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TO: Media

FROM: Teresa Clark, Clerk of the Board T. C.

DATE: June 27, 2019

The Lewis County Board of Legislators will meet on **Tuesday, July 2, 2019 at 5 p.m.** in the Legislative board room at the Court House in Lowville, NY 13367. Local Law Intro. No. 1-2019; and proposed resolutions are herewith attached.

A public hearing will commence at 5 p.m. on Local Law Introductory No. 1-2019 "Providing For Installment Payment of Real Property Town and County Taxes in Lewis County".

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Lewis County is an equal opportunity provider and employer. Complaints of discrimination should be made known to
The Lewis County Board of Legislators

RESOLUTION NO. 212 – 2019

AUDITING AND ALLOWING CLAIMS

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

RESOLVED that the claims presented for payment in the total amount of $ 814,922.80 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. 213 - 2019

RESOLUTION ADOPTING AND OTHERWISE TREATING LOCAL LAW NO. 2 – 2019, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on June 4, 2019, directing that a public hearing be held by said Board on July 2, 2019 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 Local Law (Introductory No. 1-2019) entitled "A LOCAL LAW PROVIDING FOR THE INSTALLMENT PAYMENT OF REAL PROPERTY TOWN AND COUNTY TAXES IN LEWIS COUNTY"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times,* the official newspaper designated by the County, on June 26, 2019, 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 – 2019), County of Lewis, being "A LOCAL LAW PROVIDING FOR THE INSTALLMENT PAYMENT OF REAL PROPERTY TOWN AND COUNTY TAXES IN LEWIS COUNTY", be and the same hereby is designated as Local Law No. 2–2019, County of Lewis.

Section 2. That Local Law No. 2–2019, 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 immediately upon filing with the Secretary of State.

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

YEAS:

NAYS:

ABSENT:

LOCAL LAW (INTRODUCTORY NO. 1 - 2019)

COUNTY OF LEWIS

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

A LOCAL LAW PROVIDING FOR THE INSTALLMENT PAYMENT OF REAL PROPERTY TOWN AND COUNTY TAXES IN LEWIS COUNTY

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 LOCAL LAW PROVIDING FOR THE INSTALLMENT PAYMENT OF REAL PROPERTY TOWN AND COUNTY TAXES IN LEWIS COUNTY.

SECTION 2. PURPOSE:

A. The purpose of this Local Law is to designate the County of Lewis, or its designees, as the tax collection agency for the purpose of collecting taxes in installments as prescribed by Title 4-A of Article 9 of the Real Property Tax Law (RPTL §§ 972 – 976), in order to establish a coordinated system for the collection of County and Town taxes by installment.

B. The County of Lewis prepares all tax bills, creates and executes tax warrants for all Towns, and is the designated collection agent for all delinquent property taxes. In so doing, the County makes each Town whole in order for each Town to meet its annual budget.

C. The Towns collect county and town property taxes. The intent of installment payments is to allow each Town to opt into this Local Law, as procedurally described and set forth in Section 4, and thereby afford taxpayers the ability to pay their county and town property taxes timely and not fall into delinquency status.

SECTION 3. INSTALLMENT PAYMENTS:

A. On and after the effective date of this local law and until repealed, the County and Town real property taxes may be paid in two (2) installments, for each Town that opts into this Local law by Resolution. The two (2) installment payments are to be approximately equal (without factoring in the service charge on the first installment as hereinafter set forth).

B. The taxpayer is not obligated to pay by installment and may pay the entire tax bill in whole by January 31st without penalty, interest or other charges as set forth in the Real Property Tax Law of the State of New York.

C. If any installment is not paid on or before the date it is due, additional interest shall be added as provided by §§ 975 and 924-a of the Real property Tax Law for each month or part thereof until paid. No such installment may be paid unless all prior

installments, including service charges and interest shall have been paid or shall be paid at the same time.

D. If paying by installment, the first installment shall be due and payable to the Collecting Officer of the Town no later than January 31st, with no interest, but with a two (2%) service charge. Failure or neglect by an owner of real property to pay the first installment on time and as herein provided shall be construed as an election by such owner to pay the total amount of taxes in one payment in the manner provided by law, and shall thereby disqualify the Taxpayer from the installment payment option. Such failure and neglect to pay timely will result in the standard interest, penalties and other charges set forth in the RPTL to be incurred.

E. The second installment shall be due and payable to the Collecting Officer of the Town on or before May 31st, without interest. Failure or neglect to make this second installment payment timely will result in the standard interest, penalties and other charges set forth in the RPTL to be incurred.

F. Taxes which are paid through a real property tax escrow account may not be paid in installments pursuant to this Local Law.

G. As used in the Local Law, the term "taxes" shall include special assessments which are levied by the Lewis County Legislature at the time and in the manner provided by law for the levy of town and county taxes.

H. The 2% service charge as set forth in subparagraph "D" of this section is to be the Town's revenue. Any interest/penalties collected for late payment(s) shall belong to the Town if collected by the Town, and then to the County on or after June 1st.

SECTION 4. TOWN PARTICIPATION PROCEDURE:

A. Pursuant to RPTL §§972 & 973, upon the enactment of this Local Law by the Lewis County Legislature, each Town in Lewis County may decide, by affirmative vote of a majority of its Board by Resolution, to permit the installment payment of current taxes. A certified copy of said Resolution by the town clerk to the clerk of the county board of legislators must be received on or before the first day of October.

B. The decision to permit and opt for installment payment of taxes as herein set forth requires the local Town and its Tax Collector to collect and receipt for taxes on the same collection system used by the County Treasurer and Real Property Director. The local Tax Collectors must use the County's computer billing and collection system.

C. In order to assist the Towns in opting for installment payments pursuant to this Local Law, the County agrees to pay the cost of the software program/system for the Town for the first two (2) years of operation, and for such additional year(s) the County may, in its sole discretion, offer to pay on behalf of the Town.

D. The Service Charge fee for installment payment option is to be the Town's revenue in exercising the option to allow for installment payments.

