REGULAR MEETING
February 5, 2019

The meeting was called to order at 5:05 p.m. by the Chairman of the Board 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 January 8, 2019 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: ¹ Bryan Moser Chairman
          Ronald Burns
          Richard Chartrand
          John Lehman
          Thomas Osborne

Dated: February 5, 2019

Legislator Osborne made a motion to waive the rules, seconded by Legislator Lehman, and carried.

PRIVILEGE OF THE FLOOR:

Justin Beyer presented his proposition to require larger retail employers in the County, specifically citing Walmart, Tops and Tractor Supply, to have Automated External Defibrillators (AED’s) at their facilities and assure that personnel are properly trained to operate the equipment. There are all types of AED’s with prices ranging from $80 to $1,200 per unit. He submits that cardiopulmonary resuscitation (CPR) does not have the same effect as an AED. CDC statistics indicate that one in four cardiac emergencies could have better outcomes if defibrillation were timely administered. Businesses, he explained, are concerned with liability issues. They would need to assure trained personnel, as well as regular equipment inspections and maintenance under a physician’s oversight.

Chairman Dolhof referred the issue to the General Services Committee chaired by Legislator Jerry King. County Manager Ryan Piche asked that Mr. Beyer coordinate through him a specific time for further presentation and discussion with the committee.
Sheriff Michael Carpinelli urged the Board to take an opposing stance on the Governor’s initiative to legalize recreational marijuana, urging them to exercise their right to opt out of the impending law. The opt out action would prohibit dispensaries within Lewis County, while simultaneously surrendering any of the 2% tax revenue allocations earmarked for anticipated increased services by law enforcement, community services and public health agencies. Legislator Moser expressed support for opting out of the law, fully objecting to dispensaries within the County.

The Sheriff thanked fellow colleagues and employees who expressed sympathy to the family of a recently deceased department employee.

Citing the realization the law would take effect in 2020, County Manager Ryan Piche urged awaiting the final State Legislation and an opportunity to analyze the details to effectuate an informed decision. Director of Community Services Patricia Fralick offered to research and provide respective information to the Board.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Real Property Tax Director Candy Akin and County Treasurer Patricia O’Brien have filed approved applications for 2018 and 2019 corrected tax rolls for property owners: Michael and Amber Eisel, Donald Glenn, David F. and Brenda L. Green, Donald and Deborah Green, Daniel E. Hrim, MaryAnn McGrath, Niagara Mohawk A National Grid Company, VS Virklar & Son, Inc., and Carol S. Marks and Robert K. Zeigler.

Legislators have received copies of the Treasurer’s January report, the 1/23/19 Highway and Solid Waste Department audit reports; minutes of the 1/16/19 Youth Bureau Advisory Board meeting; as well as the 2018 Annual Reports for the following County Departments: Board of Elections, Building Codes, Community Services, Cornell Cooperative Extension, County Clerk, Economic Development/IDA, Fire and Emergency Management, Highway, Information Technology, Office For Aging, Planning, Probation, Public Health, Real Property Tax, Recreation, Forestry & Parks, Self-Insurance, Solid Waste, Treasurer, Veterans’ Service, Weights and Measures and the Youth Bureau Advisory Board.

James Richmire submitted the December and January Sealer of Weights and Measures activity reports that were placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Bryan Moser, Finance and Rules Committee Chairman, expressed that the new committee structure was working well. A presentation by County Treasurer Patricia O’Brien and County Attorney Joan McNichol explained the delinquent property tax foreclosure process. County Clerk Linda Hoskins presented the proposed V.S. Virklar & Son lease for the DMV building, for which the consensus was to move forward as documented by the proposed resolution.
Legislator Moser made a motion to authorize Treasurer Patty O’Brien to refill a full-time Account Clerk position due to a department transfer, effective immediately. The motion was seconded by Legislator Chartrand and carried.

