

**REGULAR MEETING**  
**September 4, 2018**

The meeting was called to order at 5:00 p.m. by Chairman Lawrence Dolhof.

Roll Call: All Legislators were present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

There were 22 persons present.

Chairman Dolhof declared the August 7, 2018 meeting minutes approved by general consent.

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

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

Signed by: Ronald Burns, Chairman  
Jerry King  
Randall LaChausse

Dated: September 4, 2018

Legislator Moser made a motion to waive the rules, seconded by Legislator LaChausse, and carried.

Chairman Dolhof opened the public hearing to solicit the views of County of Lewis citizens regarding the effectiveness of program administration of the Lewis County Housing Rehabilitation Program, Project #636HR334-16.

**PRIVILEGE OF THE FLOOR:**

Snow Belt Housing Executive Director Cheryl Shenle-O'Neill explained that in September of 2016 Lewis County applied for \$847,500 in funding through the Community Development Block Grant Program for the Lewis County Housing Rehabilitation Program. A public hearing was held on September 6, 2016 in preparation for the application and a second public hearing is being held today to provide residents with the opportunity to offer any comments on the accomplishments of the grant.

The purpose of the program was to provide low- and moderate-income households with grant funds to improve the health, safety, and energy efficiency of their home and to make accessible modifications as necessary to allow elderly homeowners to remain in their home as long as possible. All projects must meet code, as well as Housing Quality Standards (HQS) as developed by the U.S. Department of Housing & Urban Development (HUD).

The Grant Agreement stipulated that all funds must be expended by December 14, 2018, 24 months after the funds were awarded. The application anticipated that 16 owner-occupied units and nine renter-occupied units would be assisted. As the program nears completion, twenty owner-occupied units and two renter-occupied units have been completed and an additional renter-occupied and four owner-occupied units are in progress, for a total of 27 units. One owner-occupied unit was a mobile home replacement. We didn't meet the goal of nine rental units, primarily due to a lack of applications. Of the 27 household units, six are disabled, nine are elderly households and four are female head-of-households with children. The average CDBG per unit assistance provided to-date is \$24,611 with ranges from \$9,300 to \$40,814. Additional funds of \$81,258 were provided by other grant funds awarded to Snow Belt Housing bringing the total project costs up to \$745,769 for an average unit cost of \$27,621. Energy audits were completed by Lewis County Opportunities, and weatherization related work was included in the scope of work performed by Opportunities or by the contractor. Lead based paint risk assessments and clearances were completed for homes that were built prior to 1978 when lead paint was banned. The contractors were required to use lead safe work practices and pass a clearance test ensuring that the home is free of lead hazards. If the rehabilitation hard cost exceeds \$25,000, lead abatement would have been required, but, none of the units required lead abatement.

Projects were completed throughout the County so it truly was a countywide program. Also, a majority of the contractors live in Lewis County and are encouraged to use local suppliers.

Mrs. O'Neill had distributed before and after rehabilitation pictures for Legislators to view, as well as a listing of each of the 27 rehab projects detailing respective expenditure, town or village location and contractor. She awaits announcement of the next round of CDBG grant funding.

There were no public comments. The public hearing was closed later in the meeting at 6:24 p.m.

Chairman Dolhof then opened the hearing to solicit comments on proposed addition to the Lewis County ATV Trail System of property owned by Durkish Family Irrevocable Trust located on the French Settlement Road in the Town of Diana known as Tax Parcel Number 037.00-03-14.100.

Lewis County General Hospital CEO Gerald Cayer informed he must defer introducing new neurosurgeon Nicholas Qandah, D.O. until the next meeting, because he had been called into surgery.

On behalf of Lewis County Farm Bureau, Jen Karelus distributed invitations to an evening farm tour and family picnic on 10/12/18 at the Grace-Way Farm owned by Marc and Christina Laribee. On 10/13/18 a Family Farm Day public open house is planned with programs featuring agriculture as the largest industry in Lewis County.

Laurie Halladay, Executive Director of the Railway Historical Society of NNY, reiterated their \$25,000 County request to remove the blacktop from the Lowville railroad crossings leading to Croghan. This would enable them to move their 1947 diesel engine and 1898 freight car from Lowville to Croghan. Their goal remains to create a tourist railroad line. The Society reported over 200 participants for their recent “Iron Horse Day” event.