SECTION 5. ADMINISTRATION & GENERAL POWERS OF THE COUNTY TREASURER:

A. In addition to the powers granted to the County Treasurer in this Local law, she/he is hereby authorized and empowered:

1). To promulgate and amend suitable rules and regulations appropriate to the carrying out of this Local Law and the purposes thereof, upon consultation with the Lewis County Director of Real Property and the Legislative Finance and Rules Committee;

2). In consultation with the Lewis County Director of Real Property and the Legislative Finance and Rules Committee, to annually review the service charge fees, program/system costs and expenses, and to make recommendations on increases/decreases to cover costs associated with the installment payment of taxes to the County Board of Legislators;

3). To delegate her/his functions hereunder to the Deputy County Treasurer or any employee or employees of the Office of the County Treasurer.

SECTION 6. EFFECTIVE DATE:

This Local law shall take effect immediately.

Town Boards which decide to permit Installment Payment of current year Town/County taxes as set forth in this Local law must so notify the Clerk of the County Board of Legislators by copy of the official Town Board Resolution on or before October 1, preceding the January Town/County Tax levy. The decision to permit Installment Payment of current year Town/County taxes will remain in force until revoked by a Town Board Resolution, a copy of which must be delivered to the Clerk of the County Board of Legislators on or before October 1, preceding the January Town/County Tax Levy.

RESOLUTION NO. 214 - 2019

FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY LOCAL LAW NO. 2 - 2019), COUNTY OF LEWIS

Introduced by Jerry King, Chair of the General Services Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 2, 2019, a proposed Local Law entitled "A LOCAL LAW AMENDING AND RESTATING THE ESTABLISHMENT OF THE LEWIS COUNTY TRAIL SYSTEM."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on August 6, 2019, 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.

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. 215 - 2019

RESOLUTION TO AMEND AND ADOPT THE STANDING RULES OF THE BOARD OF LEGISLATORS OF LEWIS COUNTY

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

WHEREAS, the Standing Rules of the Board of Legislators were last amended and adopted pursuant to Resolution No. 2-2019 on January 8, 2019; and

WHEREAS, said amendments to the Standing Rules of the Board of Legislators with respect to the Powers and Duties of Committees reflect desired changes to County organization and functions and evoke a more effective business process; and

WHEREAS, said amendments are effective through June 30, 2019 subject to further review and amendment; and

WHEREAS, the Finance and Rules Committee proposes the following amendments to the Standing Rules to further clarify and reflect changes to County organization and functions.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby amends the Standing Rules of the Board of Legislators of Lewis County by changing the following sections:

Amend Rule I MEETINGS: Section 3 to read .... the Board may, by motion at any regular meeting, adjourned regular meeting or special meeting, change the date and/or time, and/or place herein fixed for the next succeeding regular meeting.

Amend Rule II PROCEDURE: Section 2 (Subd. 5) to read Report of the Finance and Rules Committee under Rule VI

Amend Rule II PROCEDURE: Section 7 to read Any Legislator upon the meeting being called to order shall take his/her seat.....

Amend Rule IV CLERK: Section 3 to read .... the Clerk shall immediately provide

Amend Rule V COMMITTEES: Section 1 to remove or special .....committee shall consist of five members

Amend Rule VII AUDIT OF CLAIMS: Section 10 to read .....out of funds in his/her hands appropriated for the purpose therefor.....

Amend Rule VIII GENERAL PROVISIONS: Subsection "Organization of the Board" (Subd. 1) to read ..... his/her last known post office address, or by electronic notification generally accepted, at least forty-eight hours before the date of the meeting

Amend Rule XII POWERS AND DUTIES OF COMMITTEES:

GENERAL SERVICES COMMITTEE:
"Jurisdictional Oversight": Add Agriculture and Junkyards

"Additional County Representation": Delete the entire section.

"Committee Description": Change to correct the title in the sixth paragraph to ...County Director of Fire and Emergency Management.....

Change the wording in the eleventh paragraph to read ....This committee shall have general supervisory and advisory jurisdiction regarding all matters relating to recycling materials, solid waste and all related issues within the County and shall confer with the Solid Waste Administrator concerning such matters, ...

HEALTH AND HUMAN SERVICES COMMITTEE:
"Additional County Representation": Delete the entire section.

FINANCE AND RULES COMMITTEE:
"Additional County Representation": Delete the entire section.

"Committee Description": Change the wording in the first paragraph to read.. This committee shall have general supervisory and advisory jurisdiction over all matters pertaining to Civil Service within the County. This Committee shall also have general supervisory and advisory jurisdiction over all matters pertaining to the Human Resources Department and of all relations between the Board and the Director of Human Resources/Personnel Director. This committee shall also have supervision of all matters relating to compensation of county officers and employees and of matters arising out of the County's membership in the State Retirement System, and shall act as the bargaining committee for the Board with the County Civil Service Employee's Association (CSEA).

Change the wording in the fifth paragraph to read ....proper execution of tax warrants; and recommend new or changed forms for tax purposes...

Change the wording in the sixth paragraph to read....over all matters related to the Office of Director of Information Technology and all matters.....

Section 2. That the Sub-section entitled "Committee Rules for Legislators" shall be amended to set the time of the Legislative Committee meetings as follows:

Amend Section 6 to read General Services Committee shall meet the 3rd Tuesday of each month at 1 p.m.

Amend Section 7 to read Health and Human Services Committee shall meet the 3rd Tuesday of each month at 3 p.m.

Amend Section 8 to read Finance and Rules Committee shall meet the 3rd Tuesday of each month at 4 p.m.

Section 3. That the Sub-section entitled "Committee Rules for Staff" Subd. 2 shall be amended to read.. Dates and times of these pre-agenda meetings shall be set by the County Manager.

Section 4. The Standing Rules of the Board of Legislators of Lewis County as specifically amended herein are hereby adopted effective for the period July 1, 2019 through December 31, 2019, and shall remain in full force and effect.

Section 5. That this resolution shall take effect immediately.

