

2019

FOURTH ANNUAL SESSION

DECEMBER 5, 2019

The Board convened at 10:30 A.M. in the Supervisors' Chambers at the Court House, Lake Pleasant, New York, with the Chairman, William G. Farber presiding. Mr. Farber led the members of the Board of Supervisors in the Pledge of Allegiance to the Flag, and an opening prayer.

The Clerk, Mrs. Laura Abrams, called the roll with the following Supervisors answering:

Arietta	Richard A. Wilt
Benson	John M. Stortecky
Hope	Steven M. Tomlinson
Indian Lake	Brian Wells
Inlet	John Frey
Lake Pleasant	Daniel Wilt
Long Lake	Clark J. Seaman
Morehouse	William G. Farber
Wells	Donald W. Beach

Also present: County Attorney, Nick Mauro and Jane Zarecki - County Clerk

Public Comment:

The Chairman stated that Jane Zarecki, County Clerk, had asked to address the Board during this time. He introduced and gave her the floor.

Ms. Zarecki explained that the Governor signed what is called the Green Light Law. This law is to issue drivers licenses to aliens. The Board was very kind years ago to support her in her decision where she didn't agree with the new law and didn't want any part of it. It never came to pass last time but this time it is. It is going to be effective as of December 16th. Other than yesterday when her department had their first training webinar on how this process works, they have been kept in the dark. What this new law entails is giving standard drivers licenses to aliens. She is concerned about the aliens that speak foreign languages. NYS DMV has set up a phone number for them to call if they need an interpreter, at the same time, they have broadened the scope of documentation that we can take from aliens. She doesn't think that her department has the training or capability of doing these types of transactions. She has had a strategy meeting with the NYS County Clerks to find out where they all stand. A majority of them feel the same way she does. If the Governor wants to push this on them then the transactions should be sent on to the District Office. She does have an email out to the County Clerks Association to see how many of them will not be doing this. This puts us in a position where Clerks could be removed from office for violating State and Federal Law. She is looking for the Board's support on her position on the Green Light law. The County Attorney stated that if indeed it's the law then she is making an emotional case against it not a legal one. If she were to have a US citizen come into her office that spoke a foreign language,

wouldn't she have to deal with that too? Under her thought process, they would be entitled to that license and somehow she would have to try to assist that US citizen. He understands where she is coming from but it is the law. The Chairman asked Ms. Zarecki what she would do in an instance where a US citizen only spoke a foreign language. Ms. Zarecki stated that she has never had to deal with that and she would probably have to get on the phone. There is probably a language line interpreter that she could call. Ms. Zarecki stated that it's a violation of Federal Law. The Board discussed further. Mr. Frey stated that she would have to struggle the best she could. It is not up to the Board to make that decision. Ms. Zarecki stated what is stressed in the webinar is that they must reiterate to the customer that none of their information given is kept whether they understand us or not. This is just a heads up. Mr. Seaman stated that he sympathizes with Ms. Zarecki and that he agrees it's a conflict between State and Federal mandate. He supports her. Ms. Zarecki thanked them for listening. She left after her discussion.

Reports of Standings/Special Committees: No Reports.

The Chairman stated that there was a fairly robust discussion at AATV around the cellular issue. AATV and Adirondack Inter-County have been very successful in working with NYSAC and getting NYSAC to help with NACO. He has an opportunity to go in December to Washington DC with NYSAC to meet with FCC and Legislatures. He is going to try to see if we can get some help on the Federal level to align funding. The other thing, in that same vein, is that there have been conversations with the industry, Verizon, AT&T and T-Mobile, about how to backfill some of these areas as well as the New York State Wireless Association (NYSWA). At the AATV meeting they discussed regulatory issues at the local level that create challenges for the industry. There is nothing specific to act on now but he feels all these things are going to start moving fairly quickly as the taskforce work comes out. It's not a profit from the industry that we are looking for; it is getting it in and if there are costs that we have to incur to have them come in then we would expect the industry to pick those costs up. He is looking for feedback from the Supervisors and towns. Mr. D. Wilt stated that the Lake Pleasant Town Board has agreed to permit towers. Mr. Frey stated that the Inlet Town and Planning Board are looking at site towers that are usable and that includes height and visibility. The Chairman stated that a great deal of the conversation at AATV was around tower height and what's happened and why horizontal co-location has created an unfortunate reaction from the industry.

RESOLUTIONS:

After the following resolution was placed on the floor; the Chairman stated that the Board will have to think about changing January's Committee Day. The NYSAC Conference starts on January 27th and that is the date of Committee Day. He suggested changing it to Friday, January 24th.

