April 30, 2020

TO:  Media and General Public

FROM: Cassandra Moser, Clerk of the Board

The Lewis County Board of Legislators will meet on Tuesday, May 5, 2020 at 5:00 p.m. by video conference due to the Covid-19 pandemic. This meeting will be recorded, transcribed, and made available on the Lewis County website as soon as possible. Attached are proposed resolutions to be brought forward for action.

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RESOLUTION NO. 114 – 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 $1,659,119.77 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. 4 - 2020)
COUNTY OF LEWIS

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

A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY

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

SECTION 1. TITLE
This Local Law shall be known as “A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY”.

SECTION 2. STATUTORY AUTHORITY
This local law is enacted pursuant to Municipal Home Rule Law (“MHL”) § 10(1)(i), which provides that a county may adopt local laws relating to its property, affairs or government provided it is not inconsistent with the provisions of the constitution or any general law.

SECTION 3. LEGISLATIVE FINDINGS
The Board of Legislators makes the following findings in support of this Local Law:

A. Planned special events include but are not limited to sporting events, concerts, parades, walking & running events, bicycle races, motorized vehicle rallies, block parties, family events, etc. that use county facilities. These types of events can have direct and indirect impacts on county properties, roads, trails. There are several events organized and held in Lewis County where county roads, county public rights-of-way, trails, parks, and lands are used for the event, or are adversely affected by the event because of road closure, traffic congestion, parking, etc.

B. The occurrence of such events as described and defined herein may place an unwarranted burden on the County resources related to the provision of emergency services, law enforcement, health and sanitary services, road and property repairs, and similar items, depending upon the special event, its size, and the conduct of participants.

C. The purpose of this law and the requirement for a permit and fee for same, is to enable the county to be able to anticipate the impacts posed by the event and to coordinate efforts of various departments and other municipalities which may be affected by the special event; to take appropriate steps and measures to provide for the safety of event participants and residents; to provide for the least impact on the county’s roads, trails, and lands.

D. When a person(s), corporation(s), organization(s), landowner(s), lessee(s) and others seek to conduct a special event on county roads and/or county property, provision must be made for adequate financial assurance to protect persons and property (both public and private) within the County. The Board of Legislators of Lewis County therefore finds and declares that it is necessary for government protection, order, conduct, safety, health and well-being of persons
and county property, that certain rules and regulations be established for special events involving county roads, trails, parks and other lands, and, further, that it is necessary to adopt under the police power of the County, a local law to regulate and license by permit the holding of such special events on or effecting access and use of County roads, trails, parks and other lands.

SECTION 4. DEFINITIONS

A. For purposes of this Local Law, the word “person” shall be deemed to include any person, persons, firm, company, corporation, partnership, association, club, limited liability company, limited liability partnership, joint venture, owner or lessee of real property, promoter, sponsor, or any other group or organization whether formalized or not.

B. For purposes of this Local Law, “special event on county roads and trails” shall mean any outdoor gathering of people and activities involving pedestrians, vehicles, bicycles, skateboards, motorcycles, ATVs, UTVs or other recreational equipment, or any combination thereof which involve:

1. Any organized formation, parade, procession or other event taking place on County roads or trails which may interfere, impede or obstruct the flow of traffic or which do not comply with normal traffic regulations or controls; or
2. Any organized event taking place on private property which may result in significant traffic delays on County roads or trails, or which may cause safety concerns or damage to County roads, trails or other lands as a result of the event; or
3. Any organized or special event requiring the placement of signage or pavement markings on County roads or trails.
4. Any event intended to include and/or to take place on the Lewis County Off Highway Vehicle Trail System with twenty-five (25) or more concurrent vehicle units or maximum of fifty (50) concurrent participants. (Some events on the County Trail System may also include use of Town roads which are subject to other requirements by the local municipality and its own local laws pertaining to same.)

C. For purposes of this Local Law, “special event on other county lands” shall mean gatherings of people and activities (such as ceremonies, family reunions) on county-owned lands.

D. For purposes of this Local Law, a special event involving a gathering of people and activities involving snowmobiles shall mean such events which may:

1. interfere, impede or obstruct the flow of traffic or which do not comply with normal traffic regulations or controls on County roads; or
2. snowmobile activity or event on private property which may result in significant traffic delays on County roads, or which may cause damage to County roads or other County lands as a result of the event; or
3. snowmobile activity or event which requires placement of signage or pavement markings on County roads.

SECTION 5. PERMITS

A. No person may organize, operate, promote, or conduct a special event on a County road, trail, park or other land in Lewis County, nor may a person allow or permit the use of his, her or their real property for the purpose of holding or conducting a special event where a
County road, trail, park or other land will be adversely impacted, without first obtaining a permit to do so from the Lewis County Director of Recreation, Forestry and Parks (DRFP).

B. The Director of Recreation, Forestry and Parks will consult with the County Superintendent of Highways, the Emergency Management Director, the Lewis County Sheriff and any other relevant County Department(s), as the event may warrant in processing the permit application.

SECTION 6. PERMIT APPLICATION PROCESS AND FEE

A. All applications shall be made to the Lewis County Director of Recreation, Forestry and Parks, by submission of three (3) copies to the DRFP, by the person(s) sponsoring or running the event involving County roads, trails, park or other lands, or by the duly authorized agent or attorney thereof. The appropriate application fee, as set forth in the fee schedule in effect for said event permit, must be submitted with the application along with all the other documentation required therein. No action will be taken upon any application until it is deemed complete by the Director of Recreation, Forestry & Parks, in consultation with the appropriate County Departments.

B. 1. The non-refundable application fee charged for a special event permit shall be in accordance with the fee schedule set forth under Section 10 of this Local Law. The fee schedule may be amended from time to time, by Resolution adopted by the Lewis County Board of Legislators.

