REGULAR MEETING
June 7, 2022

The meeting was called to order at 5:03 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, except Legislator Burns who had been excused. There were 45 other persons present.

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

Chairman Dolhof declared the May 3, 2022, meeting minutes approved by general consent.

A proclamation commemorating the South Lewis Central School Girls’ Varsity Cross-Country Team on their Section III Class D-1 and State Class D Championship Titles was read.

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: June 7, 2022

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

PROJECT MANAGER REPORT:

Mr. James Garito reported that the projects are on schedule and on budget, and that he couldn’t be happier with the progress that has been happening. Mr. Nick Garito reported that all the dirt has been stripped and stockpiled at the new Highway facility site. The Wash Bay building’s foundation and base walls are up. The Maintenance Garage is way ahead of schedule with the foundation and framing underway, with trusses beginning this month. Later this month the foundation of the Cold Storage building will begin.

PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearing on Intro. Local Law No.1-2022 – “A Local Law Continuing an Additional Mortgage Tax for Mortgages on Real Property Situated in Lewis County” at 5:11 p.m. and there were no comments made.

Carol Murray of Lowville, NY addressed the board regarding her opinion of a Community Center. She referenced the recent JCC Survey that was done and comments that
were made about not needing another form of recreation in the county using taxpayer money. She felt that this was a misconception as Double Play’s mission is “Mind & Body”, functional fitness more than physical fitness. The goal is to improve total body and mental health of the general population of Lewis County.

Ms. Murray went on to share her personal story about her father who had a stroke and went to Double Play for a limited physical routine to gain strength. The social contact of being around other men improved his mental health immensely. Four years ago, Ms. Murray had knee problems and after being reduced to using a cane was told that strengthening her leg would help her avoid surgery. She went to Dan Myers, Owner of Double Play, who worked out a fitness plan and now she can go skiing with her grandchildren.

There are many classes offered on an individual basis or in a group setting. They will even work with specific groups to develop and create classes. A Community Center would provide opportunities that the present location can’t like a kitchen for a Nutritionist to give classes, a paved walking track outside with exercise stations, a playground for children with sensory needs, and other physical disabilities, and a room for guest lectures, among other things.

This Community Center would be forward thinking and show that this County is strong, vibrant and strives to meet the needs of all the citizens. It would also attract new residents and possibly allow us to retain some of our young adults from moving away. Ms. Murray questioned the use of ARPA Funding for the Rails to Trails proposal, which she does support, or a Community Center that can benefit a multitude of people who live all over the county. She concluded by reminding everyone that Double Play means “Mind & Body”.

Chairman Dolhof opened the public hearing on Findings of the current CDBG Project No. 636MH353-19, Lewis County Manufactured Housing Replacement Program at 5:17 p.m. Jaylyn Yuhas-Heames, Executive Director of Snow Belt Housing Company, Inc stated that in December of 2019 Lewis County applied for $510,000 in funding through the Community Development Block Grant Program for the Lewis County Manufactured Mobile Home Replacement Program. A public hearing was held on December 3, 2019, 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 manufactured or mobile home homeowners with grant funds to replace dilapidated and unsafe mobile homes, install permanent foundations and replace well or septic systems, if needed. The program allows homeowners to remain in their homes by improving the health, safety, and energy efficiency of their residence. All projects must meet code as well as HQS (Housing Quality Standards), as developed by the U.S. Department of Housing & Urban Development (HUD).

This application was successful, and the County was awarded $510,000. A Grant Agreement was signed with a program effective date of March 12, 2020, and the agreement stipulated that all funds must be expended within 24 months (by March 14, 2022). The County did receive permission for one extension, so the new deadline will be December 1, 2022. The application anticipated that five substandard mobile homes, that are occupied by low and
moderate-income households and are located on scattered sites throughout the County would be replaced. Eighteen single family household applicants were evaluated prior to the application submission and the estimated average amount of construction costs per mobile home replacement was $81,525.67: for a total construction project cost of $407,628.35.

The program is now nearing completion and there are currently four individual projects in various stages of completion. The rehabilitation work includes the replacement of single-family mobile home units, disposal of the dilapidated units, construction of permanent foundations and installation of new units (three new mobile home units and one stick-built home). All projects were awarded to income qualified, Lewis County residents. One of the households is occupied by two senior citizens, one household is occupied by a female head of household, one is occupied by an adult with a disabling condition, and one is occupied by a young family of 6. There is no permanent displacement expected, however one household was temporarily relocated during the installation process. The program was truly a countywide program in that two homes were located in Copenhagen, one in Port Leyden and one in Turin.

The projects will be completed for an approximate total construction cost of $436,987.00, which is $29,358.65 more what was anticipated in the application. The average CDBG assistance attributed to each of the four active projects is $109,246.75 with a range of assistance from $94,890 to $165,000. The increase in construction costs can be attributed to the following circumstances: unforeseen material cost increase & shipping delays for replacement mobile homes; and reduction in eligible contractor workforce statewide which has resulted in limited manufacture replacement entities.

Mr. Larry Pacola, of Denmark, NY, who is retired from the United States Army and NYS Police, spoke on behalf of the landowners who own property along the railroad line which the county is trying to obtain. He referenced the JCC Survey which showed that 87% of the residents were in favor of the Rails to Trails project. In about a week himself and a couple other landowners obtained 400 signatures of landowners and taxpayers who are opposed to this project. He understood why the county wanted to take on this project but it is clear that the landowners do not want this on their land. Mr. Pacola stated that Mr. Piche had mentioned that the Lowville railroad would be for just walking but outside of that area there could be snowmobiles and ATV’s. He felt that those landowners out in the country are being held to a different standard than the landowners in the Village of Lowville. He concluded by stating that they don’t want this on their land!

Ms. Joanne Dicob, of Lowville, NY, addressed the board recalling how she was here in 2010 and 2012 opposing this same proposal. Resolution number 124 is a far stretch for the use of American Rescue Plan funds, which was intended to assist with the economic impact of the pandemic. She felt strongly that there are already enough trails and why would the county use this one-time influx of funds to develop more trails or take possession by eminent domain from a railroad company that has no desire to give up their rail lines. She accused the board of only being concerned about tourism and not the residents who live here 365 days of the year trying to make a living.

She explained that she had correspondence from County Manager Piche about possibly
using another portion of her land for the trail if she was not comfortable with the location of the rail line, Ms. Dicob responded that she and others are opposed to any trail being on a railroad bed and they certainly are against relocating it to another part of their property! She read the following statement, which was given to various agencies in the county “…utilizing resources to enhance quality of life, it is further declared the policy of the legislature is to encourage the use of agricultural land for recreational uses which are consistent with the primary use of such land, while at the same time promoting additional tourism and employment opportunities and income for landowners in rural areas, and enhancing the quality of life of persons not otherwise able to obtain access to agricultural land for recreation.” She questioned why the board felt that agricultural land needs to be shared with the state, county or any other person that doesn’t own land. She compared the Rails to Trails project to landowners coming to the board’s homes and sitting on their front lawn or in the back yard.

Ms. Dicob went on to share her frustration that agriculture is rarely mentioned, and it is an industry that generates 12 million dollars a year in Lewis County. People are struggling to put gas in their cars, to buy groceries, or to pay their mortgage. Some people are struggling to put food on their tables, or just trying to get through this recession and all the board is thinking about is trails, shame on them! She asked the board to oppose resolution number 124 and to put the ARPA funds to something that would benefit all residents and not just the people who float in and out of the county, or tourism.

Ms. Laurie Halladay, of Croghan, NY, is from the Railroad Historical Society of Northern New York, which is located at the Depot in Croghan. A few legislators have ridden on the rails, like Ms. Virkler. She appreciated the funding every year from the board as they are a not-for-profit organization. The Depot is the oldest building in Croghan, surviving both major fires in the town. The Lowville end of the track is deemed eligible to be on the historic registry and also has a train engine in good working condition. She declared that the railroad is not abandoned! In the past, it was made clear that the Beaver River – Lowville Railroad wouldn’t be touched, so please honor that and don’t take it away. This railroad is a hidden gem for railroad enthusiasts, several people have stated that it is even better than the railroad in Thendara, NY. The railroad was the backbone of industries in the United States, she went on to give more historical information. She concluded by thanking the board for their support and asked for their continued support.

Chairman Dolhof stated that the County has always been supportive of the Railroad Historical Society’s efforts. There have been letters of support written on behalf of the board to support the rail biking efforts which were sent to GVT.

Mr. Ron Trottier, CEO of Rail Star Corporation and President of the Railroad Historical Society of Northern NY, is on the private end of things with having invested, started up and operated two successful railroad tourist operations. One is a steam operation in Colorado and the other a dinner train in Florida. The last two years have been brutal to the tourist train industry, many museums have failed entirely.

The Museum in Croghan really is a wonderful place, although the numbers are not as high as the Society would like due to the museum being mostly static artifacts. There needs to
be something, like rail bikes, to attract tourists. Mr. Trottier researched the rail bikes in Saranac Lake and felt this was a good direction to go so this year it is just being introduced and will need a few years to really pick up. The Railroad Society is working with an agency in New Jersey who handles ticket programs and websites to help with the rail bike program.

He stated his surprise with the resolution being presented later as the railroad section from Croghan to Lowville is not abandoned. It is an actual process to label a railroad abandoned, it doesn’t just happen. The future of the Railroad Society of Northern NY really counts on having the railroad operational, not broken into small sections. The railroad needs to stay whole in order to successfully operate small trains, which could have a variety of different locomotives. Rail Star Corporation has made a significant investment in Lewis County, purchasing the old Memories Restaurant in hopes of having a boating operation to go up river, possibly with a train back down. Mr. Trottier concluded by stating that the Museum would certainly appreciate the continued support of the county, but without the railroad it might have a tough time existing long range.

Chairman Dolhof reiterated that the county supports the endeavors of the Railroad Historical Society of Northern NY. The hope is to have more discussions with the Railroad Historical Society in one-on-one meetings.

Ms. Gwynne Myers, of West Lowville, NY, addressed the board regarding the Community Center. She emphasized the theory if you build it, they will come, stating that people are coming and we haven’t built it, referring to the community center. She felt strongly that the youth to the elderly need this and would benefit from a community center in so many ways. She asked the board to believe in Double Play and to believe in a community center. Looking at the future of Lewis County, this community center would help us reach the vision and mission of the hospital, to attract more people to this area.

Chairman Dolhof stated that the board is in support of a community center and welcomes anyone who would like to meet to discuss this is more than welcome. At this point, the board can’t financially fund the whole thing.

Mr. Leo Sammon, of Lowville, NY, addressed the board about his support for the community center. He has coached for many years at Lowville Academy and Central School. The youth in this area need more activities, locally, in the winter months. Some families can afford to take their kids to Watertown for sports clubs but not everyone is that fortunate. This is an important time in a kid’s life to be able to make friends and have the support of other peers. The pandemic has affected kids in so many ways. Sports really help kids communicate and make lifelong connections; a community center would only help strengthen that for all ages.