RESOLUTION NO. 341-19

CALENDAR SCHEDULE OF REGULAR SESSIONS FOR THE YEAR 2020

DATED: DECEMBER 5, 2019

BY MR. SEAMAN:

RESOLVED, that the attached calendar as submitted by the Chairman of the Hamilton County Board of Supervisors be set up through November 5, 2020 with dates for the Annual Session determined at a later date, and be it further

RESOLVED, that Committee meetings shall be held on the Monday, eleven days prior to the regular Board meeting.

Seconded by Mr. Tomlinson and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

HAMILTON COUNTY BOARD OF SUPERVISORS
COURTHOUSE
Lake Pleasant, New York 12108

2020 Annual Meeting Calendar presented December 5, 2019
All meetings will start at 10:30 A.M. except when otherwise stated.

	MEETING DATE	CUT OFF DATE SUBMISSION OF BILLS
Organization Meeting 2PM	January 8, 2020	December 30, 2019
February Meeting	February 6	January 28, 2020
March Meeting	March 5	February 25
April Meeting	April 2	March 24
May Meeting	May 7	April 28
June Meeting	June 4	May 26
July Meeting	July 2	June 23
August Meeting	August 6	July 28
September Meeting	September 3	August 25
October Meeting	October 1	September 22
November Meeting	November 5	October 27

Committee meeting shall be held on the Monday, eleven days prior to the regular Board meeting.

RESOLUTION NO. 342-19

AUTHORIZING THE LEVY OF CHARGEBACKS TO TOWNS

DATED: DECEMBER 5, 2019

BY MR. FREY:

BE IT RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to levy, from towns as accumulated charge backs accrued, consisting of charge backs from corrections to the tax bills and for tax refunds, as well as any other incidental charges to the towns of Hamilton County as follows:

<u>Town</u>	<u>Drug and Alcohol Testing</u>	<u>Assessment Roll/Bill Printing</u>	<u>Election Expenses</u>	<u>Refund Over Pmts Court Orders/ Clerical Errors</u>	<u>Consolidated Health District</u>
Arietta	\$651.01	\$2,008.35	\$ 5640.90	0	
Benson	436.01	852.55	5,394.87	0	
Hope	522.02	928.30	4,483.96	0	
Indian Lake	780.06	3,301.85	9,724.16	0	
Inlet	1,296.17	2,355.85	5,266.65	0	
Lake Pleasant	952.08	2,304.40	5,693.96	0	\$57,212.89
Long Lake	651.01	2,889.00	10,381.77	0	
Morehouse	565.00	1,519.65	5,134.38	0	
Wells	694.04	1,811.05	6,164.22	0	
Totals	\$6,547.40	\$17,971.00	\$57,884.87	\$0.00	\$57,212.89

BE IT FURTHER RESOLVED, that the charge backs be included in the appropriate town's share of the 2020 County tax levy and to be included in the County tax rate applicable to each town.

Seconded by Mr. Wells and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN, FARBER AND BEACH

NAYS: NONE

After the following resolution was placed on the floor; the Chairman stated that the Board should have gotten a flyer for this conference. It would be good for a few of the Supervisors to attend. There are some big changes going on in government. The budget will be in full bloom around that time. If anyone follows the news there is a four billion-dollar Medicaid gap that they are pushing a portion of that shortfall from this fiscal year into next fiscal year. He can't overstate the importance of making sure that we have some representation in our state association.

RESOLUTION NO. 343-19

AUTHORIZATION TO ATTEND THE 2020 NYSAC LEGISLATIVE CONFERENCE

DATED: DECEMBER 5, 2019

BY MR. D. WILT:

WHEREAS, the New York State Association of Counties (NYSAC) will conduct the 2020 Legislative Conference in Albany, N.Y. January 27, 2020 – January 29, 2020, therefore, be it

RESOLVED, that all Supervisors and County Officials be granted permission to participate in the above mentioned Conference and that the actual and reasonable expenses of the officers attending such meeting shall be a County charge and be audited by this Board in the same manner as other County charges.

Seconded by Mr. Stortecky and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 344-19

AUTHORIZING OUT OF STATE TRAVEL

DATED: DECEMBER 5, 2019

BY MR. SEAMAN:

WHEREAS, the Chairman of the Board of Supervisors has been named to the Upstate Cellular Task Force, and

WHEREAS, as part of the effort to deploy improved cellular in Hamilton County the Chairman has a chance to join NYSAC in Washington, DC for a meeting with the Whitehouse, FCC, Senator Schumer's Office , and several members of Congress, and

WHEREAS, this Board of Supervisors continues to deem cellular coverage as critical infrastructure, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to travel to Washington, DC to cover meetings on December 16th and December 17th, with travel and necessary expenses potentially falling into the day before or the day after.

Seconded by Mr. Stortecky and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

After the following resolution was placed on the floor; the Chairman stated that the resolution represents our best estimate. Recently there have been a couple of deaths that will cause a fair amount of workload and at this point the account is already over budget.

