

**REGULAR MEETING**  
**August 2, 2022**

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

Roll Call: All Legislators were present, except Legislator Moroughan who had been excused. There were 20 other persons present.

Chairman Dolhof asked Legislator Hathway for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the July 5, 2022 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: Thomas Osborne  
Phil Hathway  
Jeffrey Nellenback  
Joshua Leviker

Dated: August 2, 2022

Legislator Virkler made a motion to waive the rules, seconded by Legislator Chartrand and carried.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

A letter was received from Lewis County Farm Bureau citing New York Farm Bureau policy that supports the concerns raised by adjacent landowners over the Rails to Trails Initiative. They support the development of a managed trail system on county owned property, but not in the rail corridor which could negatively impact private farms and families that make a living from the land.

**REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:**

Legislators received the monthly Treasurer's report, and monthly Highway & Solid Waste Audit reports. They also received a report from Senior Code Official, Ward Dailey on a home located at 5507 Trinity Avenue, Village of Lowville which cites the property as unsafe, unfit for human occupancy, and therefore condemned.

**REPORTS OF STANDING COMMITTEES:**

Legislator Osborne made a motion to authorize C & S Companies to create and send out an RFP for the construction phase of the DMV/Board of Elections Addition & Renovation project, seconded by Legislator Leviker and carried.

Legislator Hathway gave a shout out to the Tug Hill Commission and any other group that was involved in the recent webinar on the Castorland Journal which he found very interesting and informative. He encouraged anyone who wanted to view it to go to the Tug Hill Commission website.

Legislator Virkler made a motion to authorize Social Services Commissioner, Jennifer Jones to create and send out an RFQ for engineering services on concept phase of permanent and transitional housing options, seconded by Legislator Chartrand and carried.

Legislator Chartrand reported that the June Employee of the Month at the hospital was Jacqueline Simmons, Nurse Manager. There were two recent retirements, Holly Spencer, POA and Joyce Pleskach, Clinic Manager. Ms. Spencer had 14 years of service at her retirement on June 24<sup>th</sup> and Ms. Pleskach had 3.5 years of service at her retirement on July 9<sup>th</sup>. Legislator Chartrand stated that due to recent concerns over the removal of trees on or near the construction site he wanted to clarify that the plan is to landscape the area once construction is completed, possibly including a “living” wall, where plants are planted on a retaining wall.

Jerry Cayer reported that the Healthcare Association of New York State (HANYs) is going to visit the Lewis County Health System facility at the August 31<sup>st</sup> Board of Managers meeting and will be presenting around 4:45 pm. This is an honor that they would come to Lewis County, so legislators are all invited to attend. Mr. Cayer also mentioned he is working with Ryan on scheduling a time and date to have the Board of Legislators attend a progress walk through on the hospital project and will have further details when ready.

#### PROJECT MANAGER REPORT:

Mr. James Garito reported that there are some supply chain issues especially with the metal buildings, however these delays haven't affected the overall timeline yet. Mr. Nick Garito explained that the electrical panels are one example of a supply chain issue as the contractor is unable to get them at this point, so the plan is to re-use the old ones in the Human Services building for now. Everyone is working together to try and deal with supply chain issues on materials and for right now the timeline is still achievable. The drawings that are needed are also not in yet which causes further problems with ordering materials. Hopefully they will be received in the near future as to not further hinder progress. The only building right now that could be impacted by supply chain issues would be the new highway garage as it requires many new electrical panels.

#### COUNTY MANAGER REPORT:

County Manager, Ryan Piche reported that the Human Services Building occupants, which is roughly 100, were moving to the Glenfield site this week and next. Things are moving fast and with any luck the move might happen in less than 10 days, which would save the county money as the contract is a per day fee. Social Services Commissioner, Jennifer Jones and Office For the Aging Director Crystal Collette have done a great job handling the move and their staff. Everyone seems to have a great positive attitude about the move. Ryan thanked all employees, Buildings &

Grounds staff, Information Technology staff for all the effort that has been put into this move so far, which is going smoothly. Ryan reminded legislators that if they would like to see the DMV drawings, they are more than welcome to stop in his office. He concluded by stating that the first budget meeting for 2023 was completed today with the Clerk of the Board, Cassandra Moser.

