

2023

SEVENTH SESSION

JULY 6, 2023

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

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

Arietta	Chris D. Rhodes
Benson	Phillip C. Snyder
Hope	Steven M. Tomlinson
Indian Lake	Brian E. Wells
Inlet	ABSENT
Lake Pleasant	Betsy A. Bain
Long Lake	Clay J. Arsenault
Morehouse	William G. Farber
Wells	ABSENT

Also present: County Attorney, Kimberly Byrne- Personnel Officer, Barry Baker-Real Property Tax Director/Budget Officer and Beth Hunt-Treasurer

A motion was made to accept the minutes of June 1<sup>st</sup>, 2023 by Mr. Farber, seconded by Mr. Rhodes. Carried.

Public Comment: No one present.

Reports of Standing/Special Committees:

Mr. Farber: Stated that there are several resolutions on the agenda for Emergency Management. The one thing they were not able to finalize was the service contract with Nokia. That will require another meeting that they couldn't get scheduled until tomorrow. He has had a discussion with the Chairman and the Clerk of the Board regarding it. They have decided to have a special meeting on Committee Day because the current contract with RS Telecom ends on July 31<sup>st</sup>. It is important that they get a replacement support system in place before the end of the month.

Mr. Arsenault: Stated that everyone did a great job at Buck Mountain. They just had it inspected by an engineer. There are a few things they must do to the tower to get the approval. Hopefully it will be open sometime this summer.

Ms. Bain: Stated that the Soil and Water Trail Stewardship Program still has open time if there are any towns that have any trail work they need done. She also stated that 2023 Conservation Mini Grant Program is underway, and she further discussed the first three applications. There is \$10,000 total and if anyone knows of any town needing it, they can get up to \$2,000.

Ms. Bain stated that there was a Public Health meeting to discuss the Director of Patient Services. Renee Rajca has resigned from the position but has agreed to come back part time. A letter of request to hire Ms. Rajca as a PT DPS was sent out by Erica Tomlinson, Public Health Director, and she asked if the Board would approve.

**RESOLUTIONS:**

Mr. Farber moved that this resolution remain tabled since on Committee Day the Board of Elections was not able to come in and meet with the Board of Supervisors. Seconded by Mr. Tomlinson. Carried.

**Motion to Table by Mr. Farber, seconded by Mr. Tomlinson. Carried.**

**TABLED**

**RESOLUTION NO.**

**TRANSFER OF FUNDS – BOARD OF ELECTIONS**

**DATED: JUNE 1, 2023**

**BY MR. FARBER:**

WHEREAS, the Hamilton County Board of Elections will shortly exceed the 2023 budgeted amount in Account No. A1450.0103, due to the unexpected influx of work required by the state, be it

RESOLVED, that the following transfer of funds take place to cover the additional need in 2023:

From: Account 1450.0108 Programming	\$1,400.00
Account 1450.0109 Election Worker	\$1,600.00
To: Account 1450.0103 Dem Deputy	\$3,000.00

and that the County Treasurer be authorized to make said transfers.

Seconded by Ms. Crewell.

After the following resolution was placed on the floor; Mr. Arsenault confirmed that this was the same company they have been using. Mr. Farber stated yes. The Board had a conversation with the Board of Elections where they had a proposal to have somebody else provide the IT service. It seemed a little pricey, so they were asked to get price quotes and this is where they ultimately landed.

**RESOLUTION NO. 199-23**

**AUTHORIZING CONTRACT WITH FULTON COUNTY FOR IT SERVICES -  
BOARD OF ELECTIONS**

**DATED: JULY 6, 2023**

**BY MR. FARBER:**

WHEREAS, Hamilton County entered into an agreement with Fulton County for providing server and support services for the Hamilton County Board of Elections, and other services as necessary/mutually agreeable for Hamilton County Board of Elections, and

WHEREAS, the Board of Elections is recommending continuing to contract with Fulton County for IT Services, and

WHEREAS, Fulton County, has made a proposal for a new contract for the server support services which includes: Operation and maintenance of the BOE server(s), Remote access to BOE systems in the event of an emergency, Regular backup of BOE Data, Remote and, if necessary, on-site support for PCs to access BOE software, Assistance with certifying compliance with NY State Cybersecurity regulations for \$8,000.00 annually for support, server operation and backups, billed immediately and on-site of \$60.00 per hour, plus mileage at the current IRS mileage reimbursement rate at the time of service, and

WHEREAS, the majority of the associated cost is hereby determined to be a professional service, now, therefore, be it

RESOLVED, that with the approval of the County Attorney, the Hamilton County Board of Supervisors does hereby authorize the Chairman of the Board of Supervisors to enter into a contract with Fulton County, for said services for a term of January 1, 2023 through December 31, 2023.

