February 28, 2020

TO: Media

FROM: Cassandra Moser, Clerk of the Board

The Lewis County Board of Legislators will meet on Tuesday, March 3, 2020 at 5:00 p.m. in the Legislative board room at the Court House in Lowville, NY 13367. Attached are proposed resolutions and Local Law (Intro. No. 3-2020) “A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS”, and a resolution to set a public hearing for April 7, 2020.

The ICC Center for Community Studies will present their 2019 Lewis County Survey results beginning at 4:00 p.m. prior to the Board meeting.

*******************************************************************************

Lewis County is an equal opportunity provider and employer. Complaints of discrimination should be made known to
The Lewis County Board of Legislators
RESOLUTION NO. 51 – 2020

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator Thomas Osborne, Member of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of $989,629.79 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 ________________, seconded by Legislator ________________, and adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:
LOCAL LAW (INTRODUCTORY NO. 3- 2020)
COUNTY OF LEWIS

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

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

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

SECTION 1. Commencing and retroactive to January 1, 2020, the Compensation Plan of
the County of Lewis shall be amended to provide the following salary for the following County
employee appointed to a fixed term of office who is in the middle of his term;

County Manager $ 100,284.00

SECTION 2. Commencing and retroactive to January 22, 2020, the Compensation Plan
of the County of Lewis shall be amended to provide the following salary for the following County
employee appointed to a fixed term of office who is in the middle of her term;

Director of Human Resources/Personnel Officer $ 83,000.00

SECTION 3. This Local Law is subject to a permissive referendum and shall take effect
45 days after the adoption hereof and all legal requirements having been met.
RESOLUTION NO. 52 - 2020

FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 3 - 2020), COUNTY OF LEWIS

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 3, 2020, a proposed Local Law entitled “A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS.”

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on April 7, 2020, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators, on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

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

Moved by Legislator ________________, seconded by Legislator ________________,
and adopted.
RESOLUTION NO. 53 - 2020

RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 – 2020, COUNTY OF LEWIS

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on February 4, 2020, directing that a public hearing be held by said Board on March 3, 2020 from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled “LOCAL LAW AMENDING LOCAL LAW 9-2019 PROVIDING FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS 65 YEARS OF AGE OR OVER”; and

WHEREAS, notice of said public hearing was duly advertised in the Watertown Daily Times, the official newspaper designated by the County, on February 26, 2020, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1–2020), County of Lewis, being “LOCAL LAW AMENDING LOCAL LAW 9-2019 PROVIDING FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS 65 YEARS OF AGE OR OVER” be and the same hereby is designated as Local Law No. 2-2020, County of Lewis.

Section 2. That Local Law No. 2-2020, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

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

YEAS:

NAYS:

ABSENT:
RESOLUTION NO. 54 - 2020

RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2020, COUNTY OF LEWIS

Introduced by Legislator Jerry King, Chairman of the General Services Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on February 4, 2020, directing that a public hearing be held by said Board on March 3, 2020 from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY”; and

WHEREAS, notice of said public hearing was duly advertised in the Watertown Daily Times, the official newspaper designated by the County, on February 26, 2020, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 2–2020), County of Lewis, being “A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY” be and the same hereby is designated as Local Law No. 3-2020, County of Lewis.

Section 2. That Local Law No. 3-2020, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

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

YEAS:

NAYS:

ABSENT:
RESOLUTION NO. 55 - 2020

RESOLUTION AUTHORIZING INTER-MUNICIPAL AGREEMENT BETWEEN THE COUNTY OF LEWIS AND THE TOWN OF OSCEOLA TO ADMINISTER AND ENFORCE RECREATIONAL CAMPING VEHICLE LAW

Introduced by Legislator Jerry King, Chairman of the General Services Committee.

WHEREAS, the Town of Osceola has enacted a local law No. 1-2016, known as the "Recreational Camping Vehicle Law of the Town of Osceola, New York"; and

WHEREAS, General Municipal Law § 119-u [4](d) and in particular, Town Law § 284 [4](d) and Village Law § 7-741 [4](d), authorize a Town or Village to enter into an inter-municipal agreement with a county to carry out all or a portion of the ministerial functions related to land use regulation within such Town or Village and to provide for a land use administration and enforcement program which may replace individual land use administration and enforcement programs, if any, the terms and conditions of which shall be set forth in such agreement; and

WHEREAS, the County of Lewis wishes to promote inter-governmental cooperation to the extent of offering to participating Towns and Villages the opportunity to have the Lewis County Codes Department perform certain ministerial functions related to the approval of site placement and regulations of use within such participating Towns and Villages; and

WHEREAS, the Town of Osceola wishes to have the Lewis County Codes Department administer and enforce its recreational camping vehicle local law pursuant to an inter-municipal agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Inter-Municipal Agreement between the County of Lewis and the Town of Osceola for the Lewis County Codes Department to be designated as the Town’s Enforcement Officer to administer and enforce the Town’s Local Law No. 1-2016 known as the “Recreational Camping Vehicle Law.”