#### COUNTY TREASURER REPORT:

County Treasurer, Eric Virkler reported that the Clerk of the Board, Cassandra Moser, brought the most energy to her budget meeting so far. He received the full report from the auditors and will be emailing that out to legislators, those that wish to have paper copies just need to let him know. The Property Tax Auction is scheduled for August 24<sup>th</sup> with around 30 properties. The Lyons Falls property did make a payment so it will be taken off the auction list. Legislator Chartrand questioned whether the recent article that was written about how counties are seeing a 25% decrease in sales tax was accurate, Eric responded that over the last 2 months it probably equates to a reduction of 25%. He then explained that NYS reconciles the sales tax between New York City and the rest of the state so there is a chance that the smaller payments might be increased. Legislator Chartrand pointed out that the efforts the board took to decrease the Health Insurance Fund seemed to have worked as the balance is down under \$4 million now.

#### REPORT OF THE FINANCE AND RULES COMMITTEE:

**RESOLUTION NO. 173 – 2022**  
**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 \$1,798,572.24 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 Virkler , seconded by Legislator Hathway , and adopted on the 2<sup>nd</sup> day of August, 2022.

AYES: Chartrand, Gilbert, Hathway, Leviker, Nellenback, Osborne, Virkler, and Dolhof

NAYS:

ABSENT: Moroughan

**RESOLUTION NO. 174 – 2022**  
**RESOLUTION APPOINTING**  
**LEWIS COUNTY LEGISLATOR**  
**TO FILL DISTRICT NO. 3 VACANCY**

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

WHEREAS, the resignation of Legislator Ronald J. Burns has created a vacancy in the office of Legislator for District No. 3; and

WHEREAS, Local Law No. 5-1980 provides that where a vacancy occurs in any elective office for reasons other than the expiration of the term of office, the Board of Legislators may fill the vacancy by appointing to said office any person qualified under law to hold the office to which he or she is appointed; and

WHEREAS, Local Law No. 5-1980 further provides that the person so appointed to fill a vacancy shall enter upon his or her oath to faithfully discharge the duties of the office to which he or she is appointed until the office is filled by the next succeeding general election, to be held on November 8, 2022; and

WHEREAS, the Lewis County Republican Committee conducted interviews of interested and qualified candidates to fill the position and seek to appoint Jessica L. Moser (a/k/a Jessica L. Young) as Legislator to fill the unexpired vacancy in Legislative District No. 3;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Jessica L. Moser (a/k/a Jessica L. Young) from Carthage, NY 13619 in the Town of Denmark as Legislator to fill the vacancy for District No. 3, effective August 2, 2022 and continuing through and including December 31, 2022.

Section 2. That the remaining term of office of Legislator for District No. 3 shall thereafter be filled pursuant to the official results of the November 8, 2022 general election.

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

Moved by Legislator Hathway , seconded by Legislator Chartrand , and adopted on the 2<sup>nd</sup> day of August, 2022. Then Lewis County Clerk, Mr. Jake Moser, came forward and administered the Oath of Office to Legislator Moser.

**RESOLUTION NO. 175 - 2022**  
**RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS**  
**WITH REFERENCE TO DISTRICT ATTORNEY OFFICE**

Introduced by Legislator Ian Gilbert, Chairman of the General Services Committee.

WHEREAS, the District Attorney's office is tasked with discovery compliance demands as a result of the New York State Bail Reform Law requiring additional staff to assist in the preliminary input, organization, formatting, and additional requests of documents; and

WHEREAS, the District Attorney's office is expected to receive funding from the Criminal Justice Discovery Reform Grant that will cover administrative support, to include costs of staff and personnel during the 2022-2023 state fiscal year;

NOW, THEREFORE, 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 District Attorney's office to create the following position, subject to receiving the required grant funding:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Office Specialist	Full-Time (40 hour)	Grade 11 (\$16.13-\$18.77/hr.)

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of August, 2022.