Seconded by Ms. Bain and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 200-23**

**RESOLUTION URGING THE GOVERNOR TO VETO A.04282B/S.3505B TO MOVE  
CERTAIN LOCAL ELECTIONS TO EVEN-NUMBERED YEARS**

**DATED: JULY 6, 2023**

**BY MR ARSENAULT:**

WHEREAS, the Hamilton County Board of Supervisors believes that increasing participation in the election process and reducing costs of government operations is good for our republic, and

WHEREAS, Assembly Member Amy Paulin and State Senator James Skoufis reintroduced legislation that would move local elections to even-number years during the 2023 legislative session, and

WHEREAS, versions of this legislation were introduced in previous years and failed to reach the floor for a vote due to lack of support, and

WHEREAS, after the 2022 session concluded, the bill sponsor indicated that hearings would be held on the proposal through the Election Committee process; however, there were no hearings held, and

WHEREAS, the legislation passed in the middle of the night on the last days of the legislative session which is counter to the idea of an open and transparent government, and

WHEREAS, the Hamilton County Board of Supervisors has several concerns with this bill, and

WHEREAS, this legislation usurps the Home Rule powers reserved by local governments and protected by the Constitution of the State of New York, raising questions of legality and constitutional authority, and

WHEREAS, local municipalities have had the ability to change their elections to even-number years for decades, and chose not to do so, and

WHEREAS, we believe that establishing the schedule of local elections is the right of the local government, and has been for more than 100 years, and

WHEREAS, The Assembly Bill sponsor indicated that she had not received any messages of support for this proposal from any of the 57 Counties and 933 Towns across New York State impacted by this legislation, and

WHEREAS, this legislation excludes more than half of all New Yorkers who vote in cities and villages from the changes to election law, creating an inequity among New York voters, and

WHEREAS, this legislation unfairly excludes the elections to offices in New York City and all other cities and villages in New York State, as well as certain offices within all counties and towns, and

WHEREAS, the proposed legislation circumvented the legislative committee process during this session, limiting public input and understanding of the impacts, and

WHEREAS, there has been no financial analysis or operational analysis of the impacts on local Boards of Elections, and

WHEREAS, there are concerns that the current election and ballot counting technology would not be able to adequately meet the demands of the significantly increased ballot size, and

WHEREAS, this will create confusion amongst voters in towns and counties across New York State, and

WHEREAS, separating the elections affords voters more time and focus to better understand important local issues and provides candidates the appropriate platforms to explain their stance on issues without having to compete against national and state level campaigns, and

WHEREAS, moving local elections to even-numbered years would increase the cost of campaigns for local office, reducing the number of candidates willing to invest funds into their own campaign, because the cost of media will increase to compete with national and state level campaign advertisements, and

WHEREAS, there are significant legal and constitutional questions regarding the legality of this measure that have not been adequately addressed, now, therefore, be it

RESOLVED that this Board of Supervisors urges the Governor to oppose this legislation and utilize her veto authority to reject this proposal, and be it further

RESOLVED, that copies of this resolution be distributed by the Clerk of The Board of Supervisors to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, Senate Minority Leader Robert Ort, Assembly Minority Leader William Barclay, Assembly Bill Sponsor Amy Paulin, Senate Bill Sponsor James Skoufis, Senator James Tedisco, Senator Walczyk, Assemblymember Smullen, Assemblymember John McDonald, Assemblymember Mary Beth Walsh, Assemblymember Carrie Woerner, and Assemblymember Matthew Simpson.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

### **RESOLUTION NO. 201-23**

### **AUTHORIZATION TO ATTEND THE 2023 NYSAC FALL SEMINAR**

**DATED: JULY 6, 2023**

**BY MR. FARBER**

WHEREAS, the New York State Association of Counties (NYSAC) will conduct the Fall Seminar in Verona, N.Y. September 13 – September 15, 2023, 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. Tomlinson and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 202-23**

**SETTING EQUALIZATION RATES**

**DATED: JULY 6, 2023**

**BY MR. RHODES:**

RESOLVED, that the assessment rolls with proposed rates as set up by the Equalization Committee be adopted for the year 2023 as follows:

Arietta.....	100.00
Benson.....	70.00
Hope.....	70.00
Indian Lake.....	75.00
Inlet.....	100.00
Lake Pleasant.....	78.00
Long Lake.....	80.00
Morehouse.....	80.00
Wells.....	70.00

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 203-23**

**AUTHORIZING ACCEPTANCE OF BACK TAXES IN TOWN OF HOPE**

**DATED: JULY 6, 2023**

**BY MR. RHODES:**

WHEREAS, the Board of Supervisors through the Treasurer's Office has been contacted by Gregory May, concerning property located in the Town of Hope, with parcel ID #147.007-2-2, with 2021 and 2022 back taxes owed, and

WHEREAS, Gregory May has provided a written explanation as to why the back taxes have not been paid and a request to pay the 2021 and 2022 back taxes immediately, along with the 2023 as well, be it

RESOLVED, that the Hamilton County Treasurer is hereby authorized to accept payment of the 2021 and 2022 taxes owed in the amount of \$3,645.90 together with an administrative charge of \$500.00 for a total of \$4,145.90 to be paid in July, 2023.

