



OFFICE OF LEWIS COUNTY BOARD OF LEGISLATORS

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August 31, 2017

TO: Media

FROM: Teresa Clerk, Clerk of the Board

The regular meeting of the Lewis County Board of Legislators will begin at **5:00 p.m.** on **Tuesday, September 5, 2017** in the second floor legislative chambers at the Court House, Lowville, New York 13367. Resolutions presented for Board action are attached.

A public hearing will begin at 5 p.m. for comments on:

- 1). proposed additions of off-road trails to the Lewis County ATV Trail System at the Singing Waters Park; and
- 2). the County's community development and housing needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2017 program year.

RESOLUTION NO. 323 - 2017

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 947,816.29 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 _____, seconded by Legislator _____, and adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:

RESOLUTION NO. 324 - 2017

**RESOLUTION TO AMEND AND ADOPT
ELECTRONIC COMMUNICATIONS AND DEVICE USE POLICY**

Introduced by Michael A. Tabolt, Chairman, Lewis County Board of Legislators

WHEREAS, Lewis County established administrative policies to which all County employees, appointees and officials are subject. Various provisions of the policies are reviewed and updated from time to time in order to address changes in law, practices and guidelines for county employees to follow; and

WHEREAS, the use of various electronic devices in County Government for increased efficiencies and cost-saving measures, also subjects the user and the County to potential liability issues and cyber attacks, along with potential inappropriate and/or misuse of such devices and County data. These concerns necessitated a review of the County's electronic device policy with proposed amendments to provide a more detailed electronic communications and device use policy which has been crafted for consideration by the Lewis County Board of Legislators for approval and adoption; and

WHEREAS, the Board of Legislators wishes to accept and adopt said amended policy.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and adopts the amendments to the Lewis County Electronic Communications and Device Use Policy as presented to the BOL by the County Attorney.

Section 2. That the Clerk of the Board is hereby directed to make the amendments to the Administrative Manual and Personnel Handbook, and any other appropriate manual, upon such form as may be approved by the County Attorney and distribute the same to all Department Heads, Appointed Officials and Board members and agencies of the County.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 325 – 2017

**RESOLUTION APPROVING COUNTY POLICY TO OFFER
GOVERNMENT VEHICLES, MACHINERY, EQUIPMENT AND
OTHER SURPLUS ASSETS BY ON-LINE AUCTION.**

Introduced by Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, a number of county Departments routinely seek to auction surplus equipment which is no longer suitable for its intended use within that Department. If the equipment cannot be used by another Department, an efficient and cost-effective means of sale of such equipment is through on-line auctions; and

WHEREAS, county Departments such as Solid Waste, Highway, Buildings and Grounds have successfully auctioned surplus equipment over the past few years by agreements with on-line companies known as Auctions International, Inc. and Roy Teitsworth, Inc., and with said agreements individually approved by the Lewis County Board of Legislators for each on-line auction by each Department; and

WHEREAS, the County Manager, as the purchasing agent and chief administrator for the County, seeks to streamline this process for approval of on-line auction of surplus county equipment by setting a policy for all Departments to follow, upon approval of the procedure set forth in the attached policy by the Lewis County Board of Legislators; and

WHEREAS, the County Manager seeks to have the on-line auction procedure approved and set into motion only after the surplus equipment is offered to other County Departments; and

WHEREAS, the Board of Legislators wishes to adopt said on-line auction policy and authorize the County Manager to execute any on-line auction contract which is approved by motion by a Legislative Committee as set forth in the policy's procedures;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby adopts and approves the attached ON-LINE AUCTION OF SURPLUS EQUIPMENT POLICY as part of the Lewis County Policies; and designates the Lewis County Manager as the County's agent to execute any on-line auction contracts which have been approved by a Legislative Committee in accordance with the procedures set forth in the Policy.

Section 2. That the Clerk of the Board is hereby directed to add the attached policy to the County's Administrative Manual and any other relevant manual upon such form as may be approved by the County Attorney, and distribute the same to all Department Heads.

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

Moved by Legislator _____, seconded by Legislator _____, and adopted.

ON-LINE AUCTION OF SURPLUS EQUIPMENT POLICY

A. PURPOSE:

County vehicles, machinery, equipment and other surplus assets which are no longer usable by a department in the County may be offered for sale to the highest bidder, "as-is", "where-is", with no warranties and with the County retaining the right to reject any bids it deems insufficient. Oftentimes, the most efficient and best return for sale of surplus equipment, especially from but not limited to certain county Departments such as Highway, Solid Waste, Buildings and Grounds, results from online auctions with companies who offer auction services for sale of government assets. The County has had success in selling surplus equipment by entering into agreements with online auction companies who facilitate the sale of these used assets, who provide maximum possible return, and who guard against favoritism, improvidence, extravagance, fraud and corruption.

The process for each Department to obtain approval to offer surplus assets online is cumbersome and repetitive. To streamline the process and further these objectives, the Board of Legislators is adopting internal policies and procedures governing the offer of surplus county equipment for on-line auction.

