TO: Media

FROM: Cassandra Moser, Clerk of the Board

The Lewis County Board of Legislators will meet on Tuesday, October 5, 2021 at 5:00 p.m. in the Legislative board room of the Court House in Lowville, NY 13367 for the regular monthly meeting. Attached are proposed resolutions for action. All in attendance must adhere to current NYS COVID-19 guidance. Any other business may be conducted.

The meeting will be streamed live on the YouTube channel “Lewis County” listed as: https://www.youtube.com/channel/UCPhjjsUZRBjY7KS1Q0ywxxk

There will be public hearings for the following:

- Local Law Intro. No. 4-2021 “THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN”
- Local Law Intro. No. 5-2021 “A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS”
- Ordering Immediate Site Clean Up, Removal of Unsafe and Contaminated Burned Building Debris, and Backfill of the Former Brick Block Building, Turin, NY Property

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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. 225 – 2021

AUDITING AND ALLOWING CLAIMS

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

RESOLVED that the claims presented for payment in the total amount of $1,206,974.63 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:

AYES:

NAYS:

ABSENT:
RESOLUTION NO. 226 - 2021

RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2021, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 7, 2021, directing that a public hearing be held by said Board on October 5, 2021 from 5:00 p.m. to 5:30 p.m. to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 10-2019 - THE COUNTY OF LEWIS JUNKYARD LAW”; and

WHEREAS, notice of said public hearing was duly advertised in the Watertown Daily Times, the official newspaper designated by the County, on September 29, 2021, 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, the public hearing was duly held at such location and time, with 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;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 3-2021), County of Lewis, being “A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 10-2019 - THE COUNTY OF LEWIS JUNKYARD LAW” be and the same hereby is designated as Local Law No. 3–2021, County of Lewis.

Section 2. That Law No. 3–2021, 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:

AYES:

NAYS:

ABSENT:
RESOLUTION NO. 227 - 2021

RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 4 - 2021, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 7, 2021, directing that a public hearing be held by said Board on October 5, 2021 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 “THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN’; and

WHEREAS, notice of said public hearing was duly advertised in the Watertown Daily Times, the official newspaper designated by the County, on September 29, 2021, 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, the public hearing was duly held at such location and time, with 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;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 4-2021), County of Lewis, being “THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN” be and the same hereby is designated as Local Law No. 4-2021, County of Lewis.

Section 2. That Local Law No. 4-2021, 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:

AYES:

NAYS:

ABSENT:
RESOLUTION NO. 228 - 2021

RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 5 – 2021, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 7, 2021, directing that a public hearing be held by said Board on October 5, 2021 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 PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS”; and

WHEREAS, notice of said public hearing was duly advertised in the Watertown Daily Times, the official newspaper designated by the County, on September 29, 2021, 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, the public hearing was duly held at such location and time, with 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;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5–2021), County of Lewis, being “A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS”, be and the same hereby is designated as Local Law No. 5–2021, County of Lewis.

Section 2. That Local Law No. 5-2021, County of Lewis, with designation stated above, waiving any and all defects and informalities in the adoption thereof, is subject to a permissive referendum and shall take effect forty-five (45) days after the adoption hereof, and upon all legal requirements having been met.

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

AYES:

NAYS:

ABSENT:
RESOLUTION NO. 229 - 2021

RESOLUTION AUTHORIZING A RENEWAL AGREEMENT WITH J. ARTHUR SEALCOATING & CONTRACTING FOR SNOW PLOWING AND SANDING OF THE LEWIS COUNTY-JEFFERSON COMMUNITY COLLEGE EDUCATION CENTER PARKING LOT FOR THE 2021-2022 SNOW SEASON

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

WHEREAS, the County of Lewis desires to enter into a renewal agreement with J. Arthur Sealcoating & Contracting for snow plowing and sanding of the Lewis County-Jefferson Community College Education Center ("LC-JCC") parking lot for the 2021/2022 snow season; and

WHEREAS, the Board of Legislators desires to authorize a renewal Agreement for the 2021/2022 snow season;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a renewal agreement with J. Arthur Sealcoating & Contracting, 7550 East State Street, Lowville, New York, to provide snow plowing and sanding services for the Fall/Winter 2021 – Winter/Spring 2022 snow season for the Lewis County-Jefferson Community College Education Center on East Road in the amount of $6,400.00, with any hauling and dumping of accumulated snow to be as specifically directed to do so by the Buildings and Grounds Supervisor, at a cost of $95.00 per hour for the contractor’s loader and $95.00 per hour for his dump truck.

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

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 230 - 2021

RESOLUTION AUTHORIZING LEWIS COUNTY DEPARTMENT OF BUILDINGS AND GROUNDS TO ENTER INTO A RENEWAL AGREEMENT WITH DEVEINES ENTERPRISES, LLC FOR PLOWING OF THE ROADS TO EIGHT (8) TOWER SITES IN LEWIS COUNTY FOR THE 2021-2022 SNOW SEASON

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

WHEREAS, the County of Lewis desires to renew the agreement with Deveines Enterprises, LLC to provide snow plowing services at eight (8) Lewis County 911 Tower Sites located in Montague, Osceola, Denmark, Leyden, Turin, Diana, Lyonsdale and Croghan for the 2021/2022 snow season; and

WHEREAS, the location of the sites are Sears Pond Road (Montague), North Osceola Road (Osceola), Hayes Road (Denmark), Zeigler Road (Leyden), Brenon Road (Turin), State Route 3 (Diana), Marmon Road (Lyonsdale) and Long Pond Road (Croghan); 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 with Deveines Enterprises, LLC to provide snow plowing services at eight (8) Lewis County 911 Tower Sites located in Montague, Osceola, Denmark, Leyden, Turin, Diana, Lyonsdale and Croghan.

Section 2. That the term of this agreement shall be for the 2021/2022 snow season, at a cost not to exceed $25,000.00, payable in three (3) equal installments on October 1, 2021, January 1, 2022 and May 1, 2022.

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

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator ___, seconded by Legislator ___, and adopted.
RESOLUTION NO. 231 - 2021

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND KINSLEY POWER SYSTEMS
FOR GENERATOR MAINTENANCE SERVICES
AT THE 911 TOWER SITES AND COUNTY BUILDING

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

WHEREAS, the Lewis County Buildings and Grounds Department recently requested quotes from three (3) contractors to have maintenance and inspection services performed for the generators located at all Lewis County 911 tower sites and all county buildings for a five (5) year period; and

WHEREAS, the Director of Buildings and Grounds received three (3) quotes and after review and consideration of same, recommends a contract with Kinsley Power Systems, who offered the lowest quote for the five (5) years of maintenance service; and

WHEREAS, the County of Lewis desires to enter into an agreement Kinsley Power Systems, with office located at 6200 East Molloy Road, East Syracuse, New York 13057, for the purpose of providing maintenance and inspection services for the generators placed at the 911 tower sites and all county buildings; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with Kinsley Power Systems for the purpose of providing maintenance and inspection services for the generators located at all 911 tower sites and county buildings.

Section 2. That this is for a five (5) year term commencing January 1, 2022 through December 31, 2026, at cost not to exceed the following:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
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<tr>
<td>2022</td>
<td>$ 9,520.00</td>
</tr>
<tr>
<td>2023</td>
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</tr>
<tr>
<td>2024</td>
<td>$ 9,922.00</td>
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<tr>
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<td>$10,115.00</td>
</tr>
<tr>
<td>2026</td>
<td>$10,320.00</td>
</tr>
</tbody>
</table>

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, or any amendments thereto, 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. 232 - 2021

RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND T&D BLACKTOP & SEALING
FOR MAINTENANCE PERFORMED ON THE PARKING LOT AT THE
LEWIS COUNTY-JEFFERSON COMMUNITY COLLEGE EDUCATION CENTER

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

WHEREAS, the Lewis County Buildings and Grounds Department recently requested quotes from three (3) contractors to have maintenance performed on the parking lot at the Lewis County-Jefferson Community College Education Center ("LC-JCC"), which includes sealing and striping; and

WHEREAS, the Director of Buildings and Grounds received two (2) quotes and after review and consideration of same, recommends a contract with T&D Blacktop & Sealing, who proposed $9,900.00 for the parking lot maintenance required; and

WHEREAS, the Board of Legislators seeks to contract with T&D Blacktop & Sealing to perform maintenance services on the LC-JCC parking lot;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with T&D Blacktop & Sealing, Beaver Falls, New York, to perform parking lot sealing and striping maintenance services at the Lewis County-Jefferson Community College Education Center.