Legislator Jerry King, General Services Committee Chairman, made a motion to extend the Highway Department bids for Bituminous oils and paver placed surface treatment through 12/31/19; and for roadway markings to Seneca Pavement Markings through 3/31/2020, in accordance with the tabulated bid list on file with the Clerk of the Board. The motion was seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize a Request for Qualifications (RFQ) for entities with qualifications for design and estimated cost for engineering/environmental professional services of a new aboveground or underground motor fuel storage dispensing system and closure of an existing motor fuel storage system. The motion was seconded by Legislator Moser. Highway Superintendent Warren Shaw stated that several components of the system have been replaced over the last few years and that the pumps are included in the overall dispensing system. The motion was then carried.

Legislator Gregory Kulzer, Health and Human Services Committee Chairman, reported ongoing discussion and review of the “Raise the Age” requirements that prohibit 16 year olds from being incarcerated in the general jail population. Alternative placement at the Jefferson County Children’s Home will cost $1,050 per day. Financial implications are dependent upon the number of youth placements.

Legislator Kulzer commended Veterans’ Service Director Stephen Kilionski, for providing extraordinary assistance to veterans and families, reporting an aggregate of $1.35 million for local veterans in 2018.

Legislator Moser invoked, and Sheriff Carpinelli confirmed, the current inmate boarding rate of $120 per day, comparatively nominal to the inflated rate for housing youths. Mr. Piche reported his cursory review of the voluminous regulatory guideline books for Raise the Age,

Legislator Richard Chartrand, Hospital Board of Managers’ representative, deferred a report, citing inclement weather that cancelled last week’s meeting. Meanwhile, he encouraged everyone to patronize the Hospital Auxiliary’s 2/14/19 chocolate fund raising event.

At the request of Legislator Chartrand, Hospital CEO Gerald Cayer explained the State Transformation Grant funds had largely been allocated to enhance mental health and substance abuse services and not for capital project applications as submitted by the Hospital. However, the Hospital’s $16 million dollar capital project application will be considered by the State as part of another $300 Million grant, expecting notification by May.

Mr. Cayer announced that Mr. Piche would be updating the Board of Managers on the new committee structure at their 2/6/19 meeting. The Legislators’ board room will be the venue for the 2/27/19 Managers’ meeting, as well as a joint sexual harassment training session provided
by Hospital Staff Development personnel, also presenting an opportunity to promote team building between the two boards.

In conclusion, Mr. Cayer stated he will present an overview of the Hospital’s strategic planning process to the Board at their March 5, 2019 meeting.

COUNTY MANAGER REPORT:

Ryan Piche thanked Legislators and everyone in the region who had participated in the ribbon-cutting and grand opening of the Lewis County-JCC Educational Center.

He expressed gratitude for the very active and astute New York State Association of Counties (NYSAC) who ardently advocate on behalf of counties with Albany representatives. The primary topics at the recent conference were the impending 2020 legalization of recreational marijuana, indigent defense and cash bail reform, voting reforms, and the likelihood of the 2% Tax Cap becoming permanent. These initiatives impose mandates upon counties that would impact local costs in the absence of relief or reform, and substantially compounded by County Medicaid costs that continue to climb at a rate of five percent annually. Moreover, it is unknown how the preliminary State Budget with a $3 Billion dollar deficit will affect counties.

COUNTY TREASURER REPORT:

Treasurer Patricia O’Brien recited the balances of the Special Legislative Contingency Fund - $100,000.00; Contingency Fund-$200,000.00; Capital Data Processing Fund- $73,956.25 and Capital Equipment Fund - $741,206.71, of which $210,551.78 is the Highway portion. Total 2018 sales tax receipts were $11,269,573.46 subject to final adjustment.

Effective 1/31/2019 the Internal Service Fund balance is $4,664,094.96.

SPECIAL REPORTS:

Chairman Dolhof informed his desire to appoint Vice-Chairs of each of the Legislative Committees, asking Legislators to advise him of their preferences. He will announce his assignments at the next meeting.

REPORT OF THE WAYS AND MEANS COMMITTEE:
REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of $2,592,648.31 and recommend that they be audited and allowed for the amounts claimed.

Bryan Moser Chair

Ronald Burns Committee

Richard Chartrand Committee

John Lehman Committee

Thomas Osborne Committee

Dated: February 5, 2019

Approved on motion by Legislator Lehman, seconded by Lehman, and carried.
RESOLUTION NO. _34_ – 2019
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator Jerry King, Member of the Board of Legislators.