Mr. Mervin Moser, of Castorland, NY, owns property that has railroad tracks on it and isn’t in favor of eminent domain. He is the mayor of the Village of Castorland and is surprised and concerned that no one from the board has stopped in to explain or meet with them on this project. He heard about it from being a landowner and word of mouth. He doesn’t think that many Village residents know much about this. At the next meeting, he will plan on bringing this up to get a feel from his residents what they think of this project.
Legislator Gilbert asked when the next Village of Castorland board meeting was going to be held, Mr. Moser responded that it would be June 14th at 7:00 p.m. Chairman Dolhof stated that this project wasn’t done in the dark, that there was a presentation done on it at the last public meeting. The offer has been put out many times for anyone to meet with the County Manager and himself on this issue and no one has come forward.

Chairman Dolhof closed the two public hearings after no one else came forward to make comments at 5:52 p.m.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Resolutions were received from Clinton and Essex County Opposing the Passing of Conservation Subdivision Design Bill S1145/A4074. Orleans County sent copies of the following adopted resolutions: Resolution in Support of Raising the Childcare Subsidy Rate and Increasing the Total Allotment to Social Services Districts in Order to Improve Equitable Access to Childcare Across New York State; Resolution Urging the Governor and New York State Legislature to Retore Critical State Funding Support for Child Welfare Services, Safety Net Programs and to Fully Fund the Recent Foster Care Rate Settlement with State Resources; Resolution urging the Governor and State Legislature to Focus on Rent Allowance and Standard of Need, Including the Restoration of 50/50 Cost Sharing for Safety Net Programs and Clarifying its Homelessness Prevention Goals by Making Permanent Housing the Central Focus.

Legislators received a letter from Mr. Ronald Burns informing them that he will be stepping down as Lewis County Legislator for District 3, effective June 1, 2022. He felt that his anticipated absences for personal obligations would be a disservice to the people in District 3, and to the Board as a whole. It has been his honor to work with the entire Board. He concluded by thanking the people in his district for their support and confidence as their voice in county government.

An email from Mr. Jason Christman of Christman Fuel Service Inc was received by all legislators asking them to consider changing the sales tax rate on motor fuels and diesel motor fuels citing reasons such as the increase in cost which equates to increased sales tax revenue; New York State reducing their position of the sales tax rate to zero; Jefferson County electing to change their rate to a flat 12 cents per gallon starting June 1, 2022; and Lewis County businesses being at a big disadvantage compared to Jefferson County businesses by having to pay 5 cents higher per gallon of gasoline and 12 cents higher per gallon of diesel fuel.

An email from Mr. Kevin Kapfer was received by all legislators stating his concern about a condemned building at 4160 State Street in Turin that still has individuals residing there, as well as the lack of code enforcement in Lewis County.

All legislators received a letter addressed to County Manager Piche from Mr. Dan Salmon in response to a letter Mr. Piche wrote to the Village of Lowville concerning the leadership and attitude thereof. Mr. Salmon cited several infrastructure improvements that have been made by the Village of Lowville since the 90’s. He spoke about the requirements for using the Veterans Park for Community Cup as being the same for anyone who would hold an event
there. He cited a letter sent on March 9th from Mayor Beagle asking for assistance from the county on their summer recreation program which wasn’t responded to until May 27th.

He spoke about being supportive of a Community Center but questioned whether the county had support from all legislators and what other municipalities are willing to do. He then suggested that in lieu of tax revenue the county should support whatever financial means are needed. He spoke about supporting the Cream Cheese Festival both by providing police protection as well as financial support, pointing out the county has not done either. He spoke about how the Village of Lowville Police Department is present at the Lewis County Fair, the Village DPW has an agreement with the American Legion to do snow removal which creates extra parking spaces, the Veteran Flags in the past were put up by the Village DPW but it has grown to more than twenty flags and due to insurance reasons, they are not allowed to use the county bucket truck.

In closing, he hoped that County Manager Ryan Piche would better understand the diligent efforts that the Village of Lowville has done for the County, Village, local industries, and county residents.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the monthly Treasurer’s report, monthly Highway & Solid Waste Audit reports. Brian Mooney, Sealer of Weights & Measures submitted the April 2022 report, which has been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Virkler made a motion to authorize Purchasing Director, Brian Hanno to prepare and send out and RFP for lasing the new section of the Glenfield School Property, seconded by Legislator Chartrand and carried.

Legislator Chartrand announced that the April Employee of the Month for the Lewis County Health System was Pamela Foster, Food Service Helper. There was also a long-time employee, Jaqueline Beagle, who retired after 27 years of service. There was a presentation given by LCHS Information Technology Director about Meditech 2.2 and all the advantages of their system which will handle both the financial and operating aspects for the hospital. Legislator Chartrand referenced the month end financial report. He concluded with announcing to the public that there will be a live feed of the expansion project at the hospital which can be found at www.lcgh.net.

COUNTY MANAGER REPORT:

County Manager, Ryan Piche reported that the various projects that have been going on over the past month has dominated many of the staff member’s time. The projects continue to move forward on time and on budget. The goals set for 2022 are being worked on, and everyone seems to be running at full capacity.
COUNTY TREASURER REPORT:

County Treasurer, Eric Virkler reported that in his monthly report he had a few notes. The most important being that the foreclosure auction is scheduled for August 24th, however he is still waiting on the Court System to complete their portion of the process but is optimistic that it will happen in time for the August 24th date.

REPORT OF THE FINANCE AND RULES COMMITTEE:
RESOLUTION NO. 116 – 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 $1,120,974.53 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 Leviker, and adopted on the 7th day of June, 2022.

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

NAYS:

ABSENT:
LOCAL LAW (INTRODUCTORY NO. 2 - 2022)
COUNTY OF LEWIS

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

A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 5-2020:
A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY
ROADS, TRAILS OR OTHER COUNTY PROPERTY

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

SECTION 1. TITLE

This Local Law shall be known as "THE AMENDED LOCAL LAW
REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS
OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY
WHERE THE TOWN HAS OPTED IN".

SECTION 2. STATUTORY AUTHORITY

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

SECTION 3. LEGISLATIVE FINDINGS

The Board of Legislators makes the following findings in support of this Local Law:

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

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

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

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

SECTION 4. DEFINITIONS
FOR PURPOSES OF THIS LOCAL LAW:

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

B. The term “any town who opts in” shall mean a Lewis County Town who executes an Inter Municipal Agreement (IMA) with the County in which the Town agrees, inter alia, to adopt this Local Law for special events held on its town roads or other town property.

C. “Special motorized event” shall mean any outdoor gathering of ONE HUNDRED FIFTY or more participants involving vehicles, motorcycles, ATV/OHVs, UTVs, snowmobiles, or other motorized equipment, or any combination thereof which involve:

1. Any gathering or organized event taking place on County roads, trails or other property which may interfere, impede or obstruct the flow of traffic or which does not comply with normal traffic regulations or controls;

2. Any event intended to include and/or to take place on the Lewis County Off Highway Vehicle (OHV) Trail System.

3. Any gathering or organized event taking place on an opted-in Town road, trail or other property which may interfere, impede or obstruct the flow of traffic or which does not comply with normal traffic regulations or controls. Any ATV/OHV event on town roads SHALL will require users/participants to obtain a Lewis County OHV permit.
4. Any snowmobile events of 150 participants or more, even if held on private property, will require a permit where the event may interfere, impede or obstruct the flow of traffic or which does not comply with normal traffic regulations or controls on County roads or opted-in town roads; or where the snowmobile activity or event on private property may result in damage to County roads or lands or roads and lands of opted-in towns; or where the snowmobile activity or event requires placement of signage or pavement markings on County roads or town roads for towns who have opted into this law.

D. “Special non-motorized event” shall mean gatherings of TWO HUNDRED FIFTY (250) or more persons and their activities on county-owned or opted-in town-owned roads, trails or other properties.

SECTION 5. PERMITS

A. No person may organize, operate, promote, or conduct a special event as defined above on a County or opted-in Town road, trail, park or other land in Lewis County, without first obtaining a permit to do so from the Lewis County Director of Recreation, Forestry and Parks (DRFP).

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

SECTION 6. PERMIT APPLICATION PROCESS AND FEE

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

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

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

3. The County Director of Recreation, Forestry & Parks will have the
discretion to waive the requirement of a permit fee depending upon the nature of
the event (parade, wedding, etc.), consistent with the purpose of this local law and
permit process to have County and local towns know when there are events which
can cause disruption, safety concerns, and potential damage to life and property,
with the need for emergency services.

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

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

2. The proposed dates and hours of operation for the proposed special
event, and a description of the event;

3. The expected minimum and maximum number of persons and
vehicles/other equipment, if any, per day of the event to use the roads and/or
property(s), if any, per day and collectively;

4. A description of the purpose for the special event and the activities to
take place thereat, including without limitation, concessions, entertainment,
vehicles, equipment, etc.;

5. The admission/participation fee to be charged, if any.

D. 1. After careful review and consultation with other County and/or Town
Departments as may be required, the DRFP shall determine whether the permit
application will be approved or denied. The DRFP shall communicate her decision
on the application in writing, by issuing a permit with any and all conditions to which
the applicant may be required to meet prior to and during the event. If denied, the
DRFP shall indicate the reason for such denial.

2. Simultaneously with notification of approval/denial of a permit to the
applicant, the DRFP shall notify the County Manager, Board of Legislators, any
appropriate County Departments, and any appropriate Town Supervisor and
Highway Supervisor of the special event permit issued/denied, including any
conditions and information on the type of event, date, location, estimated size, and any other relevant information.

E. 1. Depending upon the activities and estimated size of assembly of persons and vehicles participating in the special event, the applicant shall be required to comply with any and all other applicable State and Local Laws, [including but not limited to NYS Department of Health rules and regulations pertaining to mass gatherings (assembly of 5,000 people or more), Public Health Law §225, and Lewis County Local Law No. 2- 1970 (mass assembly of 10,000 people or more)], with the application reviewed and approved by the Public Health Director, Emergency Management Director, Lewis County Sheriff, Superintendent of Highways, and any other relevant County and/or Town Department(s) requested by the DRFP.

2. In such cases, the DRFP will notify the applicant of the additional review before the application will be deemed fully submitted. The preliminary application may then be reviewed and commented upon by those appropriate Department to determine from the information supplied, the potential effect or impact the proposed special event and assembly will have upon the public health, safety, and welfare of the people and property of Lewis County.