Ron Trottier, Railstar Corporation CEO and President of the Railway Historical Society of NNY submits that the Society’s rail stock in Lowville hinders his Corporation’s plans to purchase the Lowville engine house and develop rail bike operations that are known to attract tourists of all ages. He reports having a trolley train and other equipment stockpiled that would augment their rail tourism plans. The Corporation plans to purchase the “Memories Restaurant” property on Number Four Road for combined rail and Black River tourism from West Carthage to Lowville. Mr. Trottier cited employment opportunities and sales tax revenue related to the proposed new restaurant and tourist operations.

Lewis County Sheriff Michael Carpinelli introduced Harrisville School District Superintendent Robert Finster, who requested clarification for when a School Resource Officer (SRO) may be approved. County Manager Ryan Piche stated that at the Sheriff’s request, an SRO is included in the 2019 Tentative County Budget, adding that the Courts and Law Enforcement Committee’s 9/6/18 agenda includes consideration for the 2018 request. General support has been indicated, but he awaits the Committee’s recommendation.

Mr. Finster affirmed a \$55,000 Harrisville School District appropriation for an SRO for the current school year, recognizing that figure does not include benefits. The District, he added, offers to finance the benefit cost in subsequent years. Legislator Moser reminded this is a mid-year budget appropriation request that requires due process and discussion, likewise that of a school board. Legislator King reiterated those sentiments, clarifying that requests are considered during budget deliberations for the succeeding year. Until today, he did not understand the SRO request was for 2018, quite certain the Sheriff budget is insufficient to finance the position. Assuming eventual requests from all local school districts, Legislator King relayed the Committee’s ongoing discussion to develop a consistent SRO policy. Sheriff Carpinelli asserted that the current budgetary issue involved benefits for one SRO.

Legislator King referenced the South Lewis School District SRO agreement whereby the school finances the salary and the County assumes benefit costs. In the interest of fairness, he supports offering that same agreement to the Harrisville District through 6/30/2019. Thereafter, the County proposes to have school districts finance SRO salary and benefits for performance at the school, with the County assuming cost for the balance of the year.

Mr. Finster informed the school location is a minimum 20-minute response time for law enforcement, contending the urgency for an SRO. In response to Legislator Kulzer, Sheriff Carpinelli affirmed being prepared to immediately assign a Harrisville SRO, while voicing his simultaneous request to create and hire a deputy for road patrol. To that end, he informed of an experienced deputy’s interest for a lateral transfer from another agency that eliminates training time and expense, otherwise associated with a new hire.

Mr. Finster further offered to commit Title IV \$10,000 grant funding awarded to the school district to support security measures that would offset the estimated \$28,000 SRO benefit cost. Legislator Kulzer told Mr. Finster the Courts and Law Enforcement Committee would consider the request on 9/6/18 and report their recommendation.

#### PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk reported that pursuant to Section 5, Subd. 2 of Local Law No. 2-2007, Code Enforcement Officer Donald F. Mallette has submitted a report after analyzing the property located at 5495 River Street in Lowville owned by Cole E. Boliver. The dwelling was severely damaged by fire on 6/23/18. There has been no apparent effort to secure the building and/or to stabilize the damaged building elements, which he cautions could become airborne in a wind event and cause harm to someone traveling along the street. Mr. Mallette submits to the Board of Legislators that the building is unsafe and not repairable and should be demolished and removed.

Correspondence from former District No. 1 Legislator Philip Hathway was read to relate his opinion on the initiative to change to an appointed County Treasurer. Paraphrasing, he states "Choosing a County Treasurer should be left in the voters' hands. The voters almost always get it right. They certainly got it right by electing our current Treasurer, who I personally know has done an awesome job. Although I didn't have as much inter-face with them, by all accounts, her predecessors did as well. Trust the voters as they trusted you", he concludes.

#### REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's August report, the 8/24/18 Highway and Solid Waste Audit Reports, and minutes of the 5/15/18 Public Health Services Advisory Committee, the 8/15/18 Youth Bureau Advisory Board and 7/10/18 Community Services Board meetings.