RESOLVED that the claims presented for payment in the total amount of $2,592,648.31 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 _Moser_, seconded by Legislator _Osborne_, and adopted by the following roll call vote:

YEAS: Burns, Chartrand, King, Kulzer, LaChausse, Lehman, Moroughan, Moser, Osborne, and Dolhof

NAYS: None

ABSENT: None
RESOLUTION NO. 35 - 2019
RESOLUTION AUTHORIZING COUNTY OF LEWIS
TO ENTER LEASE AGREEMENT
WITH V.S. VIRKLER & SON INC.

Introduced by Legislator Bryan Moser, Chairman of the Finance and Rules Committee.

WHEREAS, the County of Lewis (hereafter, “County”) desires to enter into a lease agreement with V.S. Virkler & Son Inc. (hereinafter “Virkler”) for the purpose of leasing the property and building thereon, located at 7513 East State Street, Lowville, New York 13367, with the intention of having the DMV at this location; and

WHEREAS, the proposed monthly rental fee is $1,900.00, plus utilities, maintenance, & plowing/mowing, etc., for a three (3) year term, with a right of first option to purchase in the event an offer to purchase is made to the owner during the lease term or any extension. The proposed lease would also provide for the County to be responsible for the costs of any interior modifications, upon approval of the owner.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves and authorizes a lease by and between the County of Lewis and V.S. Virkler & Son Inc., for rental of the approximate 6-acre property and building located at 7513 East State Street, Lowville, New York 13367, for a term of thirty-six (36) months, at a monthly rental of one-thousand nine hundred dollars ($1,900.00), plus utilities, plowing & mowing, commencing on or after February 15, 2019, with a first option to purchase the property in the event the Owner receives an offer to purchase from a third party during the term of the Lease or any extension thereto.

Section 2. The Chairman of the Board of Legislators, or the Vice Chairman, be and the same is hereby authorized to execute and deliver such lease upon such form as approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator __King__, seconded by Legislator __Kulzer__, and adopted.
RESOLUTION NO. 36 - 2019
RESOLUTION AUTHORIZING RENEWAL OF EMPLOYMENT AGREEMENT
BETWEEN THE LEWIS COUNTY DISTRICT ATTORNEY’S OFFICE
AND SAMUEL A. LIVINGSTONE, M.D.

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

WHEREAS, the Lewis County District Attorney’s Office wishes to renew an employment agreement with Samuel A. Livingstone, M.D., an experienced forensic pathologist, to perform forensic autopsies as required; assist with death scene investigations and the manner and causes of death; provide expert forensic pathologist consultation services and testify in court as required under the direction of the Lewis County District Attorney; and

WHEREAS, the County of Lewis is in need of the specialized services that Dr. Samuel A. Livingstone can provide/

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby authorizes a renewal Employment Agreement between the County of Lewis, by and through the Lewis County District Attorney’s Office and Samuel A. Livingstone, M.D. to provide forensic pathologist services.

Section 2. That this is for the term commencing on January 1, 2019 through December 31, 2019 at the salary of $28,500. Additionally, if Dr. Livingstone performs more than twenty (20) autopsies and/or more than twelve (12) “external” autopsies (certificates of death without full autopsy) during the 2019 year, he will be compensated at an amount of $1,335.00 per autopsy, $150.00 per external autopsy, standard employee fringe deductions; and subject to final authorization of the Lewis County Board of Legislators.

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 _King_, seconded by Legislator _Chartrand_, and adopted.
RESOLUTION NO. 37 - 2019
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY
AND JOHN A. CIRANDO, ESQ.

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

WHEREAS, the Lewis County District Attorney’s Office wishes to renew an agreement with John A. Cirando, Esq. for the purpose of providing appellate work.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney’s Office and John A. Cirando, Esq. for the purpose of providing appellate work for the period of January 1, 2019 through December 31, 2019 at a cost not to exceed $90.00 an hour for his services, plus reasonable and necessary disbursements as defined in the Agreement.