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

SECTION 7. CONDITIONS OF USE AND INSURANCE REQUIREMENTS

A. Neither the County nor any opted-in Town affirms that the County-owned or Town-owned road/trail/site/property affected by or used for the special event has been designed, constructed, or maintained for the purpose of the activity/conduct of the event. The application shall state that the applicant and all its participants assume full risk and responsibility for the event, and shall hold the County/Opted-in Town harmless with respect to any claim by the event applicants and its participants. The applicant and its participants assume full risk and responsibility for planning and conducting a safe and orderly event that does not expose participants or the public to any unreasonable hazards, with minimal disruption to normal uses of the roads, trail system and municipal properties. It shall be the sole obligation of the applicant to determine whether the county and/or town site(s) is suitable for the purpose of safely conducting the event.

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

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

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

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

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

3. Automobile and/or other motorized vehicle insurance. The applicant shall maintain automobile, other vehicle and equipment policy(s) insurance against liability for bodily injury, death, damage to property and other coverages relating to the use, operation, loading or unloading of any automobiles, motorized vehicles and other equipment on and around the event site, in an amount not less than $1,000,000.00. If the event involves participants' use of motorized vehicles (autos, ATVs, UTVs, motorcycles, motorbikes, snowmobiles, etc.) it is the applicant/permittees' responsibility to ensure that all participants' motorized vehicles are properly licensed, registered and insured, as may be required under the law.
E. In addition to the protection afforded to the County and any opted-in Town in which the event is occurring, by the insurance provisions hereinabove set forth, neither the County or Town(s) shall be liable for any damage or injury to the applicant, employees, event organizers, volunteers, participants, or any other person, or to any of their property occurring during the event and/or on the event site covered by the permit. The applicant/permittee agrees to defend, indemnify and hold harmless the County of Lewis, and its agents and any opted-in Town effected by this event from and against all claims, damages, losses and expenses, including but not limited to attorneys’ fees and road damage, arising out of any claim for personal injuries, property damage or wrongful death associated in any way with the applicant’s or participants’ use of the permitted site/property, or in any way related to the event, no matter how caused. The County and Town make no representations as to the condition of the property for the use intended by the event participants and organizers.

F. The DRFP, (in consultation with the County Manager, County Attorney, County Superintendent of Highways and any other appropriate and relevant municipal official) will have the discretion to determine whether or not there is a need for insurance based upon the type and size of the event, and/or may determine to adjust the required insurance coverages and amounts, depending upon the nature of the event, i.e., activities, size, duration. If insurance for the event is not required, the applicant and any sponsors of the event may be required to execute a waiver of liability and have its participants execute a waiver.

SECTION 8. PENALTIES FOR NON-COMPLIANCE AND ENFORCEMENT

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

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

2. Any person not applying for an event permit shall be subject to a civil penalty, enforceable and collectible by the County of Lewis in any court of competent jurisdiction within the County of Lewis as follows:
   a. in the amount of $50.00 - $500.00 for holding a non-motorized event
(250 or more participants), depending upon the nature, size, location and municipalities involved.

b. in the amount of $500.00 - $1,000.00, plus an additional $5.00 per participant for holding a motorized event (150 or more), depending upon the nature, size, location and municipalities involved. The $5.00/per participant fine fee for failure to obtain the permit will be deposited into a special fund for distribution among participating municipalities affected by the event, pursuant to the terms of the IMA.

3. Any person and/or participant in a special motorized event who rides outside of the designated travel areas for the event on a County or Town road/trail/property (for example, riding on the road shoulder, drainage ditches, etc.) shall incur a fine of $1,000.00.

4. In addition to the above penalty(s), the County of Lewis or a Town who has opted into this local law, who is directly adversely affected by the special event, may maintain an action or proceeding in a Court of competent jurisdiction to compel compliance with or to restrain by injunction, the violation(s) of this local law, and to seek recovery of any and all damages incurred as a result of noncompliance with this local law.

SECTION 9. SEPARABILITY

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

SECTION 10. FEE SCHEDULE

A permit application fee of $20.00**, made payable to Lewis County, shall apply, unless waived by the Director of Recreation, Forestry & Parks, in her sole discretion. This permit fee amount will remain in effect until amended by the Lewis County Board of Legislators by an adopted Resolution.

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

SECTION 11. EFFECTIVE DATE

This Local Law shall become effective immediately after filing with the office of the New York Secretary of State.
RESOLUTION NO. 117 - 2022
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY NO. 2 - 2022), COUNTY OF LEWIS

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

WHEREAS, a proposed Local Law entitled "THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN" was presented and introduced at a meeting of this Board of Legislators held on June 7, 2022;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on July 5, 2022, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

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

Moved by Legislator Virkler, seconded by Legislator Gilbert, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 118 - 2022
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 - 2022, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on May 3, 2022, directing that a public hearing be held by said Board on June 7, 2022, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW CONTINUING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN LEWIS COUNTY”; and

WHEREAS, notice of said public hearing was duly advertised on June 1, 2022 in the Watertown Daily Times, the official newspaper designated by the County, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1 - 2022), County of Lewis, being “A LOCAL LAW CONTINUING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN LEWIS COUNTY”, be and the same hereby is designated as Local Law No. 2-2022, County of Lewis.

Section 2. That Local Law No. 2-2022, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect September 1, 2022, upon filing with the Secretary of State and compliance with all other requirements of law.

Moved by Legislator _Virkler_, seconded by Legislator _Gilbert_, and adopted on the 7th day of June, 2022 pursuant to the following roll call vote:
AYES: Virkler, Gilbert, Moroughan, Nellenback, Hathway, Chartrand, Leviker, Osborne and Dolhof

NAYS:

ABSENT:
RESOLUTION NO. 119 - 2022
RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND KRAFFT CLEANING SERVICE, INC. FOR FINAL CLEANING AFTER RENOVATIONS AT THE GLENFIELD SCHOOL COMPLEX

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

WHEREAS, the Lewis County Director of Buildings and Grounds sent out a Request for Proposals for final cleaning services after renovations at the Glenfield School Complex located at 5960 Main Street, Glenfield, NY, as set forth in the RFP; and

WHEREAS, one bid proposal was received and opened on May 31, 2022 at 2:30 p.m. with the Clerk of the Board, Purchasing Director, and Director of Buildings and Grounds present; and

WHEREAS, the Director of Buildings & Grounds recommends that the bid be awarded to Krafft Cleaning Service, Inc., as the responsive bidder in the amount of $26,812.00;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid for the final cleaning services and scope of work after renovations at the Glenfield School Complex to the responsive bidder, Krafft Cleaning Service, Inc., of Watertown NY 13601, in the amount of $26,812.00.

Section 2. That the Lewis County Board of Legislators hereby authorizes a contract to be entered into with Krafft Cleaning Service, Inc., for the identified services in accordance with the specifications, conditions, scope of work, start and completion dates and fee schedule set forth in the RFP.

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 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 Virkler, seconded by Legislator Gilbert, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 120 - 2022
RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN THE
COUNTY OF LEWIS AND NORTHERN PIONEER CONTRACTORS, INC.
FOR THE COURTHOUSE HEATED SIDEWALK PROJECT

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

WHEREAS, the Lewis County Director of Buildings and Grounds sent out a
Request for Proposals for a new heated sidewalk and boiler at the Courthouse
Building, located at 7660 North State Street, Lowville, NY, and a non-heated sidewalk
and railings within the locations and scope of work listed in sections 2.1, 2.2, and 2.3
of the RFP; and

WHEREAS, three (3) bid proposals were received and opened on May 31, 2022
at 2:00 p.m., with the Clerk of the Board, County Attorney, Purchasing Director and
Director of Buildings and Grounds present; and

WHEREAS, all bid proposals were reviewed and analyzed by the Director of
Buildings & Grounds in consultation with the Purchasing Director with the Director
recommending that the bid be awarded to Northern Pioneer Contractors, Inc., as the
responsive, qualified lowest bidder in the amount of $163,500.00;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid for
the heated and non-heated sidewalks and boiler at the County Courthouse property,
to the qualified lowest bidder, Northern Pioneer Contractors, Inc., of Glenfield, NY
13343, in the amount of $163,500.00.

Section 2. That the Lewis County Board of Legislators hereby authorizes a
contract to be entered into with Northern Pioneer Contractors, Inc., for the identified
materials, labor and installation services in accordance with the specifications,
conditions, scope of services, start and completion dates and fee schedule set forth
in the RFP.

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 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 Virkler, seconded by Legislator Osborne, and
adopted on the 7th day of June, 2022.
RESOLUTION NO. 121 - 2022
RESOLUTION RESCINDING RESOLUTION 232-2021 AND AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND T&D BLACKTOP & SEALING FOR PARKING LOT MAINTENANCE AT THE LEWIS COUNTY-JEFFERSON COMMUNITY COLLEGE EDUCATION CENTER

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

WHEREAS, in the fall of 2021, the Lewis County Board of Legislators authorized an agreement with T&D Blacktop & Sealing to perform parking lot sealing and striping maintenance services at the Lewis County-Jefferson Community College Education Center (“LC-JCC”) with the work to be completed by November 30, 2021 at a cost not to exceed $9,900.00; and

WHEREAS, due to weather conditions in October, 2021, the Contractor was unable to perform the parking lot services; and

WHEREAS, the Contractor has submitted a new proposal to provide these services at the Lewis County-Jefferson Community College Education Center at a cost of $10,600.00 (an additional $700.00 from the 2021 proposal);

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators rescinds Resolution No. 232-2021.

Section 2. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis and T&D Blacktop & Sealing to perform parking lot sealing and striping maintenance services at the Lewis County-Jefferson Community College Education Center, at a cost not to exceed $10,600.00, with the work to be completed by August 31, 2022.

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

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

Moved by Legislator Virkler, seconded by Legislator Gilbert, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 122 - 2022
RESOLUTION AUTHORIZING SECTION 5311 CONSOLIDATED FEDERAL AND
STATE FUNDING GRANT APPLICATION FOR THE
LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM:
2021-2023 FISCAL YEARS

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

WHEREAS, the County of Lewis through the Planning Department, seeks to submit an online request and application for the consolidated federal grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, to provide funding for public mass transportation services within the greater Lewis County area by a third-party contractor, on behalf of Lewis County Public Transportation for the 2021-2023 fiscal years; and

WHEREAS, the County of Lewis and the State of New York have entered a continuing agreement which authorizes the undertaking of the project and reimbursement of the Federal and applicable State shares on a biennial basis; and

WHEREAS, the County of Lewis contracted with third-party subcontractor (Birnie Bus Tours, Inc.) for the project(s) described above; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County of Lewis, through the Planning Department, to submit the on-line application to the New York State Department of Transportation for consolidated federal grant funds pursuant to Section 5311, Title 49 United States Code to provide public mass transportation service funding within the greater Lewis County area by Birnie Bus Tours, Inc., on behalf of Lewis County Public Transportation for the 2021-2023 fiscal years.