Seconded by Ms. Bain and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 204-23**

**AUTHORIZATION TO PAY PATIENT CENTERED OUTCOMES RESEARCH  
INSTITUTE (PCORI) FEE**

**DATED: JULY 6, 2023**

**BY MS. BAIN:**

WHEREAS, the Affordable Care Act imposes a fee on HRA plan sponsors to help fund the Patient-Centered Outcomes Research Institute (PCORI), and

WHEREAS, the PCORI Fee, required to be reported only once a year on the second quarter FORM 720 and paid by July 31, is based on the average number of lives covered under the plan for the twelve months of the previous plan year, and

WHEREAS, the Chairman of the Board of Supervisors has the authority to authorize said payments on an annual basis upon completion of Tax Form 720 by the County Treasurer, and

WHEREAS, the applicable dollar amount is \$3.00 per covered life on an annual basis, and

WHEREAS, the Personnel Officer has determined the average number of covered lives for the Hamilton County 2022 plan year is 51, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors do hereby authorize payment of \$153.00 made payable to Department of the Treasury, Internal Revenue Service, Ogden, UT 84201-0009, out of Account No. A9060.801, for the required 2022 PCORI Fee and the County Treasurer be so authorized and the Personnel Officer be so advised.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 205-23**

**PURCHASE FOR THE RENEWAL AND UPGRADE OF CURRENT NETMOTION SOFTWARE AND ASSOCIATED LICENSES – DHSES GRANT SI20-1028-E00**

**DATED: JULY 6, 2023**

**BY MR. FARBER:**

WHEREAS, Hamilton County has received a grant from New York State Department of Homeland Security and Emergency Services (DHSES) in the amount of \$566,264.00, contract C197841, for a new communications system, and

WHEREAS, one phase of the communications project is a new Public Safety Answering Point (PSAP) located at the Hamilton County Sheriff's dispatch, and

WHEREAS, historically Hamilton County has used Brite for the purchase of laptops in patrol cars for the Hamilton County Sheriff's Department. The software and maintenance for these laptops is called NetMotion, and

WHEREAS, the PSAP currently function under NetMotion software and eleven associated licenses, and

WHEREAS, the cost of the one-time purchase for the renewal and upgrade of the software and associated license, is \$2,009.56, be it

RESOLVED, that the Hamilton County Board of Supervisors authorizes the purchase of NetMotion software and associated licenses for \$2,009.56 with funds coming from Account No. A3645.0425 DHSES GRANT SI20-1028-E00.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 206-23**

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR EVALUATION AND SERVICE PROVISION WITH CHILDREN'S THERAPY NETWORK FOR CHILDREN AGED 3-5 YEARS**

**DATE: JULY 6, 2023**

**BY MS. BAIN:**

WHEREAS, Hamilton County is required to provide for Comprehensive evaluations for children aged 3-5, who reside within Hamilton County and have a suspected developmental delay through the Committee on Pre-School Special Education (CPSE) process, and

WHEREAS, Hamilton County is required to provide for any combination of Center-Based itinerant or related professional services including: Special Education Itinerant (SEIT) Services; skilled Physical, Occupational, and Speech Therapy Related services; Counseling and/or one-on-one Aide services for children determined to have an eligible level of developmental delay and require center-based services to fully meet their needs; as defined through the CPSE Process, and

WHEREAS, pursuant to Section 4410 of the New York State Education Law, the County is required to maintain contracts with several providers for the provision of comprehensive Evaluation and specialized center-based services as described above; in order to provide parents with a choice for service provision, and

WHEREAS, reimbursement for comprehensive evaluation and subsequent center-based services is determined by the extent of the evaluation and results, and based on rates set in conjunction with the Rate Setting Unit of the New York State Education Department, and

WHEREAS, Comprehensive Evaluations may be requested at any time and/or professional related service provision may be requested at any time through the regular school year and/or the 30 day summer session, and

WHEREAS, the Hamilton County Public Health Nursing Service represents Hamilton County as administrator of this program, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign contracts, upon approval of the County Attorney, for Comprehensive Evaluation and Center-Based professional service provision for children residing within Hamilton County at rates set by the New York State Department of Education, for the period of July 1, 2023 through June 30, 2024 between the Hamilton County Public Health Nursing Service and, not limited to but including, the following center-based preschool service providers:

Children's Therapy Network  
130 Lomond Court  
Utica, NY 13502  
(315) 724-4286

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 207-23**

**RESOLUTION TO CONTRACT FOR RABIES VACCINATION CLINICS – GLOVE CITIES VETERINARY HOSPITAL**

**DATED: JULY 6, 2023**

**BY MR. ARSENAULT:**

WHEREAS, in NYS it is the responsibility of the local health department to have a system in place for the control and suppression of rabies, and

WHEREAS, the Hamilton County Nursing Service (HCPHNS) holds periodic rabies vaccination clinics throughout the County which provides for free vaccination of taxpayers dogs, cats and domestic ferrets, and

WHEREAS, the services of a licensed veterinarian is required to provide this service, and

WHEREAS, the Glove Cities Veterinary Hospital, 35 Harrison Street, Gloversville, NY has agreed to provide veterinarian services for HCPHNS, and

WHEREAS, the Glove Cities Veterinary Hospital has agreed to maintain membership in the American Veterinary Medical Association, making them eligible to maintain professional liability insurance at the required level, and

WHEREAS, one licensed veterinarian from the Glove Cities Veterinary Hospital will be reimbursed at a rate of \$100.00 per hour, to include travel time and clinic hours plus travel reimbursement at the prevailing county mileage rate, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a contract with the Glove Cities Veterinary Hospital, to provide veterinary services at HCPHNS rabies clinics, at a rate of \$100.00 per clinic hour, plus travel time and mileage reimbursement, as described above, to begin May 1, 2023 to April 30, 2024 upon approval of the County Attorney and the County Treasurer be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 208-23**

**AUTHORIZING MOU WITH HEALTHY FAMILIES NORTH COUNTRY – SOCIAL SERVICES**

**DATED: JULY 6, 2023**

**BY MR. SNYDER:**

WHEREAS, New York State is expanding Healthy Families NY (HFNY) statewide to children and families across the state for families referred by the Department of Social Services, and

WHEREAS, families referred to by the department will be able to be enrolled prenatally up until their child is 24 months and the HFNY staff will provide preventative supports and education, and

WHEREAS, Healthy Families North Country has been granted the contract to serve Hamilton County, and

WHEREAS, a Memorandum of Understanding (MOU) is required for the agency to accept referrals, be it

RESOLVED, that the Hamilton County Commissioner of Social Services is authorized to sign an MOU following the review and approval by the Chairman of the Board of Supervisors and review by the County Attorney.

Seconded by Ms. Bain and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 209-23**

**AUTHORIZING PAYMENT TO WARRENSBURG COLLISION CENTER, INC. –  
INSURANCE REPAIR**

**DATED: JULY 6, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Vehicle #918 - 2020 Chevy Malibu was involved in an accident and the repairs for the damage were completed by Warrensburg Collision Center, Inc., and

WHEREAS, the Fleet Coordinator recommends the payment of said repairs of the 2020 Chevy Malibu, be it

RESOLVED, the County Treasurer is hereby authorized to increase Account No. A1910.0402 Repairs to Vehicles-Insurance by \$2,966.22 to be totally offset by increasing Revenue Account No. A2680.0000 Insurance Recoveries by \$2,966.22, 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

for Invoice #6060 in the amount of \$3,166.20 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. Rhodes and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 210-23**

**AUTHORIZING COUNTY FLEET COORDINATOR TO PURCHASE AUTOMOBILE  
FOR COMMUNITY SERVICES DEPARTMENT - 2023**

**DATED: JULY 6, 2023**

**BY MR. TOMLINSON:**

WHEREAS, the Community Services Department is in need of replacing a vehicle and the County Fleet Coordinator does recommend the replacement of the said vehicle, and

WHEREAS, the Fleet Coordinator requested bids for a mid-size all-wheel drive sedan through the New York State Marketplace and received a bid for a 2023 Nissan Altima in the amount of 30,119.21, and

WHEREAS, the Fleet Coordinator recommends the purchase of one (1) sedan for use in 2023 as follows per NYS Contract mini-bid #23166 Vehicles:

(1) 2023 Nissan Altima AWD 4 door sedan - \$30,119.21

be it

WHEREAS, the vehicle that is to be replaced will be turned down to another department to be utilized and the Fleet Coordinator will determine where the most need is and place the used vehicle there, be it

RESOLVED, that \$30,119.21 be transferred from the General Fund Unappropriated (Federal Salary Sharing) fund balance to Account No A4310.0201 Automobile Community Services, be it further

RESOLVED, that the Fleet Coordinator is hereby authorized to order one (1) 2023 Nissan Altima for Community Service mentioned herein for a total of \$30,119.21 delivered from Kingston Automotive LLC, DBA Kingston Nissan and Community Service Director be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 211-23**