Section 2. 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 3. That the within resolution shall take effect immediately.

Moved by Legislator __Moser__, seconded by Legislator __LaChausse__, and adopted.
RESOLUTION NO. _38_ - 2019
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY/CORONER'S OFFICE
AND MARK A. TUTTLE

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

WHEREAS, the Lewis County District Attorney/Coroner’s Office wishes to enter into an agreement with Mark A. Tuttle for the purpose of assisting the Lewis County Coroner’s Office in death investigation services on an “as needed” and “on call” basis when the Lewis County Coroner is unavailable, in court or out of town by performing the duties of photographing death scenes; documenting death scenes; obtaining medical and family death information; obtaining police documentation and corroborative medical histories; coordinating and collaborating with medical professionals, police agencies, funeral homes and medical examiner’s offices; follow up paperwork with required agencies and filing of necessary documents.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney/Coroner’s Office and Mark A. Tuttle for the purpose of assisting the Lewis County Coroner’s Office in death investigation services on an “as needed” and “on call” basis when the Lewis County Coroner is unavailable or out of town for the period of January 1, 2019 through December 31, 2019 at a cost not to exceed $2,500.00 annually, by installment payments of $1,250.00 by June 1, 2019 and December 31, 2019.

Section 2. 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 3. That the within resolution shall take effect immediately.

Moved by Legislator _Burns_, seconded by Legislator _Moroughan_, and adopted.
RESOLUTION NO. 39 - 2019
RESOLUTION TO APPROPRIATE FUNDS
DISTRICT ATTORNEY

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Office of the District Attorney for funds received through DA Proceeds from Arrest (T0 000871) to reimburse for Moe.down tickets:

Increase Revenue
A0116500 326260 (Forfeiture Proceeds) $1,224.02

Increase Expense
A0116500 493600 (Prosecution Fund) $1,224.02

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

Moved by Legislator __Moser__, seconded by Legislator __Osborne__, and adopted.
RESOLUTION NO. 40 - 2019
RESOLUTION AUTHORIZING PURCHASE-LEASE AGREEMENT
BETWEEN COUNTY OF LEWIS AND
NORTRAX, INC. AND JOHN DEERE FINANCIAL FOR WHEEL LOADER
TRANSPORTATION DEPARTMENT

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

WHEREAS, the Lewis County Highway Department sought quotes from State approved entities for the purchase of a wheel loader. The Superintendent of Highways received quotes and found that the John Deere Nortrax, Inc. quote for a John Deere 624L Wheel Loader was the lowest, with the best fit with other Highway Department equipment, at the price of $175,546.35; and seeks to enter into a purchase-lease agreement with John Deere Financial for a John Deere 624L Wheel Loader;

WHEREAS, the principal amount of the equipment is $175,546.35 to be financed at an annual rate of 4.95%, payable over a six (6) year period in annual installments of $32,993.37; and

WHEREAS, the Board of Legislators of the County of Lewis, as the governing body, is authorized to acquire, dispose of and encumber real and personal property necessary to the functions and operations of the County; and

WHEREAS, the Board of Legislators seeks to enter into this purchase-lease agreement for the aforementioned equipment in order for the Highway Department to properly maintain and service the County roads.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes a purchase-lease agreement between the County of Lewis and John Deere Financial, by and through John Deere Nortrax, Inc., an authorized dealer of John Deere equipment and approved on State bids, for the purchase-lease of a John Deere 624L Wheel Loader at an amount of $175,546.35, to be financed through John Deere Financial at an annual rate of 4.95%, payable over a six (6) year period in annual installments of $32,993.37.

Section 2. This equipment is intended for the use of the Highway Department and therefore the Board of Legislators hereby directs that the annual installment payments of principal and interest in the amount of $32,993.37 be paid from the Highway portion of the Capital Equipment Fund.