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

RESOLUTION NO. 216 - 2019

RESOLUTION SETTING ENFORCEMENT HEARING DATE PURSUANT TO LOCAL LAW NO. 2-2007, UNSAFE BUILDINGS LAW (7864 MARSHEY ROAD, TOWN OF DIANA)

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

WHEREAS, pursuant to Local Law No. 2–2007, entitled, "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES," (herein "Unsafe Building Law"), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe where the local town or village has relinquished to the County the responsibility of enforcing and administering Section 1202 of the Uniform Code; and

WHEREAS, pursuant to Section 5 of such Local Law, the Lewis County Code Enforcement Officer ("CEO") conducted an investigation of the premises known as Tax Map No. 019.00-03-14.000, currently owned by Charles E. Orr and Roxy M. Orr (herein the "Owners"). The CEO observed in his report that a manufactured home located at 7864 Marshey Road, Town of Diana, County of Lewis, was destroyed by a fire on October 14, 2017. There was a fatality as a result of the fire. At that time the property was an active crime scene being investigated by the Lewis County Sheriff's Department. Upon investigation completion, the CEO advised the committee that the partial, remaining structure is unsafe and issued a report to the Board of Legislators indicating same, with a recommendation that the County take the necessary steps to demolish and remove what remains of the charred structure and remediate the site; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby finds in accordance with the report of the Lewis County Code Enforcement Officer that:

1. The herein described building/remaining structure is unsafe and that such building/structure constitutes a public nuisance and a danger to the safety, health and welfare of the community; and

2. It is the opinion of the Board of Legislators that the remaining building/structure must be demolished and removed from the premises.

Section 2. That by reason of such findings, the Board of Legislators hereby

ORDERS AND DECREES that Charles E. Orr, ("the Owner") of said building appear before this Board of Legislators (in person or by teleconference) on the 6th day of August, 2019 at 5:00 p.m., and to Show Cause before this Board why it should not Order said Owner to immediately demolish and remove the remaining building/structure and remediate the site located on the parcel identified as Tax Map No. 019.00-03-14.000; and that in the event the Owner or his

designated agent fails to comply with such Order or fails or refuses to demolish or remove said building and related debris, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located, and commence a special proceeding to collect the costs of demolition, including legal expenses.

Section 3. That the Board of Legislators further

ORDERS, AND DECREES that Notice of this Decision and Order shall be given to the Owner of such building at least seven (7) days prior to the hearing date set forth above as follows:

The Notice shall contain the following:

1. a description of the premises;
2. a statement of the particulars in which the building or equipment is deemed unsafe or dangerous;
3. an order outlining the manner in which the building or equipment is to be made safe and secure, or demolished and removed;
4. a statement that the securing or removal of such building shall commence within thirty (30) days of the service of the notice and shall be completed within sixty (60) days thereafter, unless, for good cause shown, such time shall be extended;
5. a date, time and place for a hearing before the Board of Legislators in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the notice; and
6. a statement that in the event of neglect or refusal to comply with the order to secure or demolish and remove the building or equipment, the Board of Legislators is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 4. That the Board of Legislators further

ORDERS, AND DECREES that the said notice shall be served

1. by personal service of a copy thereof upon the owner, executor, administrator, agent, lessee, or any person having a vested or contingent interest in such unsafe building as shown by the records of the receiver of taxes (or tax collector) or of the county clerk; or if no such person can be reasonably found, by mailing such owner by registered mail a copy of such notice directed to his last known address as shown by the above records; and
2. by personal service of a copy of such notice upon any adult person residing in or occupying said premises if such person can be reasonable found; and
3. by securing affixing a copy of such notice upon the unsafe building or equipment.

A copy of the notice served as provided herein shall be filed in the office of the County Clerk.

Section 5. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 217 - 2019

RESOLUTION AUTHORIZING COUNTY OF LEWIS TO ENTER AGREEMENT WITH ABJ FIRE PROTECTION CO. FOR SPRINKLERS AND BACKFLOW PREVENTER INSPECTIONS AT COURTHOUSE, PUBLIC SAFETY BUILDING AND DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, ABJ Fire Protection Co., with offices located at 6500 New Venture Gear Dr., E. Syracuse, NY 13057, is a full-service alarm and sprinkler company with extensive expertise in the design and installation in the life safety sector; and

WHEREAS, the County of Lewis desires to enter into an Agreement with ABJ Fire Protection Co. to perform sprinkler and backflow preventer inspections at the Lewis County Court House, Public Safety Building and Department of Social Services; and

WHEREAS, the inspections for the sprinkler system and backflow preventer will be performed quarterly at the Lewis County Court House and Public Safety Building and an inspection of the backflow preventer will be performed annually at the Department of Social Services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis and ABJ Fire Protection Co. to perform sprinkler and backflow preventer inspections at the Lewis County Court House, Public Safety Building and the Department of Social Services.

Section 2. That the term of this agreement shall be in effect from July 1, 2019 through June 30, 2020 with quarterly installments of $325.00 for the Lewis County Court House; quarterly installments of $400.00 for the Lewis County Public Safety Building and one annual payment of $110.00 for the Lewis County Department of Social Services, for a total cost of $3,010.00.

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. 218 – 2019

RESOLUTION INCREASING DISTRICT ATTORNEY SALARY PURSUANT TO NEW YORK STATE BUDGET MANDATE AND JUDICIARY LAW

Introduced by Jerry King, Chairman of the General Services Committee and Bryan Moser, Chair of the Finance and Rules Committee.