Section 2. That the Planning Director is authorized to act on behalf of the County to sign and submit the application and complete the operational project.

Section 3. That the Chairman of the Board of Legislators is authorized to execute any contracts or agreements between Lewis County and NYS DOT and any third-party subcontractor necessary to complete the public transportation project, subject to the approval of the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Hathway, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 123 - 2022
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND THE ARC, ONEIDA-LEWIS CHAPTER, NYSARC, INC FOR TRANSPORTATION SERVICES.

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

WHEREAS, THE Arc, Oneida-Lewis Chapter, NYSARC, INC. ("ARC") no longer contracts with Birnie Bus Tours, Inc., to provide daily transportation for its clients to and from residence and program sites within Lewis County; and

WHEREAS, under the County's Public Transportation program (LCPT), the County contracts with Birnie Bus to provide transportation within the greater Lewis County area, including multiple fixed routes and schedules that will also serve ARC clients. The primary cost share of LCPT's fixed routes is largely attributable to the ARC ridership, and without the ARC ridership, the fixed routes would become too costly to continue; and

WHEREAS, the County's decision to open prior ARC routes to the public and designate them as fixed routes provides for the integration of ARC clients with the community and allows for the County to apply for additional State Operating Assistance (STOA) reimbursement funds for both the general public and the ARC clients who ride the fixed routes; and

WHEREAS, the ARC and County seek to enter into a direct, three-year Agreement for ARC clients to ride these fixed routes in exchange for the ARC agreeing to pay the estimated cost of their routes and the Lowville Loop minus the estimated STOA reimbursement to be received. The County will continue to apply for STOA reimbursement funds for each ARC rider on fixed routes, and provide for potential expansion of routes and opportunities for all residents of the County; and

WHEREAS, the agreement will also provide for the ARC to reimburse the County at a rate of $25/hr in 2022, $25.50/hr in 2023, and $26.14/hr in 2024 for any ARC client requiring a bus aide. The agreement between the County and Birnie Bus provides for this service, if required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County, by and through the Planning Department’s LCPT and the ARC, to provide public transportation services on the LCPT’s fixed routes for a three year period, in consideration of the ARC reimbursing the County for the costs of the Fixed Routes and Lowville Loop,
post estimated STOA reimbursement, and to reimburse the County at a rate of $25/hr in 2022, $25.50/hr in 2023, and $26.14/hr in 2024 for any ARC client requiring a bus aide.

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

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

Moved by Legislator [Virkler], seconded by Legislator [Gilbert], and adopted on the 7th day of June, 2022.
RESOLUTION NO. 124 - 2022
RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS FOR RAILROAD LINE ACQUISITION PROJECT AND APPROPRIATING ARPA FUNDS FOR RECREATION PROJECTS

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

WHEREAS, the Lewis County Board of Legislators previously authorized the County Attorney to engage Bond, Schoeneck & King, PLLC (Brody D. Smith, Esq) for an initial retainer of $5,000.00 to provide preliminary legal consultation and advice in the County’s interest in acquiring various railway lines in Lewis County for recreational public uses by Eminent Domain; and

WHEREAS, the Board of Legislators seeks to have Bond, Schoeneck & King continue to represent the County in this legal endeavor, in accordance with the hourly rate of $300.00 for Brody Smith, Esq. and $190.00 for his associate, in accordance with the terms of representation set forth in the initial retainer agreement dated 1/10/2022; and

WHEREAS, the Board requested counsel to investigate potential experts experienced with professional surveying services for portions of abandoned railroad lines, in order to proceed with the eminent domain taking process; and

WHEREAS, the County Attorney received a proposal and scope of services from C.T. Male Associates, Latham, NY 12100, an engineering, surveying, architecture, landscape architecture & Geology professional company familiar with such surveying, to provide the field work, mapping, computations and plotting of field data, markers, surface improvements, etc., for boundary surveys and condemnation mapping in the County’s proposal to acquire the rail lines, as more fully described in its scope of services in the proposal dated May 20, 2022, and at an estimated cost of $115,000.00 (based upon rate schedule set forth) for all the identified parcels provided by the County; and

WHEREAS, the Lewis County Board of Legislators wishes to appropriate and designate $1.5 million from ARPA funds for recreation projects; to accept the proposal of CT Male Associates for survey services, and to continue the legal services of Bond, Schoeneck & King PLLC for this project;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the continuing retainer of Bond, Schoeneck & King, PLLC for the provision of legal services pertaining to railway line acquisition by eminent domain on behalf of the County of Lewis, at the rate of $300.00/hr for Brody Smith and $190.00/per hr for associates, and with an additional advance of $15,000.00 toward these ongoing fees, payable from
Section 2. The Lewis County Board of Legislators hereby authorizes an agreement with C.T. Male Associates for professional survey services related to the railway line acquisition by eminent domain project, based upon the scope of services and rate schedule set forth in the proposal dated May 20, 2022, estimated to be $115,000.00.

Section 3. The Lewis County Board of Legislators authorizes the Treasurer to appropriate $1.5 million from ARPA funds for recreation projects, and authorizes the above professional service fees and charges to be paid from said designated funds.

Section 4. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement with C.T. Male to effectuate the purpose of this Resolution upon such form as approved by the County Attorney; and authorizes the continuation of the executed retainer agreement with Bond, Schoeneck & King upon such form as approved by the County Attorney.

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

Moved by Legislator _Gilbert_, seconded by Legislator _Virkler_.

Legislator Hathway stated that he was not sure where he stands on “Rails to Trails” but felt that this resolution is doing due diligence to see if this endeavor is even feasible and getting a better understanding of what we have and what the next steps would be. Legislator Osborne agreed with Legislator Hathway and added that more research needs to be done. He struggles to comprehend taking over an entire rail system and determining what sections will become what. He referenced all the comments heard earlier in the evening in favor of a Community Center and wondered if that is more important than “Rails to Trails”. He felt strongly that there needed to be further research done and more input meetings.

Legislator Chartrand stated that he has been in favor of “Rails to Trails” since he became a legislator. He shared his personal reasons for being in favor of this endeavor. His wife is alive and with him today by the grace of God because she was hit while riding on Route 12, in the 10-foot-wide shoulder, by a tractor trailer. Another gentleman’s wife was hit by a pick-up truck on East State Street in Lowville and dragged about two blocks, and almost died. Another gentleman lost a nephew who was running track for Beaver River who was hit and killed. This railroad track has a lot of uses, one is to provide a place for our children to train and be involved in recreation without doing it on the streets or roads. He went on to state that he does not believe there is locomotive with freight that has been active on that railroad in 30-years.

Legislator Chartrand applauded Legislator Hathway for his statement about gathering more information, which is what the board is trying to do. He mentioned that when he traveled, he met a 70-year-old man using a walker who was using a trail similar to what the board is envisioning to walk two miles to get his coffee at
the local coffee shop. He went on to discuss the importance of finding out if the rails are even safe in the state they are right now and if they could even be used for a locomotive. This required more information to be gathered. The county remains open to ideas from residents and committed to working with farmers where they can. In order to gather more information so good decisions can be made, it is important to pass this resolution tonight.

Legislator Gilbert stated that all legislators have had months to consider this project and hear from constituents. In addition to the results from the community survey, he has received messages, calls, emails, as well as having many face-to-face conversations with taxpayers in his district. There have been a wide range of opinions, with some supporting it as a necessary step in building our recreational tourism industry as a major employer and source of revenue, while several people with properties adjacent to the project oppose it in its entirety due to legitimate concerns about the impact this project would have on their own adjoining properties and businesses. Legislator Gilbert stated that he intended to vote in favor of this resolution and wanted to record his reasons for supporting it as follows:

1) Community supports it, though admittedly the people who support it are not as fully vested in the outcome as the neighboring landowners who oppose it.
   a. While I am generally the last person to suggest that the minority needs to bow to the majority, the state’s authority to use eminent domain for projects that benefit the public is well established. In fact, the founders wrote the eminent domain power right into the constitution. This is not a new concept but is a longstanding part of our nation’s history and laws
   b. Our 2019 community survey showed that 81% of the public support converting existing railroad beds or tracks to public recreational multi-use trails. In 2022, we ran the question again, to the statement “I Support County Government Efforts to Convert Existing railroad beds and tracks to public recreational multi-use trails, both motorized and non-motorized.” 80% agreed, while 10% disagreed. That number increases to 85% when you poll people with household incomes of $50,000 or less. This issue has no political divide.

2) On balance, the benefit to the public substantially outweighs the negative impact this would have,
   a. Benefits include: more jobs, both immediately with the construction effort, and long term in our growing hospitality industry. Our 2022 OHV study connected 97 jobs, $2.8 million in total employee earnings, and 8.3 million in total sales. The connection points with Fort Drum and Jefferson County in particular will bring in more tourists.
   b. Right now, we generate an estimated $140k in tax revenue from OHV activity. This is set to increase as the industry continues to grow in New York. If we do not accommodate that growth, it just revenue that will be lost to other counties and states.
c. We should consider that there are many tools at our disposal to mitigate or eliminate the negative impacts of a multi-use trail corridor:
   i. Setting locations and times at which ATV access are prohibited. In particular, during spring season when cows are out to pasture, having a schedule of hours and days when ATVs are prohibited would address the noise and trespass concerns
   ii. Granting farmers whose lands are bisected by the rail lines free licenses to cross with animals and farm equipment at certain designated locations. Currently, crossing the rail line without permission is a criminal trespass. If the county owns the bed, we can, and should, permit adjoining landowners to cross it as needed.
   iii. Potentially swapping out portions of the line for more favorable corridors, investing in trail markings and fencing, having patrols – but all of these things will require a willingness to cooperate by and with landowners.

3) As a county, we lack a proper multi-use trail network, and this is an opportunity for us to diversity beyond motorized recreation towards options that could appeal to a new subset of residence and guests. Specifically, biking, running, horseback riding, railcars (especially between Croghan and Beaver Falls), and cross-country skiing. There are other options that aren’t motorized to focus on.

4) Having a well-regulated county-owned trail corridor connecting the major villages will go a long way in curbing some of the problems we have seen on other parts of the trail system.
   a. More trails means less ATV density
   b. I received a call from a constituent who complained about ATV users who are currently trespassing on the rail line - if the county possesses the line, we can patrol it, and make sure they are not invading private land.

Legislator Gilbert concluded by making the following final thoughts:
   a. One of the biggest problems I see in the government sector is an unwillingness to take risks and engage in big projects. America rose to greatness on the world stage thanks to ingenuity, inventiveness, and risk taking, which led to rapid industrialization when it was building canals, dams, and railways. Projects like the Erie Canal, the Interstate System, and the Hoover Dam were controversial at the time, but it is hard to think of America without appreciating the importance of these endeavors. Our national leadership and special interests are so sclerotic and major projects face so many hurdles, that we are in serious danger of getting overtaken by places like China.
   b. While admittedly, rails to trails is a small project in the grand scheme of things, it is big for us. In my judgment, this is the right thing to do and the right time, if we do it intelligently. We must engage with constituents, and also be willing to work together to meet needs within our own
departments, especially with the sheriff’s office. For those reasons, I will vote in favor of the resolution. I also want to extend an invitation to meet with me and the County Manager with any constituents in my district with land along the railway. I have extended this to several people who have raised concerns, and I hope to have some meetings soon.