Section 2. That the cost shall not exceed $9,900.00, with the work to be completed by November 30, 2021.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon review and 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. 233 - 2021

RESOLUTION ORDERING IMMEDIATE SITE CLEAN UP, REMOVAL OF UNSAFE AND CONTAMINATED BURNED BUILDING DEBRIS, AND BACKFILL OF THE FORMER BRICK BLOCK BUILDING, TURIN, NY PROPERTY

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

WHEREAS, pursuant to Local Law No. 2-2007, entitled, “A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES,” (herein “Unsafe Building Law”), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, in 2008, the Lewis County Codes Department condemned the structure known as the Brick Block Building, located on the southeast corner of East Main Street and State Street, in the Village and Town of Turin, NY, as unsafe for occupancy, with a portion of the rear of the building having collapsed and being a danger and nuisance to the safety of the public. The Lewis County Board of Legislators held a public hearing and determined that the owners were required to install a barricade fence sufficient to barricade the collapsed portions of the building; and

WHEREAS, in 2014 the Lewis County Codes Department advised that there were serious structural issues pertaining to the heating system, plumbing and electrical systems warranting condemnation of the interior structure. In 2017 additional portions of the building were determined to be in disrepair and in danger of collapse, with missing windows and doors allowing for unauthorized access to the interior and unsafe for occupancy. The Codes Department condemned the entire structure, filed notices of violations and requests for compliance to no avail. Subsequently, one of the record owners of the majority of the building parcels, Rose McKenna, a/k/a Rose McKenna Davis, appeared before the General Services committee alleging that she intended to renovate and fix the structure, but she did not; and

WHEREAS, on or about March 31, 2021, the building burned and fully collapsed. The County, in consultation with the Village Mayor, secured the US Environmental Protection Agency (EPA) to view the downed structure and site, and to take numerous samples of the debris and materials on site. The testing revealed one area of friable asbestos roofing material, with other samples not rising to such level. The US Department of Labor and NYS Department of Environmental Conservation determined that clean up of the site required certified haulers of asbestos- contaminated materials; and

WHEREAS, the County Attorney notified Ms. McKenna Davis of the process required for emergency clean up and removal of the debris and hazardous materials, and with the County’s intention to immediately act to clear and remove the hazardous debris and materials for the safety of the public, pursuant to the Unsafe Structure Law. Ms. McKenna’s response did not express an intention for her to clear the site of the hazardous debris and materials; and
WHEREAS, Local Law No. 2-2007 provides for emergency action where there is present a clear and imminent danger to life, safety or health of any person or property unless the unsafe structure is immediately addressed. The testing of this downed structure is dangerous to the life, safety and health of residents and passers-by, warranting the immediate action of the County as set forth herein; and

WHEREAS, with the assistance of professional services from the Development Authority of the North Country (DANC), the Code Enforcement Officer, through the County Attorney, has taken preliminary steps to commence clean up of the property by sending out Requests for Quotes (Air Monitoring Services) and an RFP for site clean up, certified removal of hazardous asbestos material, and backfill of the property after removal. Upon authorization of the Board of Legislators for the contracts associated with the required clean up and removal actions to the charred structure and construction debris laced with hazardous materials and asbestos contaminated debris, the site clean up and remediation of the property will be undertaken for the safety of the residents; and

WHEREAS, the County published Notice of an Emergency Public Hearing on this matter for October 5, 2021 at 5:00 p.m., which gives notice to the public and directly to record owners of the building and property to appear before this Board of Legislators on such date and time to Show Cause why the Board should not Order the County to immediately undertake the clean up and removal of the downed structure and hazardous materials, to be paid by the owners of said property by assessing all costs and expenses thereof against the land on which the building was located, in proportion to each separate owner’s parcel interest in the property; and

WHEREAS, the record owners were given due notice of this emergency hearing before this Board. Notice of the Emergency Hearing was published in the Watertown Daily Times, and posted on the Lewis County website. All interested parties and known relatives of the owners were served with notice of the hearing as well; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators held an emergency public hearing on October 5, 2021 at 5:00 p.m., in accordance with the Notice of Emergency Hearing published and served upon interested parties, pertaining to the action to be taken by the County to immediately undertake the clean up and removal of the downed structure and hazardous materials, and backfill of the property, to be paid by the owners of said property by assessing all costs and expenses thereof against the land on which the building was located, in proportion to each separate property owner’s parcel interests in the property; and

Section 2. That upon such hearing, the Board of Legislators finds:

(a) That Rose McKenna, aka Rose McKenna-Davis is owner of a portion of the premises known as the Brick Block Building, East Main Street and State Street, Turin, NY, owning the following parcels at said location: Tax Map Nos. 321.15-01-03.000; 321.15-01-04.000(second floor parcel); 321.15-01-05.000; 321.15-01-06.000, Town of Turin, Village of Turin, County of Lewis;
(b) That the estate of Thomas Milstead III is owner of a portion of the building identified as Tax Map No. 321.15-01-04.000 (first floor). Taxes are delinquent and the property is listed in the Lewis County Tax Foreclosure Proceeding for transfer to the County.

(c) That the estate of Ronald Dorn is owner of a portion of the building identified as Tax Map No. 321-15-01-07.000. Taxes are delinquent and the property is listed in the Lewis County Tax Foreclosure Proceeding for transfer to the County.

(d) That the Lewis County Code Enforcement Officer duly inspected said premises and has declared on a number of occasions that the building located on said premises was unsafe and not repairable, and should be demolished and removed;

(e) That the building was destroyed by fire on March 31, 2021, leaving the property unsafe, hazardous and a danger to the public in its present state. The County Attorney and Code Enforcement Department recommend that the site be determined to require emergency attention to be cleared of all debris and all materials by proper and safe removal and monitoring to an appropriate landfill, in compliance with regulations and requirements of the US DOL and NYS DEC;

(f) That the Board of Legislators has received all reports and updates on this property and agrees with the recommendation for the County to undertake immediate clean up, debris removal and backfill of the property;

(g) That Notice of an Emergency Hearing was published and set for October 5, 2021 for all those interested to appear and be heard with respect to the determination that the burned, downed building site is unsafe, constitutes a public nuisance and a danger to the safety, health and welfare of the community; and that the building site must be immediately cleared of all debris and hazardous materials by proper removal from the premises;

(h) That the Owners and interested parties received due notice of these proceedings and hearing date;

(i) That upon the aforesaid findings, the Lewis County Board of Legislators determines:
   1. that the downed, burned building located on the premises at the corner of East Main Street and State Route 26, Village of Turin, known as Tax Map Nos. 321.15-01-03.000; 321.15-01-04.000(second floor parcel); 321.15-01-04.000(first floor parcel); 321.15-01- 05.000; 321.15-01-06.000; and 321.15-01-07.000, Town of Turin, County of Lewis is unsafe, constitutes a public nuisance and a danger to the safety, health and welfare of the community and must be treated as an emergency matter requiring immediate steps to clear of construction debris and hazardous materials; to properly handle and remove the debris and materials, as required by DOL and DEC; and for the property to be backfilled;
   2. that all record owners have failed to remedy this condemned structure and site for over ten (10) years, and have demonstrated an inability to properly demolish, secure, and remove the unsafe conditions and structure over time; have
failed to secure and clean up the building debris and hazardous materials caused by the fire at said location, in conformance with all permits, regulations, codes and laws pertaining to said proper demolition and removal. Further, the owners have demonstrated an inability or refusal to pay for such costs and expenses of clean up and removal.

Section 3. That by reason of such findings and determinations, it is hereby

ORDERED AND DECREED, that Rose McKenna, aka Rose McKenna-Davis as owner of a portion of the premises known as the Brick Block Building, East Main Street and State Street, Turin, NY, owning the following parcels at said location: Tax Map Nos. 321.15-01-03.000; 321.15-01-04.000(second floor parcel); 321.15-01-05.000; 321.15-01-06.000, Town of Turin, Village of Turin, County of Lewis; the estate of Thomas Milstead III as owner of a portion of the building identified as Tax Map No. 321.15-01-04.000 (first floor), whose property taxes are delinquent with the property listed in the Lewis County Tax Foreclosure Proceeding for transfer to the County; and the estate of Ronald Dorn as owner of a portion of the building identified as Tax Map No. 321-15-01-07.000, whose taxes are delinquent with the property listed in the Lewis County Tax Foreclosure Proceeding for transfer to the County; shall be financially responsible for the costs and expenses incurred by the County of Lewis in the proper site clean up, air monitoring, asbestos contaminated debris and material removal to a proper landfill, and backfill, in proportion of the percentage ownership of each owner’s parcel(s); and it is

ORDERED AND DECREED, that the County, through the County Attorney and Code Enforcement Department, immediately undertake any and all steps and actions required to commence site clean up, removal and backfill of the property by County employees and/or by contract in accordance with the County’s procurement policies and through competitive bidding for any contracts in excess of $20,000.00; and it is further

ORDERED AND DECREED, that all of the costs and expenses of clean up, removal and backfill undertaken by the County shall be assessed against the owners of the land upon which the building was located, and apportioned in relation to the size of each parcel comprising the entire property; and it is further

ORDERED AND DECREED, that as alternative relief and at her option, the County Attorney is authorized to institute any special proceeding(s) she deems necessary or appropriate to collect the costs and expenses of securing the property, clean up, debris removal, and backfill as described herein from the record owners; and it is further

ORDERED AND DECREED, that Notice of this Decision and Order shall be delivered to the Owners of the property by mailing a certified copy of this Resolution to each Owner or to his/her designated lawful agent, at his/her last known address(es) according to the tax records, and at any additional address that may have been provided to the County Attorney, and by any other service method deemed appropriate.

Section 4. That the costs and expenses of this clean up project be paid from the American Rescue Plan Act (ARPA) funds designated for Property Clean Up.
Section 5. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 234 - 2021

RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND GREEN 2 GREEN CONSULTING LLC FOR PROFESSIONAL AIR MONITORING SERVICES AT THE TURIN BRICK BLOCK CLEAN UP AND REMOVAL PROJECT

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

WHEREAS, pursuant the prior authorization from the Lewis County Board of Legislators, the Development Authority of the North Country (DANC), in consultation with the County Attorney, sent out a request for quotes for air monitoring services required by NYS in the cleanup and removal of the downed building, with asbestos-containing debris; and

WHEREAS, proposals were solicited from four (4) professional environmental firms known to be certified in air monitoring services, to provide an estimate of the cost of air monitoring and testing for an estimated twenty (20) days to complete site cleanup of asbestos containing materials. The final cost will depend on the number of days air monitoring will be required; and

WHEREAS, the four (4) proposals received were reviewed by the DANC Engineer and County Attorney, who recommend that the Board award the contract to Green 2 Green Consulting LLC, of Watertown, NY, with the lowest pricing schedule of $10,849.00, according to the terms and specifications set forth in the RFP; and

WHEREAS, the Lewis County Board of Legislators seeks to award the air monitoring services contract to Green 2 Green Consulting LLC (Green), for the specified services to be provided under this Project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Green 2 Green Consulting LLC, with office at 18969 US Route 11, Suite 2, Watertown, NY 13601 to provide asbestos air monitoring services at the Turin Brick Block cleanup and removal site, on the days that removal of building materials is undertaken.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions, requirements and terms recommended by the County Attorney, at a cost not to exceed $10,849.00 for an estimated twenty (20) days of project monitoring and testing.