**APPROVAL OF EXPENDITURES FOR CONSTRUCTION OF COUNTY ROAD  
BRIDGE PROJECT – ROBBS CREEK BRIDGE**

**DATED: JULY 6, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Robbs Creek Bridge located on Old Route 8b in the Town of Wells needs a new superstructure, decking and abutment work, and

WHEREAS, the DPW Superintendent has met with the Public Works Committee and recommends the rehabilitation of County owned Robbs Creek Bridge on Old Route 8b in the Town of Wells, and

WHEREAS, the County Highway Superintendent recommends the appropriation of \$150,000.00 for the rehabilitation of the following bridge project:

COUNTY BRIDGE PROJECT NO. 1 Town of Wells  
Robbs Creek Bridge, BIN3307520, Old Route 8b.....\$150,000.00  
Account No. D5120.2001

and

WHEREAS, the above designated bridge is owned by Hamilton County, be it

RESOLVED, that \$150,000.00 be transferred from the Account No. D5112.0203 Bridge Projects to Account No. D5120.2001 for the rehabilitation of the above designated project as recommended by the County Highway Superintendent and the County Treasurer be so authorized to make the said transfer and Clerk of the Board and County Highway Superintendent be so advised.

Seconded by Ms. Bain and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 212-23**

**NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY  
SERVICES OVERPAYMENT REFUND CHECK**

**DATED: JULY 6, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Hamilton County received reimbursement through New York State Division of Homeland Security and Emergency Services (DHSES) for FEMA repairs related to the 2019 Halloween Storm on County Route 8, and

WHEREAS, FEMA reviewed the disbursement and determined that there was an overpayment of \$23.62 due to a transposition error in the FEMA DVS summary, and

WHEREAS, FEMA is requesting that the overpayment of \$23.62 be returned to DHSES, be it

RESOLVED, that the County Treasurer be authorized to refund \$23.62 to Division of Homeland Security and Emergency Services, Attn: Disaster Finance, 1220 Washington Avenue, Building 7A, 4<sup>th</sup> Floor, Albany, NY 12242 from Account No. D3960, State Aid, Emergency Disaster Assistance, and the Clerk of the Board and DPW Superintendent be so advised.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

After the following resolution was placed on the floor; Mr. Farber stated that this was the resolution that was discussed on Committee Day that will authorize the service contract with Capital Digitronics. Jill Dunham, Emergency Services Director, got this approved through Homeland Security. Hopefully this will minimize the number of sole source requests that have to go through during an emergency.

**RESOLUTION NO. 213-23**

**CONTRACT APPROVAL WITH CAPITAL DIGITRONICS FOR TOWER  
EQUIPMENT REPAIRS**

**DATED: JULY 6, 2023**

**BY MR. FARBER:**

WHEREAS, Hamilton County Emergency Management was awarded SICG 18 Grant from NYS Statewide Interoperable Communications Targeted Grant in the amount of \$6,000,000.00, contract C198029, and

WHEREAS, \$50,000.00 of the SICG 18 Targeted Grant will be allocated for non-competitive procurement contract with Capital Digitronics for costs associated with communications tower equipment repairs, and

WHEREAS, the term of this contract will be from 1/1/2023-12/31/2023, and

WHEREAS, NYS DHSES has approved the contract and term of the contract, and

WHEREAS, the Director of Emergency Management has on file an approval letter from NYS DHSES, be it

RESOLVED, that with the approval of the County Attorney, the Chairman of the Board of Supervisors is hereby authorized to enter into a contract with Capital Digitronics for a term of 1/1/23-12/31/23 for tower equipment repairs, for \$50,000.00 to be utilized from SICG 18 Targeted Grant.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

After the following resolution was placed on the floor; the Chairman asked if this had been done yet. Mr. Farber stated that he thought it hadn't. It was some time ago when they discovered the damage and it has since been drawn out longer than they liked. Initially they had discussed if there were more durable antennas out there but then determined that the antenna was made of the same material as the ones that are three times as much.

**RESOLUTION NO. 214-23**

**APPROVAL FOR TOWER ANTENNA REPLACEMENT – BLUE MT. –  
ST18-1005-D00**

**DATED: JULY 6, 2023**

**BY MR. FARBER:**

WHEREAS, Hamilton County has received a grant from New York State Department of Homeland Security and Emergency Services (DHSES) in the amount of \$6,000,000.00 contract C198029, and

WHEREAS, Capital Digitronics was the original installer of communications antennas on Blue Mountain, and

WHEREAS, through winter weather of snow and ice, two of the antennas suffered significant damage and parts were broken from the antennas, and

WHEREAS, a Sole Source request was put in through NYS DHSES for replacement of these antennas to be covered with grant funds, and

WHEREAS, NYS DHSES approved the sole source request in the amount of \$2,260.00 for the antenna replacement, and

WHEREAS, Capital Digitronics will also be the installer, which is also reflected in the quote, be it

RESOLVED, that the Hamilton County Board of Supervisors authorizes the purchase of two antennas through Capital Digitronics in the amount of \$2,260.00 with funds coming from A3645.0428 ST18-1005-D00.