**RESOLUTION NO. 179 - 2022**  
**RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT**  
**BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND**  
**EXCELLUS HEALTH PLAN, INC. FOR THE DIABETES PREVENTION PROGRAM**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Centers for Disease Control and Prevention (CDC) has established the CDC Diabetes Prevention Recognition Program (DPRP) pursuant to which CDC-recognized organizations are able to deliver evidence-based prevention and support services for individuals at risk of developing diabetes under the National Diabetes Prevention Program (NDPP); and

WHEREAS, effective February 1, 2020, the New York State Department of Health (NYSDOH) expanded benefits for Medicaid and HARP products to include coverage for NDPP services provided by community-based organizations, clinics, Practitioner Group Practices and Sole Practitioner Group Practices who/which have enrolled in NYS Medicaid as an NDPP service provider; and

WHEREAS, the Lewis County Public Health Department has received CDC-DPRT recognition to deliver NDPP services, and is enrolled in New York State Medicaid as an NDPP service provider, and desires to provide NDPP services to eligible members and wishes to enter into a Medicaid NDPP Contract Addendum with Excellus Health Plan, Inc. to participate in the various health benefit programs offered to obtain reimbursement for services provided for eligible participants; and

WHEREAS, the Board of Legislators wishes to authorize the addendum to the agreement with Excellus to participate in these health benefit programs to obtain reimbursement for services provided;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Medicaid National Diabetes Prevention Program Contract Addendum with Excellus Health Plan, Inc. and Lewis County Public Health Department to participate in the various health benefit programs offered to obtain reimbursement for services provided for eligible participants.

Section 2. That the Director of the Lewis County Public Health Agency is hereby authorized to make, execute, seal and deliver such Agreement, and any amendments thereto, pending approval by the County Attorney.

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

Moved by Legislator Virkler , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of August, 2022.

**RESOLUTION NO. 180 - 2022**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND O'ROURKE GROUNDWATER DEVELOPMENT, LLC**  
**FOR HYDROFRACKING AND TESTING SERVICES REQUIRED FOR THE SINGING**  
**WATERS PARK BATH HOUSE FACILITY PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, in 2021, the Recreation, Forestry and Parks Department commenced the process for construction of a bath house facility at the County's Singing Waters Park. Well-drilling did not produce suitable water yield required for the facility; and

WHEREAS, the Director of Recreation, Forestry and Parks, along with the project engineer and general contractor received a proposal from O'Rourke Groundwater Development, LLC, of Adams, NY 13606, to perform hydro-fracking of the well in order to produce more water flow and yield, at a cost of \$3,500.00, plus \$1,200.00 for stabilization pumping test, depending upon results after the hydro-frac, in order to meet certification requirements of the NYS DOH; and

WHEREAS, the Board of Legislators seeks to authorize this service and contract;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with O'Rourke Groundwater Development, LLC, 12132 County Road Route 77, Adams, NY 13605, to provide hydro-fracking services at the well located at the Singing Waters Park in the Town of Greig, in accordance with the quote provided July 7, 2022.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all terms and conditions recommended by the County Attorney, at a cost of \$3,500.00 for the hydro-fracking, and an additional \$1,200.00, depending upon results of hydro-frack, for DOH required stabilization pumping test and certification.

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 Virkler, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of August, 2022.

**RESOLUTION NO. 181 - 2022**  
**RESOLUTION AUTHORIZING SNOWMOBILE TRAIL 2022-2023**  
**GRANT-IN-AID APPLICATION TO THE OFFICE OF PARKS, RECREATION &**  
**HISTORIC PRESERVATION FOR TRAIL MAINTENANCE**  
**EXPENSES IN LEWIS COUNTY**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) provides grant-in-aid financial assistance in maintaining snowmobile trails included in the statewide trail system upon submission of an application by the Local Sponsor/Authorized Local Official; and

WHEREAS, under this grant program, if funds are sufficient (accumulated in the Statewide Trail Fund based upon projected registrations), the County, as the Local Sponsor Applicant, may receive a sum not to exceed the prorated amount based upon total trail mileage in the County previously established by OPRHP; and