B. PROCEDURE FOR AUTHORIZATION OF SURPLUS EQUIPMENT AND ASSETS FOR ON-LINE AUCTION:

1. If a Department seeks to have equipment, vehicles, machinery or other assets no longer useable by that Department, the Department Head shall so advise the County Manager. The County Manager will notify (or direct the Department Head) to notify other Department Heads of the item(s) in the event another Department may safely use the equipment in his/her Department. If the item(s) cannot be used in another Department, the Department Head shall provide all relevant information on the item(s) to his/her Legislative Committee and County Manager at the scheduled monthly meeting. The committee will review the information and approve/disapprove each item for auction.
2. If the Committee approves surplus item(s) to be offered for auction online, the Department Head will provide the County Manager with the on-line auction agreement. The County Manager is hereby authorized by the Board of Legislators to execute the on-line auction agreement, subject to review and approval of terms by the County Attorney.
3. The Department Head will be required to follow through with any and all requirements under the on-line auction agreement and any other direction provided by the County Manager. If the item(s) is sold at auction, the Department Head shall provide the County Manager with all relevant records, documents and information pertaining to the sale, and will fill out and deliver to the Clerk of the Board, the proper Disposition Form in order for the item to be removed from County inventory and insurance. The Department Head

shall also provide a report of the transaction to his/her Legislative Committee at the next scheduled meeting.

4. The County Manager shall provide the Board of Legislators with a list of any and all surplus equipment offered for auction by each Department, together with any follow up information on any items sold at auction, including but not limited to, the on-line auction company engaged, the date of sale, the amount realized, any costs and fees associated with the sale of the item(s).

C. COUNTY AUTHORIZED ON-LINE AUCTION COMPANIES:

The County approves the engagement of the following on-line auction companies for the offer of surplus county equipment. Additions and/or deletions of on-line auction companies may be made to this list upon the Board of Legislators consideration and approval. The current approved on-line auction businesses are as follows:

Auctions International, Inc., 11167 Big Tree Road, East Aurora, NY 14052

Roy Teitsworth, Inc., dba RTI Internet Auctions, 6502 Barber Hill Road,
Geneseo, NY 14454

D. EFFECTIVE DATE:

This policy shall go into effect September 5, 2017 and will be reviewed annually.

RESOLUTION NO. 326 - 2017

**RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(SINGING WATERS PARK)**

Introduced by Legislator Lawrence Dolhof, Chairman, Recreation, Forestry and Parks Committee.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA"); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2-2009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 2"); and

WHEREAS, both Local Law No. 2-2009 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add proposed additions on the property of Singing Waters, which is a County owned 100 acre parcel of land located on the Fish Creek Road in the Town of Grieg, to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed trails and property, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing their investigations and findings with respect to the proposed trails on the Singing Waters property, in the Town of Greig, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement on the trails identified, the Board of Legislators hereby finds and determines that:

- a. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- b. The Report adequately describes the consultant's investigations and analysis as to any significant adverse impacts and necessary mitigations for the specific sites;
- c. The Report's findings are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- d. The investigation and analysis of the site described does not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 2. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the property of Singing Waters, which is a County owned 100 acre parcel of land located on the Fish Creek Road in the Town of Grieg, to the Lewis County Trail System will not result in a significant environmental impact.

Section 3. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the sites identified and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____, and adopted.

RESOLUTION NO. 327 - 2017

**RESOLUTION TO INCORPORATE
PROPOSED TRAILS ON THE SINGING WATERS PARK PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, Recreation, Forestry and Parks Committee.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA"); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2-2009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 2"); and

WHEREAS, Local Law No. 2-2009 and the Statement of Findings contemplate future amendments to BOTH ATV Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments and additions; and

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add proposed trails on the Singing Waters Park property, which is a County owned 100 acre parcel of land located on the Fish Creek Road in the Town of Grieg, to the Lewis County Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property and trail, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators contemporaneously herewith completed its review under SEQRA with respect to the property and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and determined that adding this property and trail to the Lewis County Trail ATV System will not result in a significant environmental impact.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trail located on the above referenced property, Singing Waters Park, which is a County owned 100 acre parcel of land located on the Fish Creek Road in the Town of Grieg, and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District, is hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Board of Legislators hereby authorizes the addition of trails in the Singing Waters Park, to the Lewis County ATV Trail System, and authorizes amendment to the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trail described herein, together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 3. That the Director of Recreation, Parks and Forestry is authorized to make, execute and deliver such additional Access Agreements for the aforesaid property, upon approval of the County Attorney as to form.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 328 - 2017

**FIXING DATE OF PUBLIC HEARING ON ADDITIONS
TO THE ATV TRAIL SYSTEM
(MICHAEL WILK AND JULIE PAINTER PROPERTY)**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on September 5, 2017, proposed additions to the Lewis County ATV Trail System pertaining to the Michael Wilk and Julie Painter properties which are located on 1466 Osceola Road in the Town of Osceola, (South of County Route 46), identified as parcel number 395.00-02-12.314; and 1545 Florence Road, (West of County Route 78 and South of Barker Road) in the Town of Osceola, identified as parcel number 413.00-01-1.310.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on October 3, 2017 at 5:00 p.m. at the Croghan Fire Hall, 6860 Fire Hall Street, Croghan, New York 13327, for the purpose of receiving public comment regarding the additions to the Lewis County ATV Trail System, said property owned by Michael Wilk and Julie Painter; and

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 Courthouse, 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. 329 - 2017

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND CUMMINS SALES AND SERVICE
FOR MAINTENANCE SERVICE FOR THE GENERATORS
AT THE 9-1-1 TOWER SITES IN LEWIS COUNTY**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis desires to enter into an agreement with Cummins Sales and Service, with office located at 6193 Eastern Avenue, Syracuse, New York 13211, for the purpose of providing maintenance services to the generators placed at the twelve (12) 9-1-1 tower sites in Lewis County; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Cummins Sales and Service for the purpose of providing maintenance services to the generators placed at the twelve (12) 9-1-1 tower sites in Lewis County for the period of January 1, 2018 through December 31, 2020 at the following annual costs:

Year 1	1/1/2018 – 12/31/2018	\$18,162.59
Year 2	1/1/2019 – 12/31/2019	\$18,162.59
Year 3	1/1/2020 – 12/31/2020	\$18,596.09

Section 2. That the service contract includes but is not limited to Cummins Sales and Service providing annual inspections on all equipment in March with full maintenance service in September.