Seconded by Ms. Bain and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 215-23**

**AUTHORIZING REPLACEMENT OF AC CONDENSERS IN THE COUNTY SOCIAL SERVICES AND LEGAL WINGS – INDIAN LAKE COUNTY FACILITY**

**DATED: JULY 6, 2023**

**BY MR. TOMLINSON:**

WHEREAS, after replacing the heating systems in the Social Service and Legal Wings in the Indian Lake building facilities in 2022 the air conditioning needs to be replaced in both wings, and

WHEREAS, it has been very difficult to obtain written quotes, and

WHEREAS, the Superintendent finally received two (2) written quotes to replace the AC condensers, and

WHEREAS, the written quotes were from the following vendors –

- Thermal Associates - \$52,830.00 total for both wings
- Technical Building Services, Inc. - \$38,250.00 for both wings

and

WHEREAS, because it took so long to receive written quotes the Superintendent didn't have time to go to public bid as both building wings are currently without air conditioning, and

WHEREAS, the DPW Superintendent moved forward with the ordering and scheduling the installation of condensers from Technical Building Services, Inc. (TBS) with verbal approval from the Public Works Committee, be it

RESOLVED, that hereby the Board of Supervisors authorizes the Superintendent for the purchase and installation of said AC condensers and it will be a charge to Account No. A1620.0414 Five-Year Building Project Plan and the County Treasurer, Clerk of the Board and DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 216-23**

**AUTHORIZATION FOR CONSULTING FIRM FOR SCOPING FOR BUILDINGS  
PROJECTS - 2023**

**DATED: JULY 6, 2023**

**BY MR. ARSENAULT:**

WHEREAS, the DPW Superintendent has met with the Public Works Committee on several occasions to discuss the 5-year Building Plan to perform maintenance and reconstruction of the county owned facilities, and

WHEREAS, one of the projects needed to be done is a window replacement for the County Courthouse located in Lake Pleasant, and

WHEREAS, the Superintendent would like to begin scoping for a possible new public safety building, and

WHEREAS, the Superintendent recommends hiring Foit-Albert Associates to perform these scoping tasks mentioned hereon, be it

RESOLVED, the Board of Supervisors hereby approves the Superintendent to hire Foit-Albert Associates to begin scoping the building projects mention hereon in the amount not to exceed \$25,000.00 the County Treasurer, DPW Superintendent and Clerk of the Board be so advised.

Seconded by Ms. Bain and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 217-23**

**APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS**

**DATED: JULY 6, 2023**

**BY MR. SNYDER:**

RESOLVED, that the bills in the Machinery Fund amounting to \$103,850.96 and bills in the County Road Fund amounting to \$617,485.39 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. Farber and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

**RESOLUTION NO. 218-23**

**APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND**

**DATED: JULY 6, 2023**

**BY MR. FARBER:**

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$320,260.13 by the following committees:

Public Works (Buildings) Committee.....	\$47,775.35
Public Works (Solid Waste).....	33,998.03
Finance Committee .....	51,389.96
Health Committee.....	23,366.28
Human Services Committee.....	44,261.68
Central Government Committee .....	22,273.93
Emergency Prep./Emergency Response.....	82,996.20
Publicity, Tourism, Economic Development & Planning Committee.....	6,081.46
Internal Management Committee .....	8,117.24

are hereby approved.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

Mr. Farber stated that the Clerk of the Board placed Resolution No. 22 on the desks. This is to fix the fact that Board of Elections, without the authority to do so, over expended the account and so the County Treasurer has a deficit balance in this account. We were unable to get Board of Elections in to discuss forward looking planning and how much money they need including why. They do need to fix this problem. The proposal is that they pass this simple resolution to just fund that line back up to \$0 while they wait for a more detailed presentation from Board of Elections.