WHEREAS, the funds made available pursuant to the grant are only for expenditures directly related to snowmobile trails approved by OPRHP. Payment of seventy (70%) percent of the total grant aid is advanced to the Local Sponsor upon execution and approval of the grant. The balance is paid to the Local Sponsor upon completion of the project to the satisfaction of OPRHP and submission of proper documentation required; and

WHEREAS, the application requires that the authorized Official for the County of Lewis execute the application and certify that grant funds received will be managed and expended in accordance with the applicable laws, regulations and program guidelines for submission to the OPRHP Director of the program. The Director of Recreation, Forestry and Parks has filled out the grant application and requests the Board authorize the Chairman to execute same and submit the application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes submission of the 2022-2023 Snowmobile Trails Grant-In-Aid Application through the Director of Recreation, Forestry & Parks.

Section 2. That the Board of Legislators authorizes the Chairman of the Board to execute the Local Sponsor Signature Form Application for submission to OPRHP. If awarded grant funds, the Board hereby authorizes the Treasurer as the County's Chief Fiscal Officer, to execute the state aid voucher required to accept and receive such funding and to disburse the funds in accordance with the grant program requirements.

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

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of August, 2022.

**RESOLUTION NO. 182 - 2022**  
**RESOLUTION RESCINDING RESOLUTION NOS. 55 & 79 - 2022 AND**  
**AUTHORIZING ONE-YEAR AGREEMENTS WITH THE COPENHAGEN CENTRAL**  
**SCHOOL DISTRICT, SOUTH LEWIS CENTRAL SCHOOL DISTRICT AND**  
**HARRISVILLE CENTRAL SCHOOL DISTRICT AND THE COUNTY OF LEWIS**  
**TO PROVIDE A SCHOOL RESOURCE OFFICER FOR EACH DISTRICT**  
**FOR A TWELVE MONTH PERIOD IN 2022/2023**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Resolution Nos. 55 & 79- 2022, the Lewis County Board of Legislators authorized agreements with the Copenhagen Central School District (CCSD), South Lewis Central School District (SLCSD) and the Harrisville Central School District (HCSD) to provide a School Resource Officer through the County and the Sheriff's Road Patrol Unit for the 2022-2023 school term (September, 2022 through June, 2023); and

WHEREAS, the Lewis County Board of Legislators approved and adopted the above numbered Resolutions to provide these SRO services upon certain considerations, conditions and understandings to be included in the agreement, including each District's obligation to reimburse the County for 85% of the full cost and expenses of the Deputy assigned (actual salary, overtime, contractual obligations and fringe expenses); and

WHEREAS, the Superintendents of the Districts requested reconsideration of the terms, including having the SRO available for a 12 month period from September 1, 2022 through August 31, 2023, assigned to SRO duty at the school on the days the school is in session in accordance with the school calendar provided and marked by the school for days in session requiring the SRO, and with that Deputy then reporting to the Sheriff's office for expected assignment to recreation patrol duty on days when not serving as SRO. In consideration of this arrangement, each school district will reimburse the County for 100% of the costs and expenses of the Deputy assigned, including but not limited to full compensation, full costs and expenses of benefits and contractual obligations, overtime when working as SRO.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby rescinds Resolution Nos. 55 & 79- 2022, and authorizes one-year Agreements between the County of Lewis with the Lewis County Sheriff's Department and the Copenhagen Central School District, South Lewis Central School District and Harrisville Central School District to provide a School Resource Officer (SRO) from the Lewis County Sheriff's Road Patrol Unit for a 12 month term during the 2022/2023 school year, September 1, 2022 through August 31, 2023, at a cost payable to the County of Lewis from

each School District representing 100% the actual costs and expenses of the SRO assigned, including but not limited to salary, overtime when working as SRO, full contractual benefit costs and expenses, and full fringe benefit costs and expenses, with the Deputy then reporting to the Sheriff's office for expected assignment to recreation patrol duty on days when not serving as SRO.

Section 2. That the Sheriff is authorized to create a new F/T road patrol deputy position, if the SRO is filled by a current road patrol deputy, in order to maintain the current level of road patrol employees.