Section 2. That this is for the term commencing January 1, 2020, through December 31, 2020 and shall automatically renew for additional one year terms unless either party notifies the other in writing of their intent to terminate the Agreement.

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

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

Moved by Legislator ____________, seconded by Legislator ____________, and adopted.
RESOLUTION NO. 56 - 2020

RESOLUTION TO APPROPRIATE FUNDS
Building and Grounds

Introduced by Legislator Jerry King, Chairman of the General Services Committee

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget change be approved in the Building and Grounds Department for the purchase of a Bobcat Snowblower and bucket ($33,191.62) and a Ferris lawnmower ($10,699.00) - funds will be transferred from Project HAD Capital Equipment H0990100 499900, balance $783,400.00:

Increase Revenue:
A0100000 350310 Interfund transfers $43,890.62

Increase Expense:
A0162200 460500 New CH Equip $33,191.62

A0162100 460500 Stowe St Equip $10,699.00

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

Moved by Legislator __________________, seconded by Legislator __________________, and adopted.
RESOLUTION NO. 57 - 2020

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
THE LOWVILLE VOLUNTEER FIRE DEPARTMENT

Introduced by Legislator Jerry King, Chairman of the General Services Committee.

WHEREAS, the Lowville Volunteer Fire Department wishes to enter into a Training and Services Agreement with the County of Lewis for the purpose of providing annual training for county staff and county buildings which will include semi-annual inspection of all fire systems, access points, and system entry maps to verify conditions and revise and/or update as necessary; conduct active training exercises for various scenarios involving possible emergencies; appoint a member to the safety committee and meet quarterly; and participate in annual meetings to review and update the Training and Services Agreement; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with the Lowville Volunteer Fire Department to provide annual training services for county staff and county buildings at a cost of $2,000.00, for the period of January 1, 2020 through December 31, 2020.

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

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. _58_ - 2020

RESOLUTION TO APPROPRIATE FUNDS
Community Services

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Community Services accounts for funds received through Federal Sharing (A0 063105) for the purchase of office equipment and professional services fees:

Increase Revenue:
A0433500 344901 CS Fed Salary Sharing $4,597.46

Increase Expense:
A0433500 430100 Phone $ 216.73
A0433500 490100 Prof Serv $4,380.73

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 59 - 2020

RESOLUTION AUTHORIZING FEE FOR
REQUIRED CONVEYANCE NOTICES
BY THE LEWIS COUNTY CLERK'S OFFICE

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, the NYS Legislature recently passed a law amending Real Property Law § 291 to require that the County Clerk mail a written notice to the owner of record of a conveyance recorded in the Clerk’s office; and

WHEREAS, the law states that the clerk of the county is entitled to charge a reasonable fee to cover the cost of this additional notice and mailing; and

WHEREAS, in order to keep the fee charged consistent across the state, the New York State Association of County Clerks recommend that the reasonable fee be charged at $10.00 for the notice for each recording of a conveyance;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes the Lewis County Clerk to charge the party seeking to record such conveyance a fee of $10.00 to cover the cost of mailing a notice of such conveyance.

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

Moved by Legislator ______________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 60 - 2020

RESOLUTION TO DESIGNATE NATIONWIDE MUTUAL INSURANCE COMPANY AS ADMINISTRATOR AND TRUSTEE OF THE LEWIS COUNTY 401(a) RETIREMENT PLAN

Introduced by Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, by Resolution No. 159-2018, the Board of Legislators established a Lewis County 401(a) retirement plan, designated as plan number 003, for the Chief Executive Officer of the Lewis County General Hospital, which was administered through MassMutual; and

WHEREAS, by Resolution No. 385-2019, the Board of Legislators for the County of Lewis awarded and adopted the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the State Plan), for voluntary participation of all eligible Lewis County public employees, to be administered by New York State; thereby terminating the retirement plan services of MassMutual for both the voluntary employee plan and the qualified 401(a) plan; and

WHEREAS, the Lewis County 401(a) plan (plan number 003), a qualified retirement plan, requires a separate Resolution to designate Nationwide Mutual Insurance Company as the administrator and trustee of the Plan;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and names Nationwide Mutual Insurance Company, a deferred compensation insurance provider for the State of New York, to take over administration of the Lewis County 401(a) Retirement Plan, Plan Number 003 for the LCGH CEO, and designates Nationwide Mutual Insurance Company for trustee services, if required under the plan.

Section 2. That the Lewis County Board of Legislators directs that any fees and expenses for this Plan administration change and designation be paid by the Board of Managers of the Lewis County General Hospital.

Section 3. That the Chairman or Vice-Chairman of the Lewis County Board of Legislators is hereby authorized and directed to take such actions and execute all such agreements and documents as are required or necessary for the adoption, transfer, implementation, and maintenance of this Qualified Retirement Plan to be administered by Nationwide Mutual Insurance Company.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator _________________, seconded by Legislator _________________, and adopted.
RESOLUTION NO. 61 - 2020

RESOLUTION APPOINTING SUCCESSOR TRUSTEE TO DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF THE COUNTY OF LEWIS

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, the Lewis County Board of Legislators hereby takes the following action with respect to the Deferred Compensation Plan for Employees of the County of Lewis;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators removes Reliance Trust Company as Trustee with respect to the Deferred Compensation Plan for Employees of the County of Lewis effective April 1, 2020.