Section 3. That the Chairman or Vice Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, and such other documents, writings or instruments as may be required to carry out the intent of this resolution, upon such forms as approved by the County Attorney.
Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator _Lehman_, seconded by Legislator _Burns_, and adopted.
RESOLUTION NO. 41 - 2019
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Highway Department Accounts for the 2017 International 7600/Viking Plow annual lease payment with funds transferred from Project HAD Capital Equipment H0990100 499900, balance $741,206.71:

Increase Revenue:
DM513000 350310 $47,979.46

Increase Expense:
DM513000 223300 $47,979.46

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

Moved by Legislator _Moroughan_, seconded by Legislator _Burns_, and adopted.
RESOLUTION NO. 42 - 2019
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT

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

BE IT RESOLVED as follows:

Section 1. That the following 2019 budget change is hereby approved in the Highway Department Accounts for the annual vehicle lease payments, to appropriate Capital Equipment funds Project HAD H0990100 499900, balance $741,206.71:

Increase Revenue:
DM513000 350310 $51,832.92

Increase Expense:
DM513000 223400 $51,832.92

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

Moved by Legislator ___Lehman___, seconded by Legislator ___King___, and adopted.
RESOLUTION NO. 43 - 2019
RESOLUTION TO TRANSFER FUNDS
TRANSPORTATION DEPARTMENT

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

BE IT RESOLVED as follows:

Section 1. That the following 2019 budget transfer is hereby approved in the Highway Department Accounts to cover the increase in fuel price paid to the Towns for plowing County roads.

From:
D0514200 490210 Salt $18,000.00

To:
D0514200 490120 Snow & Ice $18,000.00

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

Moved by Legislator Moroughan, seconded by Legislator Osborne, and adopted.
RESOLUTION NO. 44 - 2019
RESOLUTION AUTHORIZING PURCHASE OPTION BETWEEN THE VILLAGE OF COPENHAGEN AND THE COUNTY OF LEWIS ACTING ON BEHALF OF THE LEWIS COUNTY GENERAL HOSPITAL, FOR PURCHASE OF THE COPENHAGEN HEALTH CENTER PROPERTY

Introduced by Legislator Bryan Moser, Chairman of the Finance and Rules Committee.

WHEREAS, in December, 2010, the County of Lewis, acting by and through the Lewis County General Hospital (LCGH) (“Purchaser”), entered into a Lease – Purchase Agreement with the Village of Copenhagen (“Seller”) for the purpose of using the property located at 9732 State Route 12, Copenhagen, New York 13626, Tax Map No. 123-16-01-09.000, approximately 0.4 acres in size, including the buildings, fixtures and improvements thereon, and more particularly referred to as the Copenhagen Health Center (“Property”); and

WHEREAS, the Agreement provides for the County to purchase the property at any time convenient to the Purchaser, at a price of $50,000.00, less credit toward the purchase price from any rental payments made; and

WHEREAS, commencing with December 1, 2010, and continuing through January 1, 2019, the LCGH has paid the total sum of $49,000.00 ($500.00 per month) as rent in accordance with the terms of the Lease- Purchase Agreement; and

WHEREAS, upon the closing of title on such purchase/sale, all of the rental payments made shall be applied toward the purchase price; and

WHEREAS, the Lewis County Board of Legislators seeks to exercise its purchase option for the Property to continue its use and operation by LCGH as the Copenhagen Health Center, pursuant to the terms and provisions of the Lease-Purchase Agreement.

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby approves and authorizes the purchase of the approximately 0.4 acre property located at 9732 State Route 12, Copenhagen, New York 13626, Tax Map No. 123-16-01-09.000, including the buildings, fixtures and improvements thereon, and more particularly referred to as the Copenhagen Health Center, on behalf of and for continued use and operation by the Lewis County General Hospital (LCGH) in providing health services at this location.