WHEREAS, on December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increases to the salaries of state judges in 2016 and 2018, and to place New York State Supreme Court justice salaries on par with those of federal district court judges by March 31, 2018. NYS has confirmed that the annual salary for a NYS Supreme Court Justice as of April 1, 2019 is $210,900 (an increase from $208,000 in 2018) based upon a Cost of Living Adjustment granted to Federal Court District Judges to which NYS Supreme Court Justices salaries are tied. County Court Judges' salaries are set at 95% of a Supreme Court Justice's salary ($200,355 in 2019); and

WHEREAS, State Judiciary Law 183-a links judicial salaries with full-time county district attorneys' (DA) salaries. In Lewis County, the effect of this law results in the full-time DA salary being equal to the County Court Judge's salary; and

WHEREAS, for over 50 years in prior times, the State paid for every mandated DA salary increase through the State Budget. On April 1, 2016 the State adopted a budget and failed to include the costs to counties to fund these significant DA salary increases, once again shifting another unfunded, mandated cost to the counties. Since 2014, the State has reimbursed the County only $72,189 toward the DA salary increases; and

WHEREAS, since this unfunded mandated increase in 2016, the County has incurred $47,855 in increases to the DA salary (over a 31% increase), while the State kept the annual reimbursement amount at $72,189:

Budgeted Salary	Mandated Salary as of April 1	Increase
2016: $152,500	$183,350	$30,850
2017: $183,350	$185,200	$ 1,850
2018: $185,200	$197,600	$12,400
2019: $197,600	$200,355	$ 2,755

; and

WHEREAS, these unfunded mandated increases to the DA salary negatively impact the County's allowable tax cap growth under the state-imposed 2% property tax cap year after year; and

WHEREAS, in 2016, 2017 and 2018, the Lewis County Board of Legislators recorded its opposition to the State's budgets which included this unfunded mandate of a raise in the salary of the full-time DA without a chapter amendment to the State budget to rectify this unfair financial

burden to the County; and again renews its opposition to this mandatory salary increase burden; and

WHEREAS, the Governor can rectify this unfunded, mandated expense to the County by approving a chapter amendment to the budget for the State to reimburse the counties for any pay increases, effective and retroactive to April, 2016 and thereafter. The Governor's failure to do so will show, once again, that he has reneged on numerous promises made not to subject the counties to any unfunded mandates; and

WHEREAS, the Board of Legislators renews its opposition to this unfunded, mandated additional increase to the DA salary effective April 1, 2019. By the Governor's failure to properly act to rectify this matter, the Board is again placed in an untenable position of being forced to abide by the current obligations under State Judiciary Law §183-a, unless and until amended by the Governor and State Legislature to provide this specific financial relief to the counties.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby records its continued opposition and disappointment with the Governor and the State Legislature in allowing this on-going unfunded state mandated financial burden to be placed upon the County and its taxpayers for the additional increase to the full-time DA salary effective April 1, 2019; a cost the State had always previously paid and funded for over fifty (50) years. The Board of Legislators reminds the Governor that he can rectify this matter by signing a chapter amendment to the State Budget to require the State to pay the costs of mandated District Attorney pay increases as set forth in Judiciary Law § 183-a; and require the State to reimburse the counties for any amounts it pays and has paid under the law effective and retroactive to April 1, 2016.

Section 2. That the Lewis County Board of Legislators reluctantly authorizes the State mandated District Attorney annual salary of $200,355 (an increase from $197,600), effective April 1, 2019, and directs that the Chairman of the Board of Legislators take any and all continued action to secure reimbursement from the State for this unfunded, mandated increase payment.

Section 3. That the Lewis County Board of Legislators directs the Treasurer to adjust the payroll and pay any unbudgeted amount for this increase from the contingency fund.

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

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

RESOLUTION NO. 219 - 2019

RESOLUTION TO TRANSFER FUNDS
ELECTIONS

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

BE IT RESOLVED, as follows:

Section l. That the following transfer is hereby approved in the Elections Department from Contingency for the additional amount needed to purchase voting machines:

From:	Amount
A0199000 499900 Contingency	$7,500.00
To:	
A0145100 221100 Equipment	$7,500.00

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

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

RESOLUTION NO. 220 - 2019

RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE OF INTEROPERABLE COMMUNICATIONS TO SET ASIDE SUFFICIENT 911 FUNDING TO COUNTIES IN ORDER TO PROPERLY MAINTAIN EXISTING SYSTEMS AND BECOME COMPLIANT WITH FEDERAL FCC FUNDING OPTIONS

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

WHEREAS, the funding mechanism that New York State counties use to help operate, maintain and upgrade 911 system capability and performance is out of date and does not correspond well to recent technology and marketplace changes; and

WHEREAS, the FCC found that in 2017, New York State diverted $170.9 million (90.35%) of E911 consumer fees generated for non-911-related programs, thus shifting the bulk of Next Generation 911 (NG911) readiness financing to counties and other local governments PSAPs in New York State; and

WHEREAS, the diversion of E911 funds results in a system that does not direct sufficient revenue to allow counties to properly maintain existing systems, while also preparing to implement NG911 technology required under federal law; and

WHEREAS, under current law, for the last two budget years, $10 million was authorized and targeted directly to PSAPs and up to $65 million was set aside for the provision of grants and reimbursements to counties administered by the State Interoperable Communications Grants (SICG) program and the Division of Homeland Security; and

WHEREAS, due to the designation of said E911 fees by New York State for non-911-related expenses, New York State PSAPs are not eligible for any of the $115 million federal grant funding for E911 and NG911 enhancements and IP based advanced networks; and

WHEREAS, the goal of upgraded NG911 systems is to make sure that all devices capable of connecting to the system can do so using voice, text, video images and other data formats to better inform the emergency responders to the situation they will be entering; and

WHEREAS, NG911 upgraded systems will be able to better pinpoint an emergency call in a remote area of the state or in a multi-storied building in one of our communities; and

WHEREAS, recognizing a more precise location of those needing emergency services will improve outcomes and save lives, but this cannot be accomplished without consistent and timely funding from the state.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls upon Governor Andrew M.

Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications to release all funds authorized to ensure eligibility for Federal FCC E911/Next Generation 911 (NG911) resources and to ensure that future authorizations are released in full in the budget year they are appropriated.

Section 2. That releasing these funding obligations on a regular schedule will provide certainty and build continuity as counties upgrade and maintain existing systems and prepare for NG911 development and implementation.