Section 2. That the Lewis County Board of Legislators appoints State Street Bank and Trust Company, 1 Heritage Drive, North Quincy, Massachusetts 02171 to act as Trustee with respect to the Deferred Compensation Plan for Employees of the County of Lewis effective April 1, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator ________________, seconded by Legislator ________________, and adopted
RESOLUTION NO. 62 - 2020

RESOLUTION IN SUPPORT OF LEWIS COUNTY GENERAL HOSPITAL’S PRELIMINARY DESIGN PLANS FOR INTENDED CONSTRUCTION OF A NEW SURGICAL PAVILION AND REVITALIZATION OF THE EXISTING MEDICAL UNIT

Introduced by Legislator Randall L. LaChausse, Chair of the Health and Human Services Committee

WHEREAS, the Lewis County General Hospital (LCGH) has engaged a professional engineering and consultant firm to explore the options and estimated costs associated with construction of a new LCGH Surgical Pavilion and the revitalization of the existing Medical/Surgical Unit; and

WHEREAS, the CEO of the LCGH provided a preliminary overview of the design plans, intentions for this new addition and renovation of existing space on the campus of the LCGH, and the intention to have the County agree to bond the costs of the project; and

WHEREAS, the initial step in the process is for LCGH to file with and obtain from the New York State Department of Health, a “Certificate of Need”; and

WHEREAS, the LCGH CEO and Board of Managers seek the support of the Lewis County Board of Legislators in obtaining the Certificate of Need from NYS DOH, as well as support for the intended construction and renovation of the Hospital Campus as outlined above.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby supports the Lewis County General Hospital’s filing of a Certificate of Need to the New York State Department of Health.

Section 2. That the Lewis County Board of Legislators hereby voices its preliminary support of the proposed design and construction of the intended new Surgical Pavilion and renovations to the existing Medical Unit, subject to more detailed information on the costs, expenses and potential financing of same.

Section 3. That the Board of Legislators acknowledges that its support in concept for this intended project and the initial steps required for same, will be subject to final consideration and more critical financial evaluations of cost analysis and funding streams for the project.

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

Moved by Legislator __________________, seconded by Legislator __________________, and adopted.
RESOLUTION NO. 63 - 2020

RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND CSEA EMPLOYEE BENEFIT FUND (SUNRISE DENTAL PLAN)

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, the County of Lewis and the CSEA Employee Benefit Fund (hereafter the "FUND") entered into an agreement dated July 19, 1988 for the FUND to provide certain dental plan benefits to the COUNTY's covered employees, which has been extended by three years; and

WHEREAS, the parties desire to continue the provision of said dental plan benefits upon the terms and conditions therein contained, except as may be modified by the Renewal Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Renewal Agreement between the County of Lewis and the CSEA Employee Benefit Fund, pursuant to which the FUND shall provide the SUNRISE DENTAL PLAN benefits to the County's covered employees, with the COUNTY paying the FUND the monthly amounts per covered employee as set forth in the Agreement.

Section 2. That the term of the renewal agreement shall be in effect retroactive to January 1, 2018 through December 31, 2020.

Section 3. That the Lewis County Treasurer is hereby authorized to make, execute, seal and deliver such Agreement, upon such from as may be approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator _________________, seconded by Legislator _________________, and adopted.
RESOLUTION NO. 64 - 2020

RESOLUTION TO REQUEST NYS HOME RULE LEGISLATION TO CONTINUE SALES TAX INCREASE

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

WHEREAS, Tax Law §1210 (36), as added by Chapter 47 of the Laws of 2004 and as further amended by Chapter 251 of the Laws of 2011, authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional one percent (1%) sales and compensating use tax for the period ending November 30, 2020; and

WHEREAS, by Resolution No. 322-2017, the Board of Legislators implemented such additional sales tax, which pursuant to §1210 (36) of the Tax Law, will expire on November 30, 2020; and

WHEREAS, such additional sales tax revenue has enabled the Board of Legislators to mitigate the need for increased property taxes and the County of Lewis continues to experience such budgetary pressures as would justify an extension of the time in which it may impose such additional sales tax.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby finds and determines that:

   a) The Board of Legislators has worked diligently over the last several years to cut expenses in its budget wherever possible to contain both short term and long term expenses and reduce the burdens placed upon the local taxpayer. Despite such efforts, the Board finds that it must also look to increase revenues, if and when possible.
   b) That the Board is anticipating significant increases in capital expenditures over the next few years in order to repair, replace, and in some cases upgrade its infrastructure.
   c) That an increase of the allowable sales tax imposed by the County of Lewis of one percent (1%) will enhance County revenues while spreading the burden thereof over a greater portion of the populace, and therefore reduce the budgetary pressures that are placed upon the real property tax warrant.

Section 2. Therefore, the Board of Legislators respectfully requests that the New York State Legislature pass such necessary and appropriate “Home Rule Legislation” as would allow the County of Lewis to impose an additional one percent (1%) local sales tax for the period beginning December 1, 2020 and ending November 30, 2023.