Section 2. That the Board of Legislators hereby directs the County Attorney to take all customary action and legal steps for the purchase of the property and transfer of title for same by means of a Warranty Deed, at a price of $50,000.00 less credit for all rental payments made since December 1, 2010, in accordance with the Lease-Purchase Agreement.
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 and 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 _King_, seconded by Legislator _Moser_, and adopted.
RESOLUTION NO. 45 - 2019
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS

Introduced by Legislator Lawrence 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 Thomas C. Gillette of 5137 Old Route 12, Lyons Falls, New York 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 February 6, 2019 for an indefinite term.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted.
RESOLUTION NO. 46 - 2019
RESOLUTION TO TRANSFER FUNDS
NON-DEPARTMENTAL
MUNICIPAL DUES

Introduced by Legislator Bryan Moser, Chairman of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved from Special Legislative Contingency to Municipal Dues account to fund the increase in NYSAC dues:

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<th>To:</th>
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</tr>
</thead>
<tbody>
<tr>
<td>A0192000 499900 Dues</td>
<td>$58.00</td>
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</tbody>
</table>

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

Moved by Legislator __Moser__, seconded by Legislator __Osborne__, and adopted.
RESOLUTION NO. 47 - 2019
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
OFFICE FOR THE AGING AND OSCEOLA OUTPOST

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, the County of Lewis, by and through the Office for the Aging, desires to enter into an Agreement with Osceola Outpost for a Nutrition Program to provide meals to certain elderly residents of Lewis County in Osceola.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Office For the Aging and Osceola Outpost for the purpose of providing senior meals for the Nutrition Program.

Section 2. That this is for the term commencing February 1, 2019 and terminating on December 31, 2019 at a cost of $8.95 per meal and $150.00 per month for rent. The County share amount is 25% and the State/Federal share amount is 75%.

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 _Burns_, seconded by Legislator _Lehman_, and adopted.
RESOLUTION NO. 48 - 2019
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN OFFICE FOR THE AGING AND
UNITED CHURCH OF COPENHAGEN

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 437-2018 on December 4, 2018 authorizing a meal site lease agreement with United Church of Copenhagen at a cost of $140.00 per month for the term of one year commencing on January 1, 2019 and terminating on December 31, 2019; and

WHEREAS, the United Church of Copenhagen now desires to increase the monthly fee to $160.00 per month.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the lease agreement between the County of Lewis, by and through the Lewis County Office For The Aging, and United Church of Copenhagen at a cost of $160.00 per month for the term of one year commencing on January 1, 2019 and terminating on December 31, 2019. The County share amount is 25% and the State/Federal share amount is 75%.

Section 2. 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 3. That the within resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Moroughan, and adopted.
RESOLUTION NO. 49 - 2019
RESOLUTION AUTHORIZING AN EXTENSION AMENDMENT TO AGREEMENT BETWEEN LEWIS COUNTY AND NYS DEPARTMENT OF STATE FOR THE BROWNFIELD OPPORTUNITIES AREA IMPLEMENTATION STRATEGY GRANT FOR THE VILLAGE OF FALLS - STEP 3

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

WHEREAS the Department of State Brownfield Opportunity Areas ("BOA") program provides grants and technical support to help municipalities and community organizations implement and complete revitalization strategies for their communities. BOA funded projects may reimburse up to 90% of total eligible project costs; and

WHEREAS pursuant to Resolution No. 103-2015, the County of Lewis, in partnership with the Village of Lyons Falls, entered into an agreement with the NYS Department of State ("NYS DOS") on an Implementation Strategy Grant in the Village of Lyons Falls, characterized with four potential brownfield sites under Contract No. C1000367 for the term beginning January 1, 2016 to January 31, 2018; and

WHEREAS the NYS DOS awarded the County a Grant in the amount of $553,761.00, which represents 90% of the $615,290.00 project costs for "Step 3" phase of the project, allowing for implementation of actions and strategies, including but not limited to environmental site assessment of identified properties, and various community planning tasks and activities related to the sites; and

WHEREAS the Chairman of the Lewis County Board of Legislators is the representative authorized to act on behalf of all the applicants in all matters related to the Village of Lyons Falls BOA Program project under §970-r of the General Municipal Law; and

WHEREAS the NYS DOS has agreed to an additional extension of BOA Contract No. C1000367 through January 31, 2020, and the County of Lewis, desires to accept the extension and amend the contract to reflect same.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the County of Lewis Board of Legislators authorizes and approves an Amendment to Contract No. C100367 to extend the terms of the NYS DOS - Village of Lyons Falls Implementation Strategy Grant - Step 3 agreement through January 31, 2020.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and Extension, pending approval by the County Attorney.