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 330 - 2017

**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY AND SIEMENS INDUSTRIES, INC.
FOR THE DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis desires to renew an agreement with Siemens Industries, Inc. for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (HVAC) for the Department of Social Services Building for the period of January 1, 2018 through December 31, 2020; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the renewal contract with Siemens Industries, Inc. to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the Department of Social Services Building for the period of January 1, 2018 through December 31, 2020 at the following annual costs:

Year 1	1/1/2018 – 12/31/2018	\$17,678.00
Year 2	1/1/2019 – 12/31/2019	\$18,031.00
Year 3	1/1/2020 – 12/31/2020	\$18,392.00

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 331 - 2017

**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY AND SIEMENS INDUSTRIES, INC.
FOR THE PUBLIC SAFETY BUILDING**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis desires to renew an agreement with Siemens Industries, Inc. for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (HVAC) for the Public Safety Building for the period of January 1, 2018 through December 31, 2020; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the renewal contract with Siemens Industries, Inc. to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the Public Safety Building for the period of January 1, 2018 through December 31, 2020 at the following annual costs:

Year 1	1/1/2018 – 12/31/2018	\$17,808.00
Year 2	1/1/2019 – 12/31/2019	\$18,164.00
Year 3	1/1/2020 – 12/31/2020	\$18,528.00

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 332 - 2017

**RESOLUTION AUTHORIZING A RENEWAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND TRANE BUILDING SERVICES**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis desires to renew an agreement with Trane Building Services for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning ("HVAC") systems for the County Courthouse Building; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the renewal contract with Trane Building Services to provide Heating, Ventilating, and Air Conditioning ("HVAC") maintenance services for the County Courthouse Building with a one-time 3% discount for full payment of one year if paid in advance of the commencement of the service agreement for the period of January 1, 2018 through December 31, 2020 at the following annual costs:

Year 1	1/1/2018 – 12/31/2018	\$35,043.00
Year 2	1/1/2019 – 12/31/2019	\$35,043.00
Year 3	1/1/2020 – 12/31/2020	\$36,094.29

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 333 - 2017

**RESOLUTION DESIGNATING
LEWIS COUNTY CHAMBER OF COMMERCE AS
TOURIST PROMOTION AGENCY
AND COMMIT MATCHING FUNDS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby designates the Lewis County Chamber of Commerce as Tourist Promotion Agency for the County of Lewis in its application for Matching Funds (I Love NY) Program for 2017-2018.

Section 2. That this Board hereby endorses the application of the Lewis County Chamber of Commerce, and hereby commits matching County funds in the amount of \$50,000.00 in support of said application.

Section 3. That the Chairman, or Vice-Chairman, of the Lewis County Board of Legislators is hereby authorized to sign any and all necessary papers and documents in connection with said application.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 334 – 2017

**RESOLUTION TO TRANSFER FUNDS
COUNTY CLERK**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer from Capital Data Processing is hereby approved in the County Clerk's Department for the purchase of a new monitor; Project HAE Capital Data Processing H0990100 499900 balance \$118,718.72:

Increase Revenue:

A0100000 350310 Interfund transfers	\$86.65
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Increase Expense:

A0141000 221700 Computers	\$86.65
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 335 – 2017

**RESOLUTION TO APPROPRIATE FUNDS
DISTRICT ATTORNEY**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Office of the District Attorney to appropriate funds received through DA Federal Money (T0 000873) to reimburse for hotel rooms for undercover officers during Moe.down.

Increase Revenues

A0116500 326260 (Forfeiture Proceeds)	\$1,210.00
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Increase Expense

A0116500 493600 (Prosecution Fund)	\$1,210.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 336 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
BLUE STREET OVER WHETSTONE CREEK**

Introduced by Legislator Craig Brennan, Chairman of Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That funds shall be appropriated in the Capital Bridge Program to facilitate Supplemental Agreement #2 PE/Design Phase and Row Incidentals and Construction Phases of the Bridge on Blue Street over Whetstone Creek.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue:

H0512000 345970 FEDERAL	\$17,880.00
H0512000 350310 LOCAL	\$ 4,470.00
Project HAM	

Expense:

H0512000 499900	\$22,350.00
Project HAM	

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 337 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
HIGHWAY DEPARTMENT**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the County Road account to appropriate for additional Extreme Winter Recovery funds.

Increase Revenue:

D0501000 335011 CHIPS	\$241,148.25
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Increase Expense:

D0515000 495150 Paving Materials	\$241,148.25
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 338 - 2017

**RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT No. 2 to D034743,
BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION
(NYSDOT) AND LEWIS COUNTY TO THE TRANSPORTATION FEDERAL-AID
BRIDGE REPLACEMENT PROJECT (PIN 775360)
KNOWN AS JERDEN FALLS ROAD OVER WEST BRANCH OF THE
OSWEGATCHIE RIVER**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

WHEREAS, a Project for the Bridge Replacement and Repair on Jerden Falls Road over the West Branch of the Oswegatchie River (PIN 775338; BIN 3340000) (the "Project") in the Town of Croghan, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, pursuant to Highway Law § 10 (34-a) and section 15 of Chapter 329 of the Laws of 1991 as amended by section 9 of Chapter 330 of the Laws of 1991, as further amended by chapter 57 of the Laws of New York of 2014, the State has established the "Marchiselli" Program, which provides certain State-aid for Federal aid highway projects not on the State highway system with project eligibility for Marchiselli Program funds determined by NYS DOT. This project is being funded with Federal Surface Transportation Program (STP) and Marchiselli funds; and