Section 3. That the Board of Legislators respectfully requests that the New York State Legislature adopt such Home Rule Legislation at its earliest convenience to allow the Lewis County Board of Legislators sufficient time to plan for the 2021 budget year.
Section 4. That the within resolution shall take effect immediately.

Moved by Legislator ____________, seconded by Legislator ____________, and adopted.
RESOLUTION NO. 65 - 2020

RESOLUTION TO TRANSFER FUNDS
Legislative

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee

BE IT RESOLVED as follows:

Section 1. That the following transfer take place in the Legislative accounts to cover additional Professional Services expenses incurred:

From:
A0101000 419900 BOL Special Contingency $1,900.00

To:
A0101000 490100 BOL Prof Services $1,900.00

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 66 – 2020

RESOLUTION APPOINTING MEMBER TO
NORTH COUNTRY HOME CONSORTIUM BOARD

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

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Legislator RONALD BURNS, as the Legislator Representative on the North Country Home Consortium Board.

Section 2. That the term of said appointment shall be for the period March 3, 2020 through December 31, 2021.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 67 - 2020

RESOLUTION AUTHORIZING CONTINUATION OF AGREEMENTS
BETWEEN LEWIS COUNTY OFFICE FOR THE AGING AND
NASCENTIA HEALTH, INC. AND BETWEEN
LEWIS COUNTY OFFICE FOR THE AGING AND FIDELIS CARE NEW YORK

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, in 2018 the Lewis County Board of Legislators authorized an Agreement with Visiting Nurse Association, d/b/a Nascentia Health, Inc. with Office For The Aging to reimburse for home delivered meals to their eligible elderly clients in Lewis County; and

WHEREAS, in 2018 the Lewis County Board of Legislators authorized an Agreement with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York ("Fidelis") with Office For The Aging to reimburse for home delivered meals to their eligible elderly clients in Lewis County; and

WHEREAS, the 2018 resolutions authorized a one (1) year agreement when the agreements provided for automatic renewals unless terminated by notice; and

WHEREAS, the Board of Legislators wishes to authorize continuation of these agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the continuation of the Agreements between the County of Lewis, by and through the Lewis County Office For the Aging with Nascentia Health, Inc., and with Fidelis Care New York to provide reimbursement of home delivered meals to their respective eligible seniors.

Section 2. That Nascentia Health, Inc. will pay $8.50 per meal and Fidelis will pay $10.00 per hot meal and $8.50 per cold meal to Lewis County Office For the Aging to eligible elderly residents of Lewis County, unless and until terminated by either party pursuant to the notice provisions of the agreements.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 68 - 2020

RESOLUTION AUTHORIZING AN AGREEMENT
BETWEEN NEW YORK STATE DEPARTMENT OF TRANSPORTATION
AND THE COUNTY OF LEWIS FOR THE
LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM

Introduced by Legislator Jerry King, Chairman of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators approved and authorized an
application to the New York State Department of Transportation ("NYS DOT") Modernization
and Enhancement Program ("MEP") for supplemental funding for the Lewis County
Transportation System pursuant to Resolution No. 406-2018; and

WHEREAS, the County of Lewis, by and through the Lewis County Planning Department,
was awarded $980,078.00 in the MEP funds, with no local match required, and desires to enter
into an agreement with the NYS DOT to accept the funds; and

WHEREAS, the Planning Department’s described uses of the grant funds, as set forth in
the application, include the purchase of five (5) buses, five (5) Wi-Fi modems, one (1) fare box
vault, eight (8) fare boxes with the associated GDS System, and six (6) bus stop shelters; after
issuing RFPs for those that are required under the Grant; and

WHEREAS, since the 2018 date of application for these MEP projects and grant funds,
the costs have increased, causing the Planning Department to seek authorization from the Board
of Legislators to submit an application to NYS DOT for Accelerated Transit Capital (ATC)
funding to cover any price increases anticipated for the buses, bus stop shelters and fare boxes
outlined in the MEP project funds; not to exceed the $46,298.94 available under the ATC funding;

WHEREAS, the Board of Legislators wishes to accept the grant funds, enter into the
agreement for same, authorize the Planning Department to issue the appropriate RFPs for six (6)
bus stop shelters, eight (8) fare boxes with associated GDS system, and one (1) fare box vault, and
authorize the Planning Department to apply for the ATC funds as set forth above;

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 Planning Department, with New York State
Department of Transportation to accept the $980,078.00 in MEP funds for the Lewis County
Transportation System.

Section 2. That the Board of Legislators hereby authorizes the Planning Department to
commence the process of purchasing 5 buses, 5 wi-fi modems, one fare box vault, 8 fare boxes
with the associated GDS System, and six (6) bus stop shelters with these funds; and to issue the
appropriate RFPs which may be required for any of the above in accordance with the Grant
requirements.
Section 3. That the Board of Legislators hereby authorizes the Planning Department to apply for available ATC funds, not to exceed $46,298.94, to be used to cover any price increases for the above purchases which are not covered by the MEP grant funds.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such applications and agreements, and other required documents for this funding and the purchases outlined for the transportation system, pending approval by the County Attorney.