Chairman Dolhof emphasized what Legislator Hathaway had stated, that this is not a resolution to acquire the railroad but a continuation of our due diligence to figure out if this is something that the county should pursue or is even possible.

The resolution was then adopted on the 7th day of June, 2022.
RESOLUTION NO. 125 - 2022
RESOLUTION TO TRANSFER and APPROPRIATE CAPITAL FUNDS RELATED TO THE FACILITIES PROJECTS

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfer take place in the Capital Fund to transfer funds from the HAA (Highway - $481,309.08) and HAB (DSS Building - $209,849.88) Reserves and appropriate these funds in the Capital HAR 2022 Facilities Projects fund:

Increase Revenue:
H0162000 350310 $691,158.96
    Project HAR – Cty Shr

Increase Expenditure:
H0162000 499900 $691,158.96
    Project HAR - Contract

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

Moved by Legislator Virkler, seconded by Legislator Gilbert, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 126 - 2022
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS WITH REFERENCE TO COUNTY ATTORNEY OFFICE

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

WHEREAS, the intern who worked in the County Attorney’s Office and County Manager’s office last year through the Careers Here program, seeks to return to these offices again this spring/summer, but the position will not be funded through the Careers Here Program. The County Attorney’s budget will support this temporary intern position;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the County Attorney’s office to create the following temporary position for 350 hours effective and retroactive to May 16, 2022, for 350 hours at $16.00/hour plus FICA:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>STATUS</th>
<th>SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intern</td>
<td>Temporary – 350 hours</td>
<td>$16.00/hour</td>
</tr>
</tbody>
</table>

Section 2. That this resolution shall take effect immediately.

Moved by Legislator _Virkler_, seconded by Legislator _Gilbert_, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 127 - 2022
RESOLUTION TO APPROPRIATE FUNDS
County Road

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

BE IT RESOLVED as follows:

Section I. That the following budget appropriation be approved in the County Road accounts for additional revenue expected for the annual CHIPS program.

Increase Revenue:
D0501000 335011 CHIPS revenue $396,000.00

Increase Expenditures:
D0512000 495120 County Road materials $377,500.00
D0501000 290900 Misc Equipment $18,500.00

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

Moved by Legislator Virkler, seconded by Legislator Gilbert, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 128 - 2022
RESOLUTION APPROVING AGREEMENT BETWEEN
COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY DEPARTMENT
AND C&S COMPANIES FOR DESIGN AND BIDDING PROFESSIONAL SERVICES
AND TO SEND OUT AN RFP FOR THE BOX CULVERT REPLACEMENT PROJECT
- CR 40 OVER TANNERY CREEK -

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

WHEREAS, the Lewis County Highway Department desires to enter into an
agreement with C&S Companies (“C&S”), authorized on the New York State list of
professional engineers with the engineering expertise for these culvert repair
projects, to provide design and bidding documents professional services with
respect to the box culvert replacement project located at CR 40 over Tannery Creek,
in Greig; and

WHEREAS, the Lewis County Highway Superintendent budgeted this project
for $300,000 but can adjust the amount under its CHIPS funding. C&S has provided
a detailed proposal dated March 29, 2022, with the professional scope of services
proffered for this project at compensation amount of $24,000.00; and

WHEREAS, the Highway Superintendent seeks to have the Board of
Legislators authorize the professional services of C&S for this project, and to
authorize the RFP for same as prepared by C&S obo the Highway Department’s
planned replacement of this culvert; and

WHEREAS, the Lewis County Board of Legislators wishes to accept such
services and authorize the bidding for this project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an
Agreement between the County of Lewis by and through the Lewis County Highway
Department and C&S Companies to provide engineering services necessary for the
design and bidding documents related to the box culvert replacement project
located on CR 40 over Tannery Creek in Greig, New York, at a cost of $24,000.00 as
more fully set forth in the proposal dated March 29, 2022.

Section 2. That the Lewis County Board of Legislators authorizes the Highway
Superintendent to bid the project with the professional assistance of C&S.

Section 3. That the Superintendent of Highways is hereby authorized to make,
execute, seal and deliver such Agreement with C&S, pending approval by the County
Attorney.
Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Gilbert, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 129 - 2022
RESOLUTION AUTHORIZING GRANT OF EASEMENT TO NIAGARA MOHAWK POWER CORPORATION ON THE COUNTY’S PROPERTY ON NUMBER THREE ROAD AS A RESULT OF THE LEWIS COUNTY HEALTH SYSTEM’S EXPANSION PROJECT

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

WHEREAS, the County of Lewis owns a number of parcels comprising the Lewis County Health Systems (LCHS) campus, from Route 26 through to the Number Three Road in Lowville, NY; and

WHEREAS, as part of the hospital’s upgrade and surgical wing renovation, Niagara Mohawk Power Company (NMPC) seeks to install a new utility facilities pole with related cables, wires, supports, etc., in an approximate 20 foot width area located in the southwest corner of the County’s property on the Number Three Road, as a permanent easement area for the purpose of providing services to LCHS and others; and

WHEREAS, the proposed easement will not interfere with the County’s uses of its property located thereon, and in fact, the grant of the easement to NMPC is necessary in order for the hospital to complete its improvement project; and

WHEREAS, the Board of Legislators seeks to comply with this easement request.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the granting of a perpetual easement from the County of Lewis to Niagara Mohawk Power Corporation on the County’s property located on Number Three Road, Lowville, NY, and being part of Tax Map Parcel No. 195.00-01-67.100, commonly known as 7714 Number Three Road, for the purpose of NMPC to construct, reconstruct, relocate, extend, repair, maintain and operate its utility lines, transformers and other communication facilities upon, over, under and across approximately twenty (20) feet in width throughout the extent of the easement area as described on NMPC Easement Area sketch entitled “WR #23-22-30572721”, in order for the Hospital’s improvement project to be completed and operable.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is and he hereby is authorized to make, execute, seal and deliver such easement under terms and conditions approved by the County Attorney.

Section 3. That the within Resolution shall take effect immediately.
Moved by Legislator __Virker__, seconded by Legislator __Gilbert__, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 130 - 2022
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND SPECTRUM NORTHEAST, LLC BY ITS MANAGER,
CHARTER COMMUNICATIONS, INC., FOR FIBER/COAX BROADBAND
INFRASTRUCTURE EXPANSION TO PASSINGS IN THE TOWNS OF CROGHAN,
DENMARK, WATSON, LOWVILLE AND GREIG

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

WHEREAS, the Broadband Ad Hoc Committee formed by the Chairman of the Lewis County Board of Legislators has a number of projects underway to expand internet and broadband to areas in Lewis County that are underserved and/or not served; and

WHEREAS, the Ad Hoc Committee recently met to consider a project with Spectrum Northeast, Inc. through its manager, Charter Communications, Inc. (“Spectrum/Charter”) to expand the company’s fiber/coax existing broadband infrastructure to at least 366 passings it has in the Towns of Croghan, Denmark, Watson, Lowville and Greig, to service more households along those existing lines with installation of high speed broadband network capable of providing at least 100/20 Mbps. (This project is in addition to and builds on the fixed wireless expansion projects underway in the Towns of Pinckney, Lyonsdale, and Diana); and

WHEREAS, the total cost for the Spectrum/Charter fiber broadband expansion project is $3,059,399.00. The Committee’s recommendation is to enter into an agreement with Spectrum/Charter to expand this broadband infrastructure as set forth above, with the County agreeing to invest and be responsible for no more than $1,961,399.00 toward the project, with 50% payable to Spectrum/Charter at the beginning of the project and the balance due upon completion by Spectrum/Charter with written notification of activation to the addresses now capable of receiving this broadband service. The project is to be completed within twelve (12) months from the last approved pole permit receipt from National Grid necessary to complete the entire Project Areas; and

WHEREAS, this investment is an effort to apply a portion of the ARPA funds and the County’s own funds to expand broadband access for residents and businesses, and to benefit community and economic development under this contract;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement Spectrum Enterprise/Charter Communications to provide the equipment, installation and management services for expansion of the company’s existing
fiber/coax broadband infrastructure to at least 366 passings (listed below) in the Towns of Croghan, Denmark, Watson, Lowville and Greig in order to expand access to broadband services to additional residents currently not served or under served.

**Croghan:**
12174 – 12563 Beartown Road

**Denmark:**
10100 – 10387 Old State Road
10305 – 10398 Vorce Road
3208 – 3618 Roberts Road
4101 – 4108 Carlowden Drive
3405 – 3923 Halifax Road
9597 – 9804 Number Three Road
10314 – 10423 Stoddard Road
3182 – 3307 Fuller Road
10702 – 10728 Harris Road
10564 – 10578 Old State Road
3636 – 3658 Vandewater Falls Road
10104 – 10244 State Route 12
10244 Fleming Road
9616 – 10420 East Road
4135 – 4152 N. Boshart Road
9023 – 9226 Ridge Road
9755 Railroad Street
4527 – 4577 State Route 410
4505 Haser Road

**Greig**
5865 – 6570 Partridgeville Road

**Lowville**
5006 – 5016 Phinny Road
4633 – 4729 Shack Road
4834 – 4862 Sharp Road
7708 – 9088 East Road
7849 – 7967 Ridge Road
4361 – 4405 Patten Road
4359 – 4550 Boshart Road
8524 – 8695 State Route 26
9001 Hoffman Road
4481 – 4594 Arthur Road

**Watson**
6406 – 6416 Joslyn Road
6412 – 6422 Ross Road
6424 – 6426 Journeys End Road
8381 – 8455 Stony Lake Truck Road
Section 2. The Lewis County Board of Legislators authorizes the terms of the agreement to provide for the County to pay Spectrum/Charter up to $1,961,399.00 toward the costs of this infrastructure expansion, with 50% payable upon commencement of the actual infrastructure expansion undertaken by Spectrum/Charter, and the balance payable upon completion of the project. The project completion shall be within twelve (12) months of Spectrum/Charter’s receipt of National Grid Pole permits.

Section 3. The Lewis County Board of Legislators directs that the costs of this contract and investment in Spectrum/Charter’s broadband infrastructure expansion be partially paid from the American Rescue Plan funds, and any balance payable from the County General Fund set aside for Broadband expansion projects, and hereby authorizes all necessary budget appropriations and transfers required for same.