Lewis County Self-Insurance Administrator Terry Clark, on behalf of the Workers' Compensation Legislative Committee, distributed copies of the 2019 Estimate and Apportionment of Expenses to Legislators. In consideration of the heightened employment risk, the Recreation, Forestry and Parks Department was commended for not having a reportable claim over the past 5 years.

The Sealer of Weights and Measures James Richmire submitted his July activity report to be placed on file with the Clerk of the Board.

#### REPORTS OF STANDING COMMITTEES:

Legislator John Lehman, Social Services/Office For the Aging/Youth Bureau Committee Chairman, announced the 9/7/18 National Night Out opening ceremony will recognize volunteer firefighters and departments with certificate presentations by Jefferson County Legislator James Nabywaniec, on behalf of Assemblyman Blankenbush and Lewis County residents.

Legislator Lehman reported the Youth Bureau will assist the United Prevention Coalition, formerly known as YEAH Coalition, with their renewed mission and vision for drug and alcohol prevention and awareness.

Legislator Randall LaChausse, Taxation, Information Technology/Election Committee Chairman reported there are 6,777 eligible Lewis County voters for the first ever State primary election on 9/13/18 for Democratic and Reform Parties only.

Legislator Bryan Moser, Human Resources/Junkyards Committee Chairman, reported that ten persons cited with junkyard violations appeared before the Junkyard Review Board in August, seven of which reported completing corrective measures. Also, clean-up of the Open Sky Garage has commenced with expected completion by the imposed deadline.

As Committee Chairman, Legislator Moser clarified that contrary to the newspaper article, Legislator Moroughan had voiced her objection to the initiative to change the Treasurer position from elective to appointive. He asserted his support, understanding the full Board would discuss the issue, while voters would have the final decision.

Legislator Jerry King, Ways and Means/Buildings and Grounds Committee Chairman, made a motion to authorize Supervisor of Buildings and Grounds Matt O'Connor to purchase a floor cleaning machine for the JCC-Lewis Educational Center at a State bid price of \$5,527.15. The purchase will be covered by Capital Equipment funds. The motion was seconded by Legislator Burns and carried.

Legislator King made a motion to authorize a Phase I Change Order for the JCC-Lewis Educational Center project for the cement vestibule pad, in the amount of \$5,484.93. The motion was seconded by Legislator Chartrand and carried.

Legislator King reported that the interoperable radio communications tower sites would be done by the end of October to include overlays and antennae, pending FCC approval to certify the signal does not reach outside the County perimeter.

Legislator Thomas Osborne, Public Health/Community Services Committee Chairman, announced September as National Recovery Month for observance and education on substance use, treatment and mental health services to improve the lives of those afflicted. The National Institute of Drug Abuse estimates that substance misuse extracts \$700 billion annually for related crime, lost work productivity and health care. The 2016 statistics indicate that 333,000 12-17 year olds had both a substance use disorder and a major depressive episode; while 239,000 received substance use disorder or mental health treatment. During September Credo, Mountain View Prevention, Northern Regional Center For Independent Living and Transitional Living Services will communicate that behavioral health is essential to health, that prevention works, that treatment is effective and that people do recover.

Legislator Gregory Kulzer, Courts and Law Enforcement/Fire and Emergency Management/Building Codes Committee Chairman, cited the proposed resolution to create a part-time DA investigator to assist with narcotics issues for an estimated of \$20,000 through the

end of the year. Recognizing the position would sunset 12/31/18, he relayed Sgt. Richard Knight's expressed appreciation for the immediate assistance.

Legislator Kulzer made a motion to authorize Director MaryJo Burkhard to refill a full-time Probation Officer position due to a resignation, effective immediately, seconded by Legislator Lehman and carried.

Legislator Kulzer made a motion to hereby authorize the Lewis County 911 Dispatch Center to register with the FCC as an official site to accept emergency cell phone texts now that the center has implemented the technology to accept and respond to those messages. The motion was seconded by Legislator Moser and carried.

Legislator Chartrand, Hospital Committee Chairman reported that the Board of Managers had heard from concerned siblings about perceived improper nursing home care of their family member. They were asked to submit their complaints in writing and assured a committee would be assigned to address their concerns and communicate findings.