WHEREAS, the County of Lewis advanced the Project by authorizing a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering/Design and Right Of Way Incidentals Phases of the Project by Resolution 369-2014 adopted November 4, 2014; and

WHEREAS, the Superintendent of Highways received notice from the NYSDOT that his request for additional funding for the Preliminary Engineering/Design phases I-IV was approved, subject to execution of Supplemental Agreement No 2. Under this Supplemental Agreement, the total funding for this phase will increase by \$47,000 (\$100,000 to \$147,000), with Federal participating share being \$117,600; State Marchiselli match of \$22,050; and the Local share being \$7,350 on the PE/Design Phase of this project; the increase in funding for this particular phase does not increase the cost of the overall project, but simply reapplies funding; and

WHEREAS, in order for the County to receive the increased funding for the PE/Design Phase of the project, a Supplemental Agreement titled "Supplemental Agreement No. 2 to D034743" must be executed.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute a supplemental agreement to the Jerden Falls Road over West Branch of the Oswegatchie Bridge Contract with NYSDOT, identified as

“Supplemental Agreement No. 2 to D034743” for additional funding of allocated Marchiselli Program Costs for the PE/Design phases of the project from \$100,000 to \$147,000.

Section 2. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all necessary supplemental agreements on behalf of the Lewis County Board of Legislators with the New York State Department of Transportation in connection with this Project.

Section 3. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to the Supplemental Agreement No. 2 to D034743, in connection with the Project.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 339 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
Jerden Falls Rd Over Oswegatchie River**

Introduced by Legislator Craig Brennan, Chairman of Ways and Means Committee of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That \$147,000.00 shall be appropriated in the Capital Bridge Program to facilitate the PE/Design Phase of the Bridge on Jerden Falls Rd over Oswegatchie River.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue:

H0512000 345970	FEDERAL	\$117,600.00
H0512000 350310	LOCAL	\$ 7,350.00
H0512000 335910	STATE	\$ 22,050.00

Project HAK

Expense:

H0512000 499900	Expenditures	\$147,000.00
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Project HAK

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 340 - 2017

**AUTHORIZING THE ESTABLISHMENT OF A
LEWIS COUNTY MINIMUM PAYMENT POLICY
FOR RIGHT-OF-WAY PURCHASES
ON HIGHWAY & BRIDGE PROJECT ACQUISITIONS
BY LEWIS COUNTY SUPERINTENDENT OF HIGHWAYS**

Introduced by Legislator Gregory Kulzer, Chairman, Highway/Transportation Committee

WHEREAS, the County authorized the Superintendent of Highways to repair and replace the bridge known as the "Blue Street Over Whetstone Creek Project" in the Town of Martinsburg, referred to as PIN# 7753.60 under Federal and State funding; and

WHEREAS, the replacement of the bridge requires acquisition of certain small parcels adjacent to Whetstone Creek in order to have right-of-way access. These necessary parcels have been identified and appraised from the right-of-way consultant, RK Hite & Co., Inc. as follows:

Parcel 244-1-9.12 (Mark's Farms Realty, LLC) - 0.039 acre (1694 sq ft)- W/S Whetstone Creek - \$100.
Parcel 244-1-17.2 (Mark's Farms Realty, LLC) - 0.099 acre (4307 sq ft)- E/S Whetstone Creek - \$800.
Parcel 244-1-17.1 (Bonnie C. Lisk) - 0.145 acre (6327 sq ft)- W/S Whetstone Creek - \$200.
Parcel 259-03-6.21 (Bonnie C. Lisk) - 0.005 acre (206 sq ft)- adj. to Schoolhouse Rd - \$100;

and

WHEREAS, RK Hite & Co., Inc., has reviewed the appraisals, the NYS Eminent Domain Law and the relevant portions of the Federal Highway Act and NYSDOT guidelines in recommending that Lewis County adopt a minimum payment policy of Two Hundred Fifty Dollars (\$250.00) for right-of-way acquisitions for this project; and

WHEREAS, the NYS Eminent Domain Procedure Law states that "In no event shall such amount be less than the condemnor's highest approved appraisal". The County's highest appraisal by its appraiser, RK Hite & Co., Inc., are the amounts set forth above, and as more fully described and set forth in its detailed appraisal reports received on each parcel; and

WHEREAS, the Federal Highway Administration and NYSDOT guidelines state that the maximum amount for a minimum payment is Two Hundred Fifty Dollars (\$250.00) for such acquisitions; and

WHEREAS, the Superintendent of Highways has requested that the Board of Legislators adopt and establish a minimum payment policy of \$250.00 for acquisition of right-of-way parcels on this project, and further requests that the Board authorize the purchase and acquisition of the following parcels of land hereinafter referred to from the owners or their successors or assigns at the following recommended just compensation amounts:

Parcel 244-1-9.12 (Mark's Farms Realty, LLC) - 0.039 acre (1694 sq ft)- W/S Whetstone Creek - \$250.
Parcel 244-1-17.2 (Mark's Farms Realty, LLC) - 0.099 acre (4307 sq ft)- E/S Whetstone Creek - \$800.
Parcel 244-1-17.1 (Bonnie C. Lisk) - 0.145 acre (6327 sq ft)- W/S Whetstone Creek- \$250.
Parcel 259-03-6.21 (Bonnie C. Lisk) - 0.005 acre (206 sq ft)- adj. to Schoolhouse Rd- \$250.;

and

NOW, THEREFORE, BE IT RESOLVED,

Section 1. The Board of Legislators hereby adopts and establishes a minimum payment policy of \$250.00 for acquisition of right-of-way parcels on the Blue Street over Whetstone Bridge Project, PIN 7753.60.