2. A permit application fee shall not be required for any special event that is otherwise licensed, sponsored or organized in whole or in part by the County or any other municipal government located within the County; but said municipality shall submit an application for the event.

C. The application for a permit hereunder shall be made in writing upon such form or forms as may be crafted by the Director of Recreation, Forestry & Parks (DRFP), and shall be submitted to the DRFP at least sixty (60) or more days prior to the first day such special event involving less than 200 persons is anticipated to be held, or at least ninety (90) days or more in advance of the first day of a proposed special event involving 201 or more persons. Such application shall include the following information:

1. The applicant’s name, age, and residence address; if the applicant is a corporation, partnership or association, the name of the entity, address for its principal office, together with the names and addresses of its directors, partners or associates. If the applicant is not a resident or have a place of business within Lewis County, the name of a natural person, over the age of eighteen (18) years of age who resides within Lewis County and who is authorized by the applicant and who shall agree by acknowledged statement to accept service of notices and summons on behalf of the applicant with respect to this application, the conduct of the outdoor public assembly or any other matter relating to the enforcement of this Local Law;

2. The name and address of the record owner of any real property(s), where the special event is to be staged and/or where participants will be gathering, (if it is an event on private property which will impact County roads/lands);
3. A description of the nature and interest the applicant has in the property (i.e., owner, lessee, licensee, etc.), if applicable;
4. The proposed dates and hours of operation for the proposed special event, and a description of the event;
5. The expected minimum and maximum number of persons and vehicles, if any, per day of the event to use the roads and/or property(s), if any, per day and collectively;
6. A description of the purpose for the special event and the activities to take place thereat, including without limitation, concessions, entertainment, vehicles, equipment, etc.;
7. The admission/participation fee to be charged, if any.

D. 1. After careful review and consultation with other Departments, the DRFP shall determine whether the permit application will be approved or denied. The DRFP shall communicate her decision on the application in writing, by issuing a permit with any and all conditions to which the applicant may be required to meet prior to and during the event. If denied, the DRFP shall indicate the reason for such denial.
2. Simultaneously with notification of approval/denial of a permit to the applicant, the DRFP shall notify the County Manager, Board of Legislators and any appropriate Departments of the special event permit issued or denied, including any conditions and information on the type of event, date, location, estimated size, and any other relevant information.

E. 1. Depending upon the activities and estimated size of assembly of persons participating in the special event, the applicant shall be required to comply with any and all other applicable State and Local Laws, [including but not limited to NYS Department of Health rules and regulations pertaining to mass gatherings (assembly of 5,000 people or more), Public Health Law §225, and Lewis County Local Law No. 2- 1970 (mass assembly of 10,000 people or more)], with the application reviewed and approved by the Public Health Director, Emergency Management Director, Lewis County Sheriff, Superintendent of Highways, and any other relevant County Department(s) requested by the DRFP.
2. In such cases, the DRFP will notify the applicant of the additional review by relevant County Departments before the application will be deemed fully submitted. The preliminary application may then be reviewed and commented upon by the those appropriate Department Heads/ Directors to determine from the information supplied, the potential effect or impact the proposed special event and assembly will have upon the public health, safety, and welfare of the people and property of Lewis County.

F. The County, through the DRFP, shall have the right, in its sole discretion, at any time to terminate the permit, or any portion thereof, should it be necessary due to county operations, conditions, or other circumstances which may arise. Any termination of the permit shall not constitute a breach of the permit, and no liability shall be incurred by or arise against the County, its agents and employees for loss of profits or any other damages.

SECTION 7. CONDITIONS OF USE AND INSURANCE REQUIREMENTS
A. The County makes no affirmation that the county-owned road/trail/site/property to be used for the special event has been designed, constructed, or maintained for the purpose of the conduct of the event. The applicant and all its participants assume full risk and responsibility for the event. The applicant and its participants assume full risk and responsibility for planning and
conducting a safe and orderly event that does not expose participants or the public to any unreasonable hazards, with minimal disruption to normal uses of the county roads, trail system and properties. It shall be the sole obligation of the applicant to determine whether the county site(s) is suitable for the purpose of safely conducting the event.

B. The applicant shall exercise due care in its use of the county property and shall upon the expiration, termination or cancellation of the issued permit, surrender the county property/site in as good a condition as on the effective date of the permit. Depending upon the nature of the event and the anticipated number of participants, the issuance of a permit may be conditioned upon an undertaking, bond, performance bond or a guaranteed deposit, to insure restoration of the county property to its previous condition.

C. The applicant/permittee agrees to notify the DRFP about any hazardous or unsafe conditions, and about any accidents that occur during the event immediately upon the discovery of such condition or accident.

D. At the time a permit is issued, the DRFP shall provide the applicant/permittee with a statement of responsibilities and obligations of the Applicant/Permittee. Said statement shall be signed by the applicant/permittee and returned to the DRFP forthwith. The statement of responsibilities and obligations shall include the insurance requirements of this local law together with such other itemized responsibilities the DRFP may deem appropriate for the event. The applicant/permittee shall provide the DRFP with proof of insurance prior to the commencement of the event, i.e., a certificate of insurance is required to be in full force and effect prior to and during the event, with the County named as an additional, primary insured, and shall include but not be limited to the following coverage, if applicable:

1. Workers’ Compensation and Disability Insurance as required by New York State for any and all employees.

2. Commercial General Liability Insurance. The applicant shall maintain an occurrence form of commercial liability policy or policies insurance against liability from premises, personal injury or death, advertising injury, liability under an insured contract, negligence, occurring on or in any way related to the premises or occasioned by reason of the operations of the applicant. Such coverage shall be written on an ISO occurrence form (CG 0001 12 07 or equivalent) in an amount not less than $1,000,000.00 per occurrence and not less than $2,000,000.00 aggregate. The insurance must be endorsed to provide primary insured coverage to the County of Lewis and all of its Departments, and any other local municipality in which the event is conducted.