Section 3. That this expense shall be paid from the Capital Environmental Clean Up Fund Account # H0809000 499900.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments or change orders thereto, upon review and approval by the County Attorney.
Section 5. That the within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 235 - 2021

RESOLUTION AUTHORIZING AN EXTENSION AGREEMENT BETWEEN THE COUNTY OF LEWIS AND ICU SECURITY & PRIVATE INVESTIGATIONS FOR UNARMED SECURITY GUARD SERVICES AT THE DEPARTMENT OF MOTOR VEHICLES BUILDING

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

WHEREAS, the County of Lewis, on behalf of the Lewis County Department of Motor Vehicles ("DMV") entered into an agreement dated May 6, 2021 with ICU Security & Private Investigations ("ICU") pursuant to Resolution No. 88-2021, for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY; and

WHEREAS, this was for a period of up to six (6) months with the term commencing on May 10, 2021 through November 5, 2021 at a cost not to exceed $32.50 per hour, the prevailing wage rate for security guards in the North Country area, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said service; and

WHEREAS, the Lewis County Clerk desires to extend the agreement through the end of this year, ending December 31, 2021, at the same hourly rate; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an extension Agreement between the County of Lewis, by and through the Lewis County Clerk, with ICU Security & Private Investigations for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY.

Section 2. That the term of the Agreement shall continue from November 5, 2021 through to December 31, 2021, at a cost not to exceed $32.50 per hour, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said service.

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.
RESOLUTION NO. 236 - 2021

RESOLUTION AUTHORIZING PURCHASE OF A PORTION OF THE EAST STATE STREET PROPERTY (PARCEL NO. 212.16-02-09.151) CURRENTLY LEASED BY THE COUNTY OF LEWIS FROM V. S. VIRKLER & SON, INC.

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

WHEREAS, the County of Lewis, acting by and on behalf of the Lewis County Department of Motor Vehicles, entered into a Lease Agreement with VS Virkler & Son, Inc., (Virkler) for the purpose of renting and using the existing building and parking lot (approximately one acre) located at 7513 East State Street, Lowville, NY to service DMV transactions; and

WHEREAS, the Lewis County Board of Legislators desire to purchase a greater portion of this parcel to include the building, current parking lot and a significant portion of the vacant, flat remainder of the parcel in order to permanently house DMV at this location and build an extension to the existing building and expand the parking lot area in order to accommodate the Board of Elections at the same location; and

WHEREAS, the County secured an appraisal of the property, which indicated an approximate market value of $320,000.00. The owner is willing to sell this portion of his parcel (the buildable portion of the parcel) to the County for the sum of $430,000.00; and

WHEREAS, the Board of Legislators finds that acquisition and outright ownership of this property, is beneficial in its ease of access for residents, eliminates rental expenses, is in keeping with the requirement that BOE be located within the limits of the Village of Lowville, and is consistent with the County’s five-year County building plan; and

WHEREAS, the County Manager seeks to have the Lewis County Board of Legislators exercise its authority and approve a contract of sale for the purchase of this portion of the parcel known as 7513 East State Street, Lowville, NY 13367 from VS Virkler & Son, Inc., in consideration of the payment of $430,000.00;

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. The Lewis County Board of Legislators hereby approves and authorizes the purchase of the approximately 2 - 2.5 acre portion of the property located at 7513 East State Street, Lowville, NY (tax map parcel no. 212.16-02-09.151), comprised of the current building, parking lot with the extended, additional, flat portion of the land for use by the County of Lewis in its operations and services provided by its DMV and BOE departments, or as the County may otherwise determine.

Section 2. That the Board of Legislators hereby authorizes and directs the County Attorney to take all customary action and legal steps for the purchase and transfer of the property.
to the County of Lewis at a purchase price of $430,000.00, payable from the Capital Building Project – HAR account.

Section 3. The Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such purchase contract, transfer documents as may be required, upon such form(s) as approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 237 - 2021

RESOLUTION TO ACCEPT CYBER SECURITY GRANT AND AUTHORIZE CONTRACT WITH CORE BTS, INC FOR CYBER HARDWARE AND SERVICES AT BOARD OF ELECTIONS

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

WHEREAS, the Lewis County Board of Elections has been awarded NYS BOE grant funds up to the amount of $68,417.37 under Contract Number BOE01-C004254-1110000, to reimburse the county board of elections for eligible expenses to implement cybersecurity remediation and mitigation services, for the term beginning December 21, 2019 to December 31, 2021; and

WHEREAS, the Lewis County IT Director has identified the need to replace access switches in the electronic equipment at the Board of Elections, which will enhance their cyber security; and

WHEREAS, the IT Director received proposals and quotes from identified vendors who have the particular professional expertise and knowledge, and the identified hardware compatible to the County’s system for this enhancement. The IT Director recommends that the County authorize an agreement with Core BTS, Inc for the electronic switches, hardware, equipment and professional services for installation, testing, compatibility, trouble shooting, and other services identified in the services proposal; all not to exceed the reimbursable grant funds of $68417.37; and

WHEREAS, the Lewis County Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Board of Elections and the New York State Board of Elections for the Cybersecurity Remediation and Mitigation Services Grant identified as Contract Number BOE01-C004254-1110000, up to the amount of $68,417.37.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Commissioners of the Lewis County Board of Elections to execute and enter into the Grant Agreement or other documents which may be required for this Agreement and for the Commissioners to submit reimbursement for eligible cybersecurity expenses incurred through December 31, 2021, or as the term may be extended.

Section 3. That the IT Director is authorized to accept the proposal from Core BTS, Inc (Core) for electronic switches, equipment, hardware, and services associated with installation of same as cybersecurity remediation and mitigation services to benefit the BOE, up to an amount not to exceed eligible grant funds of $68,417.37.
Section 4. That the Chairman, or Vice-Chairman, in his absence, is hereby authorized to execute and deliver the Agreement with Core BTS, Inc, subject to review and approval of the County Attorney.

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

Moved by Legislator ___, seconded by Legislator ___, and adopted.
RESOLUTION NO. 238 - 2021

RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO HIGHWAY DEPARTMENT

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Highway Department for the following:

<table>
<thead>
<tr>
<th>ABOLISH</th>
<th>STATUS</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>One (1) Mechanic Welder</td>
<td>Full-Time</td>
<td>Grade 21 ($19.54 - $22.84)</td>
</tr>
</tbody>
</table>

| CREATE | | |
|--------| | |
| One (1) MEO Medium | Full-Time | Grade 18 ($18.16 - $20.93) |

Section 2. That Highway Superintendent Timothy Hunt is hereby authorized to fill the MEO Medium position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator ___, seconded by Legislator ___, and adopted.
RESOLUTION NO. 239 - 2021

RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 3 TO THE CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) AND LEWIS COUNTY FOR THE TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT (PIN 775387) KNOWN AS CR 29 (WEST ROAD) OVER WHETSTONE CREEK

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

WHEREAS, a Project for the Bridge Replacement known as CR 29 (West Road) over Whetstone Creek (PIN 775387; BIN 3340230) (the “Project”) in the Town of Martinsburg, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds, 15% state funds and 5% non-federal funds; and

WHEREAS, pursuant to Highway Law § 10 (34-a) and section 15 of Chapter 329 of the Laws of 1991 as amended by section 9 of Chapter 330 of the Laws of 1991, as further amended by chapter 57 of the Laws of New York of 2014, the State has established the “Marchiselli” Program, which provides certain State-aid for Federal aid highway projects not on the State highway system with project eligibility for Marchiselli Program funds determined by NYSDOT. This project is being funded with Federal Surface Transportation Program (STP) and Marchiselli funds; and

WHEREAS, the County of Lewis advanced the Project by authorizing a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering/Design and Right Of Way Incidentals Phases of the Project by Resolution 139-2019 adopted May 7, 2019; and

WHEREAS, the Superintendent of Highways received notice from the NYSDOT that the County will receive additional Final Design funds and Marchiselli funding for the additional costs associated with the Final Design Phase, which amends the previously adopted Schedule A funding for the Final Design phase of this project; and

WHEREAS, Supplemental Agreement No. 3 amends the phase scheduled funding by increasing total costs of the Final Design by $116,500.00 for a total cost of $270,500.00, with $216,400.00 the Federal Share $38,100.00 the Marchiselli match and $16,000.00 local share;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute a supplemental agreement to the CR 29 (West Road) over Whetstone Creek Contract with NYSDOT, identified as “Supplemental Agreement No. 3 to D036200” to incorporate additional final design costs and funding as well as approval of Marchiselli funds for the Final Design Phase for the project.
Section 2. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all necessary supplemental agreements on behalf of the Lewis County Board of Legislators with the New York State Department of Transportation in connection with this Project.