Section 3. That the Chairman of the Board of Legislators or Vice-Chairman in his absence, and the Lewis County Sheriff, are hereby authorized to make, execute, seal and deliver said Agreements upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator Hathway , seconded by Legislator Nellenback .

Chairman Dolhof asked Human Resources Director Caitlyn Smith to address Section 2 of the resolution. Caitlyn explained that this resolution will only create one new SRO position for Copenhagen Central School as Harrisville Central School and South Lewis Central School already have SRO positions from previous years. This will allow for only one backfill.

Legislator Gilbert expressed his gratitude towards everyone who was involved in this process and making this happen quickly since the last meeting.

The resolution was then adopted on the 2<sup>nd</sup> day of August, 2022.

**RESOLUTION NO. 183 - 2022**  
**RESOLUTION TO TRANSFER FUNDS**  
**E911**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer take place in the E911 accounts to provide necessary funding for the E911 telephone project:

Transfer from:

A0302000 110100 E911 Personal Services	\$75,000.00
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Transfer to:

A0302000 290900 E911 Misc Equipment	\$75,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Virkler , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of August, 2022.



**RESOLUTION NO. 184 - 2022**  
**RESOLUTION TO TRANSFER FUNDS**  
**Jail Department**

Introduced by Legislator Ian Gilbert, Chairman of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2022 budget transfer take place from the Contingency fund and Jail Personal Services line to the Jail Inmate Board expenditure line. The funding is required to cover additional costs incurred for boarding of inmates at outside facilities.

Transfer from:

A0199000 499900 Contingency	\$ 50,000.00
A0315000 110100 Jail Personal Services	\$ 50,000.00

Transfer to:

A0315000 450800 Jail Inmate Board	\$100,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Virkler , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of August, 2022.

**RESOLUTION NO. 185 - 2022**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**THE DEPARTMENT OF SOCIAL SERVICES AND**  
**HAND IN HAND EARLY CHILDHOOD CENTER**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to secure day care services through Hand in Hand Early Childhood Center for eligible recipients; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the contract between Lewis County Department of Social Services and Hand in Hand Early Childhood Center for the period of September 1, 2022 through August 31, 2023 at the Day Care Market Rate established by Hand in Hand Early Childhood Center up to the DSS Fair Market Rates as established by the State. The Fair Market Rate schedule is subject to change based on state regulations.

**Childcare Center Rates 2022-2023**

Age	5 Days	4 Days	3 Days	2 Days	1 Day
Infant-Pre-K	\$225.00	\$208.00	\$156.00	\$104.00	\$52.00
AM SACC	N/A	N/A	N/A	N/A	N/A
Afterschool	\$30.00	\$24.00	\$18.00	\$12.00	\$6.00

- The weekly rate of \$225.00 includes a discounted rate of \$35.00 for children who are enrolled for five (5) days per week.

**Universal Pre-K/ Temporary Kindergarten Wrap-Around Care 2022-2023**

Class	Tuition
Wrap-Around AM/PM Class	\$155.00
Wrap-Around Daily Rate	\$35.00
Full Day Care	\$52.00
day rate for snow day, day of school	\$17.00

**Family Discount**

Days Enrolled	Discount
5 full days per week	\$30.00 for second child
4 full days per week	\$25.00 for second child

- There is a one-time registration fee of \$55.00 per child
- A key fob fee of \$7.50 for each fob needed to enter the building

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

Moved by Legislator Virkler , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of August, 2022.

**RESOLUTION NO. 186 - 2022**  
**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 Lisa Virkler, 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 2022-2023; 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 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 2022-2023.

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 October 1, 2022 through June 30, 2023, for an amount not to exceed \$25,000.00 in allocation funds.

Section 4. That the following appropriation is hereby approved for SFY22-23 TANF Non-Residential DV Services program:

Increase Revenue:

A0610900 346090 Fed Aid	\$ 25,000.00
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Increase Expenditures:

A0610900 460900 Non-Res DV	\$ 25,000.00
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Section 5. That the Lewis County Commissioner of Social Services is 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 Virkler, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of August, 2022.