3. Automobile and/or other motorized vehicle insurance. The applicant shall maintain automobile, other vehicle and equipment policy(s) insurance against liability for bodily injury, death, damage to property and other coverages relating to the use, operation, loading or unloading of any automobiles, motorized vehicles and other equipment on an around the event site, in an amount not less than $1,000,000.00. If the event involves participants’ use of motorized vehicles (autos, ATVs, UTVs, motorcycles, motorbikes, snowmobiles, etc.) it is the applicant/permittees’ responsibility to assure that all participants motorized vehicles are properly licensed, registered and insured, as may be required under the law.

E. In addition to the protection afforded to the County by the insurance provisions hereinabove set forth, the County shall not be liable for any damage or injury to the applicant,
event organizers and any employees, volunteers, participants, or any other person, or to any property of the above, occurring on the event site covered by the permit. The applicant/permittee agrees to defend, indemnify and hold harmless the County of Lewis, and its agents from and against any and all claims, damages, losses and expenses including but not limited to attorneys’ fees, arising out of any claim for personal injuries, property damage or wrongful death associated in any way with the applicant’s or participants’ use of the permitted site/property, or in any way related to the event, no matter how caused.

F. The DRFP, upon prior consultation with the County Manager and County Attorney, may adjust the required insurance coverages and amounts, depending upon the nature of the event, i.e., the activities, size, duration.

SECTION 8. PENALTIES FOR NON-COMPLIANCE AND ENFORCEMENT

A. If after a permit is issued (but prior to the actual event), the County determines, through its lawful agent(s), i.e., the DRFP, Highway Superintendent, etc., that any of the items required as a condition under the permit is not adhered to or accomplished within the required time limits, then the permit may be immediately terminated by action of the DRFP, after notification to the County Board of Legislators. Notice of such termination shall be in writing and delivered to the applicant at the mail address and e-mail address set forth on the application.

B. 1. Any person (as defined in this Local Law) who shall organize, promote, conduct or cause to be conducted a special event on County roads, trails, or other county property as defined in this Local Law, without having a written permit in accordance with the provisions of this law shall be deemed to have violated this Local Law.

2. Any person violating this Local Law shall be subject to a civil penalty, enforceable and collectible by the County of Lewis, in the amount of $250.00 to $750.00, depending upon the violation, the nature and size of the special event which was or is being held without issuance of or compliance with a permit as herein required. Said violation shall be enforced in any Court of competent jurisdiction within the County of Lewis.

3. Any person violating this Local Law shall be subject to law enforcement shutting down the event and dispersing persons from the site. In addition, the County of Lewis may maintain an action or proceeding in the name of the County against the applicant in a Court of competent jurisdiction to compel compliance with or to restrain by injunction, the violation(s) of such local law.

4. Any person violating this Local Law shall be subject to any other applicable action or proceeding brought by the County for any and all damages, County costs and expenses associated and incurred as a result of the violation(s) of this local law.

SECTION 9. SEPARABILITY

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof; but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 10. FEE SCHEDULE
The following permit application fee schedule shall apply unless and until amended and acted upon by the Lewis County Board of Legislators by an adopted Resolution:

<table>
<thead>
<tr>
<th>Application Fee Amount</th>
<th>Event Estimated Size (estimate of attendees)</th>
</tr>
</thead>
<tbody>
<tr>
<td>No fee</td>
<td>up to 50 participants/attendees</td>
</tr>
<tr>
<td>$10.00</td>
<td>51 to 100 participants/attendees</td>
</tr>
<tr>
<td>$20.00</td>
<td>101 up to 500 participants/attendees</td>
</tr>
<tr>
<td>$50.00</td>
<td>501 up to 1,000 participants/attendees</td>
</tr>
<tr>
<td>$100.00</td>
<td>1001 up to 2,500 participants/attendees</td>
</tr>
<tr>
<td>$200.00</td>
<td>2,501 up to 5,000 participants/attendees</td>
</tr>
<tr>
<td>$300.00</td>
<td>5,000 or more participants/attendees**</td>
</tr>
</tbody>
</table>

** If the event involves 10,000 or more, applicant is subject to additional permit fees under Local Law No. 2-1970.

**SECTION 11. EFFECTIVE DATE**

This Local Law shall become effective immediately after filing with the office of the New York Secretary of State.
RESOLUTION NO. 115 - 2020

FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 4-2020), COUNTY OF LEWIS

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

WHEREAS, there will be presented and introduced at a meeting of this Board of
Legislators to be held on May 5, 2020, a proposed Local Law entitled “A LOCAL LAW
REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR
OTHER COUNTY PROPERTY”.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on June 2, 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, New York, 7660 North State Street, Lowville, New York.

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

Moved by Legislator ________________, seconded by Legislator ________________,
and adopted.
LOCAL LAW (INTRODUCTORY NO. 5-2020)

COUNTY OF LEWIS

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

A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON APPROXIMATELY .65 MILES OF CERTAIN PORTIONS OF BURDICK’S CROSSING ROAD (CR 36)

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

SECTION I. TITLE.

This Local Law shall be known as “A Local Law Permitting All-Terrain Vehicle Operation on approximately .65 miles of certain portions of Burdick’s Crossing Road (CR 36)”.

SECTION II. PURPOSE.

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

SECTION III. DEFINITIONS.