RESOLUTION NO. 345-19

TRANSFER OF FUNDS – CORONER

DATED: DECEMBER 5, 2019

BY MR. FREY:

WHEREAS, there is a shortage of funds in the County Coroner Accounts, therefore, be it

RESOLVED, that the County Treasurer be hereby authorized to make the following transfers:

FROM:		
A1990.0401 Contingent		\$8,000.00
TO:		
A1185.0101 Coroners		\$ 4,000.00
A1185.0403 Autopsies		\$ 4,000.00

Seconded by Mr. Seaman and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

After the following resolution was placed on the floor; the Chairman stated that this is a continuation of the product that the Real Property Office uses, as does Emergency Management now. The cumulative impact therefore of the quote is that it's at \$12,000 and requires a resolution.

RESOLUTION NO. 346-19

AUTHORIZING PURCHASE OF GIS MAINTENANCE – RPTS AND 911

DATED: DECEMBER 5, 2019

BY MR. FREY:

WHEREAS, Hamilton County has received a quote from Esri, Inc. for maintenance of the Real Property Tax Service and 911 GIS systems in the amount of \$12,138.35, and

WHEREAS, the Real Property Tax Service portion of said quote is \$3,000.00 and the Emergency Management portion of said quote is \$9,138.35, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to accept said quote and the Real Property Service and Emergency Management Departments are authorized to purchase said maintenance from Esri, Inc. and the County Treasurer, Real Property Tax Service Director and Emergency Services Director be so notified.

Seconded by Mr. R. Wilt and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 347-19

**AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR PROVIDER SERVICES
WITH ADIRONDACK HEALTH INSTITUTE ON BEHALF OF PUBLIC HEALTH
NURSING SERVICE**

DATED: DECEMBER 5, 2019

BY MR. D. WILT:

WHEREAS, the Hamilton County Public Health Nursing Service is required to perform periodic full and updated Community Health Assessments (CHA), and

WHEREAS, the Hamilton County Public Health Nursing Service supported and participated in development and implementation of a regional community health assessment, through grant funding obtained by the Adirondack Health Institute, for completion of the Community Health Assessment, and

WHEREAS, the cost share for the Hamilton County Public Health Nursing Service to remain a part of this valuable regional process is \$5,000.00, which has been proposed in the 2020 Municipal Budget and is reimbursable through the State Aid process at 100%, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into an agreement on behalf of the Public Health Nursing Service with the Adirondack Health Institute, not to exceed \$5,000.00, for the period January 1, 2020 through December 31, 2020 upon approval of the County Attorney and the County Treasurer be so notified.

Seconded by Mr. Tomlinson and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 348-19

AUTHORIZING CHAIRMAN TO SIGN “CERTIFICATION STATEMENT FOR PROVIDER UTILIZING ELECTRONIC BILLING”

DATED: DECEMBER 5, 2019

BY MR. FREY:

WHEREAS, the Hamilton County Public Health Nursing Service submits electronic claims to the State’s Medicaid Fiscal Agent, and

WHEREAS, the agency maintains 3 programs for which one or more “Certification Statement for Provider Utilizing Electronic Billing” forms is required as follows:

Preschool Special Education Program:

ETIN: 6N8 – Medicaid Provider Number 03085178 - Expires May

ETIN: BE56 – Medicaid Provider Number 03085178 – Expires December

Early Intervention Program:

ETIN: NY7 – Medicaid Provider Number 02960992, NPI 1528197894 – Early Intervention Service Coordination. Expires October

ETIN: 00E8 – Medicaid Provider Number 02960992, NPI 1528197894 – Hamilton County Public Health Early Intervention Service Coordination. Expires May.

Hamilton County Public Health Nursing Service (CHHA):

ETIN: NY7 – Medicaid Provider Number 02997386 – Hamilton County Public Health Nursing Service. Expires October

ETIN: OZ7 – Medicaid Provider Number 02997386 – Hamilton County Public Health Nursing Service. Expires February,

ETIN: J5T (BlackTree) – Medicaid Provider Number 02997386 – Hamilton County Public Health Nursing Service. Expires October

be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign each “Certification Statement for Provider Utilizing Electronic Billing” for the Hamilton County Public Health Nursing Service, as needed, for the period January 1, 2020 through December 31, 2020.

Seconded by Mr. D. Wilt and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 349-19

AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH FORT HUDSON HEALTH SYSTEM, INC. REGARDING HOME HEALTH AIDE SERVICES

DATED: DECEMBER 5, 2019

BY MR. D. WILT:

WHEREAS, Hamilton County Public Health Nursing Service proposes to contract with Fort Hudson Health System, Inc. for the provision of home health aide level services for the resident of Hamilton County, and

WHEREAS, Hamilton County Public Health Nursing Service proposes to contract at the same rate as in 2019 of \$30.31 per hour for January 1, 2020 through December 31, 2020, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors be and is hereby authorized to sign a contract on behalf of the County of Hamilton with Fort Hudson Health System, Inc., 319 Broadway, Fort Edward, NY 12828 to provide services of Certified Home Health Aides to the patients of the Hamilton County Public Health Nursing Service at a rate of \$30.31 per hour for the period of January 1, 2020 – December 31, 2020.