Section 2. The Board of Legislators authorizes the purchase and acquisition of the following parcels of land hereinafter referred to from the owners or their successors or assigns, at the following amounts which the Board hereby deems to be just compensation:

Parcel 244-1-9.12 (Mark's Farms Realty, LLC) - 0.039 acre (1694 sq ft)- W/S Whetstone Creek -	\$250.
Parcel 244-1-17.2 (Mark's Farms Realty, LLC) - 0.099 acre (4307 sq ft)- E/S Whetstone Creek -	\$800
Parcel 244-1-17.1 (Bonnie C. Lisk) - 0.145 acre (6327 sq ft)- W/S Whetstone Creek-	\$250.
Parcel 259-03-6.21 (Bonnie C. Lisk) - 0.005 acre (206 sq ft)- adj. to Schoolhouse Rd-	\$250.

Section 3. That the payments for said land/parcel acquisitions be charged against the Blue Street over Whetstone Bridge Repair Project, PIN 7753.60.

Section 4. That the Chairman of the Board, or Vice-Chairman in his absence, be and is hereby authorized and directed to execute all necessary documents in connection with the advancement of the above minimum payment policy and just compensation payment to the property owners identified, as approved as to form by the County Attorney.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 341 - 2017

**RESOLUTION TO TRANSFER FUNDS
HUDSON RIVER BLACK RIVER REGULATING DISTRICT**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers are hereby approved from Contingency to the Non-Departmental Taxes account to cover the cost of Hudson River Black River Regulating District Assessment:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$19,294.00

<u>To:</u>	
A0871000 440000 Taxes	\$19,294.00

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 342 - 2017

**RESOLUTION APPOINTING MEMBER TO
JUNKYARD REVIEW BOARD**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Kenneth Johnson of 312 South Washington Street, Carthage, New York 13619, to the Lewis County Junkyard Review Board.

Section 2. That the term of said appointment shall be effective from September 6, 2017 through December 31, 2020.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 343 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Office for the Aging accounts to appropriate for the Challenge Award received for conducting the Evidence Based Program "Tai Chi for Arthritis".

Increase Revenues

A0677200 327087 OFA EBP	\$550.00
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Increase Expense

A0677200 495900 OFA EB	\$550.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 344 - 2017

**RESOLUTION TO TRANSFER FUNDS
PLANNING DEPARTMENT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer from Capital Data Processing is hereby approved in the Planning Department account for the purchase of a new computer with dual monitors; Project HAE Capital Data Processing H0990100 499900 balance \$118,718.72:

Increase Revenue:

A0100000 350310 Interfund transfers	\$876.59
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Increase Expense:

A0802000 221700 Computers	\$876.59
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 345 - 2017

**RESOLUTION APPROVING ADDENDUM TO AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND BIRNIE BUS SERVICE, INC.
FOR "HALF-DAY SESSION" TRANSPORTATION OF
PRESCHOOL SPECIAL EDUCATION CHILDREN**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Board of Legislators previously entered into an agreement on January 1, 2016 between the County of Lewis, by and through the Lewis County Public Health Agency ("Public Health"), and Birnie Bus Service, Inc. ("Birnie Bus") to provide transportation for pre-school special education children for the period of January 1, 2016 through June 30, 2016; and

WHEREAS, the Lewis County Board of Legislators subsequently adopted a resolution to extend the term of the Agreement through June 30, 2018 with cost of living rate increases as set forth in the amendments; and

WHEREAS, Public Health desires to include an additional rate for transportation of a pre-school child in half-day sessions commencing September 5, 2017, at \$170.00 per day.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Addendum to the Agreement between the County of Lewis by and through the Lewis County Public Health Agency and Birnie Bus Service, Inc. to provide transportation for a pre-school child for half-day sessions in Watertown commencing September 5, 2017 through June 30, 2018 at a rate of \$170.00 per day.

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 346 - 2017

**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH ON BEHALF OF
THE COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Lewis County Public Health ("Public Health") desires to enter into an agreement with Health Research, Inc. ("HRI"), a domestic not for profit corporation with offices located at Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204; and

WHEREAS, HRI has been awarded a grant from the Center Disease Control Prevent in the amount of \$52,096.00 under grant/contract number 1NU90TP9219240100 for the purpose of a Public Health Emergency Preparedness Program; and

WHEREAS, Public Health is knowledgeable, qualified, and experienced in the skills necessary for this project and willing and capable of performing services required; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between Health Research, Inc. and Lewis County Public Health to perform services for the purpose of a Public Health Emergency Preparedness Program required under the grant for the period beginning July 1, 2017 and ending June 30, 2018 in the amount of \$52,096.00.

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 347 - 2017

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AND
JAMES MCGUINNESS & ASSOCIATES, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Lewis County Public Health wishes to enter into an Agreement with James McGuinness & Associates, Inc., with its principal place of business located at 1482 Erie Boulevard, Schenectady, New York 12305, for the purchase of a software program to be used for the Preschool Program.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with James McGuinness & Associates, Inc. for the purchase, installation of and training of up to four (4) staff members in the use of the software program for the Preschool Program.

Section 2. That this is for the term beginning September 1, 2017 through December 31, 2019 at a one-time fee of \$50,000 for the non-transferable, non-assignable, perpetual, non-exclusive license, and annual maintenance and support service charge of \$9,500 or \$11,750, dependent on the County's use of the CPSE portal.