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

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

(b) The term “ATV” shall refer to an “all-terrain vehicle” as defined in Section 2281(1) of the Vehicle and Traffic Law of the State of New York. The term “OHV” shall refer to off-highway vehicle and shall have the same meaning as set forth in Local Law No. 3-2019.

(c) The term “Trail System” shall refer to the Lewis County Trail System, as adopted and administered pursuant to Local Law No. 3-2019, entitled, “A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”, and as the same may be amended from time to time.

(d) The term “ATV Code” shall refer to the Lewis County ATV Code which sets forth the local rules and regulations pertaining to the operation of ATV’s on public property pursuant to Local Law No. 3–2009, entitled “A LOCAL LAW...
ESTABLISHING THE LEWIS COUNTY ATV CODE,” and as the same may be amended from time to time.

(e) The term “CR” shall mean County Route, and is used to describe or designate the highway as owned by the County of Lewis and maintained by the Lewis County Highway Department.

SECTION IV. LEGISLATIVE FINDINGS.

The Board of Legislators hereby makes the following findings:

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

2. The Board of Legislators has also reviewed a report from the Director of Recreation, Parks and Forestry which Described the Amended Designation of ATV Trails and Interconnecting County Roads for Use by ATV’s dated April 21, 2020, which has been submitted to the Board of Legislators identifying the segments of CR 36 that are proposed to be opened to ATV traffic and providing a description of the trails or areas that are adjacent to such road portions and the justification for same as required by Vehicle & Traffic Law § 2405.

3. The Board of Legislators has conducted a review of the potential adverse impacts the opening of the proposed interconnecting portions of this County Road, consistent with Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”) and after an investigation and analysis conducted by the Director of Soil & Water, has found and determined that adding these portions of CR 36 to the Lewis County Trail ATV System will not result in a significant environmental impact.

4. The Board of Legislators has also reviewed the most recent annual ATV Activity Report as compiled by the Lewis County Sheriff’s Department, indicating a high level of usage for this part of the ATV trail system.

5. The County Highway Superintendent has reviewed the portions of CR 36 that are proposed to be opened to ATV traffic, and has provided the Board with his written opinion that such road portions thereof are presently opened to all classes of motor vehicle traffic and that opening said road portions hereof to ATV traffic will not significantly impact traffic safety at this locality.

6. In light of all the information submitted, reviewed and/or received during the public hearing, the Board of Legislators hereby determines and finds that as the result of a private property owner determining to no longer provide trail access
on his/her property along Burdick’s Crossing Road, it is otherwise impossible for ATV’s to gain access from Route 12 to the Lewis County Off Road Trail System (290.00-04-17) to the property owned by Pominville (290.00-01-3.171), without opening certain portions of CR 36; a total distance of .65 as hereinafter described in this Local Law.

SECTION V. AMENDED DESIGNATION OF HIGHWAYS.

The following portions of County Highway 36 are hereby designated as OPEN to travel by ATV’s, and/or as subsequently amended thereto:

a. That certain portion of Burdick’s Crossing Road (CR 36), beginning at the intersection of State Route 12 then easterly a distance of approximately .07 miles to the off-road recreational trail on property now owned by Dorothy Dekin (290.00-04-15.0);

b. That certain portion of Burdick’s Crossing Road (CR 36), beginning at the Lewis County Off-Road Recreational Trail (290.00-04-17.00), then easterly a distance of approximately .24 miles to the off-road trail on property now owned by Zumean LLC. (290.00-04-9.2);

c. That certain portion of Burdick’s Crossing Road (CR 36), beginning at the off-road recreational trail on property now owned by Jack Mezey, Jr. (290.00-04-9.111), then easterly a distance of approximately .34 miles to the off-road recreational trail on property now owned by Darren Pominville (290.00-01-3.171).

SECTION VI. CONDITIONS AND RESTRICTIONS.

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

B. The road segments set forth above shall be deemed incorporated into the Lewis County ATV Trail System and subject to the conditions, restrictions, rules and regulations set forth in Local Law No. 3-2019 entitled, “A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”, as well as Local Law No. 3–2009, entitled, “THE LEWIS COUNTY ATV CODE”, as the same may be amended from time to time.

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

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

SECTION VIII. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State.
RESOLUTION NO. 116 - 2020

FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5- 2020), COUNTY OF LEWIS

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on May 5, 2020, a proposed Local Law entitled “A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON APPROXIMATELY .65 MILES OF CERTAIN PORTIONS OF BURDICK’S CROSSING ROAD (CR36)”.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on June 2, 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, New York, 7660 North State Street, Lowville, New York.

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

Moved by Legislator ________________, seconded by Legislator ________________,
and adopted.
RESOLUTION NO. 117 - 2020

RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND ROBERT F. STANFORD EXCAVATING & TRUCKING TO BUILD AND INSTALL A NEW IMPOUND YARD WITH SECURE FENCING AT THE PUBLIC SAFETY BUILDING IDENTIFIED SITE

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

WHEREAS, the Lewis County Buildings and Grounds Department, in consultation with the Lewis County Sheriff’s Department, recently sent out a Request for Proposals for the installation of a new impound yard with secure fencing, to be located at a particular site adjacent to the Public Safety Building, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the General Services Committee, along with the County Manager and Director of Buildings and Grounds considered the four (4) responses to the RFP, opened on April 16, 2020 at 1:05 pm, and seek to award the bid to Robert F. Stanford Excavating & Trucking ("Stanford"), the lowest bidder, who proposes to provide the labor, equipment and materials to complete the job described in the RFP in consideration of the payment of $18,700.00, exclusive of any sold rock excavation or core drilling/blasting; and

WHEREAS, the Board of Legislators seeks to award the bid to Stanford and authorize an agreement for the specified services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Robert f. Stanford Excavating & Trucking, 6767 Number Four Road, Lowville, NY 13367, to build, install and fence a new impound yard adjacent to the Public Safety Building, in accordance with the specifications and requirements set forth in the RFP.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost of $18,700.00. The price excludes costs for excavation, drilling or blasting of any large boulders or sold rock; the cost of same to be addressed if incurred.