Section 3. That this authorization shall take effect immediately.

Moved by Legislator _Burns_, seconded by Legislator _Osborne_, and adopted.
RESOLUTION NO. 50 - 2019
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF’S DEPARTMENT AND TIMEKEEPING SYSTEMS, INC.
FOR GUARD 1 PLUS SUPPORT SUBSCRIPTION

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

WHEREAS, the Lewis County Sheriff’s Department desires to enter into an Agreement with TimeKeeping Systems, Inc., a corporation located at 30700 Bainbridge Road, Solon, Ohio 44139, for a renewal of a one (1) year support subscription to Guard 1 Plus for the purpose of inmate checks.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff’s Department and TimeKeeping Systems, Inc. for a renewal of a one (1) year support subscription to Guard 1 Plus for the purpose of inmate checks.

Section 2. That this is for the term commencing on January 1, 2019 through December 31, 2019 in an amount not to exceed $295.00.

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 Osborne, seconded by Legislator King, and adopted.
RESOLUTION NO. 51 - 2019
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
GRAHAM WINDHAM AGENCY

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, the Graham Windham ("Agency") is a residential education and treatment center authorized by the New York State Office of Children and Family Services to provide residential and foster care services; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

Section 2. That the term of this agreement shall be from January 1, 2019 through December 31, 2019 at per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until costs exceed the foster care block grant and then the local share is 37.5% for residential/foster care and is based on the eligibility of the client. The State share is approximately 25% and the Federal share is approximately 50%.

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

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

Moved by Legislator _Lehman_, seconded by Legislator _LaChausse_, and adopted.
RESOLUTION NO. 52 - 2019
RESOLUTION TO CREATE TEMPORARY PART-TIME POSITION
SOCIAL SERVICES DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, the retirement of a Social Welfare Examiner has created an immediate vacancy in the Department of Social Services; and

WHEREAS, the Commissioner of Social Services has an immediate need for staffing; and

WHEREAS, the retiree has agreed to work on a limited part-time basis through June 28, 2019.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. That the Lewis County Board of Legislators hereby authorizes the creation of a Temporary Part-Time Social Services Program Examiner from March 4, 2019 through June 28, 2019.

Section 2. That the rate of pay shall be $18.63/hr.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted.
RESOLUTION NO. 53 - 2019
RESOLUTION AUTHORIZING LEWIS COUNTY
DEPARTMENT OF SOCIAL SERVICES
TO SERVE AS ADMINISTRATOR OF THE
PRATT NORTHAM - CAREERS HERE PROGRAM

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Resources Committee.

WHEREAS, the Pratt Northam Foundation ("PN") whose mission is to serve the Black River Valley communities from Boonville to South Carthage, established a grant devoted to providing funds for student intern employment positions known as the “Careers Here” Program. PN recently requested that the Lewis County Department of Social Services administer the program; and

WHEREAS, the Lewis County Commissioner of Social Services is willing to assist with this program and accept the designation as Administrator of PN’s Careers Here Program, and agrees to do so without receiving or charging any administrative fee, which had previously been charged to participating employers. The program provides funding for ten (10) students total with priority for two (2) BOCES students with the remainder being college level students. PN will provide DSS with funding for a total of 350 hours per student at the current minimum wage rate, together with applicable FICA expenses; and

WHEREAS, DSS will administer the plan and have the employers (both government and private) who participate in the program, execute agreements for each student intern position.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Department of Social Services to serve as fund recipient and administrator of the Pratt Northam “Careers Here” Program for student intern employment positions.

Section 2. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding (MOU) between the County of Lewis, by and on behalf of the Department of Social Services, and the Pratt Northam Foundation to outline the terms and provisions of DSS serving as Administrator of the Careers Here Program and PN’s funding for same.

Section 3. That the LC Commissioner of Social Services is hereby authorized to execute the individual contracts between the LC DSS as administrator and participating employer for each intern, subject to the approval and review by the County Attorney.

Section 4. That the Chairman, or Vice Chairman of the Board is hereby authorized to execute, seal and deliver such MOU, together with the execution of same by the LC Commissioner of Social Services, pending approval by the County Attorney.
Section 5. That the within resolution shall take effect immediately.

