inspection of child care providers.

and

B. Community Action Planning Council of Jefferson County, Inc. for the purpose of conducting registration and inspection of family day care and school aged child care providers in Lewis County, at an annual cost not to exceed \$31,920.00, payable in quarterly installments of \$7,980.00 upon receipt of a completed Quarterly Registration Review Report from the DCCS Regional Office.

Section 2. That the term of these Agreements shall be from January 1, 2023 through December 31, 2023. The cost of these services are 100% federally funded.

Section 3. That the Lewis County Commissioner of Social Services is hereby authorized to make, execute, seal and deliver the New York State Office of Children and Family Services agreement and any extensions thereto, pending review and approval by the County Attorney.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver the Community Action Planning Council of Jefferson County, Inc. Agreement, and any extensions thereto provided the amount remains the same, pending approval by the County Attorney.

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 28 - 2023
RESOLUTION TO CLOSE ACCOUNTS

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Capital Radio System and Bridge Project known as Highmarket Road over Sugar River Bridge are completed and will have no further activity. The Treasurer seeks to close these identified accounts and appropriate the funds;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the listed Capital Accounts HA (Radio System) and HAO (Highmarket Rd over Sugar River Bridge) below be closed and all funds be appropriated.

HA – Radio System

Increase Revenue:

H0302000 324010 LOCAL	\$	3.19
-----------------------	----	------

Increase Expenditure:

H0990100 499900 Cty Shr	\$	3.19
-------------------------	----	------

HAO – Highmarket Rd over Sugar River

Decrease Revenue:

H0512000 335910 NYS	\$	45,681.78
---------------------	----	-----------

H0512000 345970 FEDERAL		245,107.95
-------------------------	--	------------

H0512000 350310 CTY SHR		15,233.79
-------------------------	--	-----------

Decrease Expense:

H0512000 499900 CONTRACT	\$	306,023.52
--------------------------	----	------------

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 29 - 2023
RESOLUTION APPROVING AND RATIFYING
THE FINAL COLLECTIVE BARGAINING AGREEMENT BETWEEN LEWIS COUNTY
HEALTH SYSTEM (HOSPITAL) AND LOCAL 825 OF THE CIVIL SERVICE
EMPLOYEES ASSOCIATION, INC.
[HOSPITAL EMPLOYEES]

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee and Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to General Municipal Law § 128, the Board of Managers (“BOM”) for the Lewis County Health System (“Hospital or LCHS”) is responsible for “the general superintendence, management and control of the said hospital and . . .of all matters relating to the government, discipline, contracts and fiscal concerns thereof, . . .”; and

WHEREAS, the existing collective bargaining agreement (“CBA”) between Lewis County Health System and Local 825 of the Civil Service Employee’s Association, Hospital Employees Unit (“CSEA”) expired on December 31, 2021; and

WHEREAS, the negotiating teams representing LCHS and CSEA developed a Tentative Agreement dated October 6, 2022 which set forth the changes to terms and provisions of the collective bargaining agreement to be effective for the period beginning January 1, 2022 and expiring on December 31, 2024; and

WHEREAS, the CSEA unit membership voted in favor of the tentative agreement; and

WHEREAS, the LCHS Board of Managers approved and authorized the tentative agreement on October 18, 2022, and now seek to have the Lewis County Board of Legislators ratify and approve the Final Collective Bargaining Agreement which incorporates the terms and conditions reached under the tentative agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby ratifies and approves the Collective Bargaining Agreement, in its final form, approved and authorized by the LCHS BOM and the CSEA Hospital Unit and its membership, based upon the Tentative Agreement reached on October 6, 2022.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute the Final CBA, and directs that the Clerk of the Board receive a fully executed copy of the Final document together with a copy of the Tentative Agreement and the Hospital Board of Manager’s resolution or minutes authorizing and approving the Tentative Agreement.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted on the 7th day of February, 2023.

RESOLUTION NO. 30 - 2023
**RESOLUTION CALLING ON THE STATE OF NEW YORK TO CONTINUE PASS-
THRU FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID
ASSISTANCE PERCENTAGE FUNDS**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, the SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and New York City; and

WHEREAS, the State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included; and

WHEREAS, the early estimate of this proposed cost-burden shift to Lewis County's 2023 budget is an additional \$700,000.00; and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS, it is the County's strong view that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match; and

WHEREAS, enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion.; and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties. The savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program. Through February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC; and

WHEREAS, counties strongly disagree with the need to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule by depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators joins the New York State Association of Counties (NYSAC) and calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years.

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

Section 3. That the Clerk of the Board is directed to forward copies of this resolution to the Governor of the State of New York, the New York State Legislative majority and minority leaders, the New York State Congressional Delegation, and all others deemed necessary and proper.

Moved by Legislator Virkler, seconded by Legislator Moroughan, and adopted on the 7th day of February, 2023.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 5:52 p.m., seconded by Legislator Osborne and carried.