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

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 118 - 2020

RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT BETWEEN LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT AND FORT DRUM REGIONAL HEALTH PLANNING ORGANIZATION

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

WHEREAS, the Lewis County Community Services Department, working in partnership with Columbia University, entered into an Agreement with Fort Drum Regional Health Planning Organization ("FDRHPO") as part of the Healing Communities Study ("HCS") project activities in Lewis County, working towards the identified primary and secondary outcomes; and

WHEREAS, the primary outcome is a 40% reduction in opioid-related overdose deaths in each selected county over the course of the study. The secondary outcomes include enhanced numbers of providers treating opioid use disorder with medication for opioid use disorder (MOUD) including buprenorphine, methadone and naltrexone; increased number of people and community-based organization trained to administer naloxone and provide overdose education; reduced number of non-fatal overdoses; increased numbers of people accessing MOUD and other drug treatment; increased identification of people with opioid use disorder and reduction in number of people progressing to opioid use disorder; and

WHEREAS, the Lewis County Director of Community Services as the lead coordinator of county-wide project activities, contracted with FDRHPO to assist in conducting HCS project activities designed to address the primary and secondary outcomes in the study. The HCS now require an amendment to the Agreement with FDRHPO to revise the statement and scope of work provided by FDRHPO in year 2 of the Healing Communities Study in order to work toward the identified primary and secondary outcomes;

WHEREAS, the Board of Legislators wishes to authorize the amendment and any additional amendment which may be required to give effect to Lewis County Community Services effectiveness in the HCS project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes amendments to the Agreement with Fort Drum Regional Health Planning Organization under the Healing Communities Study ("HCS") project activities in Lewis County, working towards the identified primary and secondary outcomes by revisions to the scope of services and work undertaken by FDRHPO in year 2 of the HCS project.

Section 2. That the Lewis County Director of Community Services is hereby authorized to make, execute, seal and deliver such amendments to the Agreement as may be required to give effect to the HCS project, pending approval by the County Attorney.
Section 3. That the within resolution shall take effect immediately.

Moved by Legislator ______________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 119 - 2020

RESOLUTION AUTHORIZING AMENDMENTS TO AGREEMENTS BETWEEN LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT AND VARIOUS PROVIDERS FOR PROGRAM SERVICES

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

WHEREAS, Lewis County Community Services Department ("CS") entered into agreements with Northern Regional Center for Independent Living, Mountain View Prevention Services, Credo Community Center for the Treatment of Addictions, Oneida-Lewis Chapter, NYSARC, and Transitional Living Services of Northern New York to provide program services pursuant to Resolution No. 382-2019 for the term beginning January 1, 2020 through December 31, 2020; and

WHEREAS, CS received the Consolidated Fiscal Reporting and Claiming Manual (CFR) for the current reporting year from Office of Mental Health (OMH), Office of Persons with Developmental Disabilities (OPWDD) and Office of Addiction Services and Support (OASAS), which include guidance, departmental expectations, and reporting responsibilities to be included in the existing contracts and wishes to append the 2020 agency contracts to reflect the updated guidance, departmental expectations, and reporting responsibilities; and

WHEREAS, the Board of Legislators wishes to authorize such addendums/amendments;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes amendments to the 2020 Agreements between the County of Lewis, by and through the Lewis County Community Services Department and the various contract agencies with whom CS is engaged to incorporate 2020 CFR updated guidelines and state aid fiscal guidelines.

Section 2. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver such addendums to the agreements 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. 120 - 2020

RESOLUTION TO APPROPRIATE FUNDS
Community Service

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 take place in the Community Services Accounts for the increase in funds for year 2 of the Healing Communities Study:

Increase Revenue
A0431700 344902 MH Healing Comm Study $389,309.36

Increase Expense
A0431700 423000 MH Healing Comm Study $378,890.35
A0433500 110100 MH Pers Serv $10,419.00

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 121 - 2020

RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
FOOD BANK OF CENTRAL NEW YORK

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

WHEREAS, the County of Lewis, by and through the Emergency Management Department, desires to enter into an agreement with the Food Bank of Central New York ("Food Bank") to set forth terms by which the Food Bank and Lewis County will cooperate in disaster preparedness, mitigation, response and recovery in order to work most effectively; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Emergency Management Department, and Food Bank of Central New York to cooperate in disaster preparedness, mitigation, response and recovery in order to work most effectively, for the term beginning on the date the agreement is signed by the parties through June 30, 2023.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to 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 _____________, seconded by Legislator _____________, and adopted.
RESOLUTION NO. 122 - 2020

RESOLUTION AUTHORIZING AGREEMENT
BETWEEN COUNTY OF LEWIS AND NYS DIVISION
OF HOMELAND SECURITY & EMERGENCY SERVICES
STATE HOMELAND SECURITY PROGRAM AND
EMERGENCY MANAGEMENT PERFORMANCE GRANT AWARD

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

WHEREAS, the County of Lewis, through the Emergency Management Director has received notification of a FY2020 State Homeland Security Program (SHSP) grant award in the amount of $52,504.00, to assist in security efforts and programs in the county; this award is provided by the U.S. Division of Homeland Security and Federal Emergency Management Agency (FEMA) to be administered through the NYS Homeland Security and Emergency Services (DHSES); and

WHEREAS, the SHSP Grant guidelines require at least 25% ($13,126) of the award be directed towards law enforcement activities. The Director of Emergency Management has identified specific funding for law enforcement to meet these requirements, including but not limited to, the purchase of a laptop for IT cyber security, a tablet and related IT equipment for patrol vehicles, locked cargo boxes for patrol vehicles, automated external defibrillators, personal protective equipment, and a one year maintenance contract to support law enforcement LE fingerprinting technology; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a SHSP Agreement between the County of Lewis and NYS Division of Homeland Security and Emergency Management as administrator of these FEMA Grant awards of $52,504.00 to the Lewis County Emergency Management Department.