**RESOLUTION NO. 187 - 2022**  
**RESOLUTION AMENDING INDIGENT BURIAL POLICY AND PROCEDURES**  
**THROUGH THE DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Department of Social Services is required to pay the reasonable expenses for Indigent Burials pursuant to Social Services Law §141; and

WHEREAS, the burial expenses for which the Lewis County Department of Social Services is responsible includes all reasonable costs incident to the proper burial of a deceased indigent person. The funeral directors in Lewis County work with the Commissioner to take care of these decedents and their families with dignity and respect, and at significantly reduced rates from the average costs of a private funeral/burial; and

WHEREAS, since the last time this policy was amended (in 2014) to increase rates for indigent burials, the rates have increased significantly; and

WHEREAS, the Commissioner requests that that the rates payable for indigent burial costs be increased as set forth in the attached policy, and that the Commissioner be provided with the discretion to adjust the rates as needed to comply with the requirements under SSL §141;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and adopts the attached amended policy as the Indigent Burial Policy and Procedures, which includes a schedule of rates and fees payable by the Commissioner of Social Services as required under Social Services Law §141.

Section 2. That the Lewis County Board of Legislators directs the Clerk of the Board to have this policy inserted into the County's Administrative Manual and to retain a copy of the policy in the Board of Legislators' Office. Copies of same are to be distributed to any the County Manager and/or Commissioner of Social Services may deem appropriate.

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

Moved by Legislator Virkler , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of August, 2022.

## **Indigent Burial Policy and Procedure**

**Effective Date: August 2, 2022**

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**Purpose:** To provide clarity and information to Funeral Directors' regarding burial payments from Lewis County Department of Social Services.

**Policy:** When a family member or interested 3<sup>rd</sup> party requests payment of a burial through the Department of Social Services Indigent Burial program, the funeral firm is required to contact DSS within 24 hours of death or the next business day.

- **Contact: Temmie Kubinski 315-376-5739 or Lori Allen 315-376-5733** during normal business hours, or as otherwise directed by the Commissioner and as named contacts are amended from time to time.
- If there is an emergent issue during the weekend and you need to speak with a DSS representative, please contact the Sherriff's Office @ 315-376-3511 and ask them to contact a DSS caseworker. Our caseworker will call you back. They will not be able to establish eligibility over the weekend but can provide you guidance on present policy.

**Procedure:** The Department of Social Services will determine eligibility.

**Information regarding eligibility:**

- If there is a legally responsible relative (spouse of the deceased or parent of a deceased minor child, or other legally responsible relative) who is, or has been responsible for his or her support, the relative will be responsible for the burial expense to the extent that he/she is able to pay in whole or in part.
- If there is no surviving legally responsible relative: the applicant will be any other family member or friend that is arranging for the burial. This person will not be held responsible for the burial expenses.
- Eligibility will be determined based on the resources declared in the active case file or submitted and reviewed at the interview when there is no active case. Depending on the information available, establishing eligibility can take up to 5 business days.
- If there are legal actions needed to claim the resources, the burial will be approved and Lewis County DSS will pursue reimbursement from the deceased's estate.
- If there is a surviving legally responsible relative, the agency must determine eligibility based on the NYS Income and Resource Guidelines AND the resources available to the legally responsible relative.
  - If there are no resources and the legally responsible relative's income does not exceed the NYS guideline, the burial payment will be approved.
  - If there are resources and/or the legally responsible relative has income that exceeds the NYS guideline, the burial payment will be denied and the family/relative notified that they will need to take responsibility for burial payment.

The following terms and conditions apply for the payment of indigent burials by Lewis County DSS:

**Funeral Home Charges and Necessary Third-Party Charges:** For funeral services rendered to eligible individuals by a licensed New York State professional services provider, including personnel, vehicles, and equipment, use of funeral facilities, merchandise, livery and cash expenditures to necessary third parties, the Department will pay to the Funeral Firm the sum stated in the following schedule:

Services	Charges	Notation
Direct Burial / Funeral and Burial	\$3,350	The policy does not specify what services are provided for a "funeral". It is the discretion of the funeral director based on the needs of the family to define what services to provide (graveside service, calling hour(s), funeral service at a church or the funeral home, or combination).
Direct Cremation / Funeral and Cremation	\$2,250	
Stillborn Burial	\$600	20 weeks gestation or greater and fetal death certificate issued.
Anatomical Donation	\$1,300	Funeral home to receive fee from research facility.
Cemetery	Not to exceed \$650	Includes burial plot and opening and closing of grave; funeral home will provide invoice from cemetery to DSS.
Crematory	Actual cost	DSS to reimburse actual cost. Funeral home will provide invoice from crematory to DSS.