Seconded by Mr. Seaman and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 350-19

AUTHORIZING CONTRACT WITH GLENS FALLS ANIMAL HOSPITAL FOR RABIES SPECIMEN PREPARATION AND SUBMISSION FOR PUBLIC HEALTH NURSING SERVICE

DATED: DECEMBER 5, 2019

BY MR. WELLS:

WHEREAS, the Hamilton County Public Health Nursing Service is required under New York State Public Health Law (PHL) and 10 NYCRR 40-2.100 and 2.101 to designate and maintain a system for communicable disease control, including rabies, and

WHEREAS, PHL sections 2140 through 2145 gives primary responsibility for control and suppression of rabies to local health departments, and

WHEREAS, that responsibility includes provision of specimen preparation by a qualified veterinarian; provision of quarantine for un-vaccinated suspect rabid animals; as well as euthanasia and cremation as appropriate following PHL, and

WHEREAS, the Glens Falls Animal Hospital, 66 Glenwood Avenue, Queensbury, NY 12804, is willing to provide said services for the County of Hamilton following NYS DOH guidance and directives, and

WHEREAS, HCPHNS is supported by annual NYSDOH grant funding and NYS aid to fund these activities, and

WHEREAS, Glens Falls Animal Hospital has agreed to collect fees for cremation, quarantine and/or subsequent required rabies vaccinations from animal owners as feasible per NYS Law, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into an agreement with the Glens Falls Animal Hospital for provision of services as outlined above upon, for the period January 1, 2020 through December 31, 2020, upon approval of the County Attorney and the County Treasurer be so notified.

Seconded by Mr. D. Wilt and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 351-19

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH HOME AIDE SERVICE
OF THE CENTRAL ADIRONDACKS, INC. REGARDING HOME HEALTH AIDE
SERVICES**

DATED: DECEMBER 5, 2019

BY MR. D. WILT:

WHEREAS, Hamilton County Public Health Nursing Service proposes to contract with Home Aide Service of the Central Adirondacks, Inc. (HASCA) for the provision of home health aide level services for the resident of Hamilton County, and

WHEREAS, Hamilton County Public Health Nursing Service proposes to contract at the same rate as in 2019 of \$30.31 per hour for January 1, 2020 through December 31, 2020, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors be and is hereby authorized to sign a contract on behalf of the County of Hamilton with Home Aide Service of the Central Adirondacks, Inc, PO Box 25, 114 S Shore Rd, Old Forge, NY 13420 to provide services of Certified Home Health Aides to the patients of the Hamilton County Public Health Nursing Service at a rate of \$30.31 per hour for the period of January 1, 2020 – December 31, 2020.

Seconded by Mr. Seaman and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 352-19

AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH HOME HEALTH CARE PARTNERS, CORP. REGARDING HOME HEALTH AIDE SERVICES

DATED: DECEMBER 5, 2019

BY MR. D. WILT:

WHEREAS, Hamilton County Public Health Nursing Service proposes to contract with Home Health Care Partners, Corp. for the provision of home health aide level services for the resident of Hamilton County, and

WHEREAS, Hamilton County Public Health Nursing Service proposes to contract at the same rate as in 2019 of \$30.31 per hour for January 1, 2020 through December 31, 2020, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors be and is hereby authorized to sign a contract on behalf of the County of Hamilton with Home Health Care Partners, Corp., 1830 River Front Center, Amsterdam, NY 12010 to provide services of Certified Home Health Aides to the patients of the Hamilton County Public Health Nursing Service at a rate of \$30.31 per hour for the period of January 1, 2020 – December 31, 2020.

Seconded by Mr. Beach and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 353-19

**CONTRACT WITH LAURA DAVIS, PHARMACEUTICAL CONSULTANT FOR THE
YEAR 2020**

DATED: DECEMBER 5, 2019

BY MR. R. WILT:

WHEREAS, the Hamilton County Public Health Nursing Service is required to have a Pharmaceutical Consultant to insure compliance with all federal and state regulations relative to the storage of pharmaceuticals within the Agency, and

WHEREAS, providers qualified to perform these services are limited within Hamilton County, and

WHEREAS, Laura Davis, 212 Meriline Avenue, Scotia, NY 12302 has agreed to perform the services for the Hamilton County Public Health Nursing Service at a charge of Two Hundred Fifty Dollars (\$250.00) per visit to the County plus mileage at the prevailing county rate, and

WHEREAS, she also agrees to provide pharmaceutical services to the County in the event of an emergency requiring large scale distribution of drugs or vaccines by the Agency at the rate of Fifty Dollars (\$50.00) per hour plus mileage, and

WHEREAS, she will maintain professional liability insurance in order to provide additional services during large scale distribution of pharmaceuticals, with the understanding that she will be reimbursed by the County for insurance premiums, not to exceed \$200.00, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into contract with Laura Davis, upon approval of the County Attorney, to perform Pharmaceutical Consultant Services for the Hamilton County Public Health Nursing Service pursuant to 10NYCRR Section 752.5, as delineated above for the period of January 1, 2020 through December 31, 2020 and the County Treasurer be so notified.

Seconded by Mr. D. Wilt and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 354-19

**CONTRACT WITH PATRICIA A. HAWLEY – MEDICAL RECORD CONSULTANT
AUDIT REVIEW – YEAR 2020**

DATED: DECEMBER 5, 2019

BY MR. D. WILT:

WHEREAS, the Hamilton County Public Health Nursing Service, as part of its Health Care Compliance Program will require a medical record audit review on its files on an annual basis, and

WHEREAS, providers qualified to perform these services within Hamilton County are very limited, and

WHEREAS, Patricia A. Hawley, of 1787 Call Street, Lake Luzerne, NY 12846 has agreed to perform a medical records audit review of the files at a cost of Four Hundred Twenty-Five Dollars (\$425.00) per day plus mileage at the prevailing county rate, and estimates that she will be required to review and audit the medical records biannually, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a contract with Patricia A. Hawley to perform a medical records audit and review of the Hamilton County Public Health Nursing Service Records, for the period January 1, 2020 through December 31, 2020.

Seconded by Mr. Stortecky and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 355-19

AUTHORIZING CONTRACTS WITH SPEECH-LANGUAGE PATHOLOGISTS

DATED: DECEMBER 5, 2019

BY MR. D. WILT:

WHEREAS, the Hamilton County Public Health Nursing Service contracts with individual providers of treatment for speech and language pathologies for several programs, and

WHEREAS,

Rebecca Lynn Pelton
9 Ordway Lane
North Creek, NY 12853

Patricia Wojcicki
372 Ridge Road
Broadalbin, NY 12025

are duly licensed Speech and Language Pathologists by the NYS Department of Education, Office of Professions and wish to contract with the Nursing Service, and

WHEREAS, the term of these contracts shall be from January 1, 2020 through December 31, 2020, and

WHEREAS, provider will be compensated at a rate of \$75.00 per visit plus mileage at the current county rate for services rendered through the Certified Home Health Agency, and

WHEREAS, the provider will be compensated at the current per visit rate, with mileage included in rate, set by the New York State Department of Education for services rendered under through the Preschool Special Education Program, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a contract with Rebecca Lynn Pelton, SLP, and Patricia Wojcicki SLP to provide treatment for speech and language pathologies to the residents of Hamilton County, for the period January 1, 2020 through December 31, 2020 at the rates set above, upon approval of the County Attorney and the County Treasurer be so notified.

Seconded by Mr. Seaman and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

After the following resolution was placed on the floor; Mr. Wells asked, this seems to be all in the lower county, what about northern. The Chairman stated that the County has preschool providers on this end of the County and then as you know there are preschool providers in Tupper Lake, Glens Falls and Rome. It all depends on what school district the child falls within. Mr. Wells asked if the County has to contract with them regardless if there is a child or not. The Chairman stated that generally the County has a standing contract in place with the providers and then our scramble ends up being for transportation services. Transportation is more of a case by case basis.

RESOLUTION NO. 356-19

AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR PRESCHOOL SERVICE PROVISION WITH PROVIDERS

DATED: DECEMBER 5, 2019

BY MR. STORTECKY:

WHEREAS, the Hamilton County Public Health Nursing Service is required to provide for special education and related services for children aged 3 – 5 who reside in Hamilton County and have a developmental delay as defined through a comprehensive evaluation through the Committee on Pre-School Special Education (CPSE) process, and

WHEREAS, the following organizations are approved providers of special education and related services through the New York State Department of Education:

Lexington Center, 127 E. State St., Gloversville, NY 12078

Whispering Pines Preschool, 2841 Thousand Acre Rd., Delanson, NY 12053

Community Health Center of St. Mary's and Nathan Littauer Hospital, 2-8 West Main St, Johnstown, NY 12095

and

WHEREAS, the frequency and duration of services for each child is based on the findings of the comprehensive evaluation and rules applying to section 4410 of the New York State Education Law, as determined by the CPSE committee in preparing an Individualized Education Plan (IEP), and

WHEREAS, the compensation for special education and related services are set at rates in conjunction with the Rate Setting Unit of the NYS Department of Education, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to enter into contracts with these providers to provide the aforesaid services for the period of January 1, 2020 through December 31, 2020 pursuant to an aforesaid IEP for each eligible child, with compensation for each eligible child, with compensation for services rendered at the current approved rates set forth for Hamilton County by the Rate Setting Unit of the NYS Education Department, upon approval of the County Attorney and the County Treasurer be so notified.

Seconded by Mr. Tomlinson and adopted by the following vote:

**AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH**

NAYS: NONE

After following resolution was placed on the floor; the Chairman stated he would like to set up a meeting between Michael McCarthy, CPA of McCarthy & Conlon, Erica Mahoney, Public Health

Director, and her staff to talk about what costs get allocated to Public Health and CHHA; and if there is a more effective way to split it up.

RESOLUTION NO. 357-19

MEDICAID AND MEDICARE COST REPORTS

DATED: DECEMBER 5, 2019

BY MR. D. WILT:

WHEREAS, the Hamilton County Public Health Nursing Service is required to submit the following Cost Reports annually for all services provided by the Nursing Service:

Certified Home Health Agency Medicare Cost Report
Certified Home Health Agency Medicaid Cost Report
Diagnostic and Clinic Services Medicaid Cost Report

WHEREAS, the current contracted provider of accounting services for the Nursing service is McCarthy and Conlon, LLP, and

WHEREAS, Michael McCarthy, CPA will complete the reports within appropriate timeframes and review results with the Public Health Nursing Service, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the Medicaid and Medicare Cost Reports for Year 2019.

Seconded by Mr. Stortecky and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 358-19

**AUTHORIZING EXTENSION AGREEMENT WITH HIGH PEAKS HOSPICE AND
PALLIATIVE CARE, INC.**

DATED: DECEMBER 5, 2019

BY MR. D. WILT:

WHEREAS, by Resolution No. 169 adopted August 6, 1992, the Chairman was authorized to sign referral agreements with High Peaks Hospice, and

WHEREAS, the Public Health Nursing Service and Department of Social Services is in receipt of an extension agreement with High Peaks Hospice and Palliative Care, Inc. for the period of November 1, 2019 through November 1, 2020, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the extension agreement with High Peaks Hospice and Palliative Care, Inc.

Seconded by Mr. Tomlinson and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 359-19

**AUTHORIZING CONTRACTS BETWEEN COMMUNITY SERVICES AND
HAMILTON COUNTY SCHOOLS FOR THE SCHOOL AND COMMUNITY
PREVENTION INITIATIVE**

DATED: DECEMBER 5, 2019

BY MR. SEAMAN:

WHEREAS, Community Services has developed a Hamilton County School and Community Prevention Initiative that offers Hamilton County Schools Clinical Social Worker and Resource Officer services, and

WHEREAS, the Schools will be offered these services by contract for an annual amount of \$10,000.00 for each one day of services per week, be it

RESOLVED, that upon approval of the County Attorney, Hamilton County Community Services is hereby authorized to contract with Hamilton County Schools that request Social Worker services for an annual amount of \$10,000 for each one day of service per week effective January 1, 2020-December 31, 2020 and/or Resource Officer services for an annually amount of \$10,000 for each one day of service per week effective January 1, 2020-June 30, 2020.

Seconded by Mr. Stortecky and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 360-19

AUTHORIZING TRANSFER OF FUNDS – RECYCLING

DATED: DECEMBER 5, 2019

BY MR. WELLS:

WHEREAS, Account No. A8160.403 Tire Disposal for 2019 has been over expended because of increasing costs for recycling of Tires, Electronics and Plastics, be it

RESOLVED, that \$10,000.00 be transferred from the Unappropriated County General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. A8160.403 Tire Disposal to cover the current overage and costs of recycling through the remainder 2019 and the County Treasurer be so authorized.

Seconded by Mr. D. Wilt and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 361-19

AUTHORIZING TRANSFER OF FUNDS – MACHINERY REPAIRS

DATED: DECEMBER 5, 2019

BY MR. FREY:

WHEREAS, Account No. DM5130.0401 Machinery Repairs for 2019 has been over expended because of some major repairs of both highway equipment and solid waste equipment, be it

RESOLVED, that \$30,000.00 be transferred from the Unappropriated County Road Machinery Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. DM5130.0401 Machinery Repairs and the County Treasurer be so authorized.

Seconded by Mr. Stortecky and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 362-19

AUTHORIZING PAYMENT TO PETROLEUM TRADERS CORPORATION

DATED: DECEMBER 5, 2019

BY MR. FREY:

WHEREAS, Hamilton County received gas and diesel deliveries at various locations from Petroleum Traders on October 17, 2019, and

WHEREAS, Hamilton County has a contract with Petroleum Traders Corporation to supply said gas and diesel, and

WHEREAS, the DPW received invoices via email totaling \$16,750.79 for the deliveries, be it

RESOLVED, that the County Treasurer is hereby authorized to make payment to Petroleum Traders Corporation, 7120 Pointe Inverness Way, Fort Wayne, IN 46804 in the amount of \$16,750.79 out of Account No. DM5130.405 Gas & Diesel and the DPW Superintendent and Clerk of the Board be so notified.

Seconded by Mr. Tomlinson and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

After the following resolution was placed on the floor; the Chairman stated that this resolution was missed and probably should have been done prior because of the start date. There will be an overlap going back to December 1st.

RESOLUTION NO. 363-19

AUTHORIZING PROMOTION OF DPW EMPLOYEES

DATED: DECEMBER 5, 2019

BY MR. WELLS:

WHEREAS, the County Highway Superintendent has met with the Public Works and Internal Management Committee's to discuss changes in the department because of retirement of the Deputy DPW Superintendent, and

WHEREAS, this request was not previously acted upon at any of the November Session dates due to an oversight, and

WHEREAS, the department will not be replacing the deputy superintendent position and is recommending the following promotions and Grade changes for the following employees:

- Lisa Johnson – Grade 11 Administrative Assistant to Grade 13 DPW Administrative Manager, effective December 1, 2019
- Christopher Mitchell – Grade 17 Road Supervisor II to Grade 19 Road Supervisor III, effective December 1, 2019
- Gregg Boyer – Grade 15 Road Supervisor I to Grade 17 Road Supervisor II, effective December 1, 2019

WHEREAS, the Public Works Committee does recommend the promotions stated hereon, be it

RESOLVED, that hereby the County Highway Superintendent is authorized to promote the employees mentioned hereon at their current step effective as mentioned hereon, be it further

RESOLVED, that \$408.32 be transferred from Account No. D5010.104 Deputy to Account No. D5010.102 Administrative Assistant and the County Treasurer be so authorized and the Personnel Officer, Clerk of the Board and DPW Superintendent be so notified.

Seconded by Mr. Stortecky and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 364-19

**AUTHORIZING DPW TO CHANGE GRADES FOR PROJECT BUILDING
SUPERVISOR**

DATED: DECEMBER 5, 2019

BY MR. WELLS:

WHEREAS, Daniel Fish, Buildings Maintenance Supervisor will be retiring on January 2, 2020 and the department will not be filling this position at the time of his retirement, and

WHEREAS, the DPW Superintendent has met with the Public Works and Internal Management Committees and the Superintendent recommends moving the current Project Building Supervisor Grade 20 to Grade 22 as there will be more responsibility for this position, and

RESOLVED, that hereby the Project Building Supervisor Grade will be moved from Grade 20 to Grade 22 effective January 1, 2020 and the Personnel Officer be so authorized and County Treasurer, Clerk of the Board and DPW Superintendent be so notified.

Seconded by Mr. Seaman and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 365-19

**AUTHORIZING PROMOTION OF DPW EMPLOYEE FROM MEO TO
HEO-T**

DATED: DECEMBER 5, 2019

BY MR. WELLS:

WHEREAS, the DPW Superintendent has met with the Public Works Committee to recommend the promotion of the following employee:

Darin Damphier – MEO to HEO-T

and

WHEREAS, the DPW Superintendent recommends this promotion, be it

RESOLVED, that hereby the DPW Superintendent is authorized to promote the above mentioned employee from MEO to HEO-T at their current step effective January 1, 2020 and the Personnel Officer, County Treasurer and Clerk of the Board be so notified.

Seconded by Mr. Beach and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 366-19

AUTHORIZING DISPOSAL OF EXCESS VEHICLE

DATED: DECEMBER 5, 2019

BY MR. SEAMAN:

WHEREAS, Resolution No. 288-19 authorized the County Fleet Coordinator to sell the Hamilton County owned 2010 Dodge Grand Caravan VIN No.2D4RN4DE6AR208786 to New York State Office of Court Administration, and

WHEREAS, the New York State Office of Court Administration no longer has a need for said vehicle, and

WHEREAS, the County Fleet Coordinator recommends disposing of the vehicle from the County Inventory:

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>	<u>Plate#</u>	<u>Dept</u>	<u>FN</u>
2010	Dodge Grand Caravan	2D4RN4DE6AR208786	AB6857	CS-OFA	571

be it

RESOLVED, the above vehicle be auctioned on line by Auctions International and funds from the mentioned auction shall be a revenue credit to Account No. A2665 Sale of Equipment, and be it further

RESOLVED, that the Fleet Coordinator see that proper inventory notes be recorded when the transactions are accomplished, and the Fleet Coordinator, Director of Fixed Assets, and the County Treasurer be so notified.

Seconded by Mr. Wells and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 367-19

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: DECEMBER 5, 2019

BY MR. FREY:

RESOLVED, that the bills in the Machinery Fund amounting to \$98,706.90 and bills in the County Road Fund amounting to \$83,416.63 presented by the County Superintendent of Highways and audited this day by the County Public Works Committee, be, and the same hereby are approved and audited.

Seconded by Mr. Wells and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

RESOLUTION NO. 368-19

**APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND, CAPITAL PROJECT
NO. 2017-1 HATCH BROOK BRIDGE AND CAPITAL PROJECT 2019-1
HALLOWEEN STORM**

DATED: DECEMBER 5, 2019

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$210,927.77 by the following committees:

Public Works (Buildings) Committee.....	\$39,713.84
Public Works (Solid Waste) Committee	33,065.51
Finance Committee	15,542.77
Health Committee.....	15,020.62
Human Services Committee.....	15,983.64
Central Government Committee	32,214.32
Emergency Prep./Emergency Response.....	55,583.58
Publicity, Tourism, Economic Development & Planning Committee.....	2,405.66
Internal Management Committee	1,397.83

be it further

RESOLVED, that the bills audited this day in the following Capital Projects:

Hatch Brook Bridge Capital Project 2017-1.....	\$ 52,152.43
Halloween Storm Capital Project 2019-1.....	\$ 92,153.43

are hereby approved.

Seconded by Mr. Beach and adopted by the following vote:

AYES: R. WILT, STORTECKY, TOMLINSON, WELLS, FREY, D. WILT, SEAMAN,
FARBER AND BEACH

NAYS: NONE

Other Reports:

The Chairman stated that Don Purdy, Emergency Services Director, is working with Bruce Jordan, NYS Emergency Management Region III Coordinator, to get a meeting set up to debrief around the storm response. He has noted that Hope's Town Board has discussed the need to update their Emergency Management Plan. It will be a great opportunity to also include Nick Mauro, Town of Wells Supervisor-elect, in that meeting. Looking to do something mid-December. Sooner rather than later so it doesn't hold up any of the local work they want to do. Mr. Purdy will be getting that out to everyone as soon as he knows. Mr. D. Wilt asked if he could coordinate with Barbara Taylor, who is a local resident that we currently contract with through Public Health for Emergency Preparedness Coordination Services. He stated they have a plan in place and are setting up a date to debrief. The Chairman stated he thought that Ms. Taylor was aware of that. He suggested waiting to have their meeting until after the one with Mr. Jordan.

The Chairman stated that there is a robust conversation around the rail bed that runs from Saratoga through to Tahawus. The segment of line referred to as Sanford Line is in arrears in terms of back taxes to both Essex and Hamilton Counties. He had asked the County Attorney to follow up. He stated that it seems DEC looks to work on this idea of there being a trail along that line or an interim step in approaching the Surface Transportation Board. It is really helpful that Hamilton and Essex Counties stay aligned in their thinking. He shared with the Board the other perspectives. He stated that he talked with both Mr. Seaman and Mr. Wells about Hamilton County's piece. He wanted to talk with the Board to learn everyone's perspective so there isn't any misunderstanding. The County Attorney stated that he had spoken with Daniel Manning, County Attorney for Essex County, and explained their thoughts. Mr. Wells asked if the County was not going to use the segment as a railroad would the County be responsible for the upkeep. Is there some federal law stating that the County is mandated to maintain the tracks? The County Attorney stated that anytime you become an owner of property at a foreclosure sale you assume certain responsibilities as any owner of property. He wasn't sure if we would be obligated to run a railroad but would potentially have liability issues that would flow from an ownership interest. The Chairman stated that is what Warren County feels they are up against. They own the railroad and it's their understanding that if a rail customer were to call them tomorrow and say they had freight they want to start shipping out of Tahawus it's their responsibility for that rail line. He stated that one of the things that really elevated this conversation is that there is a portion of the rail line in Hamilton County that the Halloween Storm washed the material right out from underneath the tracks. The rails are pretty much hanging in the air right now. The challenge is that Ed Ellis, President of Iowa Pacific Holdings, has no intention of doing anything to go after FEMA money to help with the repairs. The dynamic is that it has taken a big hit. There has been talk about a three-county rail authority. He thinks the County has done the right thing to date in that we haven't taken it. He agrees that if there was a no liability no responsibility way to have control that would be optimum but there may be a way to get some kind of control without being saddled with the responsibilities.

Mr. Wells stated that one of the problems that he sees, personally, is that Warren County has a Board being directed now to go to a rail trail. Once you lose that connection from North Creek down, we basically have a railroad track that goes nowhere. The Chairman stated that clearly if it goes that way then there is no point in having a railroad track. He also stated that with the role of the Surface Transportation Board it might not be that easy at the federal level to abandon that section of rail line over to trail.

Recess until December 20, 2019.