

2020

TENTH SESSION

OCTOBER 1, 2020

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	ABSENT
Long Lake	Clay J. Arsenault
Morehouse	William G. Farber
Wells	Nick Mauro

Also present: County Attorney and Kimberly Byrne – Personnel Officer

A motion was made to accept the minutes of September 3rd and 21st, 2020 by Mr. Wilt, seconded by Mr. Mauro. Carried.

Public Comment: No Public.

The Chairman stated that Kimberly Byrne, Personnel Officer, was asked to join the meeting to discuss Health Insurance. There was no decision made on Committee Day. He asked Ms. Byrne to remind the Board of the questions left after Committee Day.

Ms. Byrne stated that the decision to go with Aetna was time sensitive. The Chairman stated that what got their initial attention was lower out of pocket costs with Aetna. It turns out that it wasn't it was a typo but it is comparable with better coverage. Ms. Byrne also stated during the Committee Day that Aetna could cover all the retirees. Currently with MVP the County has to have and maintain a different plan for those retirees outside the area, which is called Hartford. Burnham Financial did remind the Board that when you switch from one carrier to another prescription costs could change. There is the possibility that some retirees will benefit better than others in that respect. Mr. Frey stated that he thought this was a much-improved plan over what the County has now. He moved going forward with Aetna. Mr. Stortecky seconded. Mr. Stortecky asked if it had ever happened where a doctor was covered under one insurance and then not under Aetna. Ms. Byrne stated that Burnham Financial had said that if a doctor was not covered under Aetna Insurance then it would automatically go to Medicare. The Chairman stated that this would be a much more seamless transition than it was when the employees had to switch from MVP to

Excellus. Ms. Byrne stated that the County has historically been good about letting the retirees know of any changes in advance. The Chairman stated that this would replace both MVP and Hartford.

RESOLUTION NO. 235-20

AUTHORIZING AETNA HEALTH INSURANCE FOR RETIREES

DATED: OCTOBER 1, 2020

BY MR. FREY:

WHEREAS, the Internal Management Committee has reviewed insurance proposals offered by Burnham Financial, and

WHEREAS, the Aetna proposal was the most comparable with the current plan, offering the best coverage for our retirees at a comparable price and does away with the need for The Harford plan, be it

RESOLVED, that the Board of Supervisors hereby changes the retirement insurance benefit from MVP Gold PPO and The Hartford to Aetna and the Personnel Officer be so authorized.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

The Chairman stated that the Board needs to discuss whether they want to offer the employees a second option for health insurance. Offering the either or is a no brainer but the only thing is, will the County give the same contribution towards both. He would like to request time on Committee Day to discuss this further. The Board thanked Ms. Byrne for coming. Ms. Byrne left the meeting.

Reports of Standings/Special Committees:

Mr. Wells: Stated that he attended a Local Government Review Board meeting in Long Lake. He felt that Hamilton County was well represented with 4 Supervisors in attendance. Down the road they are going to be looking at the salt issue. Please let him know if there are questions or if anyone would like to attend.

Mr. Frey: Stated that the budget prep continues. The annual session dates are on the agenda. Meetings with Department Heads and discussions on moving the budget forward have been ongoing.

The Chairman stated that they had a Finance Committee meeting with Tracy Eldridge, Highway Superintendent, on the Public Works budget. The Board has met with the 3 big departments that get the most State Aid. He would like to do regular budget meetings with Sheriff, Community Services, Social Services and Public Health and offer to the smaller departments the option to do theirs via Zoom. This way it can be plugged in the schedule anywhere. They will also have the option to meet with the Committee in person if they would prefer. Mr. Frey requested that these meetings be scheduled before Committee Day in October.

Mr. Wilt: Stated that he would like to support the Resolution on hiring Lightspeed to do microwave path studies. There will be 2 studies done in Arietta and 2 done in Morehouse. The Chairman asked how the County could help facilitate getting the property access agreements. His suggestion was that the Board be authorized to, with the help of Jacqueline Murray, Attorney with The Murray Law Firm contracted with Hamilton County and Chuck Getty, County Attorney, enter into agreements with all these property owners for not only access to the sites but the opportunity to use these sites long term. He feels as the County gets more invested in this it becomes more critical. Mr. Wilt stated that he thought that Attorney Murray had been working on these but hadn't resolved anything at that time. He would reach out to Don Purdy, Emergency Services Director, and verify. The Chairman stated that Mr. Eldridge was on the access road to Blue Mountain Tower with DEC and a contractor. DEC has the ability to hire a contractor that Hamilton County will be partnering with. This way the work can be accomplished faster. Mr. Eldridge expects the work to be completed in a couple weeks. If when working with Capital Digitronics equipment needs to be brought up, there is a way to get the equipment up there before the work is complete. Just have to let Mr. Eldridge know. Mr. Wilt was working on the MOU for the road with DEC and will send it the Chairman. The Chairman stated that he thought he could get the MOU done. He and Mr. Wilt discussed the problems with the road and electric.

Mr. Tomlinson: Stated that he had spoken with Erica Mahoney, Public Health Director, that morning. She had told him that she thought things were slowing down some. He shared that she had received an award and to congratulate her if the Board saw her. She is still working with schools on a daily basis. The Chairman stated he had met with Ms. Mahoney about restructuring. She was still working on the Bioterrorism and school pieces so she needed some more time. He mentioned that it could be plugged in during Committee Day.

The Chairman stated that they also have to pick a date to meet with ROOST to plan the future. Invite Tourism promotion people, like the Chambers, to that meeting. He asked the Board what dates/times work for everyone. Mr. Wilt stated that afternoons were better for him. Mr. Frey would send blackout dates for him. The Chairman asked everyone to look at their calendars and get back to him shortly so this could get setup.

Mr. Stortecky: Thanked Ms. Abrams for the new format on the Agenda. He also stated that in all the conversations he hadn't heard group Department Head meetings being scheduled. He asked if that was still the plan. The Chairman stated that it was. They have to have the conversation with

Mr. Frey to figure out the platform of what to tell the Department Heads around State Aid. He believes that at this point and time what should be told uniformly to those getting large amounts of State Aid, is that they ought to assume a 10% hit.

RESOLUTIONS:

RESOLUTION NO. 236-20

**AUTHORIZING INCREASED FUNDING CAPITAL PROJECT FOR DAMAGE
REPAIR FROM HALLOWEEN STORM OF 2019**

DATE: OCTOBER 1, 2020

BY MR. WILT:

WHEREAS, Resolution No. 89-20 Authorized Appropriations of \$250,000.00 for repairs of damage from the Halloween Storm of 2019, and

WHEREAS, the DPW has been continuing repairs from the damage and needs more funding to continue the damage repairs, and

WHEREAS, DPW Superintendent recommends the transfer of \$400,000.00 from the County Road Fund balance to fund these ongoing repairs, be it

RESOLVED, that \$400,000.00 be transferred from County Road Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Capital Account No. H7.8760.401 Halloween Storm 2019 and that hereby the County Treasurer is authorized to make the said transfer and the Clerk of the Board and County DPW Superintendent be so notified.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

After the following resolution was placed on the floor; Mr. Wells asked if this was for both tanks. The Chairman stated that there was talk of 2 tanks but the proposal is only to do 1. The idea was that the other tank wouldn't slip off the radar screen but that what happened was an anomaly.

RESOLUTION NO. 237-20

**APPROVAL OF PROPOSAL TO REPLACE ABOVEGROUND HEATING TANK -
INDIAN LAKE BUILDING SOCIAL SERVICES WING**

DATED: OCTOBER 1, 2020

BY MR. WELLS:

WHEREAS, the 500 gallon above ground heating oil tank failed at the Indian Lake Facility for the Social Service wing, and

WHEREAS, the tank has to be replaced and any contaminated soil must be removed per NYSDEC regulations, and

WHEREAS, the Superintendent has received two (2) written proposal for the replacement and installation of a new heating oil tank as follows –

RM Dalrymple Co. Inc. -	\$12,448.63
Yocum Full Service Inc. -	\$15,850.00

and

WHEREAS, the Superintendent recommends accepting the proposal from RM Dalrymple, be it

RESOLVED, that the Board of Supervisors does hereby approve the proposal from RM Dalrymple to replace the said failed tank and the Superintendent be so authorized and the County Treasurer and Clerk of the Board be so advised.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 238-20

**AUTHORIZATION TO TRANSFER BALANCES FROM COMPLETED 2020
PERMANENT PROJECT ACCOUNTS AND CLOSE ACCOUNTS**

DATED: OCTOBER 1, 2020

BY MR. FREY:

WHEREAS, three (3) county road permanent improvement projects are completed for 2020, and

WHEREAS, all of the project funds have been appropriated through the CHIPS program,
and

WHEREAS, the following projects are complete and have positive balances:

D5112.2522 CR6 – Benson Road 2020 – balance	\$ 502.18
D5112.2523 CR17 – French Road 2020 – balance	\$ 16,534.78
D5112.2524 CR5 – Algonquin Road 2020 balance	\$ 173.97

be it

RESOLVED, that the following transfers be made:

FROM:

D5112.2522 CR6 – Benson Road	\$ 502.18
D5112.2523 CR17 – French Road	\$ 16,534.78
D5112.2524 CR5 – Algonquin Road	\$ 173.97

TO:

D5112.202, Capital Projects	\$17,210.93
-----------------------------	-------------

be it further

RESOLVED, that the three (3) completed 2020 county road permanent improvement projects referenced herein be closed and the County Treasurer be so authorized to complete the transfers and close the accounts and the Clerk of the Board and the County DPW Superintendent be so notified.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

After the following resolution was placed on the floor; the Chairman asked that the Board take a look at these dates to make sure there are no issues. He stated that an additional day was added before the Public Hearing and then pushed the Public Hearing out to better the conversations. In full disclosure he and Mr. Frey discussed the idea of pushing the Public Hearing off until later with the vote on the budget.

RESOLUTION NO. 239-20

SETTING ANNUAL SESSION DATES

DATED: OCTOBER 1, 2020

BY MR. FREY:

RESOLVED, the following dates have been designated as the annual session for 2020:

November 5 10:30 A.M.
November 10 10:30 A.M.
November 12 10:30 A.M.
November 17 10:30 A.M.
November 20 10:30 A.M.
PUBLIC HEARING 11:00 A.M.
December 3 AUDIT 10:30 A.M.
December 18 AUDIT 10:30 A.M.

and be it further

RESOLVED, that any necessary changes will be subsequently arranged.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 240-20

CREATING EXPENDITURE LINE FOR TREASURER'S INVESTMENT ANALYSIS SERVICES

DATED: OCTOBER 1, 2020

BY MR. FREY:

WHEREAS, Hamilton County passed Resolution No 295-19 authorizing an agreement with Three+one Company, LLC, for investment analysis to help maximize the Counties investment opportunities, and

WHEREAS, Three+one Company, LLC, has provided the initial "CashVest" analysis plus two quarterly updates, which shows the necessary 3 to 1 benefit to receive the initial fee of

\$9,900.00 and the quarterly liquidity monitoring and reporting fee at .003/\$1,000,000 invested, therefore, be it

RESOLVED, that expenditure Account No. A1325.0411 Treasurers Investment Analysis Fees, be created in the amount of \$16,120.00, to cover the initial fee of \$9,900.00 plus the quarterly liquidity fee for the remainder of the year, which is to be totally offset by increasing Revenue Account No. A2401.0000 Interest and Earnings by \$16,120.00, and be it further

RESOLVED, that the County Treasurer is hereby authorized to issue a check in the amount of \$11,970.00 to Three+one, Company, LLC, from newly created Account No. A1325.0411 Treasurers Investment Analysis Fees, to cover initial fee plus four months of liquidity fee, and the Clerk of the Board be so advised.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 241-20

AMEND COMPREHENSIVE MEDICINE CONTRACT – COMMUNITY SERVICES

DATED: OCTOBER 1, 2020

BY MR. STORTECKY:

WHEREAS, the County of Hamilton has approved the contract with Comprehensive Medicine PLLC to provide tele-psychiatry to residents of Hamilton receiving mental health services at Hamilton County Community Services, and

WHEREAS, the utilization of services exceeded the cap of \$45,000.00 specified in the 2020 contract, and

WHEREAS, services projected to be provided by Comprehensive Medicine PLLC will require additional funding through the end of the current year, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby approves amending the County's 2020 contract with Comprehensive Medicine PLLC to increase it from a \$45,000 cap to a \$54,000.00 cap and the Treasurer be so advised.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 242-20

APPOINTMENT OF CATHLEEN E. ROGERS AS COMMISSIONER OF ELECTIONS

DATED: OCTOBER 1, 2020

BY MR. MAURO:

WHEREAS, this Board has received a recommendation from the Chairman of the Hamilton County Democrat Committee, in accordance with the provisions of Section 3-204 of the Election Law, to appoint Cathleen E. Rogers, a resident and qualified voter of the Town of Arietta, Commissioner of Elections, be it

RESOLVED, that the recommendation be accepted and Cathleen E. Rogers is hereby appointed as Commissioner of Elections for a four year term beginning January 1, 2021.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

After the following resolution was placed on the floor; the Chairman stated that this pertained more to Census than it did the resolution. Christy Wilt, Economic Development Director, continues to promote the Census and getting people to make sure the forms are filled out. There has been a court decision where the time frame couldn't be shortened so the Judge has put it back to the original time frame. The County received a suggestion to use the reverse 911 system to make calls to promote Census. There was another County that did do that so Mr. Purdy followed up with them. Saratoga County Emergency Management told him that it was really simple. His Board told him to do it so he did. The Chairman stated that both Mr. Purdy and Sheriff Abrams were not thrilled with the idea but do subscribe to the idea that if the Board does want to reverse their decision and use it, they would respect that decision. Mr. Frey asked if Saratoga County felt it worked for them. The Chairman stated that some thought it did. Mr. Wilt stated that the counties system wasn't complete yet. Mr. Frey stated he thought it shouldn't be used if it wasn't. Mr. Arsenault stated that Hamilton County is rated the lowest in the state for Census response.

RESOLUTION NO. 243-20

**RESOLUTION ACCEPTING CENSUS COMPLETE OUTREACH GRANT
FROM EMPIRE STATE DEVELOPMENT AND AUTHORIZING PAYMENT FOR
EVERY DOOR DIRECT MAILING**

DATED: OCTOBER 1, 2020

BY MR. ARSENAULT:

WHEREAS, New York State Urban Development Corporation, d/b/a Empire State Development (“ESD”), the New York Department of State (“DOS”), and the New York Department of Labor (“DOL”), granted to Hamilton County an award of up to \$20,000 from the Census 2020 Complete Count Outreach Grants program, and

WHEREAS, the Hamilton County Department of Planning, Tourism and Economy Development has been assigned the duty of forming a complete county committee for Hamilton County, and

WHEREAS, such a grant will help strengthen our efforts to provide, education, outreach, and communication to your citizens, this grant award will be contingent upon 75% of the grant proceeds must be allocated to approved Not-For-Profits or libraries while taking off the economic burden and all expenditures incurred under this grant must be in accordance with the Grant Disbursement Agreement, and

WHEREAS, ESD has described key funding requirements, award disbursement terms, and other relevant ESD terms and conditions, and

WHEREAS, Hamilton County has received 90% of the total grant, which was disbursed upon receipt of an executed GDA and a payment requisition form, and

WHEREAS, these monies are being tracked and disbursed by the Planning Tourism and Economic Development Office, and

WHEREAS, expenditure and revenue lines need to be created and added to the budget of Planning, Tourism and Economic Development in order to accept and expend the funds, and

WHEREAS, monies have already been expended for postage for an every door direct mailing charged to the Hamilton County credit card due the short amount of time left to promote the census, therefore, be it

RESOLVED, that Account No. A8020.0416 Census Outreach Grant be created in the amount of \$20,000.00 to be totally offset by creating and funding Revenue Account No. A3715 Census Outreach Grant in the amount of \$20,000, and be it further

RESOLVED, the County Treasurer is hereby authorized to make payment to Cardmember Service (NBT Bank) in the amount of \$631.94 from Account No. A8020.0416 Census Outreach Grant for said Every Door Direct Mailing.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 244-20

AUTHORIZING PAYMENT TO WARRENSBURG COLLISION CENTER, INC.

DATED: OCTOBER 1, 2020

BY MR. TOMLINSON:

WHEREAS, Sheriff's vehicle #619 was involved in an accident and the repairs for the damage was completed by Warrensburg Collision Center, Inc., and

WHEREAS, an invoice for supplement repairs has been received and the Fleet Coordinator recommends the payment of the said repairs of vehicle #619, be it

RESOLVED, the County Treasurer is hereby authorized to increase Account No. A1910.0402 Repairs to Vehicles-Insurance by \$1,082.48 to be totally offset by increasing Revenue Account No. A2680.0000 Insurance Recoveries by \$1,082.48, and be it further

RESOLVED, that the County Treasurer is hereby authorized to make a check payable to:

Warrensburg Collision Center, Inc.
3985 Main Street
Warrensburg, NY 12885

in the amount of \$1,082.48 for Invoice #3059 and the funds be taken out of Account No. A1910.0402 Repairs to Vehicles-Insurance and the Fleet Coordinator and Clerk of the Board be so notified.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 245-20

**AUTHORIZING CHAIRMAN TO SIGN NECESSARY DOCUMENTS FOR THE
COURT CLEANING CONTRACT**

DATED: OCTOBER 1, 2020

BY MR. WELLS:

WHEREAS, Hamilton County has received the Annual Renewal Letter and Budget for the Court Cleaning Contract #C-300407 authorized by Resolution No. 301-18 adopted October 4, 2018, and

WHEREAS, said Renewal Letter covers State Fiscal Year 2020-2021 with a budget of \$142,738.00, now, therefore, be it

RESOLVED, that the Letter of Renewal and Budget is hereby approved for State Fiscal Year 2020-2021, and the Chairman is authorized to sign the necessary documents and the County Treasurer be so notified.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 246-20

AUTHORIZING TEMPORARY PER DIEM HOME HEALTH AIDE

DATED: OCTOBER 1, 2020

BY MR. TOMLINSON:

WHEREAS, there is a need to provide home health aide care to residents in Hamilton County, and

WHEREAS, there are currently three full time home health aides providing services, and

WHEREAS, there are still an average of 15 hours of home health aide service that we are unable to provide to our residents, be it

RESOLVED, that the Director of Public Health be authorized to hire Sara Smith as a temporary per-diem home health aide to be used as needed to address missed home health aide hours at a rate of \$16.50 per hour with mileage reimbursement, and be it further

RESOLVED, that Hamilton County Public Health will cover the \$800 cost for home health aide re-certification, and be it further

RESOLVED, that Account No. A4010.0120 Per Diem Home Health Aide be created and funded through a transfer of \$10,000 from Account No. A4050.0125 P/T On Call RN, and be it further

RESOLVED, that the Personnel Office be so notified and the County Treasurer be so authorized.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 247-20

AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH SCHOOL DISTRICT TO PROVIDE RELATED SERVICES FOR THE PRESCHOOL SPECIAL EDUCATION PROGRAM – WELLS CENTRAL SCHOOL

DATED: OCTOBER 1, 2020

BY MR. TOMLINSON:

WHEREAS, the Hamilton County Public Health Nursing Service is required to provide for Speech, Occupational and Physical Therapy Services for children aged 3-5, who reside within 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, Wells Central School District can provide these related services through the New York State Department of Education, 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 NYS Education Law, as determined by the CPSE committee in preparing an Individualized Education Plan (IEP), and

WHEREAS, the compensation for 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 authorized to enter into a contract with said provider to provide the aforesaid services for the period of September 1, 2020 through August 31, 2021 pursuant to an aforesaid IEP 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. Mauro and adopted by the following vote:

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 248-20

APPROVAL OF AND AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT BETWEEN COMMUNITY SERVICES AND CITIZENS ADVOCATES, INC. FOR RCORP GRANT

DATED: OCTOBER 1, 2020

BY MR. STORTECKY:

WHEREAS, Hamilton County Community Services (HCCS) participates in the Rural Communities Opioid Response Program (RCORP) grant with Citizens Advocates, Inc. and the Hudson Mohawk Area Health Education Center (HM AHEC) who is the recipient of the grant, and

WHEREAS, Citizens Advocates, Inc. receives funding from the grant from the HM AHEC as they hold the certification for Substance Use Disorder treatment services provided by HCCS, and

WHEREAS, an agreement has been developed that will allow Citizens Advocates, Inc. to pass through funding from the grant from the HM AHEC to HCCS to provide local services, trainings and support identified in the RCORP grant, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes the Chairman to sign the Independent Contractor Agreement with Citizens Advocates, Inc. to allow HCCS to receive the funding.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 249-20

**AUTHORIZATION TO TRANSFER FUNDS FROM MOTOR VEHICLE CLERK 3
(1410.106) TO ADDITIONAL HOURS (1410.108)**

DATED: OCTOBER 1, 2020

BY MR. FREY:

WHEREAS, the Hamilton County Motor Vehicle Office continues to be backlogged and extremely busy due to the COVID pandemic and the DMV regulations and protocols as instituted the Governor, and State DMV which are having a direct effect on our office efficiency, and

WHEREAS, we have taken steps to help alleviate some of this back log by closing to the General Public on Wednesdays to help push through this situation, and

WHEREAS, as of October 5, 2020, we have taken an additional step to help reduce the backlog by only processing transactions for Hamilton County Taxpayers, and

WHEREAS, we have worked many hours paid and most recently unpaid, to help alleviate this backlog and the employees have done this out of a careingness for the County, a strong work ethic and pride in their jobs, and

WHEREAS, the employees of this office should be paid to compensate for this additional time they are working, and

WHEREAS, there is additional money left in Motor Vehicle Clerk #3 (1410.106) as the new employee did not start until August 10, 2020, and

WHEREAS, the Central Government Committee met on September 21, 2020 to discuss this issue and agreed that the money could be transferred to help cover these costs, and

WHEREAS, in consultation with the Hamilton County Treasurer's Office, it was determined that after the remaining payrolls for 2020 and the previous transfer, there will be a balance in the account of \$14,505.20, therefore, be it

RESOLVED that \$12,000.00 be transferred from Motor Vehicle Clerk 3, 1410.106 to Additional Hours, 1410.108 and the Hamilton County Treasurer be so notified.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN

ABSTAIN: FARBER

RESOLUTION NO. 250-20

AUTHORIZING PATH STUDY BY LIGHTSPEED TECHNOLOGIES, INC. - SI17-1003-D00

DATED: OCTOBER 1, 2020

BY MR. WILT:

WHEREAS, Hamilton County was awarded a grant in the amount of \$540,399.00 from New York State Office of Interoperable Communications, contract # C198204, and

WHEREAS, it has been determined that additional Microwave Towers are needed to achieve the interoperability required with said grant, and

WHEREAS, locations for these Towers have been found in both Piseco and Morehouse, and

WHEREAS, a Path Study is required to ensure that the Microwave signal can be viably sent from Lake Pleasant to Piseco and then on to Morehouse to achieve the required interoperability, and

WHEREAS, a Purchase Order in the amount of \$18,699.00 under NYS contract PM67989 is required by Lightspeed Technologies, Inc in order to authorize the Path Study to be done to ensure the required Microwave connectivity, therefore, be it

RESOLVED, that the Hamilton County Office of Emergency Services be authorized to issue the required Purchase Order for the Path Study to Lightspeed Technologies, Inc. in the

amount of \$18,699.00, with funding for said order coming from Interoperability grant # WM17198204, Contract # C198204, Account No. A3645.0418 SI17-1003-D00.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

After the following resolution was placed on the floor; Mr. Frey asked if it was going to be 4G or 5G. The Chairman stated that he didn't think they were rolling out a lot of 5G in this area yet. Mr. Wilt asked if before the construction phase they would be providing engineering details on what they will be doing. The Chairman stated that they would. Mr. Wilt addressed his concerns around it being similar to what he has dealt with on Oak Mountain; equipment has been moved around. The Chairman stated that he had a conversation with Attorney Murray and confirmed that they have no right to do that. The thing is we have to be aware of it. Mr. Wilt stated that he is not aware if they moved County equipment but is aware that they moved one antenna, which wasn't the Counties. He just wanted to make sure that before they start here there are engineering details on this site. We will have to remind them that the Counties antennas go on top. He stated that he didn't have any problems with the contract.

RESOLUTION NO. 251-20

AUTHORIZING CHAIRMAN TO SIGN TOWER LEASE AGREEMENT WITH NEW YORK RSA2 CELLULAR PARTNERSHIP d/b/a VERIZON WIRELESS

DATED: OCTOBER 1, 2020

BY MR. FREY:

WHEREAS, Verizon Wireless has requested the County of Hamilton to enter into a lease for the extension and use of the tower situated at the County Courthouse complex, Lake Pleasant, New York, and

WHEREAS, the aforesaid tower extension and use by Verizon Wireless will enhance the broadband capacity for users within the County of Hamilton, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign a lease with New York RSA2 Cellular Partnership d/b/a Verizon Wireless for the extension and use of the tower at the County Courthouse Complex, Lake Pleasant, New York.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

After the following resolution was placed on the floor; the County Attorney stated that the issue is that the parcels were not properly divided therefore the non-payment of tax on the vacant parcel created the foreclosure to pick up the entire parcel. He believed that the tax foreclosure had occurred. The judgement of foreclosures had been filed and the property has already been put in Hamilton County's name. That means that legally it has cut-off the owner. The Board of Supervisors intent is to allow the prior owners to reclaim the property.

RESOLUTION NO. 252-20

**REMOVAL OF PARCEL FROM FORECLOSURE AND CORRECTION OF DEED FOR
PARCEL #113.009-1-41, LOCATED AT 223 PAGE STREET, TOWN OF LAKE
PLEASANT**

DATED: OCTOBER 1, 2020

BY MR. FREY:

WHEREAS, Parcel #113.009-1-41, located in the Town of Lake Pleasant was foreclosed on by Hamilton County for non-payment of taxes, and

WHEREAS, the auction company proceeded to post the auction advertisement on property but found the description of "vacant land" was not accurate as buildings were observed on property, and

WHEREAS, with this new information, the County Treasurer pulled the parcel from the auction so as not to false advertise a parcel for auction, and

WHEREAS, this new information concerning buildings on the property was brought to the attention of the County Real Property Tax Director, who conducted a thorough investigation and determined the parcel was indeed not vacant is improved with an occupied residence, and

WHEREAS, this parcel was "not included" in the sale from the original parcel by the attorney when deeds were recorded back in 1915, never legally subdivided or transferred from the original mother parcel #113.009-1-40, and remains a deeded portion of the mother parcel that also serves as the primary residence of the same owner, and

WHEREAS, that rightful owner has agreed to pay all the back taxes, therefore, be it

RESOLVED, the Chairman of the Board shall execute a new deed returning the property to the rightful owner from the County of Hamilton, and be it further

RESOLVED, that the County Treasurer and County Real Property Tax Director be so notified.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 253-20

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: OCTOBER 1, 2020

BY MR. WELLS:

RESOLVED, that the bills in the Machinery Fund amounting to \$61,760.48 and bills in the County Road Fund amounting to \$171,562.83 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. Frey and adopted by the following vote:

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

RESOLUTION NO. 254-20

APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND AND CAPITAL PROJECT 2019-1 HALLOWEEN STORM

DATED: OCTOBER 1, 2020

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$225,690.50 by the following committees:

Public Works (Buildings) Committee.....	\$16,880.17
Public Works (Solid Waste) Committee	40,528.81
Finance Committee	8,527.96
Health Committee.....	19,415.50
Human Services Committee.....	19,659.15
Central Government Committee	9,024.06
Emergency Prep./Emergency Response.....	104,697.87
Publicity, Tourism, Economic Development & Planning Committee.....	3,715.41
Internal Management Committee	3,241.57

be it further

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

Halloween Storm Capital Project 2019-1	\$ 180,424.09
--	---------------

are hereby approved.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

Other Reports:

Mr. Wells: Asked if the Board had heard anything from FirstNet. The Chairman stated that he had but it was in regards to work that they are trying to do to get the tower done in Raquette Lake. He asked if anyone knew the progress there. Mr. Arsenault stated that he had heard that it was going to be the end of November. The Chairman stated that he knew that Raquette Lake was the site they expected to be on the quickest and then he went on to discuss the other site locations as well.

Mr. Stortecky: Thought there would be mention of the letter that Mr. Arsenault received. He stated that in his career he was the Compliance Officer and discussed some of his duties. There was a process to follow and he wondered if the County also had a Compliance Officer. The Chairman stated that it does. This letter was unsigned which is why it has been handled differently. He would scan and email the letter to the County Attorney as well as the Board. That will give the Board an opportunity to reach out with anything they feel will help the County Attorney in deliberation. He will ask the County Attorney to respond back in whether he feels the County has obligations. Mr. Frey stated that going forward if an anonymous letter is received it should go in the garbage. It is considered an unfounded fact. Everyone agreed. Mr. Wilt asked for the County

Attorney's opinion. The County Attorney stated that he felt that an anonymous letter wouldn't automatically disqualify the communication. He feels that it depends on the nature of the subject matter that is being addressed. Mr. Tomlinson stated that he didn't feel an email to the Board of Supervisors was available to the public. Mr. Frey stated that emails do become a part of public record and are FOILable. He feels it should go to the Compliance Officer first.

The Chairman stated there was a resolution that made it out to the Committee but not to the Chairman or Clerk of the Board. The resolution was for an agreement extension with Constellation and per the Highway Department it had gotten Committee approval. It was not discovered until after the second agenda went out so it was handed out to the Board to be added on the floor. It doesn't have to be adopted if there are any strong feelings against it. He apologized for any miscommunication that came between the Department and the Board. He asked the Board what they wanted to do with the resolution. Mr. Wilt moved it and seconded by Mr. Frey.

After the following resolution was placed on the floor; Mr. Wells asked if there had also been an email regarding this agreement being time sensitive. Laura Abrams, Clerk of the Board, discussed the conversation she had had with Lisa Johnson, Highway Administrative Manager, and how the miscommunication might have happened. Mr. Wells stated that his understanding was that there was last minute pricing so that might have caused it. Ms. Abrams agreed but stated that historically the resolution had the wattage left blank and then added before adoption. Mr. Wells stated that Ms. Johnson was waiting to have the numbers before submitting the resolution. Ms. Abrams stated that she has had a discussion with Ms. Johnson regarding the process. The Chairman asked the Board their feelings on the process to make sure everyone agreed. The Board agreed and the Chairman stated that the process would continue as it had.

RESOLUTION NO. 255-20

**RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO A CONTRACT WITH
CONSTELLATION ENERGY SERVICES OF NEW YORK, INC.**

DATED: OCTOBER 1, 2020

BY MR. WILT:

WHEREAS, the County agreement with Constellation Energy Services for purchase of electricity for all County facilities expires on November 5, 2020, and

WHEREAS, Constellation Energy Services has given a proposal to the County and the County DPW Superintendent believes that it is a good fiscal decision to lock into a fixed price agreement for a period of twelve (12) months beginning in November 2020, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to enter into a contract with Constellation Energy Services of New York, Inc. for a fixed rate of \$0.05322/kWh for a period of twelve (12) months.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, ARSENAULT, FARBER AND MAURO

NAYS: NONE

ABSENT: BAIN

Other Reports (Continued):

The Chairman stated he and Mr. Eldridge were able to confirm with DEC that they were putting in the FEMA claim for the large culvert into Moose River Plains and that they would be replacing it as well as doing the work. He also said that the County had received the contract for the Annual Maintenance for Moose River Plains.

As there was no further business, motion to adjourn by Mr. Frey, seconded by Mr. Wells. Carried.