Section 3. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to the Supplemental Agreement No. 3 to Contract D036200, in connection with the Project.

Section 4. That $116,500.00 shall be appropriated in the Capital Bridge Program to facilitate the Final Design Phase for the Bridge Replacement on CR 29 (West Road) over Whetstone Creek (PIN 775387; BIN 3340230) in the Town of Martinsburg. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenues:
H0512000 345970 Federal $93,200.00
H0512000 335910 State $15,000.00
H0512000 350310 Local $8,300.00
Project HAP $116,500.00

Increase Expenditures:
H0512000 499900 Expenditures $116,500.00
Project HAP

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

Moved by Legislator ___, seconded by Legislator ___, and adopted.
RESOLUTION NO. 240 - 2021

RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS

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

WHEREAS, pursuant to Section 856 of the General Municipal Law, an Industrial Development Agency shall be a corporate government agency constituting a public benefit corporation; and

WHEREAS, the Industrial Development Agency Board of Directors shall consist of not less than three nor more than seven members, who shall be appointed by the governing Board of Legislators; and

WHEREAS, said members shall serve at the pleasure of the Board of Legislators.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Herbert F. Frost III, Harrisville, New York 13468 to the Lewis County Industrial Development Agency Board of Directors, to serve at the pleasure of the Board of Legislators.

Section 2. That said appointment shall be effective October 6, 2021 for an indefinite term.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. _241_ - 2021

RESOLUTION TO APPROPRIATE FUNDS
Office For the Aging Department

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Office For the Aging Department accounts for additional grant funding received from New York State related to Covid-19:

Increase Revenue:
A0677200 337706 OFA NY Connects Covid 19 $18,664.00

Increase Expenditures:
A0677200 490906 OFA ADRC Covid 19 $18,664.00

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

Moved by Legislator ___, seconded by Legislator ___, and adopted.
RESOLUTION NO. 242 - 2021

RESOLUTION AUTHORIZING AND ADOPTING THE 2021 LEWIS COUNTY HUMAN SERVICES COORDINATED TRANSPORTATION PLAN

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

WHEREAS, in 2007, the Lewis County Transportation Task Force, a group of human services providers, began meeting to discuss the transportation needs within the county. The County assigned the Lewis County Department of Economic Development and Planning to participate in the task force, review the existing transportation programs and identify redundancies and gaps in service; and

WHEREAS, Lewis County Public Transportation (LCPT) was launched in 2009 as a direct outcome of identified needs found in the 2009 Lewis County Human Services Coordinated Transportation Plan, administered by the Lewis County Economic Development and Planning Department; and

WHEREAS, the Lewis County Planning Department and the Lewis County Transportation Task Force prepare updates to the Plan approximately every four (4) years. The last Plan was updated in 2017. The Plan prepared is in accordance with the regulations of the Federal Transportation, Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA) mandate, which requires establishment of a locally developed, coordinated public transit-human services transportation plan for all FTA programs for underserved populations; and

WHEREAS, the Task Force has prepared an updated Plan to provide information on past and current efforts to improve community mobility and quality of life for the residents of Lewis County; and

WHEREAS, the proposed updated Plan will assist various human resource public and private agencies in Lewis County (such as Public Health, DSS, the Hospital, OFA) to service their clients; will assist all such agencies in Grant Funding application requirements; and will assist the Planning Department in meeting requirements established by the NYS DOT; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize and adopt the updated Lewis County Human Services Coordinated Transportation Plan prepared by the Planning Department and the Lewis County Transportation Task Force;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby adopts the 2021 “Lewis County Human Services Coordinated Transportation Plan”, prepared by the Lewis County Planning Department and the Lewis County Transportation Task Force as its updated Plan to improve community mobility and quality of life for the residents of Lewis County.
Section 2. That the Planning Department is directed to distribute the Plan to all appropriate human services organizations and agencies in Lewis County and to post a copy of the Plan on the Lewis County website.

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

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 243 - 2021

RESOLUTION AUTHORIZING AGREEMENT WITH DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY TO ADMINISTER THE NORTHERN BORDER REGIONAL COMMISSION 2021 SEID GRANT AWARD

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

WHEREAS, pursuant to the Resolution No. 105-2021, the Lewis County Board of Legislators authorized an application to the Northern Border Regional Commission (NBRC) for a 2021 State Economic & Infrastructure Development (SEID) award pertaining to a comprehensive telecommunication infrastructure project and plan for Lewis County; and

WHEREAS, the Planning Department received notification from the NBRC that the County was awarded $263,053.00 toward its $328,816.00 project, with the County’s commitment to meet the 20% local match; and

WHEREAS, under the proposed workplan, the Development Authority of the North Country (DANC) is identified as the preferred entity to serve as administrator of the NBRC grant because of its expertise and designation as the Local Development District (LDD) for the County; and

WHEREAS, the Planning Department requests that the Lewis County Board of Legislators approve an Agreement with DANC to provide technical and administration services to the County under the NBRC grant, in an amount not to exceed $6,000.00;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement with DANC to provide technical administration services to the County under the NBRC 2021 SEID grant for the telecommunication infrastructure project plan, at a cost not to exceed $6,000.00, and payable from the grant funds awarded.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such Agreement, amendments, extensions, and all other required documents necessary to carry out the terms of this Resolution, 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. 244 - 2021

RESOLUTION DETERMINING CDBG PROJECT GRANT NO. 636HO133-20
CONSTITUTES A TYPE II ACTION UNDER SEQRA WITH NO SIGNIFICANT
ENVIRONMENTAL IMPACT UPON THE ENVIRONMENT

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

WHEREAS, the County of Lewis applied for Community Development Block Grant
(“CDBG”) funds to finance community development activities; and

WHEREAS, the County of Lewis was awarded $377,239.00 in NYS Community Block
Grant funds for owner and renter occupied housing rehabilitation (Project No. 636HO133-20); and

WHEREAS, CDBG environmental regulations require that the County make a
determination as to whether the project will have a significant impact upon the environment; and

WHEREAS, the Director of Planning, designated as the certifying officer responsible
for all activities associated with the CDBG project, reviewed the environmental review process
outlined under the Grant regulations and considers the program to constitute a Type II action as
defined by the regulations. The Director recommends that the Board conclude that the project
will not have a significant environmental impact, and that as a Type II action, no further
procedure under SEQRA is required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby determines that the Lewis County CDBG
community development activities (Project No. 636HO133-20) constitutes a Type II action as
defined by the regulations promulgated under the State Environmental Quality Review Act
(SEQRA) of the State of New York, that the project will not have a significant impact upon the
environment, and that there is no further procedure required under SEQRA.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is hereby
authorized to execute, seal, and deliver any forms and documents related and necessary to give
effect to this determination, pending 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. 245 - 2021

RESOLUTION DETERMINING CDBG PROJECT GRANT NO. 636HR134-20 CONSTITUTES A TYPE II ACTION UNDER SEQRA WITH NO SIGNIFICANT ENVIRONMENTAL IMPACT UPON THE ENVIRONMENT

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

WHEREAS, the County of Lewis applied for Community Development Block Grant ("CDBG") funds to finance community housing opportunities and activities; and

WHEREAS, the County of Lewis was awarded $610,064.00 in NYS Community Block Grant funds to address housing rehabilitation (Project No. 636HR134-20); and

WHEREAS, CDBG environmental regulations require that the County make a determination as to whether the project will have a significant impact upon the environment; and

WHEREAS, the Director of Planning, designated as the certifying officer responsible for all activities associated with the CDBG project, reviewed the environmental review process outlined under the Grant regulations and considers the program to constitute a Type II action as defined by the regulations. The Director recommends that the Board conclude that the project will not have a significant environmental impact, and that as a Type II action, no further procedure under SEQRA is required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby determines that the Lewis County CDBG community housing opportunities and activities (Project No. 636HR134-20) constitutes a Type II action as defined by the regulations promulgated under the State Environmental Quality Review Act (SEQRA) of the State of New York, that the project will not have a significant impact upon the environment, and that there is no further procedure required under SEQRA.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal, and deliver any forms and documents related and necessary to give effect to this determination, pending 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. 246 - 2021

RESOLUTION DETERMINING CDBG PROJECT GRANT NO. 636ME980-21
CONSTITUTES A TYPE II ACTION UNDER SEQRA WITH NO SIGNIFICANT
ENVIRONMENTAL IMPACT UPON THE ENVIRONMENT

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

WHEREAS, the County of Lewis applied for Community Development Block Grant ("CDBG") funds for small business loans/grants under 2020 CDBG; and

WHEREAS, the County of Lewis was awarded $200,000.00 in NYS Community Block Grant funds for the microenterprise program (Project No. 636ME980-21); and

WHEREAS, CDBG environmental regulations require that the County make a determination as to whether the project will have a significant impact upon the environment; and

WHEREAS, the Director of Planning, designated as the certifying officer responsible for all activities associated with the CDBG project, reviewed the environmental review process outlined under the Grant regulations and considers the program to constitute a Type II action as defined by the regulations. The Director recommends that the Board conclude that the project will not have a significant environmental impact, and that as a Type II action, no further procedure under SEQRA is required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby determines that the Lewis County CDBG community housing opportunities and activities (Project No. 636ME980-21) constitutes a Type II action as defined by the regulations promulgated under the State Environmental Quality Review Act (SEQRA) of the State of New York, that the project will not have a significant impact upon the environment, and that there is no further procedure required under SEQRA.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal, and deliver any forms and documents related and necessary to give effect to this determination, pending 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. 247 - 2021