Section 5. That the following budget appropriation be approved in the Bus Operations accounts to appropriate MEP funds:

Increase Revenue:
A0563000 335943 State MEP Funds $980,078.00

Increase Expense:
A0563000 223301 Vehicles and Equipment - MEP $980,078.00

Section 6. That the within resolution shall take effect immediately.

Moved by Legislator _______________, seconded by Legislator _______________, and adopted.
RESOLUTION NO. 69 - 2020

RESOLUTION APPOINTING
LEWIS COUNTY PROBATION DIRECTOR

Introduced by Legislator Jerry King, Chairman of the General Services Committee.

WHEREAS, upon interview and review of the qualified applicants for the Probation Director position, being vacated March 31, 2020 upon the retirement of Director Mary Jo Burkhard, the Board of Legislators seeks to appoint Matthew Morrow as Lewis County Probation Director effective April 1, 2020; and

WHEREAS, the salary of the newly appointed Lewis County Probation Director is set at an annual rate of $61,550.00, in accordance with the salary range established under the CITEC study;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Matthew Morrow of Lawville, New York 13367 as Lewis County Probation Director effective April 1, 2020.

Section 2. That the Board of Legislators hereby directs that until the anticipated NYS waiver required under Civil Service H-10 regulations is received, Matthew Morrow will serve as Acting Probation Director effective on the above date.

Section 3. That the annual salary for Matthew Morrow as Probation Director is set at $61,550.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 70 - 2020

RESOLUTION AUTHORIZING COUNTY PARTICIPATION IN TAX ASSESSMENT CHALLENGE AND EXPERT FEES SHARING WITH THE TOWN OF LEWIS AND ADIRONDACK CENTRAL SCHOOL DISTRICT

Introduced by Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, in 2012, the County established a policy for County participation in legal challenges to real property tax assessments brought against local Towns, Town Assessors and Town Boards of Assessment Review. The County can play an important and additional role in defending legal challenges to valid real property tax assessment through participation in the defense of said assessments; and

WHEREAS, the County participated with the Town of Lewis and Adirondack Central School District in tax assessment challenges brought by the City of Rome challenging the assessments on the Boyd Dam and Reservoir, culminating in a five day trial in October, 2018; with all parties still awaiting a decision by the Supreme Court; and

WHEREAS, additional tax assessment challenges for 2018 and 2019 have been filed by the City of Rome against the Town of Lewis, the Town Assessor and Board of Assessment Review for the properties commonly referred to as the Boyd Dam and Reservoir identified as Tax Map Nos. 416.00-01-27.100 and 416.00-01-04.000; and

WHEREAS, the Town and School District have appeared in the actions and have requested that the County formally appear and share in the expert and appraisal costs in the newly filed actions; and

WHEREAS, the School District has proposed that the taxing jurisdictions secure the expert appraisal services of Todd P. Thurston, MAI, of Thurston, Casale & Ryan, LLC, 1080 State Fair Blvd, Syracuse, NY 13209 as its expert appraiser in the action, who will deliver a formal appraisal report and provide expert testimony, if required in the amount of $9,500 for a self-contained report and $150/hr plus customary expenses for court preparation and testimony; and

WHEREAS, the Lewis County Board of Legislators has reviewed this assessment challenge and is of the opinion that it meets the criteria set forth in the County’s policy, that participation is in the best interests of the County and its taxpayers, and the Board seeks to affirmatively act by resolution to participate in this matter.

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes the County Attorney to represent the County and appear in the pending tax assessment challenges brought by the City of Rome against the Town of Lewis, et al, for the 2018 and 2019 assessment years (and any additional years which may be filed), and to execute an expense sharing agreement with the other taxing
jurisdictions affected, whereby the County will contribute one-third (33%) of the expenses for an expert appraisal, engineer, and any other experts deemed necessary and required in the matter.

Section 2. The County Attorney is authorized to make, execute, seal and deliver the engagement agreement for Thurston, Casale and Ryan, LLC as the expert real estate appraiser and consultant and any other engagement agreement for an expert engineer and others, upon notice to the Board of Legislators.

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

Moved by Legislator ______________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 71 - 2020

RESOLUTION TO APPROPRIATE FUNDS
Recreational Trails

Introduced by Legislator Jerry King, Chairman of the General Services Committee

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget change be approved in the Recreational Trails and Trail Maintenance accounts for the purchase of a Ford F250 truck with a cost of $32,239.11, with funding shared equally by Project HAD Capital Equipment H0990100 499900, balance $783,400.00 and the Trail Maintenance fund.

