



OFFICE OF THE BOARD OF LEGISLATORS  
7660 North State Street  
Lowville, NY 13367  
P: 315-376-5355  
F: 315-376-5445

Lawrence L. Dolhof  
Chairman  
larrydolhof@lewiscounty.ny.gov

Cassandra Moser  
Clerk of the Board  
cassandramoser@lewiscounty.ny.gov

TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: November 17, 2023

The Board of Legislators will meet on **Tuesday, November 21, 2023 at 5:00 p.m.** for the Second Day of Annual Session (Budget Hearing) which will be held in the Legislative Board Chambers at the Courthouse in Lowville, NY. Enclosed are proposed resolutions for action. Any other business may be conducted.

There will be public hearings on the following:

- 2024 Tentative Lewis County Budget

The meetings will be streamed live on the YouTube channel "Lewis County" listed as:

<https://www.youtube.com/c/LewisCountyNY>

\*\*\*\*\*

**LOCAL LAW (INTRODUCTORY NO. 3 - 2023)**

**COUNTY OF LEWIS**

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

**A LOCAL LAW AMENDING LOCAL LAW NO.1 – 2012: TO REGULATE CAMPING ON 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 **“A LOCAL LAW AMENDING LOCAL LAW NO.1-2012: TO REGULATE CAMPING ON COUNTY PROPERTY”**

**SECTION 2. LEGISLATIVE FINDINGS AND PURPOSE**

1. The Board of Legislators finds that the County of Lewis (the "County") presently owns several parcels of land, some of which are dedicated to reforestation pursuant to County Law § 219.
2. The Board further finds that to allow recreational uses on such properties, such use should be regulated so that it is consistent with forest and wildlife conservation and watershed protection. (Compare, Op. Atty. Gen. No. 2002-1).
3. The County owns several parcels of land which are not designated as reforestation properties, which the Board finds are appropriate for recreational use including camping.
4. The County has made improvements to its property known as Singing Waters Park, which includes a bathhouse, water, barbecue pits, picnic tables, and a pavilion which is intended for public use, including camping, subject to permit and reservations.
5. The Board of Legislators acknowledges that members of the public seek to use certain County-owned lands for camping (day-use and overnight). The County seeks to establish this local law to provide for rules and regulations for camping on County lands, and for regulations pertaining to uses at Singing Waters.

### **SECTION 3. STATUTORY AUTHORITY**

This local law is enacted pursuant to the following authority:

1. Municipal Home Rule Law ("MHL") 10(l)(i) 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.
2. County Law §219(1) provides that a county may utilize its reforestation properties "for recreation and kindred purposes:' The Attorney General has opined that such recreational use must be consistent with forest and wildlife conservation and watershed protection. Op. Atty. Gen. No. 2002-1.

### **SECTION 4. DEFINITIONS**

As used in this Local Law:

1. **All-Terrain Vehicles (ATV's) and Off-Highway Vehicles (OHV's):** Shall have the same meanings as set forth in §2281 of the Vehicle & Traffic Law and Lewis County Local Law No. 3-2019.
2. **Camp or Camping:** For the purpose of this local law, camp or camping shall mean a temporary shelter, including but not limited to a tent or lean-to, camping trailer, "fifth wheel" camper, motor home travel trailer, mobile home, "pop-up" trailer, recreational vehicle or "RV", or the use of any vehicle for shelter or sleeping. This includes the following:
  - a. **Self-Contained Camping:** Camping in a self-contained vehicle or by alternative means providing that the camper(s) have the capability of meeting the sanitary needs of the occupants of the camp for a minimum of three (3) days without requiring external services, relying on public facilities, or discharging or depositing any waste onto the environment.
  - b. **Tent Camping:** Shall refer to a temporary structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents it protects.
3. **Campground Sites:** Specific areas identified by the County for temporary reserved recreational use with facilities provided within a park area.
4. **County:** Shall mean the County of Lewis.
5. **County Lands:** Lands purchased, acquired, or accepted by gift by the County of Lewis, including but not limited to reforestation under the authority of County Law §219, and any other County lands designated for camping.

6. **Primitive Camp Sites:** Areas designated for camping where the camper lacks basic amenities such as running water, restrooms, or electricity.