Section 3. That the Clerk of the Board shall forward copies of this Resolution to Governor Andrew M. Cuomo, the Commissioner of the Division of Homeland Security and Emergency Services; Senate Majority Leader Andrea Stuart-Cousins; Senate Minority Leader John J. Flanagan; Senator Michael Ranzenhofer; Speaker of the Assembly Carl Beastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian Kolb; Member of the Assembly Stephen Hawley and all others deemed necessary and proper.

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

RESOLUTION NO. 221 - 2019

RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS FOR BRIDGE REPLACEMENT PROJECT (PIN 775389) KNOWN AS CR 43 (EAST ROAD) OVER MOOSE CREEK

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

WHEREAS, a Project for the Bridge Replacement known as CR 43 (East Road) over Moose Creek (PIN 775389; BIN 3339700) (the "Project") in the Town of Leyden, 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, the County of Lewis desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases of the Project; 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 and upon its approval (if approved) will be applied to the appropriate phases by means of a supplemental agreement.

NOW, THEREFORE, BE IT RESOLVED by the Lewis County Board of Legislators, duly convened, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Lewis County Board of Legislators, to pay in the first instance 100% of the federal and non-federal share of the cost of the Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases work for the Project or portions thereof.

Section 3. That the sum of $158,000.00 is hereby appropriated from County general funds, and made available to cover the cost of participation in the above Preliminary Engineering/Design Phase ($150,000.00) and the Right-Of-Way (ROW) Incidentals Phase ($8,000.00); with the local share cost being $31,600.00 if no other state-aid is approved/applied.

Section 4. That in the event the full federal and non-federal share costs of the project exceed the amount appropriated above, the Lewis County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification to the Chairman of the Board of Legislators.

Section 5. That the Chairman of the Lewis County Board of Legislators, be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Lewis County Board of Legislators, with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of the Project costs, and permanent funding of the local share of federal-aid and state-aid eligible Project costs, and all Project costs within appropriations therefore that are not so eligible.

Section 6. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to execute all necessary consultant agreements, right-of-way certifications, reimbursement requests for Federal Aid on behalf of Lewis County, and any other document, not including the Agreement with NYS DOT, that may be necessary to carry out the terms of this Resolution.

Section 7. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 8. That the within Resolution shall take effect immediately.

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

RESOLUTION NO. 222 – 2019

RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE TO LEWIS COUNTY GENERAL HOSPITAL

Introduced by Legislator Richard Chartrand, Hospital Board of Managers' representative.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County General Hospital, to create the following position:

TITLE	STATUS
Director of Quality Assurance (1)	Full-time

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

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

RESOLUTION NO. 223 - 2019

RESOLUTION AMENDING COMPENSATION PLAN TO AUTHORIZE POSITION RECLASSIFICATION IN OFFICE FOR THE AGING DEPARTMENT

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

WHEREAS, the Office for the Aging has determined nutritional services that were provided by county staff can now be provided contractually; and

WHEREAS, the resulting transfer of nutritional functions has caused a reorganization of the internal department staff; and

WHEREAS, the Human Resources Director has conducted a classification review and recommends the reclassification of an existing position of Nutritional Services Coordinator; and

WHEREAS, the Human Resources Director has identified duties and responsibilities that support the reclassification of said position to Meals Program Coordinator.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis by authorizing the following reclassification:

ABOLISH	
Nutrition Services Coordinator (Grade 34)	$52,125
CREATE	
Meals Program Coordinator (Grade 20)	$34,871

Section 2. That the Director of the Office for the Aging is hereby authorized to fill a vacant Aging Services Examiner as a result of this reorganization.

Section 3. This Resolution shall take effect July 8, 2019.

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

RESOLUTION NO. 224 - 2019

RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved representing additional State Aid for Unmet Needs for Office For the Aging Programs:

Revenue	
A0677200 337722 OFA Unmet Need	$36,650.00
Expense	
A0677200 483000 OFA Unmet Need	$36,650.00

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

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

RESOLUTION NO. 225 - 2019

RESOLUTION AUTHORIZING AGREEMENT AND ACCEPTANCE OF GRANT AWARD FROM NYS DEPARTMENT OF AGRICULTURE AND MARKETS TO DEVELOP COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

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

WHEREAS, the Agricultural and Farmland Protection Program was formed under Article 25-AAA of the Agriculture and Markets Law in an effort to encourage further development of agriculture and farmland as part of the NYS Legislature's constitutional mandate to provide for the protection of agricultural lands. These programs, at the initial stage, help counties and municipalities plan for the future of agriculture in their communities. In later stages, it funds programs to implement those plans to keep agriculture strong and farmland in production; and

WHEREAS, the NYS Department of Agriculture and Markets ("Department") has awarded Lewis County $50,000.00 in grant funds to develop a County Agricultural and Farmland Protection Plan; and

WHEREAS, the grant will assist the County in conducting agricultural inventories, determining ways to change zoning regulations to be more farm friendly, and in creating recommendations for agricultural economic development projects; and

WHEREAS, the Board of Legislators desires to authorize an agreement between the Department and the County of Lewis in order to accept the funding.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Grant Agreement between the County of Lewis and the New York State Department of Agriculture and Markets, pursuant to which the County of Lewis shall receive $50,000.00 in funds to develop a County Agricultural and Farmland Protection Plan.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Grant Agreement and all related and necessary documents required, including any amendments thereto, pending approval of the County Attorney.