Section 4. The Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute, seal and deliver the Agreement upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator _Virkler_, seconded by Legislator _Gilbert_, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 131 - 2022
RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE PROBATION AND ALTERNATIVES TO INCARCERATION

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

WHEREAS, county probation departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, it is the mission of probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, state funding for probation was drastically reduced from a 46.5 percent State share in 1990 to less than 10 percent in 2022, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, at the same time there have been increases in the number of mandated programs and services county probation departments are required to provide; and

WHEREAS, the New York State Council of Probation Administrators, representing New York State probation directors, administrators, and commissioners has diligently worked with the New York State Association of Counties (NYSAC) and State leaders to bring more awareness to the important work that Probation does to protect the public;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators supports the proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:

A. In response to raise the age legislation:
   - Mandate that the state’s evidence-based criteria should account for existing local best practice programs.
   - Allow probation the ability to make an application for a temporary order of protection as a part of the adjustment process.
   - Authorize law enforcement agencies to issue appearance tickets if deemed appropriate by the arresting officer, instead of physical arrest, when adolescent offenders and juvenile offenders are charged with most D felonies.
   - Allow law enforcement agencies to deliver adolescent offenders and
juvenile offenders to be held in detention facilities after hours without a securing order until the youth part is in session.

B. Establish a dedicated funding stream through DCJS/OPCA for 100 percent of all local probation costs including but not limited to probation personnel and evidence-based programming associated with raise the age legislation.

C. Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment.

D. Ensure that local probation departments receive 100 percent of all pre-trial services cost including but not limited to probation personnel associated with bail reform.

E. Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated.

Section 2. This Resolution shall take effect immediately.

Section 3. The Clerk of the Board is directed to forward copies of this Resolution to NYSAC, Governor Kathy Hochul, the majority and minority leaders of the New York State Legislature, and all others deemed necessary and proper.

Moved by Legislator ___Virkler___, seconded by Legislator ___Gilbert___, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 132 - 2022
RESOLUTION APPROVING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND BIRNIE BUS TOURS, INC.,
FOR TRANSPORTATION SERVICES REQUIRED
FOR PRESCHOOL SPECIAL EDUCATION PROGRAM

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Public Health Agency and Birnie Bus Tours, Inc. to provide transportation services for pre-school special education children eligible for same.

Section 2. That said Agreement shall be for the period of July 1, 2022 through June 30, 2023, based upon the following fee rates:

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

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

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

Moved by Legislator _Virkler_, seconded by Legislator _Gilbert_, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 133 - 2022
RESOLUTION TO AMEND PROCUREMENT POLICY AND
APPOINT PURCHASING DIRECTOR AS THE RESPONSIBLE PURCHASER
UNDER THE PROCUREMENT POLICY

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

WHEREAS, General Municipal Law (GML) Chapter 24, § 104-b (2) (f) requires municipalities to amend their Procurement Policy to include the names and titles of those responsible for purchasing biennially; and

WHEREAS, in March, 2022, the Board of Legislators created the position and appointed Brian Hanno as the Purchasing Director, whose duties include review of the County procurement policy and the responsible purchaser under same; and

WHEREAS, the Purchasing Director and County Attorney reviewed the procurement policy and revised same to include establishment of the Purchasing Director position duties and responsibilities, the designation of him as the Responsible Purchase, with additional changes as more fully set forth in the proposed Amended Procurement Policy attached; and

WHEREAS, the Lewis County Board of Legislators wishes to appoint the Purchasing Director as the Responsible Purchaser and to adopt the changes set forth in the proposed Amended Procurement Policy pursuant to GML §104-b;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby designates Brian Hanno, Lewis County Purchasing Director, as the responsible purchaser for Lewis County, with Ryan Piche, County Manager named and designated as the first alternate, and the Chairman of the Board of Legislators named and designated as the second alternate responsible purchaser. In addition, the Board of Legislators approves the adoption of the additional changes and amendments to the Lewis County Procurement Policy as set forth in the attached amended policy in accordance with General Municipal Law § 104-b.

Section 2. That the Clerk of the Board is hereby directed to update the Administrative Manual to include the revised Procurement Policy herein adopted and attached, and distribute the same to all Department Heads.

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

Moved by Legislator Virkler, seconded by Legislator Gilbert, and adopted on the 7th day of June, 2022.
04-02 PROCUREMENT POLICY

Effective: March 2, 2004

Revised: July 7, 2017
August 6, 2019 [Resolution No. 261-2019]
June 7, 2022 [Resolution No. _133_ - 2022]

A. PURPOSE:

Goods and service which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public money, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board is adopting internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, §103 or of any other general, special or local law.

B. ESTABLISHMENT OF PURCHASING DIRECTOR POSITION AND COMPLIANCE WITH GENERAL MUNICIPAL LAW §104:

1. The Lewis County Board of Directors created the position of Purchasing Director pursuant to Resolution No. 63- 2022, adopted on March 1, 2022. The Purchasing Director (aka Purchasing Agent) shall be responsible for developing and administering a modified central purchasing system to make provisions for all purchases, servicing, sale, lease, and rental of materials, supplies, equipment and services for all departments and agencies of Lewis County Government pursuant to and in compliance with the applicable provisions of laws and regulations and County policy.

2. The Purchasing Director shall have signatory authority on all purchase requisitions and purchase orders. The Purchasing Director shall assist County Departments, as necessary, and review the procurement activities of said Departments to ensure compliance with the NYS General Municipal Law (GML) and County policy. The Purchasing Director may require written explanations and documentation from Department(s) when purchasing policies and procedures are not followed, and may withhold authorization until such documentation is received and procedures followed. The Purchasing Director shall report any noncompliance with procedures and necessary corrective action(s) to the County Manager.

3. The Purchasing Director, in consultation with the County Attorney and Department Heads determines if a transaction is a purchase contract, public work contract, or professional service, and what proceedings shall be followed depending
upon the transaction and amount, pursuant to the provisions and procedures hereinafter more fully set forth in this policy.
4. The Purchasing Director or designee shall be responsible for all required public advertising and competitive bidding procedures, including final draft of any RFPs which are not the responsibility of an engineering consultant on a public works project. The Purchasing Director shall conduct all bid solicitations and attend bid openings and evaluations in determining any recommendation for awarding bids and contracts to the appropriate legislative committee and to the Board of Legislators.
5. Pursuant to GML §104-b (2) (f), the procurement policy requires municipalities to identify the individual or individuals responsible for purchasing and their respective titles biennially. Effective June 7, 2022, Brian Hanno, Purchasing Director for the County of Lewis is appointed as the County’s responsible purchaser. The County Manager and Budget Officer is appointed as first alternate responsible purchaser, and the Chairman of the Lewis County Board of Legislators is appointed as second alternate responsible purchaser.

C. PROCEEDINGS FOR DETERMINING WHETHER PROCUREMENTS ARE SUBJECT TO BIDDING:

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to §103 of the General Municipal Law; purchase contracts under $20,000.00 and public works contract under $35,000.00; emergency purchase; sole source purchases; goods purchased from agencies for the blind or disabled; goods purchased from correctional institutions; purchases under state contracts; surplus and second-hand purchases from another governmental entity; professional service contracts, purchase made for reasons of efficiency or economy (subject to General Municipal Law §103, subdivision 5) and hospital purchases under joint contracts (subject to General Municipal Law §103, subdivision 8).

2. The decision that a purchase is not subject to competitive bidding will be documented in writing by the Department Head in consultation with the Purchasing Director. This documentation may include written or verbal quotes from vendors, a memo from the Department purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the Department purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate or requested by the Purchasing Director or County Manager.
D. GENERAL PROCEDURES:

The county shall purchase materials, supplies, equipment, and services as required, at the best possible prices and maintain appropriate documentation, subject to and as outlined in “C.2.” and “C.3.” hereafter set forth, as follows:

a. Purchases will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided.

b. Proper written documentation (acceptable to the respective Department Head and Purchasing Director) by the individual making the purchase, will be required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the other offeror was not responsible.

c. Purchase contracts for materials, supplies and equipment involving an estimated annual expenditure in excess of $20,000.00 and public works contracts in excess of $35,000.00 shall be awarded only after public advertising soliciting formal bids pursuant to §103 of the General Municipal Law.

d. Purchases shall be made to the extent practicable, through available state contracts of the office of General Services, Division of Standards and Purchase, Department of Correctional Services, New York State Industries for the Disabled, Industries for the Blind of New York State, and surplus and second-hand purchases from another governmental entity, whenever such purchases are in the best interest of the county.

e. The Purchasing Director or designee shall be responsible for all required public advertising and competitive bidding; shall conduct all bid solicitations. Bids shall be opened by the Clerk of the Board or her designee, with the Purchasing Director and appropriate County Department present. The County Manager, Legislative Committee members and others may also be present. The Department Head, purchasing Director and any experts involved in the project shall review the submissions and report same with a recommendation to the County Manager and Board of Legislators for consideration.

f. Opportunity shall be provided to all responsible suppliers to do business with the county. To this end, the Purchasing Director shall develop and maintain lists of potential suppliers for various types of materials, supplies, equipment and services with Department Heads. Such lists
shall be used to develop mailing lists of potential suppliers and for distribution of specifications and invitations to bid. Any supplier may be included in the list upon request.

g. All contracts which require public advertising and competitive bidding shall be awarded as provided by law and the rules and regulations of the county.

h. No official or employee of the County shall have a direct financial or controlling interest in any contract entered into by the County, unless disclosed and in compliance as more fully described in the Lewis County Ethics Law.

i. No County employee having official responsibility for a procurement transaction shall solicit, demand, accept or agree to accept from a bidder, offeror, contractor, or subcontractor any payment, loan, subscription, advance, deposit of money, services or anything, including a gift, present or promise of more than nominal or minimal value in excess of $75.00, unless consideration of substantially equal or greater value is exchanged. The County may recover the value of anything conveyed in violation of this section.

j. Positive efforts shall be made by the County to use small, minority owned, and women owned businesses as sources for supplies and services if feasible.

k. Supplies used by the county departments shall be uniform whenever consistent with operational needs in the interest of efficiency and economy.

E. AUTHORIZED LIMITS AND CONTROL:

1. Periodically and at least once a year, the Purchasing Director, after consultation with department heads, shall review and evaluate the rules and regulations contained in this policy to see whether any change(s) is indicated pursuant to law or to more accurately reflect the market pricing, inflation, processing expenses, and the county’s utilization experience.