**RESOLUTION NO. 219-23**

**TRANSFER OF FUNDS – BOARD OF ELECTIONS**

**DATED: JULY 6, 2023**

**BY MR. FARBER:**

WHEREAS, Account No. A1450.0103 Elections Deputy Commissioner-Democrat was over expended by \$1,068.62 without the Board of Supervisors' knowledge, and

WHEREAS, in order to correct the accounting, the Board of Supervisors is willing to transfer funds, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$1,068.62 from Account No. A1450.0105 Elections Clerk Temporary-D to Account No. A1450.0103 Elections Deputy Commissioner-Democrat and the Board of Elections be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT AND FARBER

NAYS: NONE

ABSENT: FREY AND CREWELL

The Chairman stated that he received an email from Beth Gillis, Lake Champlain Lake George Regional Planning Board Director, and a copy was put on the desks. The email was asking if Hamilton County wanted to be involved in the Countywide Resiliency grant. The grant is a 90/10. Mr. Farber asked if there was a deadline of when they need a decision by. Mr. Wells stated that he would reach out and ask. Mr. Rhodes stated that his personal opinion was to not spend the money on it. Mr. Farber stated that he wouldn't disagree with Mr. Rhodes unless Tracy Eldridge, County Highway Superintendent, or the Town Highway Supervisors think there is some value in looking at it. He also stated that he appreciated her for always trying. Mr. Tomlinson stated that he would reach out to Mr. Eldridge regarding this.

The Chairman stated that Ms. Tomlinson had made a request to hire Renee Rajca as part time Director of Patient Services. He asked that the Supervisors present give a verbal okay. Mr. Farber stated that there were three different models they looked at during the meeting. They had thought for the near term the neatest, cleanest fix was to take Ms. Rajca up on her offer to fill in part time. Then the Board could look at other long-term fixes. He also stated that they discussed two specific creative solutions. One involved restructuring within the department and one involved looking at outside partners that could help with this capacity.

The Chairman asked if Indian Lake was the only town that had issues with fireworks. He stated that they have been going on for two weeks before Memorial Day. He feels that it's out of control in Indian Lake and seems to be centered around the lake. They discussed the fireworks that are being legally sold in New York. The Chairman stated that Warren County rescinded all their local laws and fireworks are illegal. Mr. Farber stated that we would have to do more than rescind the County's local law which only authorizes the sale of fireworks. It would be going further and enacting a local law that tries to reinforce what is illegal. The Chairman stated that Warren County acknowledged there are around 19 stores that sell fireworks. The Chairman stated that Hamilton County doesn't have that problem but wasn't sure how Warren County is addressing it either. Mr.

Farber stated that when the County authorized the local law specific to the sale, it just had to do with whether or not they could be sold locally. They did the local law at the request of one of the local businesses and it was just for the sale of fireworks. That local business has decided not to go through with selling the products. He asked the other Supervisors if they had businesses selling fireworks. Mr. Arsenaault stated that there are two tents in Tupper Lake. He also stated that he knew someone that lived in Warren County and the constituents there were quit upset. They thought it was governmental overreach trying to ban fireworks on the whole county and that there was pushback. He stated that if the County did it then there would be pushback here too. Mr. Farber asked if the County Attorney would look at what the state allows in terms of what is already illegal.

A motion was made at 11:00AM to open the Public Hearing on Proposed Local Law 2 of 2023 – A Local Law Pursuant to Section 487 of Real Property Law Authorizing the County to Opt-Out of Providing Real Property Tax Exemption for Solar, Wind, or Waste Energy Systems by Mr. Farber, seconded by Ms. Bain. Carried.

Lori Abbott entered the meeting.

#### PROCLAMATION:

The Chairman gave Barry Baker, Real Property Tax Director, the opportunity to read and present the proclamation to Lori Abbott. Mr. Baker also read a quote “Dependable is more important than talent because dependability is a talent and a talent that all can achieve.” He read from one of her past performance evaluations and said that “Ms. Abbott is a very capable individual with strong analytical skills and is a valuable resource to our towns, our other departments and the active professionals in our real estate community.” He has been asked how he is going to replace her and the simple answer is that he can’t. He thanked her for 12 wonderful outstanding years. It has been a great ride. Everyone applauded.

Kimberly Byrne, Personnel Officer, presented a certificate of appreciation to Ms. Abbott. She also received her service and retirement awards. Ms. Byrne congratulated her. Stated that she would be missed and how it was a pleasure to work with her.

*Hamilton County Board of Supervisors*

# *Proclamation*

*On the Occasion of her Retirement*

*Lori E. Abbott*

*WHEREAS*, we would like to express special recognition to Lori E. Abbott and to honor her for her twelve years of distinguished service with Hamilton County Real Property Tax Service; and

*WHEREAS*, Lori began her career with Hamilton County Real Property Tax Service on February 22, 2011 as a Real Property Tax Service Aide; and

*WHEREAS*, the Hamilton County Board of Supervisors wishes to express its sincere appreciation to Lori for her dedication to the outstanding performance of her duties during her tenure; and

*WHEREAS*, it is the desire and honor of this Board to honor Lori E. Abbott

*NOW, THEREFORE, BE IT RESOLVED*, that we, the Hamilton County Board of Supervisors, do hereby commend and honor

## *Lori E. Abbott*

for her many years of service and dedication as a Hamilton County employee and extend our heartfelt thanks for a job well done and offer our good wishes for an enjoyable retirement.