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

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

RESOLUTION NO. 226 - 2019

RESOLUTION TO APPROPRIATE FUNDS
PLANNING DEPARTMENT

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Planning Department accounts for a NYS Department of Agriculture and Markets grant for the purpose of developing a Lewis County Agricultural and Farmland Protection Plan:

Increase Revenue:	
A0802000 339016 Pl Ag Enhancement	$50,000.00
Increase Expense:	
A0802000 473000 Pl Ag Enhancement	$50,000.00

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

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

RESOLUTION NO. 227 - 2019

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN LEWIS COUNTY DEPARTMENT OF RECREATION, FORESTRY & PARKS AND BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES) FOR ACCESS TO COUNTY PROPERTY FOR FORESTRY STUDENTS AND AUTHORIZATION FOR RECREATION, FORESTRY AND PARKS DEPARTMENT TO PARTICIPATE IN BOCES INTERNSHIP PROGRAM

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

WHEREAS, the Lewis County Department of Recreation, Forestry and Parks ("LCRFP") is responsible for all Lewis County reforestation property; and

WHEREAS, the Board of Cooperative Educational Services ("BOCES") provides an Internship Program for their students who are in a program in the field of natural resource management, conservation and forestry. The forests, fields and streams serve as their primary classrooms as they gain practical hands-on experience in the forest industry; and

WHEREAS, LCRFP desires to partner with the BOCES program by having LCRFP participate in the BOCES Internship Program for projects, including but not limited to various building, maintenance and forestry activities, under the terms and conditions of BOCES Internship Program. In addition, the LCRFP desires to grant BOCES access to the County's reforestation property in order to provide its students with forests, fields, and streams to gain practical hands-on experience in the forest industry. Some of the projects may consist of building lean-to's, building trails, and creating signs.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the Lewis County Department of Recreation, Forestry and Parks and the Board of Cooperative Educational Services to enable its students to gain hands-on field experience by providing access to County reforestation property to BOCES for management, conservation and educational experiences and activities by its students. The Director of LCRFP shall be provided with prior notice and shall authorize all dates, locations and scheduled activities by the students, who must be properly supervised by BOCES teachers and/or administrators at all times.

Section 2. That the term of this Agreement shall be from September 1, 2019 and continue through August 31, 2020.

Section 3. That the LCRFP Department is authorized to participate in the Internship Program, provided there is no cost to the County.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators together with the Director of Recreation, Forestry and Parks are hereby authorized to make, execute, seal and deliver such Agreement, upon approval by the County Attorney as to form and content.

Section 5. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 228 - 2019

RESOLUTION AUTHORIZING CLOSE OUT AREEMENTS AND FINAL PAYMENTS BETWEEN THE COUNTY OF LEWIS AND E. F. JOHNSON TECHNOLOGIES, INC. FOR THE EMERGENCY COMMUNICATIONS RADIO SYSTEM PROJECT

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

WHEREAS, in March, 2014, the County of Lewis entered into an agreement with EF Johnson Technologies, Inc., to construct and install equipment and software for the purpose of an upgraded integrated Voice, Alert Paging And Dispatch Monitor Radio System (collectively, "Radio System") that meets New York State and local government requirements. The proposed system replaced the County's outdated and spotty system; and

WHEREAS, the agreement provided for EF Johnson to guarantee 95% coverage and to address a number of issues at various towers. Final inspections with repairs and corrections were carried out by EF Johnson through May 10, 2019. Final coverage testing results showed 97.36% portable coverage. With various change order credits to the County, the total balance owing to EF Johnson for final payment under this contract is $191,033.20; and

WHEREAS, in 2018, the Board of Legislators authorized an additional agreement with EF Johnson to purchase and install software and equipment for Interoperability Base Stations to be added to the system. That system is also now complete, with final payment under the contract being $78,166.97, payable from the Radio Grant FY SICFG funding; and

WHEREAS, the Board of Legislators seeks to execute the final close out documents with EF Johnson under these two (2) contracts and authorize the final payment of $191,033.20 under the upgraded integrated Radio System contract from the Radio Capital Fund, and the final payment of $78,166.97 under the Interoperability Base Stations contract from Radio Grant FY SICG funding;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby determines that the contracts with E. F. Johnson Technologies, Inc. for a turn-key implementation of an integrated Voice, Alert Paging, and Dispatch Monitor Radio System and Interoperability Base Stations for the Lewis County Emergency Communications Center are satisfactorily completed and that Close Out Documents pertaining to same with EF Johnson are hereby authorized.

Section 2. That the Board of Legislators hereby authorizes and directs that a payment of $191,033.20 be made from the Radio Capital Fund to EF Johnson in full satisfaction of any and all amounts owing to EF Johnson pursuant to the original upgraded integrated Radio System contract and all modifications and extensions thereto. Said payment represents the final payment after credits to the County for any and all change orders and price adjustments.

Section 3. That the Board of Legislators further authorizes and directs that a payment of $78,166.97 be made from the Radio Grant FY SICG funding to EF Johnson in full satisfaction of

any and all amounts owing pursuant to the 2018 Interoperability Base Stations contract and all modifications and extensions thereto.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Close Out Agreements, upon such form(s) as may be approved by the County Attorney.

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

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

RESOLUTION NO. 229 - 2019

RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE (COUNTY OF LEWIS TO SUSAN BIELECKI)

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

WHEREAS, Susan Bielecki executed a Mortgage in favor of the County of Lewis dated November 20, 1991, and recorded in the Lewis County Clerk's Office on December 20, 1991, in Liber 354 on Page 329 to secure payment of a loan in the amount of $10,000.00 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

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

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

RESOLUTION NO. 230 - 2019

RESOLUTION TO APPROPRIATE FUNDS FOR SOCIAL SERVICES

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

WHEREAS, the Department of Social Services has received allocations in the amount of $20,000 to support Code Blue funding from October 2018 thru September 2019; and

WHEREAS, the Department of Social Services has received an allocation in the amount of $30,000 to support Family First funding from April 2019 thru March 2020.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved in the 2019 Social Services Budget:

Increase Revenue:	
A0614000 336400 Safety Net State Revenue	$20,000.00
A0601000 336100 State Admin Revenue	$30,000.00
Increase Expense:	
A0614000 499900 Safety NetExpense	$20,000.00
A0601000 490900 DSS Misc Expense	$30,000.00

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

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

RESOLUTION NO. 231 - 2019

RESOLUTION ESTABLISHING AND ADOPTING PAYMENT AND CREDIT POLICIES FOR LEWIS COUNTY SOLID WASTE/RECYCLING AND TRANSFER STATIONS

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

WHEREAS, the Lewis County Solid Waste/Recycling billing cycle is monthly. Most customers adhere to the thirty-day payment cycle, but some who do not and become severely delinquent cause additional expense and time to be unnecessarily expended while causing financial burden to the Department; and

WHEREAS, the Director of Solid Waste/Recycling proposes the adoption of the attached payment and credit policy by the Lewis County Board of Legislators to become effective immediately. This proposed policy is similar to that in effect by the Development Authority of the North Country ("DANC"), with whom Lewis County Solid Waste works closely; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and adopts the attached Lewis County Solid Waste/Recycling Payment and Credit Policy as presented to the Board of Legislators by the Director of Lewis County Solid Waste/Recycling.