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 348 – 2017

**RESOLUTION AUTHORIZING TO EXTEND AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
NYS DIVISION OF HOMELAND SECURITY
AND EMERGENCY SERVICES**

Introduced by Legislator Jerry King, Chairman of Courts and Law Committee.

WHEREAS, the County of Lewis has entered an Agreement with the New York State Division of Homeland Security and Emergency Services in the amount of \$6,000,000.00 for the Radio System Project (“Project”); and

WHEREAS, the Project consists of constructing and installing capital equipment for the purpose of upgrading the emergency radio communications system for use by all emergency service agencies including but not limited to the Public Safety, Emergency Response and Law Enforcement within Lewis County, and also to be compatible with communications systems in adjoining counties; and

WHEREAS, pursuant to authorization by the NYS Division of Homeland Security and Emergency Services to Resolution No. 308-2016 the grant was extended through December 31, 2017, but does not provide sufficient time to expend the funds; and

WHEREAS, the Board of Legislators wishes to further extend the period of the grant as so authorized by the NYS Division of Homeland Security and Emergency Services to allow adequate time to complete the project and expend the funds.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves an extension of the Agreement between the County of Lewis and the New York State Division of Homeland Security and Emergency Services for the grant award of \$6,000,000.00 for the Radio Systems Project through December 2, 2018.

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 349 - 2017

**RESOLUTION AUTHORIZING LEWIS COUNTY
DEPARTMENT OF BUILDINGS AND GROUNDS TO ENTER INTO AN AGREEMENT
WITH DEVEINES ENTERPRISES, LLC FOR PLOWING OF THE ROADS TO EIGHT
(8) TOWER SITES IN LEWIS COUNTY FOR THE 2017-2018 SNOW SEASON**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the Board of Legislators of Lewis County ("County") upgraded its Emergency Radio Communications System, which included adding and upgrading the tower sites and supporting structures at various locations in the County; and

WHEREAS, the tower sites must be accessible at all times, which requires the County's Building and Grounds Department to either snow plow the access roads or arrange for others to assist with timely snow plowing of the sites throughout the winter season; and

WHEREAS, the Building and Grounds Department sent out a Request for Proposals (RFP) in July, 2017 for snow plowing of eight (8) Lewis County 911 Tower Sites, namely, Sears Pond Road (Montague), North Osceola Road (Osceola), Hayes Road (Denmark), Zeigler Road (Leyden), Brenon Road (Turin), State Rte 3 (Diana), Marmon Road (Lyonsdale) and Long Pond Road (Croghan); and

WHEREAS, sealed bids were due August 22, 2017. One bid was received and opened on said date, with said bid from Deveines Enterprises, LLC, who proposed to plow all eight locations throughout the 2017-2018 snow season in accordance with the terms and conditions set forth in the RFP at a cost not to exceed \$24,715.00; and

WHEREAS, the County desires to accept the bid and enter into a contract with Deveines Enterprises, LLC to snow plow the eight (8) tower sites under the direction of the Supervisor of Buildings and Grounds for the 2017--2018 season.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement with Deveines Enterprises, LLC to provide snow plowing services at eight (8) County tower sites located in Montague, Osceola, Denmark, Leyden, Turin, Diana, Lyonsdale and Croghan.

Section 2. That the term of said agreement shall be for the 2017-2018 snow season, at a cost not to exceed \$24,715.00.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon terms and conditions approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 350 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation of insurance recovery for a damaged vehicle is hereby approved in the Sheriff's Department account:

Increase Revenues

A0100000 326800 (Insurance Recoveries)	\$1,000.00
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Increase Expense

A0311000 470100 (Sheriff Vehicle Repairs)	\$1,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 351 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the office of the Sheriff's Department.

Increase Revenues

A0311000 315890 (Sheriff DWI)	\$578.28
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Increase Expense

A0311100 110300 (Overtime)	\$568.08
A0311100 110400 (Shift Differential)	\$ 10.20

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 352 - 2017

**AUTHORIZING APPLICATION FOR 2017 SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Board of Legislators has heretofore duly advertised and held a public hearing on the 5th day of September, 2017 and has considered the comments presented thereat regarding housing and priority community development needs.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. The Board of Legislators hereby authorizes the filing of a 2017 Small Cities Community Development Block Grant (CDBG) Application to secure funding to assist low and moderate income households with the purchase of existing single family homes within Lewis County in an amount not to exceed \$850,000 and other such related activities as may be determined.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such applications, documents or writing as may be necessary to carry out the terms of this Resolution.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 353 - 2017

**RESOLUTION TO SET PUBLIC HEARING FOR
LEWIS COUNTY DIRECT HOMEOWNERSHIP ASSISTANCE
PROGRAM, NYS CDBG PROJECT #636HO335-15**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, All recipients of NYS CDBG funds must meet the citizen participation requirements at 24 CFR 570.486 and New York State's Citizen Participation Plan, as amended which require recipients to follow a citizen participation plan providing for ... one public hearing (one in each jurisdiction of a joint application) prior to the submission of an application for funding ... and one public hearing, if awarded, to be held during the administration of the grant to solicit comments on the effectiveness of the program's administration; and

WHEREAS, the Board of Legislators duly held a public hearing on the 14th day of September, 2015 regarding community development, housing needs and other possible development activities in preparation of a CDBG Application; and

WHEREAS, the County received an award of \$324,800 and the Board of Legislators of Lewis County seeks to hold a second public hearing to provide residents with the opportunity to offer any comments on the accomplishments of the current Lewis County Direct Homeownership Assistance Program.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. That the Board of Legislators of Lewis County hereby sets a public hearing to be held on October 3, 2017 at 5:00 p.m. at the Croghan Firehall, 6860 Fire Hall Street, Croghan, New York 13327 to provide residents of Lewis County with the opportunity to offer any comments on the accomplishments of the current CDBG Lewis County Direct Homeownership Assistance Program.