Section 2. That the terms of the performance periods are from September 1, 2020 through August 31, 2023.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute said Agreements and any other documents and/or extension/modification agreements required to give effect to this Grant award.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 123 - 2020

RESOLUTION TO TRANSFER FUNDS
County Road

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfer take place in the County Road accounts to cover additional Professional Services expenses. The department has three small bridge projects planned for this year and the budgeted amount for professional services needs to be supplemented to cover the engineering fees. This funding is necessary specifically to cover expenses for the River Road over Kimberly Creek (BIN 3340140) project;

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

Moved by Legislator ____________________, seconded by Legislator ____________________, and adopted.
RESOLUTION NO. 124 - 2020

RESOLUTION OPPOSING ASSEMBLY BILL A-8123A
TO AMEND THE EXECUTIVE LAW IN RELATION TO PRESERVING
ECOLOGICAL INTEGRITY, WILDLIFE AND OPEN SPACE
IN THE ADIRONDACK PARK

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

WHEREAS, certain members of the NYS Assembly from Long Island, Manhattan and Brooklyn have proposed legislation to amend the executive law to add and expand land use and development regulations pertaining to property in the Adirondack Park; and

WHEREAS, this proposed law attempts to expand the already overly conservative and restrictive land use development regulations under the 1973 Adirondack Park Land Use and Development Plan under the pretense of curtailing “rural sprawl” in the Adirondack Park; and

WHEREAS, land use areas defined under the current law already provide for Low Intensity, Rural Use, and Resource Management designations. Under these land use designations, lot sizes are restricted to 3.2 acres (low intensity), 8.5 acres (rural use) and 42.7 acres (resource management) for single family home construction in the Park. Anyone who owns property in the Park already understands the restrictions on owning, building, developing and selling property in the Park; most owners would refute the notion that more land use restrictions are necessary to “curtail rural sprawl”; and

WHEREAS, this proposed new law adds environmental studies requirements for subdivision proposals in any of the three defined land use areas in order to assess comprehensive analysis of economic impact, ecological site analysis, an open space management and stewardship plan, and small cluster development zone plan under a “conservation subdivision” concept. These additional requirements will not only adversely impact the cost of ownership and development of land in the Park, but will have a negative impact on property values, will preclude development, and diminish the value of large acreage plots because of the small cluster development plan requirements envisioned under the conservation subdivision concept; and

WHEREAS, experienced tax assessors in local Towns within the Park have studied this proposed legislation and opine that the provisions of this law will adversely impact the tax base for towns within the park, and end up shifting taxes to existing homeowners. As an example, in the town of Stony Creek, there is a 1,000 acre parcel used mostly for forestry, but with eight hunting camps leased on the lot. The camps are widely dispersed over the parcel, primarily using the town highway which traverses the parcel for access. Under this proposed law, these camps would have to be clustered in a small area of this acreage, defeating the purpose of hunting camps being far apart and in open spaces. This will lessen the value of the owner’s property; and

WHEREAS, the portions of Lewis County which fall within the Adirondack Park should not be subject to any further, unnecessary regulation in land use and development which may adversely impact the tax base of its Towns within the Park; and
WHEREAS, the Board of Legislators seeks to voice its opposition to Assembly Bill A-8123A which proposes to expand land use and development restrictions on property owners and developers in the Adirondack Park;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby opposes Assembly Bill A-8123A as too restrictive, too costly, and with negative impacts on the tax base for the Towns, landowners and developers in the Adirondack Park.

Section 2. That the Lewis County Board of Legislators calls upon the New York State Assembly to vote down this proposed legislation as unnecessary, misguided, ill-conceived and without any evidence of rural sprawl within the Park, which is expressed as a reason for the legislation.

Section 3. That copies of this resolution shall be sent to Governor Cuomo, Leaders of the State Senate and Assembly, New York State Senator Joseph A. Griffo, New York State Assemblyman Ken Blankenbush, the New York State Association of Counties (NYSAC), the InterCounty Legislative Committee of the Adirondacks, and all others deemed necessary and proper.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 125 - 2020

RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT BETWEEN LEWIS COUNTY OFFICE FOR THE AGING AND NASCENTIA HEALTH, INC.

Introduced by Legislator Randall 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, Nascentia seeks to amend the termination provisions of the agreement to allow, inter alia, for either party to terminate the agreement without cause upon sixty (60) days prior written notice, and sixty (60) days prior notice before the end of the annual term of intent not to renew; and

WHEREAS, the Board of Legislators wishes to authorize the amendment to this agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the Agreement between the County of Lewis, by and through the Lewis County Office For the Aging with Nascentia Health, Inc. with respect to the terminations provisions therein, with either party having the right to terminate upon sixty (60) days prior written notice.