Legislator Chartrand announced and congratulated Director of Nutritional Services Deborah Longway as the July employee-of-the-month, whom had received national recognition for her winning recipe at the healthcare improvement conference and exhibition held in Nashville, TN.

The Hospital Auxiliary awarded \$14,900 in scholarships to fourteen local students for higher education.

Legislator Chartrand relayed that Mr. Cayer had introduced Lowville Academy alumni Dr. Kathryn McHugh to the Board of Managers who will practice with Lowville Medical Associates and offer obstetrical services.

Legislator Chartrand reported a Hospital year-to-date surplus of \$8,049,846 compared to the budget level of \$587,154.

Legislator Chartrand urged Legislators to participate in the 9/22/18 Hospital Foundation Gala to be held at the Elks Club; as well as the 11<sup>th</sup> annual Breast Cancer Awareness Dinner on 10/16/18.

Legislator Andrea Moroughan, Transportation/Solid Waste Committee Chair, made a motion to approve the second lowest bid from NOCO of \$8.04/gallon for CK-15E40 bulk oil, effective 8/9/2018. Stadium International, as the awarded low bidder, had notified the County they were no longer able to provide the product. The motion was seconded by Legislator Lehman and carried.

Legislator Moroughan made a motion to authorize Highway Superintendent Warren Shaw to fill the vacant Deputy Superintendent position, seconded by Legislator Lehman and carried.

Legislator Moroughan made a motion to authorize Mr. Shaw to refill the Automotive Maintenance Supervisor position due to an impending promotion, seconded by Legislator Lehman and carried.

The Highway crew has installed the water line for the JCC Educational Center project, which required Mr. Shaw to blast 230 feet of ditch for the last section of the pipe. The County financed Mr. Shaw's blasting license.

Legislator Moroughan reported that Solid Waste Director Pete Wood is researching for the best cost option to replace the aged backhoe. The annual Household Hazardous Waste Day sponsored by the Development Authority of the North Country (DANC) will be held 9/8/18. The County is deemed fortunate to have the option of taking recycling volumes to the Oneida-Herkimer Solid Waste Authority during a period when other municipalities are struggling to identify a source option during fluctuating global recycling markets.

Legislator Moroughan reported DANC officials are considering a program to recycle ag bags, recognizing that our tri-county region has the highest usage comparatively nationwide. The program would also include sap tubing.

As the Board's Soil & Water Conservation District Board of Directors representative, Legislator Moroughan urged Legislators to attend the 10/13/18 Family Farm Day, and also announced the annual fish sale to be held on 10/12/18. District employees have been inter-seeding farm crops to reduce soil erosion and facilitate healthier and greater crop production. Over 134 acres of corn crops and 373.6 non-tilled acres have been inter-seeded this year.

#### COUNTY MANAGER REPORT:

Mr. Piche reports having discussed 2019 budget requests with Department Heads, submitting an aggregate zero increase. The budget accounts for 2% negotiated wage increases and a 2% health insurance premium increase. Sales tax revenue of \$11.9 million is appropriated, with expectations to exceed \$12 million this year, and a fund balance appropriation of \$720,000 reflecting a \$100,000 reduction.

A 5-year capital budget is being developed. There are pending considerations for Enterprise car replacements; and planned discussion with Hospital administration to determine Inter-Governmental Transfer (IGT) projections.

Mr. Piche awaits the final property assessment roll figures due in October to enable calculation of the 2% Tax Cap limit and tax rate for the Tentative 2019 County Budget. He offered personal budget discussion and explanation to any Legislator.

Mr. Piche reported substantial cost savings for the JCC Education Center project attributed to the site work completed by the Highway Department, concurrently reporting the Phase II project bids are higher than projected. Discussion was deferred to a later attorney client privileged session during which Atty. McNichol will update and advise on relative legal issues.

## COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$70,637.08; Contingency Fund-\$278,357.23; Capital Data Processing Fund- \$96,983.58 and Capital Equipment Fund - \$502,866.59, of which \$158,431.24 is the Highway portion. She reported sales tax revenue of \$6,614,747.71 through 7/31/2018 is above projections; and that the Hospital had completely paid off their debt to the County. The balance of the Internal Service Fund is \$3,828,366.54 as of 7/31/2018.