*IN WITNESS WHEREOF, WE*, the Hamilton County Board of Supervisors, have hereunto set our hand to this Proclamation this 6<sup>th</sup> day of July, 2023.

Mr. Farber asked Mr. Baker to refresh their memory on the local law. If the County was to opt out at this point in time does that preclude the County from ever opting back in? Mr. Baker stated it wouldn't. Mr. Farber stated that it makes sense to look and see how it goes. Get a little more information before they decide whether it's a worthwhile county exemption. Mr. Baker stated that it took them awhile to consider doing this only because they didn't feel the County was a prime target for solar farms. They need at least 10 acres to generate 1kw and there isn't a lot of land available. The Chairman thanked Mr. Baker for getting this together. He had seen a newspaper article and went in and talked to him about it. He stated how he appreciated his insight on it as well as digging into it deeper. He also stated that this was a good move on Hamilton County's part at this time.

Recess at 11:10AM.

Reconvened at 11:30AM.

A motion was made at 11:30AM to close the Public Hearing on Proposed Local Law 2 of 2023 – A Local Law Pursuant to Section 487 of Real Property Law Authorizing the County to Opt-Out of Providing Real Property Tax Exemption for Solar, Wind, or Waste Energy Systems by Mr. Rhodes, seconded by Mr. Farber. Carried.

A motion was made to adopt Local Law 2 of 2023 – A Local Law Pursuant to Section 487 of Real Property Law Authorizing the County to Opt-Out of Providing Real Property Tax Exemption for Solar, Wind, or Waste Energy Systems by Mr. Farber, seconded by Mr. Arsenault. Carried.

Motion: Mr. Farber

Second: Mr. Arsenault

**LOCAL LAW NO. 2 OF 2023**  
**State of New York**  
**County of Hamilton**

**A LOCAL LAW PURSUANT TO SECTION 487 OF REAL PROPERTY TAX LAW  
AUTHORIZING THE COUNTY TO OPT-OUT OF PROVIDING REAL PROPERTY  
TAX EXEMPTION FOR SOLAR, WIND, OR WASTE ENERGY SYSTEMS**

BE IT ENACTED, by the Board of Supervisors of the County of Hamilton as follows:

- Section 1. Title: This Local Law shall be known as “Opt-Out of Real Property Tax Law Section 487 Exemption for Qualified Solar, Wind and Waste Energy Systems Law of 2023”.
- Section 2. Declaration of intent: The intent is to opt-out and disallow any real property tax exemption for County taxation purposes contained in New York State Real Property Tax Law Section §487 for qualified solar, wind or waste energy systems.
- Section 3. Removal of Exemption: The Board of Supervisors hereby removes any exemption provided by New York State Real Property Tax Law Section §487 for qualified solar, wind or waste energy systems for the purposes of County taxation.
- Section 4. Severability: If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.
- Section 5. Filing: In addition to filing with the Secretary of State, this local law shall be filed with the New York State Office of Real Property Tax Services, and an additional copy shall be provided to the President of the New York State Energy Research and Development Authority.
- Section 6. Effective Date: This local law shall take effect upon the date on which a certified copy of this local law is filed in the Office of the Secretary of State pursuant to

section 27 of the Municipal Home Rule Law.

AYES: ARIETTA (292), BENSON (221), HOPE (413), INDIAN LAKE (1,363), LAKE PLEASANT (897), LONG LAKE (791), MOREHOUSE (92) = 4,069

NAYS: NONE

ABSENT: INLET (355), WELLS (683) = 1,038

Other Reports:

Mr. Farber: Stated that the Board passed the resolution authorizing attendance at NYSAC. The conference is September 13-15. It starts as always with the committee meetings. If the County has resolutions they want submitted they should think about them as soon as possible so they get them in. The last day to get resolutions submitted is Friday, August 4<sup>th</sup> so they would have the next Board meeting. The other thing is that they passed a resolution opposing Assembly 4282B which changes the year for certain local elections. He would encourage all the towns to think about passing that resolution and get it submitted to AATV and the Governor's Office. The problem with it is the legislation doesn't do what it purports to do in that the County offices that are constitutional offices are constitutionally set in the odd years and in order to consolidate elections they need to amend the constitution first. Legislatively they can just move some of the elections around but they will still have those that aren't. He recommended the Supervisors talk to their town boards about passing the resolution. He stated that if it does get signed then everybody will run for a full term right now but when their term is up again, they would run for a 1-year term to get on cycle.

Ms. Bain: Stated that at her last Town Board meeting she had an individual come in to compliment them on what a nice clean transfer station they have and how friendly and helpful the employees were.

As there was no further business, motion to adjourn by Ms. Bain, seconded by Mr. Farber. Carried.