Moved by Legislator _LaChausse_, seconded by Legislator _Osborne_, and adopted.
RESOLUTION NO. 54 - 2019
RESOLUTION TO APPROPRIATE FUNDS
STOP DWI

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the DWI accounts for NYS STOP-DWI 2018-2019 “Crackdown” grant funds:

Increase Revenue:
A0331500 333110(DWI Grant) $12,300.00

Increase Expense:
A0331500 492400(DWI Grant) $12,300.00

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

Moved by Legislator __King__, seconded by Legislator __Osborne__, and adopted.
RESOLUTION NO. _55_ - 2019
RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE COUNTY OF LEWIS AND NCA COMP, INC. FOR WORKERS’ COMPENSATION ADMINISTRATION SERVICES

Introduced by Legislator Bryan Moser, Chairman of the Finance and Rules Committee.

WHEREAS, the County of Lewis "(County") is duly qualified as self-insured under the Workers’ Compensation Law of the State of New York and contracted with NCA Comp, Inc. ("NCA") to provide third party claims administration services as set forth in the Agreement effective through February, 2020; and

WHEREAS, the Lewis County Self-Insurance Plan has purchased an excess insurance policy to cover applicable claims within the plan; and

WHEREAS, NCA, as the County’s third party administrator, has the means to provide reporting services under this excess insurance policy coverage the County desires to be serviced under the Agreement with NCA.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes and approves Amendment No. 1 to the Self-Insured Workers’ Compensation Administrative Agreement between the County of Lewis and NCA Comp, Inc., for NCA to undertake the responsibility for the reporting of claims as required under the excess insurance policy, and any renewals, purchased by the County under its self-insured Worker’s Compensation Plan, effective January 1, 2019.

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

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

Moved by Legislator _Burns_, seconded by Legislator _Lehman_, and adopted.
RESOLUTION NO. 56 – 2019
RESOLUTION APROVING
2019 RESOURCE ALLOCATION PLAN
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

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

WHEREAS, the NYS Office of Children and Family Services has informed their approval of an increased allocation for the 2019 Resource Allocation Plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the 2019 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (“OCFS”) for a total amount of $21,115.00.

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

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

Moved by Legislator _Lehman_, seconded by Legislator _Moroughan_, and adopted.
RESOLUTION NO. 57 - 2019
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO KENDRICK M. AND ERICA R. SPENCE)

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

WHEREAS, Kendrick M. and Erica R. Spence executed a Mortgage in favor of the County of Lewis dated August 13, 2013, and recorded in the Lewis County Clerk’s Office on April 10, 2014, in Instrument No. 2014-001774 to secure payment of a loan in the amount of $30,033.81 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

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

Moved by Legislator _King_, seconded by Legislator _Osborne_, and adopted.
OTHER BUSINESS:

Legislator LaChausse made a motion at 5:51 p.m. to enter executive session for Atty. Joan McNichol to update on litigation matters and for Human Resources Director Chris Boulio to discuss an employee grievance. The motion was seconded by Legislator Kulzer and carried. Following a short recess, the session began at 6:00 p.m. Highway Superintendent Warren Shaw attended the session.

At 6:23 p.m. Legislator Chartrand made a motion to re-enter regular session, seconded by Legislator Lehman and carried.

Legislator Moser made a motion to authorize reimbursing the Adirondack Central School District an amount equal to one-third of the legal expenses incurred relative to the City of Rome trial, to-date totaling $24,902, plus an estimated $10,000 for post-trial expenses, seconded by Legislator Burns. The Town of Lewis is responsible for one-third of the cost. Atty. McNichol reported that the Adirondack Central School legal counsel had taken the lead on the assessment challenge. Mr. Piche reported budgetary allocations of $15,000 to cover the expense. The motion carried unanimously.

After brief comments, Legislator Chartrand made a motion to retain the existing County policy in regard to closure of County offices due to inclement weather, seconded by Legislator Burns and unanimously carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Chartrand at 6:33 p.m., seconded by Legislator Burns and carried.