## REPORT OF THE WAYS AND MEANS COMMITTEE:

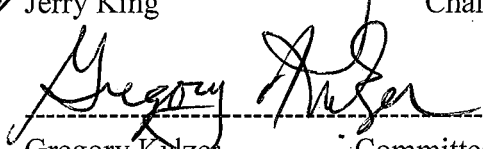


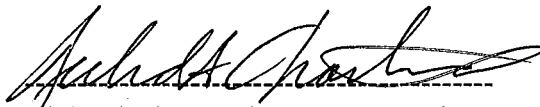
**REPORT OF  
WAYS AND MEANS COMMITTEE  
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,254,738.65 and recommend that they be audited and allowed for the amounts claimed.

  
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Jerry King Chair

  
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Gregory Kulzet Committee

  
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Richard Chartrand Committee

Dated: September 4, 2018

Approved on motion by Legislator Lehman, seconded by  
Legislator Moroughan, and carried.

## OTHER BUSINESS:

The Clerk read a Proclamation declaring “Lewis County Night Out”, whereby the Chairman calls upon all citizens to join the Lewis County Youth Bureau, Lowville Police Department, Lewis County Opportunities, Inc. and the Northern Regional Center for Independent Living to enhance police-community partnerships, neighborhood safety, awareness and cooperation.

Legislator King made a motion at 6:39 p.m. to enter executive session to discuss the potential sale of County property; and to allow County Attorney Joan McNichol to conduct an Attorney-Client privileged session to explain irregularities of the Phase II bids for the JCC-Lewis Educational Center project; and update on windmill PILOT negotiations. Chairman Dolhof declared a short recess, after which the session began at 6:50 p.m. At 7:49 p.m. Legislator Chartrand made a motion to re-enter the regular meeting, seconded by Legislator Osborne and carried.

Atty. McNichol reported the apparent low bid for JCC-Lewis Educational Center Phase II of \$1,998,480 was withdrawn by Richard E. Alenander Co., Inc., citing factual errors. Atty. McNichol and C&S Company engineering consultants had thoroughly questioned the bidder and researched the issue and recommend the County not pursue legal action.

Alternatively, pursuant to their recommendation, Legislator Moser made a motion to award the JCC-Lewis Educational Center Project, Contract A-General Construction bid to DC Building Systems, Inc. in the amount of \$2,767,000, seconded by Legislator Osborne and carried. Legislator Lehman was opposed.

Legislator King made a motion to award Contract B-Electrical Construction bid to AMP Electric R.S., LLC in the amount of \$405,000, seconded by Legislator Chartrand and carried.

Legislator Chartrand made a motion to award Contract C-Mechanical Construction bid to Lawman Heating & Cooling, Inc. in the amount of \$694,000, seconded by Legislator Moser and carried.

Legislator King made a motion to award Contract D-Plumbing Construction to Lawman Heating & Cooling, Inc. in the amount of \$262,500, seconded by Legislator Chartrand and carried.

Legislator Moser made a motion to document that the original \$4 million allocation committed by the Board for construction of the proposed JCC-Lewis Educational Center be hereby amended to a total of \$6.5 million. The motion was seconded by Legislator King and carried. The Board will discuss and consider options on how to fund the disparate amount.

Legislator King wanted to record that the Board was not happy to fund the JCC project under these circumstances, but have agreed to do so.

At 7:56 p.m. Legislator Moser made a motion to enter executive session to discuss a specific personnel issue, seconded by Legislator King and carried. Everyone except Legislators was asked to leave the room. At 8:16 p.m. Legislator Moser made a motion to re-enter regular session, seconded by Legislator Chartrand and carried.

Legislator Lehman left the meeting.

The following resolution was then enacted:

**RESOLUTION NO. 323 – 2018**  
**RESOLUTION TO TRANSFER FUNDS**  
**TRANSITIONAL LIVING SERVICES**

Introduced by Legislator Andrea Moroughan, Member of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved from Contingency to Transitional Living Services County Share account to subsidize operational expense:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$30,000.00
<u>To:</u>	
A0433800 499900 TLS Cty Exp	\$30,000.00

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

Moved by Legislator Moroughan , seconded by Legislator Burns , and adopted.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Moser at 8:23 p.m., seconded by Legislator Osborne and carried.