Increase Revenue:
A0100000 350310 Interfund transfers $16,119.56

Increase Expense:
A0798900 223300 Trails Veh $16,119.56

Increase Revenue:
A0799000 320010 $11,119.56

Increase Expense:
A0799000 223300 Trail Mnt Veh $11,119.56

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

Moved by Legislator ___________________, seconded by Legislator ___________________, and adopted.
RESOLUTION NO. 72 - 2020

RESOLUTION AUTHORIZING RENEWAL AGREEMENT WITH FRONTIER COMMUNICATIONS OF AMERICA, INC.
FOR THE EMERGENCY 911 PHONE MAINTENANCE SYSTEM

Introduced by Legislator Jerry King, Chairman of the General Services Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Sheriff’s Department and 911 Emergency Operations Unit, desires to renew the agreement with Frontier Communications of America, Inc. to provide updated licenses on enumerated equipment and continuing maintenance service and support for the current Emergency 911 telephone system; 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 a renewal agreement between the County of Lewis, by and through the Lewis County Sheriff’s Department and 911 Emergency Operations Unit, with Frontier Communications of America, Inc. to provide updated equipment licensing, maintenance and support services for the current Emergency 911 telephone system.

   Section 2. That the term of this agreement shall be from June 1, 2020 through May 31, 2021 at a cost not to exceed $40,383.47

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

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 73 - 2020

RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENTS
BETWEEN THE COUNTY OF LEWIS AND
LOWVILLE ACADEMY CENTRAL SCHOOL
AND SOUTH LEWIS CENTRAL SCHOOL
FOR ACCESS TO THE EMERGENCY COMMUNICATIONS SYSTEM

Introduced by Legislator Jerry King, Chairman of the General Services Committee.

WHEREAS, Lewis County operates a single public safety answering point, headed by the Lewis County Sheriff’s Office through its Emergency 911 system; and

WHEREAS, the Emergency 911 System includes a Lewis County Interoperable Communications System (“LCICS”) integrated with equipment and facilities necessary for the provision of county-wide emergency communication services designed for the safety and protection of the public and public safety responders; and

WHEREAS, Lowville Academy Central School (“LACS”) and South Lewis Central School (“SLCS”) districts are requesting to be “users” on our emergency communications radio system. Both schools’ current systems are unreliable with poor coverage in their respective areas; and

WHEREAS, both school districts would be responsible for the cost of the radios, maintenance and all other costs associated therein. The school districts will have radio ID’s and two (2) talkgroups for the system, and be given access to countywide channel 13 for necessary and emergency services only; and

WHEREAS, this access and use will result in minor programming updates by the County that will be covered with grant funds; and

WHEREAS, the County wishes to extend user access to the Interoperable Communications System to LACS and SLCS upon each district executing and agreeing to be bound by the terms and conditions set forth in an Emergency Communications System Agreement pertaining to such access and use of the County’s system; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the Emergency Communications System Agreement as proffered by the 911 Operations Coordinator and County Attorney, with the Lowville Academy Central School District and South Lewis Central School District for radio user access to the Lewis County Interoperable Communications System (LCICS).
Section 2. That the term of the Agreement shall be for a period of five (5) years from the User's execution of the Agreement, with automatic five (5) year renewal periods if the school district is in compliance with the terms and conditions of the Agreement.

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

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

Moved by Legislators ____________________, seconded by Legislators ____________________, and adopted
RESOLUTION NO. 74 - 2020

RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
PRATT NORTHAM/CAREERS HERE PROGRAM ADMINISTRATOR AND
LEWIS COUNTY DEPARTMENTS

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, the Pratt Northam Foundation whose mission is to serve the Black River Valley communities from Boonville to South Carthage, established a grant devoted to providing funds for student intern employment positions known as the “Careers Here” Program. The Lewis County Department of Social Services serves as the fund recipient and administrator of the program pursuant to Resolution No. 53-2019; and

WHEREAS, Pratt Northam provides funding for students as interns for a total of 350 hours per student at the current minimum wage rate of $11.10 per hour, together with applicable FICA expenses at 7.65% for 2019/2020; and

WHEREAS, various Lewis County Departments wish to enter into Agreements with Lewis County Department of Social Services for student intern positions under this program; and

WHEREAS, the Board of Legislators wishes to accept such agreements; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Agreements by and between various Lewis County Departments and Lewis County Department of Social Services, as grant recipient and administrator of the Pratt Northam “Careers Here” Program, for student intern positions.

Section 2. That Pratt Northam will reimburse the County for student interns in the program for 350 hours at the current minimum wage rate of $11.10 per hour, together with applicable FICA taxes at 7.65% for 2019/2020.

Section 3. That the Commissioner of Lewis County Department of Social Services 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 ________________, seconded by Legislator ________________,
and adopted.
RESOLUTION NO. 75 - 2020

RESOLUTION APPROVING CORRECTION OF TAX BILL

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, pursuant to the franchise agreements between Time Warner Cable, TCI and the Towns of Croghan, Denmark, Diana, Greig, Lewis, Leyden, Lowville, Lyonsdale, Martinsburg, New Bremen, Watson, and West Turin which allowed them to deduct from taxes the franchise paid to the Towns.