Section 2. That the Director of Lewis County Office for the Aging is hereby authorized to execute said amendment upon review and approval of the County Attorney.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 126 - 2020

RESOLUTION AUTHORIZING ADDENDUM TO CONTRACT BETWEEN
LEWIS COUNTY AND BIRNIE BUS TOURS, INC.
FOR 2020 LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM

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

WHEREAS, Section 119-r of the General Municipal Law of the State of New York
authorizes a county to enter into a contract with a privately owned or operated mass transportation
facility for mass transportation services to be rendered to the people of Lewis County; and

WHEREAS, the County adopted Local Law No. 4 – 2009, entitled, “A LOCAL LAW
AUTHORIZING PUBLIC TRANSPORTATION SYSTEM WITHIN LEWIS COUNTY,”
whereby the County of Lewis has authorized the Board of Legislators to enter into a contract or
contracts for a fair and reasonable consideration for mass transportation services to be rendered to
the public by a privately-owned or operated mass transportation facility; and

WHEREAS, the BIRNIE BUS TOURS, INC. (herein, the “CARRIER” and/or “BIRNIE
BUS”) is such a privately owned or operated mass transportation facility described in Section 119-r
of the General Municipal Law and that it holds certificates of public convenience and necessity
issued by the New York State Department of Transportation necessary and appropriate for the
rendition of the services to be performed by it hereunder and with costs reimbursable to the County
from Federal and State Transportation Programs; and

WHEREAS, the County has entered into a contract with BIRNIE BUS to provide such
services for Lewis County in 2020. One of the tasks and services provided by BIRNIE BUS is to
operate the JCC connector, which provides bus stop locations in Lewis County to locations in
Jefferson County to connect our residents with employment, education and access to essential
needs in Jefferson County. The JCC Connector also allows Jefferson County residents to use this
bus service along the route at the bus stop locations in Jefferson County to destinations in Jefferson
County; and

WHEREAS, in order to be in compliance with NYS DOT regulations, BIRNIE BUS and
the County must enter into an addendum to the existing contract to describe the extended service
of the JCC Connector which provides for bus stop service locations in Jefferson County to other
bus stop locations within Jefferson County; both the origin and destination of bus service within
Jefferson County by a neighboring county’s transportation service, i.e., Lewis County
Transportation; and

WHEREAS, the County wishes to authorize the addendum to the contract in order to
submit same to the NYS DOT and be in compliance with its regulations and requirements for this
particular extended service in Jefferson County;

NOW THEREFORE, BE IT RESOLVED as follows:
Section 1. That the Board of Legislators hereby authorizes an addendum to the 2020 contract with BIRNIE BUS TOURS, INC to address the extended service between bus stop locations in Jefferson County on the JCC Connector Route in order to be in compliance with NYS DOT regulations.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such addendum and any other required documents to give effect to this Resolution, upon approval by the County Attorney as to form.

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

Moved by Legislator ________________, seconded by Legislator ________________, and adopted.
RESOLUTION NO. 127 - 2020

RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND NEW YORK STATE HOUSING TRUST FUND CORPORATION (CDBG PROJECT GRANT NO. 636MH353-19) AND NAMING SNOWBELT HOUSING AS ADMINISTRATOR AND SUB-RECIPIENT

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

WHEREAS, the County of Lewis applied to the New York State Housing Trust Fund Corporation (HTFC) for Community Development Block Grant (CDBG) funds to finance community housing opportunities and activities (NYS CDBG Project No. 636MH353-19); and

WHEREAS, HTFC has awarded the County of Lewis $510,000.00 in Community Block Grant funds for a manufactured housing replacement program (MMHR); and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Grant Agreement (Project No. 636MH353-19) between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive $510,000.00 in Community Development Block Grant funds for activities involving manufactured housing replacement.

Section 2. The Board of Legislators hereby authorizes and approves Snowbelt Housing Company, Inc. to serve as administrator of these grant funds and hereby names Snowbelt as the County’s sub-recipient of the Grant.

Section 3. The Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Grant Agreement and any related and necessary supplemental documents, pending approval of the County Attorney.

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

Moved by Legislator ____________, seconded by Legislator ____________, and adopted.
RESOLUTION NO. 128 - 2020

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH CERTAIN TOWNS WHERE LEWIS COUNTY BUS STOP SHELTERS WILL BE PLACED

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

WHEREAS, the Lewis County Planning Department was awarded Modernization and Enhancement Program (MEP) supplemental funding from the NYS Department of Transportation, which included the purchase and installation of bus stop shelters in locations along the Lewis County transportation route system; and

WHEREAS, the Planning Department has identified and been in contact with the municipalities in which preliminary shelter sites have been identified, including locations in the Town of Diana, Village of Croghan, Village of Lyons Falls, Village of Lowville and Village od Copenhagen; and

WHEREAS, the intent of the IMAs with each municipality is for the County to install prefabricated bus stop shelters at particular site locations (to be ADA compliant), to include, but not be limited to, any easement agreement which may be required, and for the municipality to agree to provide maintenance of the shelter and five feet radius of same, for the life of the shelter, and to provide the County with periodic reports on the condition of the shelter, any vandalism, damage, etc. with an annual assessment of the overall condition of the shelter; and

WHEREAS, in consideration of the local municipality’s agreement to provide maintenance of the shelter located in its jurisdictions, the County agrees to prepare the site work, install a precast concrete slab and install the bus stop shelter; all of which is to improve and enhance the Lewis County Transportation System for the residents of Lewis County;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes Inter-Municipal Agreements with each local municipality the Planning Department identifies as appropriate for installation of County bus stop shelters, in consideration of the local municipality’s agreement to provide maintenance of the installed bus stop shelter for the life of the shelter, and to render periodic reports of its condition to the Department of Planning together with an annual assessment of the overall condition of the shelter.

Section 2. That the Lewis County Board of Legislators authorizes easements on private or public properties to be entered where required to give effect to the optimum placement and location of these bus stop shelters.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Inter-Municipal Agreements and any easement required, upon such form(s) as may be approved by the County Attorney.
Section 4. That the within resolution shall take effect immediately.