Section 2. That the Clerk of the Board is hereby directed to add the policy to the Administrative Manual, 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, Board members and any other appropriate agencies of the County.

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

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

LEWIS COUNTY SOLID WASTE/RECYCLING

TRANSFER STATIONS

Credit Policy & Application

NYSDEC Operating Permit # 6-2336-00025/00005

LEWIS COUNTY
NEW YORK

LEWIS COUNTY SOLID WASTE/RECYCLING
7660 NORTH STATE STREET
LOWVILLE, NY 13367

PHONE: (315) 376-5394 FAX: (315) 376-5874
www.lewiscounty.org
www.northcountryrecycles.org

Lewis County Solid Waste/Recycling

Governance Policies

Subject: Solid Waste Credit Policy
Adopted: _____
Resolution: _____

Solid Waste Credit Policy

1. Lewis County Solid Waste/Recycling will extend credit under the terms outlined below upon completion, submission, and acceptance of attached Credit Application, Authorization for Release of Credit Reference Information and Guarantee of Payment. Applications must be filled out completely with all requested information. Applications received that are incomplete will not be considered.

2. All credit applications will be subject to trade reference verifications.

3. Lewis County Solid Waste/Recycling billing cycle is monthly. A statement of account is generated for transactions incurred from the 1st of the month through the last day of the month.

4. Payments for new transactions are due within 30 days of the statement date on which those transactions appeared.

5. A late payment fee of 1 ½% of the outstanding balance will be charged for statements over 30 days.

6. If an account is 30 or more days past due, charging privileges may be revoked until the account becomes current.

7. Customers who hold a solid waste disposal permit for Lewis County Solid Waste/Recycling transfer stations may be subject to revocation of that permit and their trucks denied entry to the transfer station for accounts deemed by Lewis County Solid Waste/Recycling to be severely delinquent.

8. In cases where a customer's check is returned for insufficient funds, a $20.00 service charge will be applied to the account, and the customer's account will be considered past due until the debt has been satisfied. The customer's waste hauler permit may also be revoked, if applicable.

9. If a customer requests that a returned check be resubmitted for payment, and the check is returned a second time, an additional service charge of $20.00 will be applied to the customer's account and payment will then have to be in the form of a cashier's check or money order. The customer's waste hauler permit may also be revoked, if applicable.

10. For accounts that are denied credit terms, payment must be made COD for any transactions processed for that customer.

11. Accounts for which there has been no credit activity for a period of 2 years will be closed. It will be necessary to reapply for future credit transactions.

12. Lewis County Solid Waste/Recycling, in its sole discretion, reserves the right to deny credit to anyone for any reason.

13. Lewis County Solid Waste/Recycling reserves the right to request an updated credit history and re-evaluate such approval at any time.

14. Credit applications can be mailed to:

Lewis County Solid Waste/Recycling
7660 North State Street
Lowville, NY 13367

Lewis County Solid Waste/Recycling
7660 North State Street
Lowville, NY 13367

Credit Application

Phone: (315) 376-5394 Fax: (315) 376-5874

Company Information (Please type or print)

Company Name:_____ Date of Application:_____

Street Address:_____ City:_____ State:_____ Zip:_____

Mailing Address:_____ City:_____ State:_____ Zip:_____

Phone No.:_____ Fax No:_____ Email:_____

Organizational Profile

___Corporation ____Partnership ____Proprietorship ____Municipality ____LLC

___Other (specify)_____ Type of Business:_____

Taxpayer ID:_____ Date Business Started:_____

List names, titles, addresses and telephone nos. of all officers, directors, principals or partners:

_____

_____

_____

Do any unsatisfied judgments exist? ___Yes___No If yes, please explain:	Have you ever filed bankruptcy? ___Yes ___ No If yes, please explain:

Bank Reference

Bank Name:_____ Account No:_____

Address:_____ City_____ State:_____ Zip:_____

Phone No:_____ Fax No:_____ Contact:_____

DRAFT

Trade References (3 Required)

Co. Name:_____ Account No:_____

Address:_____ City_____ State:_____ Zip:_____

Phone No:_____ Fax No:_____ Contact:_____

Co. Name:_____ Account No:_____

Address:_____ City_____ State:_____ Zip:_____

Phone No:_____ Fax No:_____ Contact:_____

Co. Name:_____ Account No:_____

Address:_____ City_____ State:_____ Zip:_____

Phone No:_____ Fax No:_____ Contact:_____

Terms and Conditions:

Lewis County Solid Waste/Recycling requires full payment for each billing period on or before the 30th day after the end of the period. A 1.5% late fee will be due if payment is not received within 30 days of the statement date. If a customer's account is more than 30 days past due, the customer's charging privileges and/or permit may be revoked until the account is paid in full, including any accumulated late fees. If a collections action or legal action is required by Lewis County Solid Waste/Recycling, the Applicant will be responsible for all reasonable charges associated with the same, including attorney fees.