Section 1. That payment be accepted as follows:

<table>
<thead>
<tr>
<th>Town</th>
<th>Description</th>
<th>Amount</th>
<th>Charge Town</th>
</tr>
</thead>
<tbody>
<tr>
<td>Croghan</td>
<td>#538.00-08-06.000</td>
<td>$2283.31</td>
<td>597.50</td>
</tr>
<tr>
<td></td>
<td>#538.00-05-06.000</td>
<td>253.70</td>
<td></td>
</tr>
<tr>
<td></td>
<td>#538.00-08-00.000</td>
<td>133.83</td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>#552.00-03-00.000</td>
<td>237.08</td>
<td>117.52</td>
</tr>
<tr>
<td></td>
<td>#552.00-05-00.000</td>
<td>19.06</td>
<td>9.45</td>
</tr>
<tr>
<td>Diana</td>
<td>#552.00-05-08.000</td>
<td>107.55</td>
<td>45.54</td>
</tr>
<tr>
<td></td>
<td>#552.00-05-00.000</td>
<td>128.04</td>
<td>59.24</td>
</tr>
<tr>
<td>Greig</td>
<td>#542.02-07-09.000</td>
<td>865.61</td>
<td>328.73</td>
</tr>
<tr>
<td>Lewis</td>
<td>#550.00-10-11.000</td>
<td>289.91</td>
<td>306.94</td>
</tr>
<tr>
<td>Leyden</td>
<td>#550.00-07-12.000</td>
<td>613.64</td>
<td>195.15</td>
</tr>
<tr>
<td></td>
<td>#550.00-10-12.000</td>
<td>302.23</td>
<td>96.12</td>
</tr>
<tr>
<td></td>
<td>#550.00-07-00.000</td>
<td>218.80</td>
<td>33.47</td>
</tr>
<tr>
<td>Lowville</td>
<td>#550.00-05-00.000</td>
<td>705.31</td>
<td>229.92</td>
</tr>
<tr>
<td></td>
<td>#550.00-05-13.000</td>
<td>1140.64</td>
<td>279.18</td>
</tr>
<tr>
<td>Lyonsdale</td>
<td>#550.00-07-00.000</td>
<td>53.46</td>
<td>26.05</td>
</tr>
<tr>
<td></td>
<td>#550.00-07-00.000</td>
<td>360.70</td>
<td>175.73</td>
</tr>
<tr>
<td>Martinsburg</td>
<td>#542.02-05-15.000</td>
<td>250.25</td>
<td>117.21</td>
</tr>
<tr>
<td>New Bremen</td>
<td>#552.00-08-02.000</td>
<td>1020.27</td>
<td>324.85</td>
</tr>
<tr>
<td></td>
<td>#542.05-08-05.000</td>
<td>69.29</td>
<td>24.45</td>
</tr>
<tr>
<td></td>
<td>#552.00-08-00.000</td>
<td>9.85</td>
<td>4.97</td>
</tr>
<tr>
<td>Watson</td>
<td>#542.02-08-21.000</td>
<td>129.22</td>
<td>87.09</td>
</tr>
<tr>
<td></td>
<td>#542.02-07-21.000</td>
<td>196.41</td>
<td>132.37</td>
</tr>
<tr>
<td></td>
<td>#542.02-05-21.000</td>
<td>191.25</td>
<td>128.89</td>
</tr>
<tr>
<td>West Turin</td>
<td>#550.00-07-00.000</td>
<td>84.91</td>
<td>39.17</td>
</tr>
<tr>
<td></td>
<td>#550.00-07-00.000</td>
<td>192.10</td>
<td>88.63</td>
</tr>
</tbody>
</table>

Section 2. That the County Treasurer is hereby directed to adjust, apportion, and charge back such amount in the manner prescribed by law. The amount to charge the Towns is $3,558.01.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 76 – 2020

RESOLUTION APPOINTING MEMBERS TO
YOUTH BUREAU ADVISORY BOARD

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals as Community Members of the Lewis County Youth Bureau Advisory Board:

Eileen Mathys
P.O. Box 191
Lowville, NY 13367

Lisa Peebles
2400 County Route 194
Copenhagen, NY 13626

Section 2. That the term of said appointments shall be effective from March 3, 2020 through March 3, 2022.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 77 - 2020

RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE LEWIS COUNTY YOUTH BUREAU AND
VICTIMS ASSISTANCE CENTER OF JEFFERSON COUNTY

Introduced by Legislator Randy LaChausse, Chairman of the Health and 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 $30,000.00 in state funds to provide appropriate services under the program; and

WHEREAS, the County of Lewis, by and through the Lewis County Youth Bureau, desires to enter into an agreement for a Safe Harbour Coordinator to facilitate a critical project team for Lewis County. The team will provide guidance and oversight in developing and implementing goals and objectives, develop and promote community outreach and awareness campaigns, provide advocacy and supportive services, and conduct trainings and conferences in the Lewis County community; and

WHEREAS, the Victims Assistance Center of Jefferson County, Inc. ("VAC") 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. VAC has a long-standing history of working with victims of abuse, including trafficked and sexually exploited children and youth in Lewis County and has the ability to provide such services; and

WHEREAS, the Board of Legislators wishes to enter into the 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 Youth Bureau, with the Victim Assistance Center of Jefferson County, Inc. to provide a Safe Harbour Coordinator who shall serve as the point of contact related to providing advocacy and supportive services, outreach and awareness of child trafficking and exploitation in Lewis County, as outlined in the Safe Harbour: NY Project.