Section 2. That the Chairman or the Vice-Chairman of the Board of Legislators, be and the same is hereby is authorized to make, execute, seal and deliver such applications, documents or writing as may be necessary to carry out the terms of this Resolution, pending approval by the County Attorney.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 354 - 2017

**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
ELMCREST CHILDREN'S CENTER**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Elmcrest Children's Center ("Agency") is a foster care agency authorized by the New York State Office of Children and Family Services to provide foster care services; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Elmcrest Children's Center for the provision of foster care services.

Section 2. That the term of this agreement shall be from January 1, 2018 through December 31, 2018 at per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until costs exceed the foster care block grant and then the local share is 37.5% for residential/foster care and is based on the eligibility of the client. The State share is approximately 25% and the Federal share is approximately 50%.

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 355 - 2017

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE HOUSE OF THE GOOD SHEPHERD**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with The House of the Good Shepherd for the provision of foster care services; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with The House of the Good Shepherd for the provision of foster care services for the period of January 1, 2018 through December 31, 2018 at a cost in accordance with the rates set forth by the State in the Agreement. Local share cost is approximately 37.5% and is based on the eligibility of the client, but not incurred until the foster care block grant is exceeded.

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

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 356 - 2017

RESOLUTION AUTHORIZING EXECUTION OF CERTIFICATION STATEMENT ON APPLICATION FOR DISPENSATION FOR EXTENSION OF WORK HOURS ON THE COUNTY'S SOLAR PROJECT AS REQUIRED BY NYS DEPARTMENT OF LABOR

Introduced by Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, the County of Lewis has contracted with Greenskies Renewable Energy for the building of a solar array on part of its property located at 5252 Outer Stowe Street, Lowville, NY to provide cost-saving, green energy electric supply for County buildings over the next twenty (20) years; and

WHEREAS, the project is subject to NYS DOL Prevailing Wage Rates under PRC # 2016010048, and building of the array has commenced. In order for the developer to maximize construction completion from September, 2017 through the end of 2017, a request by one of the subcontractors, Doherty Electric, LLC, dba Revolution Solar seeks to apply to NYSDOL for "Dispensation of Hours" to permit work operations of 10 hours per day, four days per week from 8/28/17 through 1/15/18, as time is of the essence for the work they perform before winter weather sets in; and

WHEREAS, the application requires the executive officer of the local jurisdiction to certify that the described Public Work project is of an important nature and that a delay in carrying it to completion would result in disadvantage to the public; and

WHEREAS, the County seeks and expects to have the solar project operational by the end of 2017 in order to commence financial savings in 2018 which will benefit the public in measured steps by the County to reduce its environmental footprint while providing energy cost savings; both of important benefit to the public; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby approves the application for Dispensation for Hours required by the NYS DOL under this prevailing rate case, PRC #2016010048, on the County's Solar project located at 5252 Outer Stowe Street, Lowville, NY, for the purpose of permitting Doherty Electric, LLC, dba Revolution Solar to operate its labor force in 10 hour work days, 4 days per week in order to expedite the construction of the array ahead of winter, as set forth in the application.

Section 2. That the Board of Legislators hereby acknowledge that this Public Work Project is of an important nature and that a delay in carrying it to completion as soon as possible would result in disadvantage to the public.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is and he

hereby is authorized to make, execute, seal and deliver such certification statement and execution of the application form required by NYS DOL, subject to review by the County Attorney.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 357 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
STOP DWI**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the STOP DWI accounts for additional NYS STOP-DWI 2016-2017 "Crackdown" grant funds:

Increase Revenue:

A0331500 333110 (DWI Grant)	\$3,000.00
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Increase Expense:

A0331500 492400 (DWI Grant)	\$3,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 358 - 2017

**RESOLUTION AUTHORIZING APPLICATION TO
NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR APPROVAL OF
THE PURCHASE OF A BUS SHELTER FOR THE LEWIS COUNTY
TRANSPORTATION SYSTEM BY UTILIZATION OF THE COUNTY'S 2016/2017
ACCELERATED TRANSIT CAPITAL FUND**

Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Accelerated Transit Capital (ATC) program administered by the New York State Department of Transportation (NYSDOT), provides state capital funding for upstate public transportation sponsors to rehabilitate, restore and modernize public transit assets; and

WHEREAS, under the Lewis County Transportation System, the Planning Department seeks to submit an application to NYSDOT under ATC funding for the purchase and installation of a bus shelter to be placed at the Lewis County Department of Social Services, the cost of which is approximately \$12,100. It is proposed that this cost be paid out of 2016/2017 ATC funds; i.e, \$7,547 from the balance of the 2016 ATC funds and \$4,553 be used from the \$37,511 available from 2017 ATC funds; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application and approve said purchase and installation of said bus shelter at the Lewis County Department of Social Services bus stop upon NYSDOT acceptance.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an application to the NYSDOT for use of 2016/2017 Accelerated Transit Capital funds for the purchase of and installation of a bus shelter at the Lewis County Department of Social Services bus stop under the Lewis County Public Transportation System.