**Supplementation:** Supplementation by a legally or non-legally responsible party is allowed, but not compulsory, for additional services, merchandise and third-party expenditures with a total cap of \$1,500.

**Winter Deaths:** When the death of an indigent person occurs during the winter and burial has been selected, and when the burial either cannot be made or is not allowed by the cemetery selected due to winter conditions, the Department will pay a winter vault storage fee.

**Death Notice:** The funeral firm selected will arrange for a free Death Notice through the local newspaper. DSS will not pay or reimburse for any obituary.

**Transportation Charges:** Transportation charges shall include, but not be limited to, (a) the removal from place of death to the funeral home; (b) transportation of the deceased from the funeral home to an authorized hospital or medical center for the purposes(s) of a coroner/medical examiner-ordered autopsy or other postmortem



examination; (c) transportation to the cemetery, mausoleum or other final resting place of the deceased; (d) transportation to and/or from a crematorium. Lewis County Department of Social Services shall pay the funeral firm the rate of \$1.85 per loaded mile for transportation of the remains. In the rare instance of transportation necessary by a common carrier, it shall first be approved by the Commissioner of Social Services, or the Director of Economic Supports (currently Katherine Garito) and shall be billed by the funeral firm to the Lewis County Department of Social Services, at cost plus \$50 to cover administration expenses to arrange for the same.

**Payment:** Itemized bills for approved burials to be sent to:

Temmie Kubinski, Senior Social Services Program Examiner  
Lewis County Department of Social Services  
PO Box 193  
Lowville, New York 13367

**Special Considerations:**

1. Exceptions to this policy may be made at the sole discretion of the Commissioner of Social Services or the Director of Services, evidenced by written approval.
2. The Commissioner of Social Services has the discretion to adjust the rates set forth above from time to time as needed, upon Notice to the Lewis County Board of Legislators, with the Policy then amended by Resolution of the Board of Legislators to reflect the adjusted rates.

**Adopted by the Lewis County Board of Legislators:  
August 2, 2022, Resolution No. 187 - 2022**

**RESOLUTION NO. 188 - 2022**  
**RESOLUTION AMENDING COMPENSATION PLAN**  
**WITH REFERENCE TO**  
**THE SOLID WASTE DEPARTMENT**

Introduced by Legislator Ian Gilbert, 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 Solid Waste Department, for the following:

<u>ABOLISH</u> MEO (Medium)	<u>STATUS</u> Part-time	<u>SALARY</u> Grade 18 (\$19.12-\$22.48/hr.)
<u>CREATE</u> MEO (Medium)	<u>STATUS</u> Full-time	<u>SALARY</u> Grade 18 (\$19.12-\$22.48/hr.)

Section 2. That Solid Waste Director, Kip Turck is hereby authorized to fill said position effective immediately.

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

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of August, 2022.

**RESOLUTION NO. 189 - 2022**  
**RESOLUTION AUTHORIZING SALE OF**  
**COUNTY OWNED PARCEL THROUGH AN ONLINE AUCTION**

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

WHEREAS, pursuant to Local Law No. 1-1991, County real property may be sold for good and valuable consideration upon formal Resolution of the Board of Legislators by roll call vote, after determination that the property is no longer necessary for public use; and

WHEREAS, the County of Lewis owns approximately 12.41 acres of vacant real property, known as the "Champion Gravel Pit", located at 36080 State Route 26, Champion, New York, County of Jefferson, identified as Parcel No. 76.00-2-43; and

WHEREAS, at the October, 2021 meeting, the Board authorized the County Attorney to investigate the status of this property and the feasibility of sale of same; and

WHEREAS, the County of Lewis desires to authorize the sale of this property through an online auction since it is no longer necessary for public use;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby determines that the 12.41 acres of vacant land consisting of a gravel pit, located at 36080 State Route 26, Champion, New York, Jefferson County, Parcel No. 76.00-2-43 is no longer necessary for Lewis County public use.