Section 2. That this agreement is for the period beginning January 1, 2020 and ending December 31, 2020 at a cost not to exceed $30,000.00. The funds are provided by New York State Office of Children and Family Services to Lewis County under the Safe Harbor: NY Project.
Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator ____________, seconded by Legislator ____________, and adopted.
RESOLUTION NO. 78 – 2020

RESOLUTION APROVING
2020 RESOURCE ALLOCATION PLAN
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, execution of the Resource Allocation Plan qualifies the County for State reimbursement in accordance with NYS Office of Children and Family Services’ allocation of funds appropriated for counties engaged in comprehensive planning for youth services; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the 2020 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (“OCFS”) for the 2020 program year in the amount of $21,115.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Resource Allocation Plan.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 79 - 2020

RESOLUTION PROVIDING COMMENT TO THE DEPARTMENT OF CONSERVATION (DEC) ON ITS DRAFT RECREATION MANAGEMENT PLAN (RMP) FOR THE CROGHAN TRACT CONSERVATION EASEMENT (TOWNS OF CROGHAN AND WATSON IN LEWIS COUNTY)

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

WHEREAS, the Crogan Tract encompasses approximately 13,000 acres of private forestland in the towns of Crogan and Watson, Lewis County. The conservation easement allows for timber production from the forests while also providing for public recreation opportunities. The Department of Conservation (DEC) now seeks comments on its draft RMP for the Crogan Tract Conservation Easement; and

WHEREAS, taxpayer dollars are used to purchase conservation easements and should provide for all recreation rights and access, including ATV access, especially in Lewis County which is known for its extensive ATV trail system.

WHEREAS, easement lands are working forest properties with extensive infrastructure and a demonstrated capacity to withstand uses, including recreational use and opportunities for motorized vehicles. In fact the public recreation proposals in the draft RMP include newly opened roads for public passenger vehicles, 28.6 miles of snowmobile trails including alternative routes during logging operations and new trails as re-routes, a car-top boat launch that “meets universal accessibility standards”, and the right to hunt, fish and trap throughout the property “subject to applicable seasons and regulations; and

WHEREAS, Lewis County’s outdoor recreational activities, including its ATV recreational trail system, are unique and primary economic attractions and initiatives for the County, with expansion of the system only enhancing its economic development through recreational and tourism features; and

WHEREAS, the Crogan Tract Easement has the potential to provide expansion and extension of ATV trail opportunities in Lewis County together with expanded access for hiking, camping, hunting, fishing and trapping via ATVs and other motorized vehicles on this expansive acreage; and

WHEREAS, the State’s stated policy and intention when negotiating conservation easements is to include and try to maximize public access points for public recreation uses including hunting, fishing, trapping, hiking, camping, mountain biking, and motor vehicle access. Noticeably absent from the DEC’s draft RMP is any consideration for ATV access – access which would allow more of the public to enjoy all the recreational activities the DEC highlights in the draft RMP; and

WHEREAS, DEC included ATV rights and uses for recreation and sporting purposes in other RMPs on other easement properties with similar rights, such as the Champion - Santa Clara
Tract. There is clear precedent for DEC to include these important rights and activities in its RMP for the Croghan Tract, and not continue to exclude ATV recreational uses and users from this Lewis County Tract; and

WHEREAS, Lewis County desires an RMP similar to the Champion-Santa Clara Tract, with retained rights under the easement to include maximized recreational and sporting opportunities and activities for the residents of and visitors to the County, inclusive of ATV use, but subject to specific rules and regulations which the DEC set forth in its Draft RMP to manage public recreational access and activities based upon seasonal conditions, logging activity and harvesting operations;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators urges the DEC to include ATV access and use for recreational or sporting purposes in its RMP for the Croghan Tract Easement, and again states its opposition to any RMP which fails to include ATV access as a denial of the rights of the residents of Lewis County as taxpayers in the State of New York to have public recreational access to these lands.

Section 2. That the Lewis County Board of Legislators urges the DEC to include motorized access and use, including ATVs, in the RMP for the Croghan Tract Conservation Easement properties in Lewis County, as the DEC has provided in similar Easement properties.

Section 3. That the Lewis County Board of Legislators further urges that the DEC land managers collaboratively work with the County’s representatives and Director of Recreation, Forestry and Parks to develop a plan that acknowledges the economic importance and significance of ATV access and use for recreational and sporting activities in Lewis County; a plan that will enhance the County’s trail system and sporting access for ATV users who seek to enjoy the public recreational uses of this Tract like others who are provided access simply because they are in other motorized vehicles.

Section 4. That this Resolution shall take effect immediately.

Section 5. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to deliver copies of this Resolution to: NYSDEC Commissioner Basil Seggos, Matthew Nowak, NYS DEC 7327 State Route 812, Lowville, NY 13367; Governor Andrew Cuomo, NYS Senator Joseph Griffio, NYS Assemblyman Ken Blankenbush, and to any other appropriate State and Local agencies, representatives and officials as he may deem appropriate.

Moved by Legislator ________________, seconded by Legislator ________________,
and adopted.