## **SECTION 5. GENERAL REGULATIONS**

1. The following regulations apply to all County-owned lands designated for camping. The following activities **are prohibited** in and around designated camping areas:
  - a. Parking a motor vehicle in other than designated locations.
  - b. Primitive Camping is prohibited in areas that have not been designated for same.
  - c. Blocking of any trails or roads.
  - d. Campfires in parking lots.
  - e. Campfires in designated areas more than three (3) feet in height and three (3) feet in diameter.
  - f. Operating a motor vehicle in excess of twenty-five (25) miles per hour or in any manner contrary to posted regulations.
  - g. Operating a motor vehicle in areas other than designated roads or trails.
  - h. Operating a snowmobile except upon designated trails.
  - i. Operating an ATV/OHV except upon designated trails and in compliance with the Lewis County ATV/OHV Code (Local Law No. 3-2009).
  - j. Horseback riding on other than designated trails.
  - k. Allowing dogs to run unleashed and/or unlicensed. Unvaccinated dogs are prohibited.
  - l. The use of or being under the influence of any illegal drug or substance on any County property.
  - m. Use of any firearms, bow and arrow, or other dangerous weapons within the designated camping areas.
  - n. Disturbing the peace and good order in the county camping areas, including but not limited to fighting or arguing in loud voices, or threatening violence to any person or the property of others.

- o. The possession of fireworks of any nature on County property.
  - p. Beg, hawk, peddle, or solicit within the County lands.
  - q. Remove, deface, alter or otherwise damage signage, warning devices or other safety devices and property placed and maintained by the County.
  - r. Injure, deface, destroy, disturb, or remove any County property.
  - s. Litter or leave behind refuse and garbage except in receptacles provided for such purpose.
  - t. Start a fire except in grills, fireplaces, or designated areas.
  - u. Failure to extinguish all fires started before leaving the property; dumping of ashes or fire onto the ground is prohibited.
2. The Director of Recreation, Forestry, and Parks (DRFP) shall have the authority to amend the regulations from time to time upon on the approval of the Board of Legislators.

## **SECTION 6. CAMPING REGULATIONS**

1. No overnight camping shall be allowed on any County land except as specifically designated and authorized under this local law.
2. Camping by permit is allowed in designated areas only.
3. Self-Contained Camping, by permit, shall be allowed in parking areas only, no tents are permitted.
4. Visitor stay is limited to ten (10) successive nights with a permit.
5. All campers shall observe quiet hours from sunrise to sunset.

## **SECTION 7. CAMPING PERMIT PROCEDURE**

1. The Director of Recreation, Forestry & Parks (DRFP) is hereby authorized to designate certain County lands or portions thereof where overnight camping may be permitted, consistent with forest management practices, wildlife conservation practices, and watershed protection measures, subject to the approval of the Board of Legislators.
2. The DRFP is hereby authorized to issue permits and/or registration applications upon such form(s) as she/he may develop, for the purpose of registering day-use at campsites, permit reservations for overnight camping, and pavilion

reservations (at Singing Waters), in those areas within County lands as designated for same. Registration, Reservations, and the purchase of permits from the Lewis County Recreation, Forestry, and Park's Office can be made during regular business hours or online.

### **SECTION 8. FEE SCHEDULE**

1. The Board of Legislators is hereby authorized to establish by resolution from time to time, such fees as it may deem necessary and appropriate for the privilege of camping overnight within County lands and/or reserving the Singing Waters Pavilion.
2. All permit applications are to be paid either online or in person at the Lewis County Recreation, Forestry, and Park's office.
3. Limited refunds will be allowed at the discretion of the DRFP.
4. All permitted overnight campers are to pay a daily fee of five dollars (\$5.00) limited to ten (10) successive nights.
5. There is a per day fee of twenty dollars (\$20.00) to reserve the Singing Waters Pavilion (with access to the facilities).
6. There will be no fee for any day use of the lands, except for Singing Waters Pavilion.

### **SECTION 9. SINGING WATERS PARK: SPECIFIC REGULATIONS**

1. Day use or overnight tent camping only. No self-contained campers (such as RVs and other mobile campers) allowed.
2. No hunting or weapons of any kind allowed.
3. Shower facilities should be used responsibly, and minors are to be supervised at all times.
4. Quiet hours are to be observed from sunset to sunrise.
5. Singing Waters facilities are open starting the Friday before Memorial Day through the Tuesday after Columbus Day unless adjusted by the DRFP.
6. The DRFP shall have the authority to amend the regulations from time to time upon on the approval of the Board of Legislators.

## **SECTION 10. HOURS OF OPERATION SUBJECT TO CHANGE**

In case of an emergency or when in the judgment of the DRFP the public interest demands it, any portion of the County land designated for camping may be closed to the public or to designated persons, or the hours of operation changed.

## **SECTION 11. PENALTIES FOR OFFENSES AND ENFORCEMENT**

1. Campers who do not have a permit and/or fail to register, as the case may be, or who do not abide by camping regulations may be requested to leave the property by appropriate County Officials and/ or Law Enforcement.
2. A violation of this local law shall constitute an offense punishable by a minimum fine of one hundred dollars (\$100.00) per offense.
3. The destruction or removal of property or the dumping of waste or garbage shall subject the offender to criminal charges, fines, and penalties as well as civil actions brought by the County and any other public agency having jurisdiction over same for costs of damages, remediation, and legal fees.
4. Any law enforcement agency/ officer having jurisdiction may arrest any violator of any of the provisions of this Local Law and any other applicable laws or regulations.