RESOLUTION TO ACCEPT GRANT, AUTHORIZE AGREEMENT, APPROPRIATE FUNDS AND DETERMINING CDBG PROJECT GRANT NO. 636CVPF9-21 CONSTITUTES A TYPE II ACTION WITH NO SIGNIFICANT ENVIRONMENTAL IMPACT UNDER SEQRA

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

WHEREAS, the Director of Planning received notification that Lewis County has been awarded $747,790.00 from the Housing Trust Fund Corporation (“HTFC”) and the Office of Community Renewal (“OCR”) under the Coronavirus Aid, Relief, and Economic Security Act (“CARES”) for the County’s LMI Broadband Connections Project. The projects selected for award are to assist in the recovery of New York State communities by improving the resiliency of businesses and safety of homes and public facilities serving its residents. Approval and funding is dependent upon compliance with all HTFC requirements, including environmental review and SEQRA determination; and

WHEREAS, the Director of Planning, designated as the certifying officer responsible for all activities associated with the CDBG program, reviewed the environmental review process outlined under the Grant regulations and considers the project to constitute a Type II action as defined by the regulations. The Director recommends that the Board conclude that the project will not have a significant environmental impact, and that as a Type II action, no further procedure under SEQRA is required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby accepts the award and determines that the Lewis County CDBG CARES Act Award for the LMI Broadband Connections (Project No. 636CVPF9-21) constitutes a Type II action as defined by the regulations promulgated under the State Environmental Quality Review Act (SEQRA) of the State of New York; that the project will not have a significant impact upon the environment; and that there is no further procedure required under SEQRA.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal, and deliver the Grant Agreement, any forms and documents related and necessary to give effect to this award, pending approval of the County Attorney.

Section 3. That the following budget appropriation is hereby approved in the Planning Department for expected funding from the NYS CDBG CARES Program award:

Increase Revenue:
H0168000 339022 NYS CDBG Broadband $747,790.00

Increase Expenditure:
H0168000 499900 Expenditure $747,790.00
Section 4. That the within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 248 - 2021

RESOLUTION APPOINTING PLANNING DIRECTOR AS THE CERTIFYING OFFICER FOR CERTAIN COMMUNITY DEVELOPMENT BLOCK GRANTS

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

WHEREAS, the County of Lewis has applied for and been awarded numerous Community Development Block Grants (CDBG), to wit: NYS CDBG Project numbers 636CVPF9-21, 636HO133-20, 636HR134-20, and 636ME980-21; and

WHEREAS, these projects is subject to environmental review under the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA); and

WHEREAS, the designation of a Certifying Officer to sign the Environmental Review is required under the terms of each Grant Agreement; and

WHEREAS, the Director of Planning requests that the Board of Legislators designate her as the Certifying Officer;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby declares and appoints Casandra Buell, the Lewis County Planning Director, as the Certifying Officer under CDBG Project Numbers 636CVPF9-21, 636HO133-20, 636HR134-20, and 636ME980-21, to sign the Environmental Review as required under the terms of the Grant Agreements between the County of Lewis and the New York State Agency(s) administering the Community Development Block Grant Project and funds therein awarded.

Section 2. That Casandra Buell, the Lewis County Planning Director, herein designated as the Certifying Officer for the above identified CDBG projects, is authorized to execute any required documents as the Certifying Officer in order to advance each Grant and secure the release of the Grant funds for each project.

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

Moved by Legislator ___, seconded by Legislator ___, and adopted.
RESOLUTION NO. 249 - 2021

RESOLUTION AUTHORIZING CHILD CARE SERVICES EXPANSION PROGRAM AND TRANSFER OF FUNDS

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

WHEREAS, the County of Lewis, by and through the Planning Department, desires to have the County invest $200,000.00 of the American Recovery Plan stimulus funds in an effort to support the urgent demand for affordable, safe, high-quality childcare in Lewis County; and

WHEREAS, in 2019, the Child Care Coordinating Council of the North Country issued a report indicating that there is not enough childcare to meet local needs. In Lewis County, there are 7.8 children for each regulated childcare slot available, that is, there are only 472 childcare slots available in the County for approximately 3,700 children; and

WHEREAS, the lack of child care in the County has a direct negative impact on economic development, especially with Covid-19, where many parents have been forced to leave employment in order to care for their children. Without the availability of this basic service, our local economy will continue to suffer; and

WHEREAS, the Planning and Community Development Department has worked with other agencies, including the LCIDA, Community Action Planning Council, JCC and Small Business Development Center in devising a comprehensive program to help mitigate current childcare challenges. The Child Care Services Expansion Program includes the following:

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Home-based Day Care Training Bootcamp</td>
<td>$35,000.00</td>
</tr>
<tr>
<td>Home-based Day Care Materials &amp; Equipment Grant Program</td>
<td>$9,000.00</td>
</tr>
<tr>
<td>Center-based Child Care Staffing program</td>
<td>$120,000.00</td>
</tr>
<tr>
<td>Center-based Child Care Staff Retention Program</td>
<td>$36,000.00</td>
</tr>
<tr>
<td>County Total 2022 Investment:</td>
<td>$200,000.00</td>
</tr>
</tbody>
</table>

WHEREAS, this comprehensive investment in identified areas will serve to help families and business growth and retention in our local communities, with the Planning Department continuing to assist with local partners to increase affordable, safe and quality childcare in Lewis County; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this project and commit the $200,000.00 funding for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the Planning Department’s Child Care Services Expansion Program in the amount of $200,000.00, in accordance with the outline of programs and funding set forth above.
Section 2. That the Lewis County Board of Legislators authorizes and directs the funding for this Project to come from the County’s American Recovery Plan funds.

Section 3. That the following budget transfers are hereby approved utilizing Capital Reserve Account HAZ – American Rescue Plan Act:

Transfer from:
H0 162000 340890 ARPA General Revenue $200,000.00

Transfer to:
H0 172000 340890 ARPA Program Revenue $200,000.00

Transfer from:
H0 162000 499900 ARPA General Expenditures $200,000.00

Transfer to:
H0 172000 499900 ARPA Program Expenditures $200,000.00

Section 4. That the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to execute any and all agreements and documents the County Attorney determines to be necessary to give effect to this Project.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 250 - 2021

RESOLUTION TO ACCEPT COVID-19 VACCINE RESPONSE GRANT FUNDS
FROM NEW YORK STATE DEPARTMENT OF HEALTH

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, Lewis County Public Health has been awarded grant funds in the amount of $68,134.51 from New York State Department of Health (Contract No.: C36937GG) to promote and increase COVID-19 vaccine and other vaccine uptake; and

WHEREAS, this funding may be used for COVID-19 vaccine implementation expenses retroactive to January 1, 2021 and is available through June 30, 2024; and

WHEREAS, the Lewis County Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between Lewis County Public Health and New York State Department of Health (Contract No.: C36937GG) to promote and increase COVID-19 vaccine and other vaccine uptake in the amount of $68,134.51 for the retroactive date of January 1, 2021 through June 20, 2024.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver and enter into the Grant Agreement or other documents which may be required to give effect to receipt of these grant funds.

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

Moved by Legislator ____, seconded by Legislator ____, and adopted.
RESOLUTION NO. 251 - 2021

RESOLUTION APPROVING RENEWAL AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND BIRNIE BUS SERVICE, INC., FOR TRANSPORTATION SERVICES REQUIRED FOR PRESCHOOL SPECIAL EDUCATION PROGRAM

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Public Health Agency ("LCPH") is tasked with providing transportation services for eligible pre-school special education children and desires to enter into a renewal agreement with Birnie Bus Service, Inc.; and

WHEREAS, the Board of Legislators wishes to accept such services from Birnie Bus and to authorize a one year contract for same;

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 Public Health Agency and Birnie Bus Service, Inc. to provide transportation services for pre-school special education children eligible for same.

Section 2. That said Agreement shall be for the period of July 1, 2021 through June 30, 2022, based upon the following fee rates:

<table>
<thead>
<tr>
<th>Rate Per Child</th>
<th>Caravan Style</th>
<th>Type A Yellow Van</th>
<th>Type A Wheelchair Van</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Student</td>
<td>$495.00</td>
<td>$514.00</td>
<td>$558.00</td>
</tr>
<tr>
<td>Additional Students</td>
<td>$ 30.00</td>
<td>$ 35.00</td>
<td>$ 35.00</td>
</tr>
<tr>
<td>One-Way Trip</td>
<td>$100.00</td>
<td>$130.00</td>
<td>$130.00</td>
</tr>
</tbody>
</table>

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. _252_ - 2021

RESOLUTION APPOINTING MEMBER TO
HEALTH SERVICES ADVISORY BOARD

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Dr. Brian Roggie of Lowville, New York as a member of the Lewis County Health Services Advisory Board.

Section 2. That the term of said appointment shall be effective January 1, 2022 through December 31, 2025.

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

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 253 - 2021

RESOLUTION TO TRANSFER FUNDS
Public Health Department

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved to move funds to an appropriate expense account. The original appropriation for these funds occurred with Resolution #193-2021.

Transfer From:
A0409700 490100 Prof Svcs. Primary  $ 250,000.00

Transfer To:
A0401000 490900 PH External Miscellaneous  $ 250,000.00

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

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 254 - 2021

RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Department of Social Services for the following:

<table>
<thead>
<tr>
<th>ABOLISH</th>
<th>STATUS</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>One (1) Homemaker</td>
<td>Full-Time</td>
<td>Grade 10 ($14.96 - $17.12)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CREATE</th>
<th>STATUS</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>One (1) Case Aide</td>
<td>Full-Time</td>
<td>Grade 12 ($15.68 - $17.92)</td>
</tr>
</tbody>
</table>

Section 2. That Social Services Commissioner, Jennifer Jones is hereby authorized to fill the Case Aide position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator ___, seconded by Legislator ___, and adopted.
RESOLUTION NO. 255 - 2021

RESOLUTION AUTHORIZING ACCEPTANCE OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) ALLOCATION FOR NON-RESIDENTIAL DV SERVICES AND AGREEMENT BETWEEN LCDSS AND LEWIS COUNTY OPPORTUNITIES, INC. AS SERVICE PROVIDER UNDER THE PLAN

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Commissioner of Social Services received notification that the Department of Social Services (LCDSS) has been awarded $25,000.00 in allocation funds from the NYS OCFS for non-residential domestic violence (DV) services under the TANF program, for SFY 2021-2022; and

WHEREAS, these TANF funds must be used to provide enhanced or expanded core and/or optional non-residential DV services and programs recognized by OCFS, and can only be used for services provided to families with children and whose income is at or below 200% of the poverty level; and

WHEREAS, in order to access these allocated funds, the Commissioner must execute an attestation and service plan with OCFS, including the name(s) of any service provider(s) the Department engages to provide identified services under the plan; and

WHEREAS, the Commissioner seeks to enter into a renewal agreement with Lewis County Opportunities, Inc., to provide the non-residential domestic violence response and prevention services under this allocation; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this funding and the agreements required in providing the services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Commissioner of Social Services to execute the agreement/attestation form and service plan required by OCFS in order to receive the $25,000.00 TANF allocation funds for Non-Residential DV services for SFY 2021-2022.

Section 2. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Department of Social Services and Lewis County Opportunities, Inc., for the purpose of providing non-residential domestic violence response and prevention services under the plan submitted by LCDSS to OCFS.

Section 3. That the term of said agreement shall be from January 1, 2022 through December 31, 2022, for an amount not to exceed $25,000.00 in allocation funds.
Section 4. That the following appropriation is hereby approved for SFY21-22 TANF Non-Residential DV Services program:

Increase Revenue:
A0610900 346090 Fed Aid $ 25,000.00

Increase Expenditure:
A0610900 460900 Non-Res DV $ 25,000.00

Section 5. That the Chairman or Vice-Chairman of the Board of Legislators and Lewis County Commissioner of Social Services are hereby authorized to make, execute, seal and deliver such Agreement, and any amendments thereto, upon review and approval by the County Attorney.

Section 6. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.
RESOLUTION NO. 256 - 2021

RESOLUTION APPOINTING MEMBERS TO TRAFFIC SAFETY BOARD

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

BE IT RESOLVED as follows:

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

Amy Green, Lowville Academy & Central School Transportation Supervisor, Lowville NY
Andrew Krokowski, South Lewis Central School Transportation Department, Turin NY
Douglas Salmon, West Turin Highway Superintendent, West Turin NY
Matthew Morrow, Lewis County STOP-DWI Coordinator, Lowville NY
Timothy Hunt, Lewis County Highway Superintendent, Lowville NY

Section 2. That the term of said appointments shall be for three years, effective from January 1, 2022 through December 31, 2024.

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

Moved by Legislator ___, seconded by Legislator ___, and adopted.
RESOLUTION NO. 257 - 2021

RESOLUTION ADOPTING PURCHASING CARD POLICY AND PROCEDURES FOR THE COUNTY OF LEWIS

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

WHEREAS, a purchasing card (credit card) policy for Lewis County Departments will streamline and simplify purchasing and accounts payable functions by eliminating waste, reducing low dollar purchase orders, reducing check requests, facilitating timely acquisition of materials and supplies, and the timely booking of conferences for employees. In addition, the County will receive annual rebate payments based upon the annual total charge volume, in accordance with rebate rate percentages between 0.50% and 1.90%; and

WHEREAS, the purchasing card policy will compliment the existing processes established by the Lewis County Board of Legislators, and will not bypass any procurement policies and procedures; and

WHEREAS, the Lewis County Board of Legislators seeks to adopt this purchasing card policy and authorize the Treasurer to enter into a Credit Card Agreement with J.P. Morgan Chase Bank, N.A. for this program;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby adopts the attached Purchasing Card Policies and Procedures for Departmental use of credit cards as may be approved by the County Manager.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Lewis County Treasurer to enter into the Commercial Card Agreement with J.P.Morgan Chase Bank, N.A. for this program, upon review and approval of the County Attorney.

Section 3. That the Board directs the Clerk of the Board to add the policy to the Administrative Manual and any other appropriate manuals, and to distribute same to the Lewis County Department Heads.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.
LEWIS COUNTY PURCHASING CARD
POLICY AND PROCEDURES

The Purchasing Card is intended to streamline and simplify the Purchasing and accounts Payable functions by eliminating waste and low value activities. The Purchasing Card is a tool that reduces transaction costs, facilitates timely acquisition of materials and supplies, automates data flow for accounting purposes, and offers flexible controls to help ensure proper usage.

The Purchasing Card is designed as an alternative to a variety of processes including petty cash, check requests, and low dollar purchase orders. The Purchasing Card is not intended to avoid or bypass appropriate procurement of payment procedures. The Policy compliments the existing processes available and is to be used in accordance with the guidelines established by the Lewis County Board of Legislators as detailed in this policy. County purchasing cards should be treated with the same sense of responsibility and security an individual would use with their personal credit card. The program will be initiated with a Visa card issued by JP Morgan Chase bank. This could change in the future, but the basic mechanics of the policy and procedure will not change.

A. Obtaining a card for employees

1. All Purchasing Cards may be issued in the discretion of the County Manager at the request of Department Heads. Card usage will be audited and can be restricted and/or rescinded at any time. Cards will be issued to Departments on an as needed basis and at the request of the Department Head. Specific individuals in each department will be authorized to use the card based on approval of the Department Head. In specific instances, an individual could be authorized for a card. These cards will be in the name of that individual and an application for the card will be initiated by the Department Head.

2. The application / request form includes a credit limit amount. This should be based on reasonable expected purchase volumes. The authorized employee and Department Head must sign the application and provide it to the Treasurer’s Office for final approval and signature. The card is the property of Lewis County and is only to be used for county purchases as defined in this guide. Approved card users are the only persons authorized to use their department card.

3. After reading and understanding this Purchasing Card Policy and Procedures, the Department Head or individual card user will sign the Cardholder Acknowledgement.
4. Only full-time employees of Lewis County are eligible to receive a Purchasing Card. Contractors, part time, and temporary employees are not eligible. The authorized cardholder is responsible for the security of their card(s) and the transactions made against the card(s).

5. Departments will keep all credit cards (Departmental Cards and Individual Cards) in a secure place in the office. Cards will not be carried on a regular basis by any staff member. After use, a card will be returned to the secure location. It is the Department Head's responsibility to secure the card and develop a system to release the card for use as needed.

B. Cardholder Responsibilities and Consequences for Misuse

1. The Purchasing Card is intended for purchases such as services, supplies, materials, lodging, dues, and conference registrations. The Purchasing Card will not be used for any of the items on the list of restricted transactions and should be used in conformity with current purchasing guidelines. Individual authorizations for dollar limits and types of transactions will vary by department.

2. It is important to remember that county funds are committed each time the purchasing card is used. This is a responsibility that should not be taken lightly. The card user is responsible for all charges made to the card which has been issued to the department. Misuse or fraudulent abuse may result in disciplinary action up to and including dismissal. Though the card lists a department and/or an individual's name, the card is legally issued to Lewis County. The card will have no impact on an individual's personal credit.

3. Violations or misuse of the Purchasing Card can be categorized by one or more of the following list of activities (this list is not deemed absolute, there may be other examples of misuse not specifically stated here):
   a. Purchase of items for personal use.
   b. Failure to follow the requisition and purchase order protocols.
   c. Failure to reconcile expenses, attach receipts and forward to Audit (Clerk of the Board) by the deadline established.
   d. Use of the Card for items clearly defined as "Not for Card use".
   e. Allowing an individual that is not an authorized user to access and use the purchasing card.

4. Misuse of the Purchasing Card will lead to disciplinary action which can include any one or combination of the following – to be determined by the County Manager, Human Resources Director, and County Attorney:
   a. Suspension of card privilege
   b. Revocation of the card
   c. Reimbursement of costs incurred
   d. Suspension of employment
   e. Termination of employment
5. Cardholders are responsible for informing the vendors that Lewis County is exempt from sales tax. The County’s tax-exempt status is printed on the card. If a card is to be used in-person at a retail location where the vendor will not process the transaction as tax exempt, the transaction is not to be completed. Exceptions to this are allowed for a meal or other transaction that the vendor cannot remove the tax. If a transaction is assessed sales tax on phone, Internet, or mail orders the tax is to be adjusted on the statement before processing for approvals; if the credit does not get applied until the next monthly statement, the cardholder must note on the submission to the Treasurer’s department that a credit has been requested and will be on the next statement.

6. Refunds and exchanges must be credited directly back to the Purchasing Card account. Under no circumstances shall cash or gift / debit cards be received for refunds or exchanges.

7. A transaction report is provided for each account. It is a Monthly Statement. The department will reconcile all receipts with the monthly detailed statement, attach all receipts to the statement, and forward it to the Department Head for approval. After approval, all documentation must be forwarded to the Treasurer’s department for payment.