By my signature I certify that I have the authority to sign for Lewis County Solid Waste/Recycling and I grant permission to Lewis County Solid Waste/Recycling to run a credit history on the Applicant. I also certify that the information herein provided is true and accurate and attest to the same under the penalty of perjury. _____ (Principal or Owner Signature) _____ (Printed Name) _____ (Title) _____ (Date)	**Official Use:** **Application Approved:** **Application Denied:** **Date:**_____ **By:**_____ **Title:**_____ **Reason:**

Lewis County Solid Waste/Recycling

7660 North State Street
Lowville, NY 13367

Guarantee of Payment of Haulers / Customers Indebtedness to Lewis County Solid Waste/Recycling

In order to induce Lewis County Solid Waste/Recycling to extend credit to:
_____ the undersigned individual ("Guarantor")
(Applicant)
unconditionally guarantees Lewis County Solid Waste/Recycling that the Applicant will promptly and punctually pay or cause to be paid when due any indebtedness owed by the Applicant to Lewis County Solid Waste/Recycling and, in default of such payment, the undersigned unconditionally promises and agrees to pay Lewis County Solid Waste/Recycling, upon demand, all amounts which the Applicant shall owe Lewis County Solid Waste/Recycling, whether such amounts now exist or shall hereafter arise, together with interest thereon and costs of collection, including reasonable attorneys fees ("obligations").

Guarantor further agrees (a) that this Guaranty shall not be affected or impaired by any extension, renewal, release or modification of the obligations secured thereby, or any one or more of them or of any term or provision thereof or of any instruments given in pursuance thereof of in exchange thereof or to supplement, extend, modify or take up the same or any security therefore, and (b) that without notice to or further consent of Guarantor, Lewis County Solid Waste/Recycling and the Applicant may deal with each other as they may see fit without in any way releasing or affecting the liability of guarantor or impairing Lewis County Solid Waste/Recycling's rights and remedies under this Guaranty, and (c) that the liability of the guarantor hereunder shall be immediate, direct and unconditional and may be enforced without Lewis County Solid Waste/Recycling pursuing any of its rights or remedies against the Applicant, its successors or assigns or against any security that Lewis County Solid Waste/Recycling may have, hold or be entitled to or against Guarantor or any other guarantor of said indebtedness, and (d) that the liability of Guarantor shall not be affected by any lack of authority or any other defense which the Applicant or Guarantor might have against the enforcement against them of any of the agreements referred to above.

Notice of any default or non-payment by the Application of the obligation or obligations and demand for payment and presentment and protest of any note or of any other related instrument and notice thereof or of dishonor, non-payment or protest are hereby waived by Guarantor.

No delay by Lewis County Solid Waste/Recycling in exercising any right, power or privilege under the obligations or this Guaranty or otherwise, shall operate as a waiver of any such privilege or right. This Guaranty and the liability of Guarantor hereunder shall be binding upon the heirs, distributees, legal representatives, successors, and assigns of Guarantor. All of the rights of Lewis County Solid Waste/Recycling may be assigned by it and shall inure to the benefit of its successors and assigns; Lewis County Solid Waste/Recycling shall give notice to Guarantor of any assignment, but the failure to give notice shall not affect the validity or enforceability of this Guaranty.

If there is more than one person designated hereunder as Guarantor, their obligations under this Guaranty shall be joint and several and references to "Guarantor" in this agreement shall, where the context makes appropriate, refer to them and each of them.

IN WITNESS WHEREOF, Guarantor has signed this instrument on

_____
Date

_____
Principal or Owner Signature

_____
Printed Name

_____
Business Name

_____
Business Address

_____
Business Address

_____
Federal ID #

ACKNOWLEDGEMENT

STATE OF NEW YORK ss:
COUNTY OF _____

On the___day of_____, 20___ ,before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, entity or person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

Lewis County Solid Waste/Recycling
Authorization For The Release Of Credit Information

The undersigned hereby authorizes and directs you to release any and all financial information in your possession regarding my accounts, loans, transactions, lending history or any other information that may be useful in determining my credit worthiness to Lewis County Solid Waste/Recycling, 7660 North State Street, Lowville, NY 13367.

I also consent, agree and authorize you to orally advise Lewis County Solid Waste/Recycling of any and all such information pertaining to my credit worthiness.

Finally, I agree to hold you and Lewis County Solid Waste/Recycling harmless from any and all liability which may result from the transmission of any information provided hereunder. I am signing this release on behalf of the corporation, partnership or sole proprietorship for which, by my signature, I certify that I have the authority to sign.

I have read and understand the above:

_____
Principal or Owner Signature

_____
Printed Name

Signed on behalf of:

_____
Business Name

_____
Date

RESOLUTION NO. 232 - 2019

RESOLUTION TO APPROPRIATE FUNDS
STOP DWI

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

BE IT RESOLVED, as follows:

Section l. That the following appropriation is hereby approved in the DWI accounts for additional NYS STOP-DWI 2018-2019 "Crackdown" grant funds for enforcement during the moe.down concert event; and rollover of the 2017-2018 grant of $4,200.91:

Increase Revenue:	
A0331500 333110 Traffic Safety Grant	$3,000.00
A0331500 333110 Traffic Safety Grant	$4,200.91
Increase Expense:	
A0331500 492400 DWI Safety Grant	$3,000.00
A0331500 492400 DWI Safety Grant	$4,200.91

Section 2. . That the following appropriation is hereby approved in the DWI accounts for NYS STOP-DWI Grant Special Traffic Options funds:

Increase Revenue:	
A0331500 333111(DWI Grant)	$6,465.52
Increase Expense:	
A0331500 496200(DWI Grant)	$6,465.52

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

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

RESOLUTION NO. 233 - 2019

RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND EFPR GROUP, CPA, PLLC FOR AUDITING SERVICES FOR THE COUNTY OF LEWIS

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

WHEREAS, the County of Lewis, by and through the Lewis County Treasurer's Department, desires to enter into an Agreement with EFPR Group, CPA, PLLC, (formerly Toski & Company, P.C.) for auditing and related services for the County of Lewis; and

WHEREAS, the audit will consist of the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the County for years ending December 31, 2019, 2020 and 2021.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the auditing plan as outlined in the letter dated June 11, 2019 from EFPR Group, CPA, PLLC for County audit and related services.

Section 2. That the auditing services shall be at a cost of $47,000 for the year ending December 31, 2019; $48,000 for the year ending December 31, 2020; and $49,000 for the year ending December 31, 2021.

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.