2. The following authorized dollar limits are effective August 6, 2013. These limits are applicable per total purchase transaction, provide for departmental delegation and discretion, and require documentation as specified.
<table>
<thead>
<tr>
<th>Transaction Dollar Limit</th>
<th>Process</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Purchase of materials, Supplies &amp; Equipment</strong></td>
<td><strong>Public Works</strong></td>
</tr>
<tr>
<td>$1.00 - $500.00</td>
<td>$1.00 - $500.00</td>
</tr>
</tbody>
</table>
| $501.00 - $2,500.00 | $501.00 - $5,000.00 | Department Head sends requisition to Purchasing Director, who then obtains documented telephone quotes from at least 3 separate vendors (if available)  
Low quote taken unless valid exception, which exception must be documented in writing. Process on claims voucher for payment. |
| $2,501.00 - $19,999.00 | $5,001.00 - $34,999.00 | Department Head sends requisition to Purchasing Director, who obtains written quotations from at least 3 separate vendors (if available)  
Low quote taken unless valid exception, which exception must be documented in writing. Process on claims voucher for payment. |
| $20,000.00 and up | $35,000.00 and up | Department Head completes written RFP specifications with Purchasing Director.  
Purchasing Director, with approval of appropriate jurisdictional committee, advertises for competitive sealed bids.  
Contract or purchase order issued pursuant to resolution of Board of Legislators |
3. Pursuant to General Municipal Law §104-b (2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the County of Lewis to solicit quotations or document the basis for not accepting the lowest bid:

   a. **Professional/Expert Services.**

   Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. The Chairman of the Lewis County Legislature, after consulting with the County manager, shall determine whether a service fits into this category, taking into consideration the following guidelines:

   - whether the services are subject to state licensing or testing requirements;

   - whether substantial formal education or training is a necessary prerequisite to the performance of the services; and

   - whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer or architect engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

   b. **Emergency Purchases.**

   Pursuant to Section 103(4) of the General Municipal Law, and due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate
proposals may threaten the life, health, safety, property or welfare of the residents. This section does not preclude alternate proposals if time permits.

During Normal Office Hours

1. The requisitioning department calls the Purchasing Director and gives the following information: a. Reason for emergency purchase. b. Department name and budget code. c. Complete description and cost of services or materials to be purchased. d. Name and address of recommended vendor.

2. The Purchasing Director or designee determines if the purchase is in fact an emergency. If so, a vendor will be selected. Vendors with immediate delivery of materials or services are given preference in the selection.

3. The Treasurer and County Manager will verify if budgetary appropriations are available. If not, the requisitioning department will obtain approval from the County Manager and appropriate legislative committee.

4. A purchase order number is assigned and verbally given to the vendor. A confirming purchase order is completed and distributed.

5. The requisitioning department will complete a purchase requisition which will include the information in numbers 1 and 3 above. The requisition shall be forwarded to the Purchasing Director.

Outside Normal Office Hours

1. When an emergency need is identified outside of the normal office hours of Purchasing, and immediate action is required to correct the threat to the safety, health or welfare of the public, the responsible Department has the authority to procure the goods or services necessary to correct the problem without obtaining prior approval from Purchasing, but should be in contact with the County Manager to advise of the emergency and need.

2. The purchase must be reported to Purchasing on the next working day to obtain the required purchase order number. The remaining process shall be followed in the same manner as set forth above.

c. Sole Source

Sole source purchases are appropriate when it is clearly determined that there is only one vendor capable of providing a particular material or service. Justification for sole source purchases include: purchase order is made to the original manufacturer or provider; there are no regional distributors, or parts/equipment are not interchangeable with similar parts
of another manufacturer, or it is the only known item that will meet the specialized needs of the department or perform the intended function; purchases required by contractual obligations; or standardization approved by the County Legislature.

1. Whenever a Department Head believes that materials or services they require are only available or appropriate from a sole source vendor, he/she shall complete a purchase requisition and forward it to the Purchasing Director or designee for approval. Documentation must be attached to the requisition.

2. If approved, the purchase requisition will be processed in the normal procedure.

d. **Control.**
Control involves not only compliance with required purchasing procedures, but also affects the paperwork necessary. “Over-papering” can ruin the effectiveness of the system almost as quickly as non-compliance. The authorized dollar limits, requirements of quotations, and utilization of purchase orders are waived for the following exceptions, established upon a determination of operational efficiencies and economies:

1. Petty cash reimbursements
2. Utility bills
3. Maintenance, repairs and parts (up to $5,000.00)
4. Maintenance and service contracts (up to $5,000.00)
5. Purchase of office supplies, materials and furniture up to $500.00
6. Interdepartmental charges
7. Medical expenses
8. Legal notices
9. Postage costs
10. Memberships and dues
11. Subscriptions
12. Mileage, travel, conference reimbursements
13. Food for prisoners
14. Other expenses determined by the County Manager and Purchasing Director on an individual basis.

**E. PIGGYBACKING**

1. General Municipal Law103(16) allows procurement of certain goods (including apparatus, materials, equipment and supplies) and services through contracts let by the United States or any agency thereof, any state or any other political subdivisions or district therein, if such contract was let in a manner consistent with competitive bidding, and has been made available for use by other governmental agencies. The
County shall take advantage of such contracts when doing so ensures that the County is buying goods at the lowest price. In addition, Lewis County will allow other municipalities within New York State to “piggyback” on the contracts of Lewis County in accordance with GML 103.

2. Pursuant to Subsection 1-b of Section 103 of the GML, the County shall have the option of purchasing information technology and telecommunications hardware, software and professional services through cooperative purchasing permissible pursuant to Federal General Services Administration information schedule 70 and any successor schedule, provided the County complies with federal schedule ordering procedures as provided in the applicable federal acquisition regulation(s).

3. The Purchasing Director shall make available to other municipalities within the County the opportunity to participate, whenever practicable, in the County’s contracts or competitive bids.

4. Purchases may be made through available state contracts of the NYS Office of General Services, GSA, or in accordance with Sub. 3 of GML 103 which allows the purchases of materials, equipment or supplies, or the contract for services, other than services subject to Article 9 of the Labor Law, through any municipality within New York State, whenever such purchases are in the best interest of the County, as follows:

   a. In lieu of obtaining quotations or issuing formal bids for the purchase of commodities or services not subject to Article 9 of the New York State Labor Law, the Purchasing Director is authorized to make such purchases using established national and regional cooperative contracts.

   b. In accordance with GML 103(6), surplus and second hand supplies, materials or equipment may be purchased without competitive bidding from the Federal Government, State of New York, or from any other political subdivision, district, or public benefit corporation.

5. Although a Department may request a purchase be made using a particular contract source, the decision as to the appropriate contract source to be used will be that of the Purchasing Director in consultation with the County Attorney. Detailed and appropriate documentation of the reason(s) for the determination shall be retained by the Purchasing Director.

F. AUTHORITY TO AWARD CONTRACTS BASED ON BEST VALUE UNDER LOCAL LAW:

The following section of Lewis County Local Law No. 7-2013, adopted August 6, 2013 is hereby set forth and included in the Procurement Policy in reference to best value contract awards:
1. Definitions:

For purposes of this Policy, the following terms shall be deemed to have the meaning set forth:

a. “Best value” shall mean the basis upon which a contract may be awarded after a competitive bid for the purchase or goods or services to the bidder which optimizes quality, cost and efficiency, among responsive and responsible bidders. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for bidders that are small businesses or certified minority or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the executive law to be used in evaluation of offers for awarding of contracts for services. Factors that may be used to determine the “best value” and to award a contract to other than the lowest bidder, are:

1. cost of maintenance for good(s) or service(s);
2. durability of good(s) or service(s);
3. quality of good(s) or service(s); or
4. product life of good(s) or service(s)

b. “Purchasing Agent” shall mean the appropriate officer, board, legislative committee or agency of Lewis County, consistent with the purchasing policy established (and as may be amended from time to time) by the Board of Legislators, to have the authority to award purchase contracts on the basis of “best value” as defined herein.

2. Authority to Award Contracts:

The Purchasing Agent may award purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8, on the basis of best value, as defined in State Finance Law §163, to a responsive and responsible bidder.

a. Where the basis for award is the best value offer, Purchasing Agent shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
b. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Purchasing Agent in their determination of best value.

c. The election to award any such contract on the basis of best value shall be made by the Purchasing Agent in consultation with the Department Head and appropriate Legislative committee. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing any required security in accordance with the Lewis County Purchasing Policy.

G. VIOLATIONS

Department Heads are responsible for their departments' and employees' compliance with this policy. Deviation from this policy may delay purchasing or payment. Violations of this policy will be reported to the County Manager for corrective action.

H. EFFECTIVE DATE

This policy shall be effective June 7, 2022, and will be reviewed annually as required by General Municipal Law 104-b, with any recommended amendments to be authorized and adopted by the Lewis County Board of Legislators by Resolution. If subsequent changes occur in New York State or Federal Laws which are inconsistent with this Purchasing Policy, or if any part of this policy as adopted is in violation of state or federal law, state or federal law shall control the purchasing practices of the County of Lewis.
RESOLUTION NO. 134 - 2022
RESOLUTION AUTHORIZING AND ESTABLISHING MOTORIZED RECREATIONAL ROAD FUND FOR DAMAGE ON VILLAGE AND TOWN ROADS

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

WHEREAS, motorized recreation is a large part of the attraction to Lewis County for residents and visitors alike. Motorized recreation in Lewis County generates a significant portion of Lewis County sales tax revenue; and

WHEREAS, the popularity of Lewis County motorized recreation and events have caused road damage on some village, town and county roads throughout the years, with much discussion on how to address damage costs while supporting Lewis County as a premiere destination for those interested in motorized recreational activities; and

WHEREAS, the Director of Recreation, Forestry & Parks, together with the General Services committee, seek to establish a $200,000.00 fund to support a working relationship with towns and villages in Lewis County who enter into an Inter Municipal Agreement with the County, for road material reimbursement to assist in the costs of repair to damaged roads caused by motorized recreation events. This fund would be maintained at the $200,000 level by periodic replenishment from the General Fund; and

WHEREAS, it is envisioned that the IMA would provide the procedures required for a town or village to document damage to a road caused by motorized recreation to a Lewis County Motorized Road Fund Committee comprised of the Highway Superintendent, Director of Recreation, Forestry & parks, the County Manager and County Attorney; and

WHEREAS, the Board of Legislators desires to authorize the establishment of this fund, designate the members of the road fund committee, and authorize Inter Municipal Agreements with Lewis County Towns and Villages to participate in reimbursement of road materials from said fund;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes and hereby establishes the Motorized Recreational Road Fund, with $200,000.00 from the general fund, to be used to reimburse Lewis County Towns and Villages that adopt an Inter Municipal Agreement to assist the municipality in covering road material costs incurred by damage from motorized recreational vehicles. Said fund will be periodically replenished to the $200,000.00 level from the General Fund.
Section 2. That the Lewis County Board of Legislators hereby designates the LC Highway Superintendent, Director of Recreation, Forestry & Parks, County Manager and County Attorney to comprise the Lewis County Road Fund Committee, to establish the terms and procedures to be required for a town or village to receive reimbursement for damage to its road from motorized recreational vehicles and events. The Committee shall provide quarterly reports on its activities to the General Services Committee.