8. The Purchasing Card should be treated with the same level of security as cardholders treat their own personal credit cards. Lost or stolen cards must be immediately reported to the Department Head; the Department Head is to report the lost/stolen card to the County Treasurer. Replacement of the Purchasing Card must be authorized by the County Treasurer.

9. Unauthorized expenditures may be recovered by the County from the employee by any legal means as advised/initiated by the County Attorney.

C. Commercial Card Restrictions

1. Departmental and Individual Cards are not to be used for:
   a. Alcohol, Liquor, Tobacco, or Cannabis
   b. Medical Service Providers
   c. Amusement and Entertainment Venues
   d. Any vendor that adds an online service or credit card transaction fee of more than 1% of the purchase price
   e. Insurance Agencies
   f. Banks, ATM’s, and Financial Institutions
   g. Personal Service such as Salons, Spas, Dry Cleaners, etc.
   h. Note: Cards can be used for meals, but the County’s travel policy should be used as the guidelines for meal reimbursement. A meal can be purchased with the Card with Department Head approval and if this is the most logical way to incur the expense.

2. New York State Sales and Use Tax
   The County of Lewis is a tax-exempt organization. Therefore, Sales Tax IS NOT TO BE PAID on in-State purchases made with the Purchasing Card.
To make tax exempt purchases, a user may be required to present vendors with documentation that confirms the county's tax-exempt status. The County has a standard letter that identifies the county as a “governmental entity” and documents its exemption from New York State sales and use taxes. This letter will be attached with this policy and can be requested from the Treasurer’s office. For Hotel / Motel stays, the employee should have a completed ST-129, “Exemption Certificate” specific to the date and facility for the hotel / motel stay. This form is included in this policy.

Use of the card to execute transactions that include New York State sales/use taxes may result in user repayment of the sales tax charge and/or the revocation of the cardholder’s eligibility to participate in the program.

3. Separation of Employment
   a. If an authorized user who has a card issued in his/her personal name leaves County employment, he/she must return the Purchasing Card to the Department Head and notify the Treasurer’s Office. The Department Head is responsible for ensuring the card is reconciled and returned to the Treasurer’s Office to be cancelled prior to the separation of employment or actual ending date. If not performed by the Treasurer, the Purchasing Card shall be sufficiently destroyed, and evidence of its destruction presented to the County Treasurer. The Department Head is responsible for submitting the final statement to the Treasurer’s office with all receipts attached.

   b. If an employee is on extended leave or disability, the Department Head should contact the County Treasurer to have the card “suspended” until the Cardholder returns to work.

4. Audits of the Program
   All card purchases will be audited to confirm that the Purchasing Cards are utilized responsibly, receipts are retained, and the Cardholder’s statements are being reconciled on a timely basis.

5. Conferences & Lodging
   a. For lodging within New York State, a user will need to secure a lodging tax exemption ST-129 form and a sales tax exemption ST-121 form to be presented upon check in. If traveling out of state, the NYS ST 129 and ST 121 should be presented as some vendors do accept it and not charge lodging tax or sales tax.

   b. The County travel and meal policy will continue to be used in most circumstances. Meals will be paid by employees and reimbursed per the Purchasing Policy and will be processed with appropriate receipts directly reimbursing the employee. In certain circumstances, the Card can be used for meal purchases with authorization from the Department Head.

   c. A Travel Request form must be completed and approved by the Department Head prior to booking and charging to the Purchasing Card.

D. What you need to know about Security
1. Departmental and individual cards must be kept secure and should be used only by authorized users. It is the Department Head's responsibility to determine users for their Department Card and to approve Individual Card holders. The Individual Cards are non-transferable - meaning that no one else should use the card other than the individual named. The Department Head and Individual card holders are ultimately responsible for charges to the cards except for verifiable cases of fraudulent use.

2. Liability in case of fraudulent use
   If a Purchasing Card is used fraudulently – such as an unauthorized purchase using the Visa card number- the individual or Department will not be responsible for that purchase(s). The Treasurer's office should be contacted immediately if there is suspected fraudulent use so they can contact JP Morgan Chase Customer Service.

3. Procedure for Lost and/or Stolen Credit Card
   a. Immediately advise Department Head and Treasurer's office.
   b. Department Head or Treasurer's office contact the JP Morgan Chase Customer Service at 1-800-270-7760 to report a lost/stolen card and to initiate a replacement card.

E. How the Process Works

1. Required Action for all Purchases
2. Ensure the purchase will be tax exempt
3. Follow County Procurement Policy – any purchase over $500 must have proposals or bids.
4. Procure a receipt or invoice for each purchase
5. Follow normal purchasing process and entry into Munis – this includes proper approval for the purchase:
   a. Enter a requisition and receive approval from Department Head and County Manager.
   b. After approval and purchase is received, receive the item in Munis and process the Invoice for payment. In certain circumstances, the purchase is made immediately (an on-line purchase). The requisition and receiving could occur before the actual receipt of goods in order to authorize timely payment.
   c. Include a copy of the receipt / invoice in Munis.
6. The vendor for all transactions in Munis will be JPMC One Card (to be revised as needed after consultation with Munis).
7. Required Monthly Activity Review
   a. Each Department and card user must review and verify their activity on a monthly basis. This is done at the JPMC on-line portal.
   b. Ensure all activity listed for the card is a valid purchase.
   c. Ensure a requisition has been processed and completed through to Invoicing for each purchase. Account numbers are accurately recorded in Munis and JPMC One Card is the vendor for payment.
   d. The monthly review must be completed by the 25th day of the month
More Detailed Examples of Purchases, processing within Munis and key actions

1. Make a purchase on the internet – Amazon for example.
   a. In the preferred scenario, obtain the cost of the purchase, create a requisition in Munis. Receive approval for the requisition from Department Head and County Manager. It is important that JPMC One Card is the vendor entered in Munis. (To be revised if needed).
   b. Complete the purchase on Amazon using the credit card for payment.
   c. When the order is received, complete the process in Munis by receiving the purchase and processing an invoice for payment. As noted above in some circumstances, receiving and invoicing is complete in advance of actual receipt of the goods.
   d. In the first step of this scenario, if the item is ordered immediately on the internet, it is required to follow that action with the requisition entry and approval.
   e. If the purchase is for an annual subscription or something similar, ensure that automatic renewal is not set up. These purchases must be completed every year.

2. Make a purchase at a local retail store – Lowville Farmer’s Coop.
   a. Use the JPMC One card to purchase an item at the store.
   b. Take the receipt back to your department. Enter the requisition in Munis, receive approval for the purchase from Department Head and County Manager. The vendor for the requisition in Munis will be JPMC One Card.
   c. Receive the order in Munis and process the invoice for payment.

3. Reserve a room for a conference with a hotel.
   a. Complete a travel request with approval from Department Head and County Manager for the expenditures to include lodging.
   b. Contact the hotel. Reserve the room using the JPMC credit card. Provide the hotel with necessary tax-exempt documentation.
   c. Enter a requisition in Munis – make sure to use JPMC one card as the vendor. Approval will be provided by Department Head and County Manager in Munis.
   d. Attend the conference and finalize the charges on the credit card. Receive the purchase in Munis and enter the invoice for payment.

4. Telephone order and purchase
   a. Inform the vendor that the purchase will be made on behalf of Lewis County and that the purchase will be tax exempt.
   b. Complete the purchase with the card – approval should already have been provided by Department Head.
   c. Receive receipt from the vendor – this is important with phone purchases.
   d. Complete the regular Munis entry – requisition, approval, receiving and invoice entry. Ensure that the vendor is JPMC One card.
Lewis County Purchasing Card Authorized User application

Please fill in all information as requested.

Request for a: Departmental Card  Individual Card

Department Name: __________________________

Individual Cardholder name, if applicable: __________________________

Requested Limit: $ __________

Date of birth: __________

Individual Home Address:

__________________________

Employee Signature  Date

__________________________

Department Head  Date

__________________________

County Treasurer  Date

__________________________

County Manager  Date

This section for County Treasurer use

Date card received and forwarded to employee: __________

Card Number: __________________________

Credit Limit Assigned: __________
Lewis County Purchasing Card
Acknowledgment of Card Receipt
And Card Holder Agreement

Please read and sign page two of this form.

Employee Name: __________________________

Department: __________________________

Card Number: __________________________

Monthly limits are: $ ________

You are being entrusted with a Lewis County Purchasing Card issued by Visa through JP Morgan Chase Bank. The card is provided to you to take care of your need to purchase materials or services for the County. The card may be revoked at any time without your permission.

I understand that I will be making financial commitments on behalf of the County and will strive to obtain the best value for the County when making purchases.

This purchasing card is issued in my, or my Department’s name. I will not allow any other person to use the assigned card.

I have read the Lewis County Purchasing Card Policy and Procedures as well as this cardholder agreement, understand them, and I will comply with both. Failure to do so may be considered misappropriation of funds, and may subject me to revocation of card privileges and disciplinary action.

I understand that the policies and procedures related to the Purchasing Card Program may be updated or changed at any time. The Card Administrator will notify me of these changes. I agree to and will be responsible for the execution of any program changes.

I will review and approve transactions on a regular basis via the on line bank portal and will reconcile the monthly statement and resolve any discrepancies by contacting either the vendor or JP Morgan Chase.

I will use the card only for authorized purchases.

I will obtain an electronic or hard copy receipt from the vendor each time the card is used. When ordering by phone or via the Internet, I will request the vendor provide me with a receipt. If the receipt is lost and cannot be replaced by the vendor, any charges for a copy through JP Morgan Chase Bank will be paid at my expense.

I understand that my card account is subject to internal control reviews and audits to protect the interests of Lewis County and I agree to comply with these reviews and audits.