Section 2. That the Lewis County Board of Legislators authorizes the sale of this property by public auction through one of the authorized online public auction companies, as may be recommended by the County Attorney.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute any and all documents required in any sale and transfer of title of this parcel, subject to review by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Osborne , seconded by Legislator Virkler .

County Manager, Ryan Piche asked Highway Superintendent Timothy Hunt to address the question of what value might be left in this property. Tim Hunt stated that most of the gravel has been removed so what is left is sub-surface mining which

the county has no equipment to do that and is now using NYS specified materials. In response to a question, he explained that to have a vendor come in and try to estimate the value would be very difficult because this isn't a quarry, but instead a sand & gravel bed which is difficult. Usually, a vendor who would be willing to do that estimate also would have interest in purchasing the property. Tim's opinion was that there was not much value left in it.

The resolution was then adopted on the 2<sup>nd</sup> day of August, 2022 pursuant to the following roll call vote:

AYES: Virkler, Gilbert, Nellenback, Hathway, Moser, Chartrand, Leviker, Osborne, and Dolhof.

NAYS: None

ABSENT: Moroughan

**RESOLUTION NO. 190 - 2022**  
**RESOLUTION SETTING 2023**  
**WORKERS' COMPENSATION APPORTIONMENT**  
**FOR LEWIS COUNTY SELF-INSURANCE PLAN**

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

WHEREAS, the Board of Legislators recognizes the importance and efforts to foster an overall safety culture by emphasizing workplace safety and injury prevention; and

WHEREAS, in accordance with that philosophy the Board of Legislators allocates a proportionate assessment based on reported claims experience for employer accountability; and

WHEREAS, as a standard industry practice, a portion of the assessment shall be based on the ratio of payroll for each participating entity.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby sets the computation for the 2023 workers' compensation participant assessments of the Lewis County Self-Insurance Plan; et al 50% of the assessment shall be apportioned to claims experience based on actual expenses in 2019, 2020 and 2021, hereby capped at \$50,000 for any one claim per annum; 30% shall be based on proportionate 2021-2022 gross payroll figures, and the remaining 20% shall be computed on proportionate full property valuation.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of August, 2022.

**RESOLUTION NO. 191 - 2022**  
**RESOLUTION TO APPOINT**  
**SUPERINTENDENT OF HIGHWAYS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to County Law the Board of Legislators has the exclusive right to appoint a County Superintendent of Highways.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Timothy Hunt of Lowville, New York, as the Lewis County Superintendent of Highways for a term of four (4) years.

Section 2. That the term of said appointment shall commence August 8, 2022 and terminate on August 7, 2026.

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

Moved by Legislator Virkler, seconded by Legislator Chartrand, and then adopted on the 2<sup>nd</sup> day of August, 2022.

## OTHER BUSINESS:

Chairman Dolhof recognized one of the Social Services employees, Maria Garito, who recently performed above and beyond her scope of work. During a routine call as an employment specialist, information was received that could have been harmful to one of her clients. Maria's ability to identify this as a crisis, communicate with the client over the phone in a calm, engaging manner, while discreetly enlisting the help of her team members, allowed the proper authorities to be notified to provide a welfare check that ensured the safety of this community member. On behalf of the Board of Legislators, Chairman Dolhof extended their appreciation for Maria's outstanding service to the community and presented her with an award.

At 5:41 p.m. Legislator Nellenback made a motion to enter an attorney client exempt session for an update on a litigation matter, seconded by Legislator Virkler.

At 6:27 p.m. Legislator Leviker made a motion to enter regular session, seconded by Legislator Nellenback and carried.

At 6:28 p.m. with no other business to come before the board Legislator Virkler made a motion to adjourn, seconded by Legislator Osborne and carried.