Section 3. That the County Attorney is directed to draft the IMAs and any other documents required of the Committee. The County Manager is hereby authorized to execute the IMAs with participating Villages and Towns.

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

Moved by Legislator_ Virkler_ , seconded by Legislator_ Gilbert_ , and adopted on the 7th day of June, 2022.
RESOLUTION NO. 135 - 2022
RESOLUTION IN OPPOSITION TO NYS PROPOSED CONSERVATION
SUBDIVISION DESIGN BILL S1145/A4074

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

WHEREAS, the Adirondack Park Agency (APA) adopted a Large Subdivision Permit application which incorporates many of the action items in the proposed Conservation Subdivision Design Bill; and

WHEREAS, Conservation Design laws are seldom mandatory, and are an effective tool to keep open space in urban areas, but should not be applicable to rural open areas such as the Adirondack Park; and

WHEREAS, as of March 20, 2018, the State of New York owned 2,505,802 acres or 44.6 percent of the Adirondack Park property in fee. In addition, the State owns 785,434 acres of Conservation Easements, where development and subdivision rights have been extinguished and/or severely limited; and

WHEREAS, of the 5.9-million-acres comprising the Adirondack Park, more than 3.3 million acres will never be developed or subdivided for use by the taxpayers of New York who pay for this property as a result of the State's ownership and easement rights and restrictions; and

WHEREAS, the remaining 2.6 million acres of land in the Park are held by private landowners, who are limited in development by existing regulations, roads, lakes, rivers, streams, steep slopes, wetlands and high elevations not suitable for development; and

WHEREAS, this Bill will require private property owners to incur additional, undue burdens to hire external consultants to complete additional ecological assessments that will add significant time and costs to proceed with proposed developments of their lands. The APA existing Act, in effect for 50 years, is restrictive enough and does not require a more restrictive amendment which this proposed legislation will do; and

WHEREAS, before any additional major Adirondack Park Agency permit application processes are changed, the public hearings process must be implemented so that property owners within the blue line have an opportunity to understand and comment on how this proposed law will affect their property values and rights, and so all NYS taxpayers have an opportunity to comment on this restrictive and unnecessary legislation; and

WHEREAS, this proposed legislation could eliminate the potential for development on certain lands, which could be a “taking” without compensation; and
WHEREAS, the proposed bill places additional undue burdens on property owners that is not necessary to protect environmental and ecological systems in the Adirondack Park, and is not beneficial to the well-being of the Adirondack Park and its residents.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators supports the Adirondack Park Local Government Review Board in its opposition to this proposed Bill, and stands together with other local governments in the Adirondack Park to urge that conservation Subdivision Design Bill (S1145/A4074) be withdrawn.

Section 2. That the Lewis County Board of Legislators directs the Clerk of the Board to forward copies of this Resolution to Governor Kathy Hochul, the Senate and Assembly Majority and Minority Leaders, Senator Joseph Grillo and Assemblyperson Kenneth Blankenbush, The Adirondack Intercounty Association, the Association of Adirondack Towns and Villages, and any others the Board deems appropriate.

Moved by Legislator __Virkler__, seconded by Legislator __Gilbert__, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 136 - 2022
RESOLUTION TO TRANSFER and APPROPRIATE
Trail Maintenance Reserve FUNDS

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place in the Trail Maintenance accounts to transfer funds from Trail Reserve A0 008893 (balance as of 12/31/2021 is $154,685) and appropriate these funds to be used for Trail maintenance equipment expenses. This equipment was included in the 2022 budget.

Increase Revenue:
A0799000 320010 Trail Permit revenue $20,250.00

Increase Expenditure:
A0799000 223300 Trail Vehicles $20,250.00

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

Moved by Legislator Virkler, seconded by Legislator Gilbert, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 137 - 2022
RESOLUTION TO TRANSFER and APPROPRIATE E911 RESERVE FUNDS

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place in the E911 accounts to transfer funds from E911 Reserve A0 008892 (balance as of 12/31/2021 is $233,316) and appropriate these funds to be used for E911 current year expenses.

Increase Revenue:
A0302000 311400 E911 Phone Surcharge $76,000.00

Increase Expenditure:
A0302000 290900 E911 Misc Equip $76,000.00

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

Moved by Legislator _Virkler_, seconded by Legislator _Gilbert_, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 138 - 2022
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
The COUNTY OF LEWIS OBO THE DEPARTMENT OF SOCIAL SERVICES
AND GREATER SYRACUSE MOVING & STORAGE CO., INC. FOR
TRANSPORTATION AND EQUIPMENT DISASSEMBLE AND REASSEMBLE
MOVING SERVICES FROM THE STOWE STREET HUMAN SERVICES BUILDING
TO THE GLENFIELD SCHOOL BUILDING

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

WHEREAS, the Departments and employees housed in the current LC DSS building located on Outer Stowe Street, Lowville, NY, must be temporarily relocated to the recently purchased Glenfield School Property in Glenfield, NY in order for the demolition and re-build of the structure on Outer Stowe Street to commence; and

WHEREAS, the County Manager and Commissioner considered potential movers and recommend the Board approve the proposal of Greater Syracuse Moving and Storage Co., Inc., “Greater Syracuse”) for the moving, including disassembly and reassembly of cubicles and workstations, and office furniture and equipment from the current Outer Stowe Street building to the Glenfield School building, at a cost not to exceed $158,804.34 in accordance with the estimated hours and days and equipment and materials set forth in its April 4, 2022 proposal; and

WHEREAS, this proposal is an all-inclusive moving service for packing, disassembly and reassembly, with a tentative start date of July 18, 2022. Greater Syracuse is an approved mover on the State’s bid list under NYS contract #23140; and

WHEREAS, this all inclusive service is economically and organizationally suitable for the Departments effected by this move, with the cost 75% reimbursable to the County under DSS;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with Greater Syracuse Moving & Storage Co., Inc., 6255 E. Taft Road, Syracuse, NY 13212, to provide full, all-inclusive moving, packing and disassemble/reassemble services for moving the departments in the LCDSS building to the Glenfield School building as more fully set forth in its proposal dated April 4, 2022, at a cost not to exceed $158,804.34.

Section 2. That the term of this agreement shall be effective upon execution with a tentative moving date of July 18, 2022, with completion of the move within a two-week period from the start date.
Section 3. That the Chairman or Vice-Chairman of the Board of Legislators, along with the Commissioner of Social Services are hereby authorized to make, execute, seal and deliver said Agreement and any amendments thereto.

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

Moved by Legislator _Virkler_, seconded by Legislator _Gilbert_, and adopted on the 7th day of June, 2022.
RESOLUTION NO. 139 - 2022
RESOLUTION AUTHORIZING AN
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
GOLD STAR SECURITY, LLC FOR
RECREATIONAL TRAIL SECURITY, SAFETY
AND SURVEILLANCE SERVICES

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

WHEREAS, the County of Lewis is a prominent New York State location for outdoor recreational activities, including its snowmobile and ATV/OHV trails; and

WHEREAS, concern for those who are failing to ride safely and respectfully, including but not limited to unsafe speed, off-trail riding, drinking and riding, which too often result in injuries, deaths and property damage, the County seeks to supplement law enforcement presence on the trails with part time private security services, to assist in surveillance and safety on the trails in order to remind riders to abide by the laws and regulations set forth for safety for trail riding, and to protect landowners’ property; and

WHEREAS, the County received quotes from two entities who have the professional experience to provide these part-time services. The County Manager and legislative committee members reviewed the proposals, interviewed interested firms, and recommend that the County enter into an agreement with Gold Star Security, LLC (Gold Star), of 120 Boon Street, Watertown, NY 13601 to provide these services for a four month period; and

WHEREAS, Gold Star is to provide recreational compliance and safety services on the County trails, commencing Mid-June through Mid-October, 2022 at a cost not to exceed $100,000.00, for four (4) NYS certified security guards on duty for five hour daily periods on Thursdays through Sundays as directed by the County, using UTVs provided by the company; with the guards to focus on protecting landowners’ property abutting the trails, to provide safety and prevention detail, to work cooperatively with local law enforcement agencies by referring enforcement matters and incidents, and to provide general trail education and etiquette reminders to riders;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis and Gold Star Security, LLC, 120 Boon Street, Watertown, NY 13601 to provide part-time Lewis County trail security, surveillance and safety services as directed by the County.

Section 2. That the term of the Agreement shall be from mid-June, through mid-October, 2022, for five hour daily periods, Thursdays through Sundays as
directed by the County, with four (4) NYS certified security guards operating the company’s own UTV’s, at a cost not to exceed $100,000.00, in accordance with all terms and conditions advised by the County Attorney. The funds for this agreement shall be taken from contingency.

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 Virkler, seconded by Legislator Chartrand.

Legislator Virkler questioned if this was brought about by a need stemming from landowners who brought forward concerns about the trail system, Legislator Gilbert responded that was correct. Legislator Gilbert added that local municipal leaders and the Snowmobile and ATV Clubs also voiced concerns about needing more law enforcement presence on the trails. He clarified that in no way does this supplant efforts to get more law enforcement on the trails as well as hiring more part-time deputies. He went on to state that he was impressed by the interview with the selected company and felt they would work well with the current law enforcement by being the eyes and ears on the trails as well as a conduit for communication with the landowners.

Legislator Chartrand referenced a presentation from the snowmobile clubs where they requested more attention be put on trail security. There was also a letter sent from the state to the Sheriff, encouraging him to increase the law enforcement presence on the trails. This allows the county to have an increased presence on the trails at a lesser cost than hiring employees. Legislator Osborne questioned if there was discussion on where they would patrol or who would determine where they patrol, Legislator Hathway responded that the selected company that they would reach out the landowners, particularly the ones who have had issues, to find out where the “hot spots” are and set up a presence there.

Legislator Hathway mentioned that the selected company requires their employees to be trained in first aid and CPR, which is important when out on the trails. County manager Ryan Piche clarified that the selected company will report through Jackie Mahoney, Director of Recreation, Forestry & Parks, who will then report to the County Manager and Board of Legislators. The selected company will be directed to hot spots and areas that may lead to the possibility of opening more trails.

The resolution was then adopted on the 7th day of June, 2022. Legislators Hathway and Nellenback were opposed.
OTHER BUSINESS:

There was a proclamation read commemorating June 15\textsuperscript{th} as “World Elder Abuse Awareness Day” in Lewis County. Legislator Gilbert invited everyone out to the Fairgrounds this weekend for the Annual Beaver Camp Auction, which will have many quilts and other items up for bid and that he would be serving pies. He expressed his appreciation and support for this great organization.

At 6:30 p.m. Legislator Chartrand moved to adjourn the meeting with no other business to come before the board, seconded by Legislator Virkler and carried.