Moved by Legislator ______________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 129 - 2020

RESOLUTION AUTHORIZING AMENDMENT TO GRANT CONTRACT WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES UNDER THE FIVE-YEAR STATEWIDE EXPANSION OF HURRELL-HARRING TO ACCEPT BUDGET AND WORKPLAN FOR YEAR TWO FUNDING

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

WHEREAS, County Law Article 18-B directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act § 262 and who are financially unable to obtain counsel; and

WHEREAS, the County of Lewis received a five-year Statewide Expansion of Hurrell-Harring grant award from the New York State Office of Indigent Legal Services in the amount of $2,160,347.43, (Contract Number CSTWIDEHH23), for the provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the Grant Contract.

WHEREAS, this grant money reflects the total funding for Lewis County to supplement and not to supplant any state and local funds for three written plans (counsel at arraignment, quality improvement and caseload relief) submitted by the Office of Indigent Legal Services (ILS) on December 1, 2017 pursuant to the 2017 amendment to County Law § 722-e and enactment of Executive Law § 832 (4) (“Statewide Expansion of Hurrell-Harring Reform”); and

WHEREAS, the initial contract contained a line item Budget and Work Plan for the first year of this five-year contract. The year one budget provides financial reimbursement to Lewis Defenders, PLLC, McClusky Law Firm, LLC (Conflict Defender’s Office), and specialized service funding for the Assigned Counsel Program (18-b), for a total of $144,023.16 for such services provided from April 1, 2018 to March 31, 2019; and.

WHEREAS, the County has received an amendment to the five year contract which reflects the approved budget and work plan for Year Two, providing funding of $288,046.32 to implement the plans, covering the period of April 1, 2019 to March 31, 2020; and

WHEREAS, the Board of Legislators seeks to accept this budget and work plan for Year Two and execute the amendments required to give effect to the five year Grant Agreement with NYS Office of Indigent Legal Services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the amendment to the grant contract by and between the County of Lewis and New York State Office of Indigent Legal Services to accept year two funds in the amount of $288,046.32 under the five-year Statewide
Expansion of *Hurrell-Harring* grant award (Contract Number CSTWIDEHH23) to assist the County in improving the quality of indigent legal services provided.

Section 2. That the year two funds are for the term commencing and retroactive to April 1, 2019 and ending March 31, 2020 as set forth in the second year Budget Plan attachment.

Section 3. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement and any amendments and/or extensions thereto to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

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

Moved by Legislator ______________, seconded by Legislator ______________, and adopted.
RESOLUTION NO. 130 - 2020

RESOLUTION AUTHORIZING LEASE AGREEMENT
WITH ED & ED BUSINESS TECHNOLOGY, INC.
FOR NEOPOST DS-64i FOLDER INSERTER MACHINE

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

WHEREAS, the Lewis County Office of Real Property and Tax Services Agency wishes to enter into a lease agreement with Ed & Ed Business Technology, Inc. for the purpose of leasing a Neopost DS-64i two station model folder inserter machine; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes the Lewis County Office of Real Property and Tax Services Agency to enter into a lease agreement with Ed & Ed Business Technology, Inc. for the purpose of leasing a Neopost DS-64i two station model folder inserter machine.

Section 2. That this is for the term commencing upon delivery of the equipment at a cost of $285.10 per month for a total of 63 months, at a total cost of $18,056.30 inclusive of the document fee.

Section 3. That the Chairman or Vice Chairman of the Board 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. 131 - 2020

RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO MARK AND ROSE ROWAND)

Introduced by Lawrence L. Dolhof, Chairperson of the Lewis County Board of Legislators.

WHEREAS, Mark Rowand and Rose Rowand executed a Mortgage in favor of the County of Lewis dated December 22, 2015, and recorded in the Lewis County Clerk’s Office on October 11, 2016 as Instrument Number 2016-005264 to secure payment of a loan in the amount of $12,799.83 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforesaid described Mortgage.

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

Moved by Legislator _______________ , seconded by Legislator _______________ , and adopted.
RESOLUTION NO. 132 - 2020

RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND ST. ANNE INSTITUTE FOR
FOSTER AND RESIDENTIAL CARE SERVICES

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

WHEREAS, St. Anne Institute ("Agency") is a foster care agency authorized by the New York State Office of Children and Family Services to provide foster care services; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with this Agency to utilize their services of foster and residential care services; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and St. Anne Institute for the provision of foster and residential care services.

Section 2. That the term of this agreement shall be from April 1, 2020 through April 1, 2021 at a per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until costs exceed the foster care block grant and then the local share is approximately 25% for foster/residential care and is based on the eligibility of the client. The State share is approximately 25% and Federal share is approximately 50%.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements, 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. 133 - 2020

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

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

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to enter into an Agreement with Cornell Cooperative Extension of Lewis County ("Cooperative Extension") to provide supportive and rehabilitative services that may include parent education services to families whose children have been named in a child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements could be shortened through the provision of such services, or families who are below 200% of the Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by Department Regulations; and

WHEREAS, Cooperative Extension is a recognized agency with the experience and capacity to offer parenting programs, at a flat fee of $500.00 per month, per family. Total payments under the agreement would not exceed $61,500.00 per calendar year; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Department of Social Services and Cornell Cooperative Extension of Lewis County to provide supportive and rehabilitative services that may include parent education services to families whose children have been named in a child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements could be shortened through the provision of such services, or families who are below 200% of the Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by Department Regulations.

Section 2. That the term of this Agreement shall be from June 1, 2020 through May 31, 2021 at a flat fee of $500.00 per month per family for all clients referred by DSS with an open case, with the total amount not to exceed $61,500.00 per year. The local share cost of these services is 25% after Federal (50%) and State (25%) reimbursements.

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

Section 4. That the within Resolution shall take effect immediately.
Moved by Legislator ____________, seconded by Legislator ____________,
and adopted.