I am responsible for immediately notifying JP Morgan Chase Bank, my supervisor and the County Treasurer if the card is lost or stolen. I will complete the Lost or Stolen Card form and submit it to the County Treasurer.
Upon resignation/separation, or the request of my Department Head or the County Treasurer, I will turn in the card to the Department Head.

Your signature below indicates that you have read the Purchasing Card Policy manual and will comply with the manual and the terms of this user agreement.

Employee Signature: ______________________ Date ______

County Treasurer: ______________________ Date ______
Lewis County – Purchasing Card
Bank- Visa
Lost/Stolen Card Notification Form

Name / Department of Cardholder: ________________________________

Cardholder Account Number ________________________________

I certify that the Visa card has been lost/stolen. I first noticed it was missing on _____________ (Date). I have called JP Morgan Chase Bank at 1-800-xxx-xxxx and have also spoken with my Department Head and County Treasurer to notify them that the card is lost/stolen so that no more charges may be made on it.

Cardholder Signature ________________________________

Department Head Signature ________________________________

Upon completion of this form, email it directly to the County Treasurer treasurer@lewiscounty.ny.gov.
Lewis County Purchasing Card

Credit Limit Change Request

Please fill in all information as requested.

Employee Name (on card): ____________________________

Employee Department: _______________________________________________________________________

Requested Limit: $ ____________________________

Date: ____________________________

_______________________________________________________________________________________

Employee Signature  Date

_______________________________________________________________________________________

Department Head  Date

_______________________________________________________________________________________

County Manager approval  Date

_______________________________________________________________________________________

County Treasurer  Date

All changes in credit limit must be in writing, approved by County Manager and forwarded to the Treasurer's Office.
September 16, 2021

Lewis County
Lewis County Court House
7660 North State St
Lowville NY 13367

Dear Sir or Madam:

The Tax Law exempts New York State governmental entities such as your organization, Lewis County, from the payment of New York State and local sales and use taxes on their purchases. In order to make tax exempt purchases, a New York State governmental entity must present vendors with the entity's official purchase order or other documentation (e.g., payment voucher, contract of sale, Form AC 946, Tax Exemption Certificate, Form ST-129, Exemption Certificate - Tax on occupancy of hotel rooms, etc.) which indicates that the purchaser is a New York State governmental entity.

Tax exemption numbers and Form ST-119.1, Exempt Organization Exempt Purchase Certificate, are not issued to New York State governmental entities. If a vendor requests a tax exemption number or Form ST-119.1, Exempt Organization Exempt Purchase Certificate, from you, Lewis County may give the vendor a copy of this letter. This will assure the vendor that a governmental purchase order, or other evidence that Lewis County is the purchaser, and this letter are the only documentation the vendor needs in order to not collect sales tax.

For additional information, please refer to Publication 843, A Guide to Sales Tax in New York State for Exempt Organizations, which is available on the New York State Tax Department website at www.tax.ny.gov.

New York State Department of Taxation and Finance
OTPA-Taxpayer Guidance Division
Sales Tax Exempt Organizations Unit

Lewis County Treasurer
This form may only be used by government employees of the United States, New York State, or political subdivisions of New York State.

<table>
<thead>
<tr>
<th>Name of hotel or motel</th>
<th>Dates of occupancy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>From:</td>
</tr>
<tr>
<td></td>
<td>To:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address (number and street)</th>
<th>City</th>
<th>State</th>
<th>ZIP code</th>
<th>Country</th>
</tr>
</thead>
</table>

Certification: I certify that I am an employee of the department, agency, or instrumentality of New York State, the United States government, or the political subdivision of New York State indicated below; that the charges for the occupancy of the above business on the dates listed have been or will be paid for by that governmental entity; and that these charges are incurred in the performance of my official duties as an employee of that governmental entity. I certify that the above statements are true, complete, and correct, and that no material information has been omitted. I make these statements and issue this exemption certificate with the knowledge that this document provides evidence that state and local sales or use taxes do not apply to a transaction or transactions for which I tendered this document, and that willfully issuing this document with the intent to evade any such tax may constitute a felony or other crime under New York State Law, punishable by a substantial fine and a possible jail sentence. I understand that the vendor is a trustee for, and on account of, New York State and any locality with respect to any state or local sales or use tax the vendor is required to collect from me; that the vendor is required to collect such taxes from me unless I properly furnish this certificate to the vendor; and that the vendor must retain this certificate and make it available to the Tax Department upon request. I also understand that the Tax Department is authorized to investigate the validity of tax exemptions claimed and the accuracy of any information entered on this document.

<table>
<thead>
<tr>
<th>Governmental entity (federal, state, or local)</th>
<th>Agency, department, or division</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee name (print or type)</td>
<td>Employee title</td>
</tr>
<tr>
<td>Employee signature</td>
<td>Date prepared</td>
</tr>
</tbody>
</table>

### Instructions

**Who may use this certificate**

If you are an employee of an entity of New York State or the United States government and you are on official New York State or federal government business and staying in a hotel or motel, you may use this form to certify the exemption from paying state-administered New York State and local sales taxes (including the $1.50 hotel unit fee in New York City).

New York State governmental entities include any of its agencies, instrumentalities, public corporations, or political subdivisions.

Agencies and instrumentalities include any authority, commission, or independent board created by an act of the New York State Legislature for a public purpose. Examples include:

- New York State Department of Taxation and Finance
- New York State Department of Education

Public corporations include municipal, district, or public benefit corporations chartered by the New York State Legislature for a public purpose or in accordance with an agreement or compact with another state. Examples include:

- Empire State Development Corporation
- New York State Canal Corporation
- Industrial Development Agencies and Authorities

Political subdivisions include counties, cities, towns, villages, and school districts.

The United States of America and its agencies and instrumentalities are also exempt from paying New York State sales tax. Examples include:

- United States Department of State
- Internal Revenue Service

Other states of the United States and their agencies and political subdivisions do not qualify for sales tax exemption. Examples include:

- the city of Boston
- the state of Vermont

**To the government representative or employee renting the room**

Complete all information requested on the form. Give the completed Form ST-129 to the operator of the hotel or motel upon check in or when you are checking out. You must also provide the operator with proper identification. Sign and date the exemption certificate. You may pay your bill with cash, a personal check or credit/debit card, or a government-issued voucher or credit card.

**Note:** If you stay at more than one location while on official business, you must complete an exemption certificate for each location. If you are in a group traveling on official business, each person must complete a separate exemption certificate and give it to the hotel or motel operator.

**To the hotel or motel operator**

Keep the completed Form ST-129 as evidence of exempt occupancy by New York State and federal government employees who are on official business and staying at your place of business. The certificate should be presented to you when the occupant checks in or upon checkout. The certificate must be presented no later than 90 days after the last day of the first period of occupancy. If you accept this certificate after 90 days, you have the burden of proving the occupancy was exempt. You must keep this certificate for at least three years after the later of:

- the due date of the last sales tax return to which this exemption certificate applies; or
- the date when you filed the return.

This exemption certificate is valid if the government employee is paying with one of the following:

- cash
- personal check or credit/debit card
- government-issued voucher or credit card

Do not accept this certificate unless the employee presenting it shows appropriate and satisfactory identification.

**Note:** New York State and the United States government are not subject to locally imposed and administered hotel occupancy taxes, also known as local bed taxes.

Substantial penalties will result from misuse of this certificate.
RESOLUTION NO. 258 - 2021

RESOLUTION AUTHORIZING DISTRIBUTION TO CERTAIN VILLAGES TO ASSIST IN WATER/SEWER INFRASTRUCTURE EXPENSES AND IMPROVEMENT COSTS

Introduced by Legislator Jerry King, Chair of the General Services Committee and Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County is committed to investment in projects which will improve and grow economic development. Maintenance of and improvements to water and/or sewer infrastructure and systems are essential to economic development in Lewis County; and

WHEREAS, the County seeks to consider a distribution to certain Villages in the County who maintain and operate water and/or sewer districts and systems, namely, the Villages of Constableville, Copenhagen, Croghan, Lowville, Lyons Falls, Port Leyden and Turin; and

WHEREAS, this payment is proposed in order to assist those named Villages with the expenses associated with each Village’s water/sewer infrastructure/system costs of maintenance and upgrades so that overall economic development may improve where water and/or sewer infrastructures are properly maintained;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the following distribution of $75,991.76 to the following named Villages in the County of Lewis who have water/sewer district infrastructures/systems for the amounts set forth for each:

Village of Constableville $3,983.13
Village of Copenhagen $1,510.60
Village of Croghan $7,285.67
Village of Lowville $53,463.71
Village of Lyons Falls $3,400.25
Village of Port Leyden $5,704.72
Village of Turin $643.68
Total paid in 2021: $75,991.76

Section 2. That the Treasurer is directed to make the aforesaid payments from the Lewis County contingency account.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator ___, seconded by Legislator ___, and adopted.
RESOLUTION NO. 259 - 2021

RESOLUTION TO APPROPRIATE FUNDS FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT

Introduced by Legislator, Andrea Moroughan, Chair of the Health & Human Service Committee.

NOA#PY-21-2

Section 1. That the following funds be appropriated for Program Year 2021 for the period July 1, 2021 through June 30, 2023 for the Adult and Dislocated Worker programs per the Notice of Obligational Authority (NOA), #PY21-2, dated August 11, 2021 through the New York State Department of Labor.

Increase Revenue:
CD629300 347910 WIA $ 28,614.40

Increase Expenditures:

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Section 2. That the within shall take effect immediately.

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