Section 2. That upon the NYSDOT approval of this application, the Lewis County Board of Legislators hereby authorizes the above purchase and installation of said bus shelter at the Lewis County Department of Social Services bus stop with funds from the 2016/2017 ATC accounts.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Application and other required agreements for this funding, upon such form as may be approved by the County Attorney.

Section 4. That a certified copy of this Resolution shall be filed with the New York State Department of Transportation by attaching it to the Application.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 359 - 2017

**RESOLUTION SETTING 2018
WORKERS' COMPENSATION APPORTIONMENT
FOR LEWIS COUNTY SELF-INSURANCE PLAN**

Introduced by Legislator Lawrence Dolhof, Chairman of the Workers' Compensation Committee.

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

WHEREAS, in accordance with that philosophy the Board of Legislators allocates a proportionate assessment based on experience to hold employers accountable for claims; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby sets the computation of the 2018 workers' compensation participant assessments for the Lewis County Self-Insurance Plan; et al 50% of the assessment shall be apportioned to experience based on actual expenses in 2014, 2015 and 2016 and hereby capped at \$40,000 for any one claim per annum; 30% based on proportionate 2017 gross payroll, and the remaining 20% computed on proportionate full property valuation.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator _____, seconded by Legislator _____, and adopted.

RESOLUTION NO. 360 - 2017

**RESOLUTION AUTHORIZING PART I SERVICE DELIVERY
MEMORANDUM OF UNDERSTANDING BETWEEN
JEFFERSON-LEWIS WORKFORCE DEVELOPMENT BOARD
AND THE COUNTY OF LEWIS**

Introduced by Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 272-2017 on July 5, 2017 approving the designation of the Chairman of the Lewis County Board of Legislators as the Lewis County Executive authorized to enter into an Agreement with the designated Executive of Jefferson County for purposes of administering WIOA (Workforce Innovation and Opportunity Act), and to enter into agreements to organize and implement workforce development in the Jefferson-Lewis areas pursuant to WIOA for the term July 1, 2017 through June 30, 2018; and

WHEREAS, a Memorandum of Understanding ("MOU") is required for Part I Service Delivery that is meant solely to capture each partner's roles and responsibilities in the New York State Career Center System ("System"). This MOU memorializes, in writing, the way the partners will work collaboratively together to satisfy the federal regulations for the system and is not designed to be contractual terms and conditions that would be enforced by court order; and

WHEREAS, this MOU is developed in accordance with the requirements set forth in 20 CFR 678.500, and CFR § 678.510(b) and Training and Employment Guidance Letter 17-16 issued by the United States Department of Labor and Employment and training Administration on January 18, 2017; and

WHEREAS, the Board of Legislators wish to authorize such Memorandum of Understanding to comply with the federal regulations as set forth in 20 CFR 678.500.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves Part I Service Delivery Memorandum of Understanding to capture each partner's roles and responsibilities in the New York State Career Center System intended to organize and implement workforce development in the Jefferson-Lewis areas pursuant to Workforce Innovation and Opportunity Act for the term commencing July 1, 2017 through June 30, 2020.

Section 2. That the Board of Legislators hereby approves the Chairman of the Board of Legislators, as the Chief Executive Official of the County of Lewis as the authorized official to make, execute, seal and deliver such Agreements, pending approval by the County Attorney.

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

Moved by Legislator _____, seconded by Legislator _____, and adopted.

RESOLUTION NO. 361 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY-2

Section 1. That the following funds be appropriated for Program Year 2017, 7/1/17-6/30/19, Adult and Dislocated Worker, per the Notice of Obligational Authority (NOA), #17-2, dated 7/31/17 through the New York State Department of Labor, as follows:

Adult

CD629200.110100	\$ 2,250.00
CD629200.490900	\$ 550.00
CD629200.801000	\$ 1,000.00
CD629200.499900	<u>\$ 2,897.67</u>
Total	\$ 6,697.67

WIA Revenue

CD6293 347910	\$ 6,697.67
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Dislocated Worker

CD629100.110100	\$ 3,450.00
CD629100.490900	\$ 1,183.00
CD629100.801000	\$ 1,400.00
CD629100.499900	<u>\$ 4,719.17</u>
	\$ 10,752.17

WIA Revenue

CD6293 347910	\$ 10,752.17
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 362 - 2017

**RESOLUTION APPROVING APPOINTMENT TO
JEFFERSON-LEWIS
WORKFORCE DEVELOPMENT BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, pursuant to the Workforce Innovation & Opportunity Act, Public Law 113-128 as signed into law on July 22, 2014, the Jefferson-Lewis Workforce Development Board (WDB) has been established; and

WHEREAS, the Workforce Innovation & Opportunity Act requires that 20% of the WDB consist of members of labor organizations and an organization that meets the needs of those with barriers to employment; and

WHEREAS, the membership also needs to be in line with the funding distribution, therefore 80% of the membership is from Jefferson County and 20% of the membership is from Lewis County; and

WHEREAS, Dr. Ty Stone has been appointed as Jefferson Community College President to replace retired Carole McCoy.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the appointment of Dr. Ty Stone, Jefferson Community College President to serve the un-expired term of Carole McCoy as a member of the Jefferson-Lewis Workforce Investment Board:

Section 2. That the term of said appointment shall be effective through June 30, 2019.

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

Moved by Legislator _____, seconded by Legislator _____,
and adopted.

RESOLUTION NO. 363 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
YOUTH BUREAU**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Youth Bureau Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved for the increase in State Aid funding:

Revenue

A0731100 338201 Youth Bureau	\$2,282.00
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Expense

A0731100 490100 Youth Development	\$2,000.00
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A0731100 440100 Postage	\$ 282.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator _____, signed by Legislator _____,
and adopted.