## **SECTION 12. SEVERABILITY**

In the event that any part or provision of this Local Law or the application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances. Moreover, the Board of Legislators of the County of Lewis hereby declares its intent that it would have passed this Local Law or the remainder thereof had such invalid provision or invalid application been apparent.

## **SECTION 13. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION NO. 220 - 2023**

**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY LOCAL LAW NO. 3 - 2023), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators, a proposed Local Law entitled "A LOCAL LAW AMENDING LOCAL LAW NO. 1-2012: TO REGULATE CAMPING ON COUNTY PROPERTY".

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on December 5, 2023, 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 \_\_, seconded by Legislator \_\_, and adopted.



**RESOLUTION NO. 221 - 2023**

**RESOLUTION TO APPROPRIATE  
FOR SNOWMOBILE TRAIL PROGRAM  
For 2023-2024 Season**

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

BE IT RESOLVED as follows:

Section 1. That the following appropriations is hereby approved and takes place in the Snowmobile Trails account for the 2023-2024 Snowmobile Award:

Increase Revenue:

A0714100 338202 State Aid	\$231,769.00
---------------------------	--------------

Increase Expenditure:

A0714100 499900 Expense	\$231,769.00
-------------------------	--------------

Section 2. That the funds will be passed on to the Snowmobile Association when received.

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

Moved by Legislator \_\_, seconded by Legislator \_\_, and adopted.

**RESOLUTION NO. 222 - 2023**

**STANDARD WORK DAY AND REPORTING RESOLUTION**

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

BE IT RESOLVED, that the County of Lewis hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by this official to the Clerk of this body:

<b>Title</b>	<b>Name</b>	<b>Standard Work Day</b>	<b>Term Begins/Ends</b>	<b>Days/Month</b>
<b>Elected Officials</b>				
Legislator	Lisa R. Virkler	6	1/1/2022-12/31/2023	2.37
<b>Appointed Officials</b>				
Pathologist	Samuel Livingstone, M.D.	6	1/1/2022-12/31/2022	5.19
Election Commissioner	Lindsay Burriss	8	1/1/2023-12/31/2024	21.67
Election Commissioner	Ann M. Norts	8	1/1/2023-12/31/2024	21.67
Election Specialist	Katie Best	7	1/1/2023-12/31/2024	21.67
Election Specialist	Devon Kogut	7	1/1/2023-12/31/2024	22.22
Pathologist	Samuel Livingstone, M.D.	6	1/1/2023-12/31/2023	5.19

Moved by Legislator \_\_, seconded by Legislator \_\_, and adopted.

**RESOLUTION NO. 223 - 2023**

**RESOLUTION AUTHORIZING COUNTY TREASURER  
TO MAKE NECESSARY BUDGET TRANSFERS**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Treasurer to make such inter-fund departmental transfers as are necessary to close the books for the 2023 fiscal year.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator \_\_, seconded by Legislator \_\_, and adopted.

**RESOLUTION NO. 224 - 2023**

**RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR  
COMMENCING JANUARY 1, 2024 MAKING APPROPRIATIONS  
FOR THE CONDUCT OF COUNTY GOVERNMENT AND  
ESTABLISHING RATES OF COMPENSATION FOR OFFICERS  
AND EMPLOYEES FOR FISCAL YEAR 2024**

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

WHEREAS, the governing body has met and considered the 2024 Tentative County Budget and has conducted a public hearing thereon as required by Section 359 of the County Law.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Tentative Budget as amended and revised and as hereinafter set forth is hereby adopted and that the several amounts as set forth in the "Adopted" column of such budget be and hereby are appropriated for the objects and purposes specified, and the salaries and wages set forth in Appendix D of that budget shall be and hereby are fixed at the amount shown therein, or by employees' contract effective January 1, 2024.

Moved by Legislator \_\_, seconded by Legislator \_\_, and adopted pursuant to the following roll call:

AYES:

NAYS:

ABSENT:

**RESOLUTION NO. 225 - 2023**

**ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR  
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF LEGISLATORS  
ON THE 21st DAY OF NOVEMBER 2023  
AS PROVIDED FOR UNDER COUNTY LAW**

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

WHEREAS, the Board of Legislators of the County of Lewis by Resolution No. 224 - 2023 adopted on the 21st day of November 2023, a County Budget for fiscal year 2024; and

WHEREAS, the said Board of Legislators by Resolution No. 224 - 2023 adopted on the 21st day of November 2023, has made appropriations for the conduct of Lewis County Government for fiscal year 2024.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That there be, and hereby is, assessed and levied upon and against the taxable property of the County of Lewis liable therefore the sum of \$ \_\_\_\_\_.

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

AYES:

NAYS:

ABSENT: