

2023

EIGHTH SESSION

AUGUST 3, 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	Rebekah M. Crewell

Also present: County Attorney and Barry Baker-Real Property Tax Director/Budget Officer

A motion was made to accept the minutes of July 6th, 2023, by Mr. Rhodes, seconded by Mr. Snyder. Carried.

Public Comment: No one present.

Reports of Standing/Special Committees:

Mr. Farber: Thanked the Board for passing the resolution at the special meeting that extends the RS Telecom agreement. They now have a proposal from Nokia that they will be meeting on as a committee. The main challenge is inflation and how it has gone from around \$30,000 for an annual cost to more than \$70,000 by going through Nokia.

Ms. Crewell: Thanked everyone for their patience as she has been working through some health issues. She stated that she has some upcoming health-related issues that will most likely prevent her from being in full attendance and would like to get the Board's opinion on sending her Deputy to meetings in her absence. She would like Wells to be represented but it might not be feasible. It isn't something that will be happening for the next 3 months but wanted the Board to think about it. The Chairman thanked her and stated he hopes everything goes well.

Mr. Rhodes: Stated that at a fire department meeting an item was brought up about the new ambulance protocols regarding the closest appropriate hospital. He stated that it was blanketed over everybody, and he gave an example of when Piseco has a Level 1 Trauma they have to go to Albany Med. That takes the ambulance out of the area for close to 5 hours. He knew that

Speculator was Fulton County only but now with this it's a little different protocol and he wondered if the County had any control or if there was anything they could do to transfer them to a closer hospital. He thinks the driver commitment is going to be less. The Chairman asked who would make that call. Would it be the EMT? Mr. Rhodes stated that he thought it was the EMT. They further discussed Piseco's usual route being Nathan Littauer or Utica. There has been hesitation to transport to Utica because of the lack of radio communication so they have been going to St. Mary's or Nathan Littauer. Barry Baker, Real Property Tax Director/Budget Officer but also Piseco Resident and a member of Piseco Volunteer Fire Dept., stated that they could transfer a patient to GAVAC and they would do the delivery to the Level 1 Trauma center but have been told they can no longer do that. The Chairman stated that he had heard there was an issue in Indian Lake regarding Blue Mountain. Sometimes they won't allow a transfer alongside the road anymore. Mr. Rhodes stated that once they are in your ambulance, they stay in the ambulance until they get to the destination. Although that works well in the cities, here it takes the ambulances out of service for quite some time. They further discussed types of transportation and how it's a broad issue.

Mr. Rhodes further stated that there is a resolution on the agenda for ConnectALL. He briefly discussed the issues with Frontier.

Mr. Snyder: Stated that himself, Mr. Farber and the Chairman attended InterCounty in Fulton County. They visited the new ballpark and the museum across the street. He suggested that everyone go look at the amazing job they did with the ballpark. The Chairman stated that he saw there was an article on the opening Saturday.

Roberta Bly- DSS Commissioner, Connie Mahoney-Honored Retiree from DSS, Carole Ruiz-Personnel Assistant and Jodie Small-Deputy Treasurer entered the meeting.

PROCLAMATION:

Ms. Bly stated that it was her pleasure to introduce this proclamation for Connie Mahoney and she read the following:

Hamilton County Board of Supervisors
Proclamation
for Connie Mahoney
On the Occasion of her Retirement
July 18, 2023

WHEREAS, we would like to express special recognition to Connie Mahoney and to honor her for twenty-two plus years of distinguished service with Hamilton County; and

WHEREAS, Connie began her career on December 26, 2000 as a Part-time Account Clerk in the District Attorney's office. On June 10, 2003, Connie's position transitioned to full-time. After serving approximately 17 years in the District Attorney's office, Connie changed careers and moved to the Department of Social Services, working as a Social Welfare Examiner; and

WHEREAS, the Hamilton County Board of Supervisors wishes to express its sincere appreciation to Connie 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 Connie Mahoney

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

Connie Mahoney

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 3rd day of August, 2023.

After the following proclamation was read Carole Ruiz, Personnel Assistant, presented Ms. Mahoney with her retirement award and a certificate of appreciation for recognition of her 20 years of outstanding and dedicated service with Hamilton County. She congratulated her on reaching the significant milestone and appreciated her devotion to Hamilton County. She also presented her with a 20-year pin and service award. The Board all congratulated her.

RESOLUTIONS:

The Chairman stated that there was a Central Government Committee Meeting earlier this morning with Board of Elections regarding the resolution put forth on June 1st. Mr. Farber stated that the resolution was moved and seconded. The NYS Board of Elections and the Election Commissioners confirmed and explained that there is no problem with them creating disparity between the amount budgeted in the Democrat Deputy Commissioner account line and the Republican Deputy Commissioner account line. So, there is nothing that prohibits the Board from passing this resolution which will create a higher level of appropriation for the Democrat Deputy Commissioner account line and therefore he supports the resolution. He also stated that when the Board concludes the agenda, they need to pass a resolution that would rescind Resolution No. 219-23 of July 6th.

RESOLUTION NO. 225-23

TRANSFER OF FUNDS – BOARD OF ELECTIONS

DATED: AUGUST 3, 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 and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 226-23

APPROVAL TO FUND AND PAY INVOICE RECEIVED UTILIZING THE ARP ACT FUNDS FOR THE BODY CAMERAS AND TASERS FOR THE SHERIFF'S OFFICE

DATED: AUGUST 3, 2023

BY MR. ARSENAULT:

WHEREAS, per Resolution No. 93-23 dated March 2, 2023, the Sheriff was authorized to purchase six Taser 7, six Axon Body 3 cameras with accessories and Evidence.com software, and

WHEREAS, an invoice has been received from Axon Enterprise Inc. for the new tasers, body cameras and software license for the Sheriff's Office, be it

RESOLVED, the County Treasurer is hereby authorized to create and fund Account No. A 3110.0418 – Sheriff ARP Act in the amount of \$39,792.77 to be offset by funding Revenue Account No. A 4089.0200 – American Rescue Plan Act (ARPA) in the amount of \$39,792.77, and be it further

RESOLVED, that the County Treasurer is hereby authorized to pay Axon Enterprise for Invoice No. INUS172391 in the amount of \$39,792.77 from Account No. A 3110.0418 – Sheriff ARP Act.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 227-23

RESOLUTION AUTHORIZING PAYMENT FOR UTV REPAIR

DATED: AUGUST 3, 2023

BY MS. CREWELL:

WHEREAS, the Hamilton County Sheriff's Office loaned the 2016 Polaris UTV to New York State Department of Transportation for the flooding in Long Lake, and

WHEREAS, the 2016 Polaris UTV sustained damages that were repaired by Powerhouse Motorsports Corp. of 2493 State Highway 30, Mayfield, New York 12117, therefore, be it

RESOLVED, that the Hamilton County Treasurer is hereby authorized to disburse to Powerhouse Motorsports Corp., \$881.91 from Account No. A 3110.0401 – Sheriff Car Expense for said repairs.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 228-23

**AUTHORIZING COMMUNITY SERVICES TO CONTRACT WITH LAKE PLEASANT
CENTRAL SCHOOL FOR THE SCHOOL AND COMMUNITY PREVENTION
INITIATIVE SERVICES**

DATED: AUGUST 3, 2023

BY MR. SNYDER:

WHEREAS, Community Services has developed a Hamilton County School and Community Prevention Initiative that offers Hamilton County Schools a Clinical Social Worker and/or a Resource Officer services at a cost of \$10,000.00 per year for one day of each service per week, and

WHEREAS, Lake Pleasant Central School has agreed to contract for one (1) day per week of School Resource Officer (SRO) at a total cost of \$10,000.00 for the year beginning July 1, 2023 through June 30, 2024, be it

RESOLVED, that upon approval of the County Attorney, Hamilton County Community Services is hereby authorized to contract with Lake Pleasant Central School for a School Resource Officer for an annual amount of \$10,000.00 to be billed in monthly installments of \$1,000.00 beginning September 1, 2023 and ending June 30, 2024.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 229-23

**AUTHORIZING COMMUNITY SERVICES TO CONTRACT WITH INDIAN LAKE
CENTRAL SCHOOL FOR THE SCHOOL AND COMMUNITY PREVENTION
INITIATIVE SERVICES**

DATED: AUGUST 3, 2023

BY MS. BAIN:

WHEREAS, Community Services has developed a Hamilton County School and Community Prevention Initiative that offers Hamilton County Schools a Clinical Social Worker and/or a Resource Officer services at a cost of \$10,000.00 per year for one day of each service per week, and

WHEREAS, Indian Lake Central School has agreed to contract for one (1) day per week of Social Worker Services at a total cost of \$10,000.00 for the year beginning July 1, 2023 through June 30, 2024, be it

RESOLVED, that upon approval of the County Attorney, Hamilton County Community Services is hereby authorized to contract with Indian Lake Central School for Social Worker Services for an annual amount of \$10,000.00 to be billed in monthly installments of \$1,000.00 beginning September 1, 2023 and ending June 30, 2024.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 230-23

AUTHORIZING COMMUNITY SERVICES TO CONTRACT WITH WELLS CENTRAL SCHOOL FOR THE SCHOOL AND COMMUNITY PREVENTION INITIATIVE SERVICES

DATED: AUGUST 3, 2023

BY MR. SNYDER:

WHEREAS, Community Services has developed a Hamilton County School and Community Prevention Initiative that offers Hamilton County Schools a Clinical Social Worker and/or a Resource Officer services at a cost of \$10,000.00 per year for one day of each service per week, and

WHEREAS, Wells Central School has agreed to contract for two (2) days per week of Social Worker Services and one (1) day per week of School Resource Officer (SRO) at a total cost of \$30,000.00 for the year beginning July 1, 2023 through June 30, 2024, be it

RESOLVED, that upon approval of the County Attorney, Hamilton County Community Services is hereby authorized to contract with Wells Central School for Social Worker Services and a School Resource Officer for an annual amount of \$30,000.00 to be billed in monthly installments of \$3,000.00 beginning September 1, 2023 and ending June 30, 2024.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 231-23

AUTHORIZING COMMUNITY SERVICES TO CONTRACT WITH LONG LAKE CENTRAL SCHOOL FOR THE SCHOOL AND COMMUNITY PREVENTION INITIATIVE SERVICES

DATED: AUGUST 3, 2023

BY MR. ARSENAULT:

WHEREAS, Community Services has developed a Hamilton County School and Community Prevention Initiative that offers Hamilton County Schools Clinical Social Worker and/or a Resource Officer services at a cost of \$10,000.00 per year for one day of each service per week, and

WHEREAS, Long Lake Central School has agreed to contract for one (1) day per week of Social Worker Services at a total cost of \$10,000.00 for the year beginning July 1, 2023 through June 30, 2024, be it

RESOLVED, that upon approval of the County Attorney, Hamilton County Community Services is hereby authorized to contract with Long Lake Central School for Social Worker Services for an annual amount of \$10,000.00 to be billed in monthly installments of \$1,000.00 beginning September 1, 2023 and ending June 30, 2024.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 232-23

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

DATED: AUGUST 3, 2023

BY MR. TOMLINSON:

WHEREAS, Resolution No. 215-23 authorized the purchase and installation of AC condensers in the Social Service and Legal Wings in the Indian Lake County Building Facility by Technical Building Services, Inc. (TBS) at a cost of \$38,250.00, and

WHEREAS, a progress payment request of \$15,300.00 has already been processed leaving the final balance upon completion of \$22,950.00, and

WHEREAS, the condenser units have been fully installed and the work has been inspected by the DPW Building Project Supervisor and deemed complete, be it

RESOLVED, that hereby the County Treasurer is authorized to make payment to Technical Building Services, Inc., 12E Commerce Drive, Ballston Spa, NY 12020-3631 in the amount of \$22,950.00 from Account No. A1620.0414 Five-Year Building Project Plan and the DPW Superintendent and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 233-23

**AUTHORIZING COUNTY HIGHWAY SUPERINTENDENT TO PURCHASE
TRACKED SKID STEER LOADER**

DATED: AUGUST 3, 2023

BY MR. TOMLINSON:

WHEREAS, the Public Works Department owns a 2020 289D3 Cat Compact Track Loader, and

WHEREAS, Milton Cat has offered \$70,189.00 for the currently County owned 2020 Cat 289D3 in as is condition (VIN JX901722) as trade in value toward the purchase of a 2023 Cat 289D3, and

WHEREAS, the County Highway Superintendent is recommending approval to purchase the said compact loader under State Contract pricing, be it

RESOLVED, that hereby the County Highway Superintendent is authorized to purchase said Compact Tracked Loader under New York State Contract/Sourcewell #PC69406 pricing from Milton Cat, and be it further

RESOLVED, the County Highway Superintendent is hereby authorized to trade in the 2020 Cat 289D3 VIN No.JX901722 compact tracked loader currently owned by Hamilton County and that the trade in value is \$70,189.00 and the final cost for the purchase of the 2023 Cat 289D3 is \$25,837.00 and the 60 month extended warranty cost of \$1,173.05 for a total cost of 27,010.05 and this will be a charge to Account No. D5112.0202 Capital Projects 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, FARBER, AND CREWELL

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 234-23

AWARD OF BID SPECIFICATION 12-2023 – OPEN TOP EJECTOR TRAILERS

DATED: AUGUST 3, 2023

BY MR. TOMLINSON:

WHEREAS, the Public Works Committee authorized the County Highway Superintendent to advertise for bids for the purchase of two (2) New 2023 Model Year Open Top Ejector Trailers, and

WHEREAS, one (1) bid was received for two (2) New and Unused 2023 Open Top Ejector Trailers in accordance with Specification No. 12-2023 as advertised by the Highway Superintendent and Highway Committee, and

WHEREAS, the following bid was received:

1. Spector Manufacturing, Inc.
PO Box 158, Industrial Park Road
St. Claire, PA 17970

2023 Spec Tec Model – SEO059696 as specified Bid price \$229,868.00

and

WHEREAS, the County Highway Superintendent recommends awarding the bid to Spector Manufacturing Equipment, be it

RESOLVED, that the award be made to Spector Manufacturing, Inc., PO Box 158, St. Claire, PA 17970, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract for the purchase of two (2) new 2023 Spec Tec Open Top Ejector Trailers with Spector Manufacturing, Inc. of St. Claire, PA in the amount of \$229,868.00 with the approval of the County Attorney, and be it further

RESOLVED, that payment be made to Spector Manufacturing, Inc. within 30 days of delivery of fully equipped and operational unit and acceptance by the County Highway Superintendent and that payment be made from Account No. A8189.0401 Solid Waste Reserve in the amount of \$229,868.00 and the County Attorney, County Treasurer and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 235-23

AUTHORIZING PAYMENT FOR VEHICLES - PUBLIC HEALTH

DATED: AUGUST 3, 2023

BY MR. TOMLINSON:

WHEREAS, Resolution No. 222-23 authorizes the County Fleet Coordinator to purchase two (2) 2023 Nissan Altima's for use by Public Health, and

WHEREAS, the vehicles ordered were delivered, and

WHEREAS, the County Fleet Coordinator has inspected the said vehicles and confirms they are accepted and meet specifications and recommends payment of said vehicles, be it

RESOLVED, the County Treasurer is hereby authorized to make payment to Kingston Nissan, 140 Route 28, Kingston, NY 12401-7444 in the amount of \$60,238.42 and the funds to be

taken out of Account No. A4050.0201 Automobile and the Public Health Director, Fleet Coordinator and the Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY

After the following resolution was placed on the floor; the Chairman stated that in speaking with Tracy Eldridge, Highway Superintendent, he does feel that this is still within reason. He will be asking for something that will make it a little easier on their trucks; hoping that it will help with some of the repairs.

RESOLUTION NO. 236-23

AUTHORIZATION TO ENTER INTO A FIVE (5) YEAR INTERMUNICIPAL EXTENSION AGREEMENT WITH FULTON COUNTY TO ACCEPT HAMILTON COUNTY'S MIXED SOLID WASTE AT THE FULTON COUNTY LANDFILL

DATED: AUGUST 3, 2023

BY MR. TOMLINSON:

WHEREAS, Hamilton County's agreement with the Fulton County Landfill for disposal of County's Mixed Solid Waste (MSW) expires on December 31, 2023, and

WHEREAS, the expiring agreement with Fulton County has an option for an extension agreement, and

WHEREAS, the County has been negotiating with Fulton County to extend the current agreement to dispose the County's MSW at the Fulton County Landfill located on Mud Road in Johnstown, and

WHEREAS, the County has received an extension proposal from Fulton County that would enable Hamilton County to dispose of their MSW for a term of five (5) years beginning January 1, 2024 with an option to extend at the end of the extended five year agreement as follows –

January 1, 2024 – December 31, 2024 - \$52.00 per ton
January 1, 2025 – December 31, 2025 - \$53.00 per ton
January 1, 2026 – December 31, 2026 - \$54.00 per ton
January 1, 2027 – December 31, 2027 - \$55.00 per ton
January 1, 2028 – December 31, 2028 - \$56.00 per ton

and

WHEREAS, the DPW Superintendent feels that this proposal is an acceptable and reasonable and recommends moving forward as it provides a stable, cost effective landfill for the disposal of the County's MSW, be it

RESOLVED, the Hamilton County Board of Supervisors hereby authorize the Chairman of the Board to enter into a five (5) year Inter-Municipal Extension Agreement with Fulton County for the disposal of the County's MSW beginning January 1, 2024 with the approval of the County Attorney and the County Treasurer, DPW Superintendent and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: FREY

The Clerk of the Board stated that the next resolution is the sales tax extension. The Governor signed it and the County Attorney reviewed and approved it but NYS Tax and Finance has not reviewed it yet. She spoke with them yesterday and they had promised to review the draft and contact her by 10:30AM. The Board further discussed the process. The Clerk of the Board suggested that they approve it and if they come back with needed changes, then it can be corrected at a special meeting. This needs to be postmarked by September 2nd.

RESOLUTION NO. 237-23

**RESOLUTION OF THE BOARD OF SUPERVISORS OF HAMILTON COUNTY,
AMENDING RESOLUTION 210 OF 2013 RECODIFYING AND REIMPOSING
GENERAL SALES AND COMPENSATING USE TAXES IMPOSED AT THE RATE OF
THREE PERCENT BY RESOLUTION NO. 20 OF 1968, ENACTED JANUARY 4, 1968,
AS AMENDED, AND ALSO IMPOSING AN ADDITIONAL ONE PERCENT RATE OF
SUCH TAXES FOR A PERIOD OF TWO YEARS, PURSUANT TO THE AUTHORITY
OF SECTION 1210 OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW
YORK**

DATED: AUGUST 3, 2023

BY MR. FARBER:

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

RESOLUTION 210 of 2013 heretofore enacted by the Board of Supervisors is hereby amended such that Section 1 shall read as follows:

SECTION 1. Imposition of general sales and compensating use taxes. There are hereby imposed in this county and there shall be paid all of the sales and compensating use taxes described in Article Twenty-eight of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of the Tax Law, at the rate of three percent. In addition to those taxes imposed at the rate of three percent, there are hereby imposed in this county and there shall be paid such sales and compensating use taxes at the additional rate of one percent, for the period commencing December 1, 2023, and ending November 30, 2025.

Effective date. The enactment of the foregoing amendment shall take effect December 1, 2023.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 238-23

CONTRACTING ABSTRACTING SERVICES FOR THE TREASURER'S OFFICE

DATED: AUGUST 3, 2023

BY MR. FARBER:

WHEREAS, the Hamilton County Treasurer's Office each year has stub searches performed on delinquent properties that are part of the foreclosure procedure, and

WHEREAS, last year this was successfully performed by Mountain Abstract Company, Inc., and

WHEREAS, Mountain Abstract Company, Inc. is able to provide the abstracting services we need at the same price as last year's services; that being \$125 per new search and \$50 per two year update search, therefore, be it

RESOLVED, that the Chairman is hereby authorized to enter into an abstracting agreement with Mountain Abstract Company, Inc., PO Box 140, Chestertown, NY 12817 under the same terms and conditions as was done last year, and be it further

RESOLVED, that the Hamilton County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY

After the following resolution was placed on the floor; Mr. Farber stated that this was a question that was raised the week before at InterCounty with NYSAC. What they heard was that several counties are having problems with Frontier and some of the other providers. The kind of partnership that they have been able to induce with providers like SLIC or Hudson Valley Wireless doesn't necessarily occur with providers like Frontier. To one of Mr. Rhodes earlier points, one of the biggest uncertainties is the awards that Frontier has received for across NYS that amount to over \$37Million over 12,000 addresses that nobody has seen a timeframe of when they are going to buildout those expansions. They have 10 years from the date of the award to do that. The Chairman confirmed that Mr. Farber would be bringing this to NYSAC. Mr. Farber stated that this resolution has some minor changes from the first draft. The first draft was tested with NYSAC and discussed with Josh in the ConnectALL Office to make sure that he thought it was consistent with what they were willing to do. They have already started working with NYSAC on setting up a meeting with Frontier and some key counties. NYSAC is going to have a resolution on for our September agenda when they are at Turning Stone that will be very similar to this.

RESOLUTION NO. 239-23

RESOLUTION ASKING FOR THE ASSISTANCE OF THE NYS CONNECTALL OFFICE, NYS PSC, AND FCC IN DEALING WITH THE UNCERTAINTY OF PLANNING FOR BROADBAND WITH AND AROUND FRONTIER COMMUNICATIONS SERVICE AREA

DATED: AUGUST 3, 2023

BY MR. RHODES:

WHEREAS, Frontier Communications provides significant Broadband coverage/service in 8 out of 9 of the Towns in Hamilton County and across NYS, and

WHEREAS, Frontier Communications also has RODF (Rural Digital Opportunity Fund) Awards in each of those 8 Towns (across NYS Frontier was awarded \$37,291,314.60 for 12,226 units assigned), and

WHEREAS, none of the awarded areas in Hamilton County have currently been built, nor are they under construction, nor even permitted, as we understand the current situation, and

WHEREAS, Hamilton County also understands we are not the only County in the State or within the Country in this same position, and

WHEREAS, the excess amount of time allowed for construction under the RDOF program creates a significant challenges when our residents, children, and schools have immediate needs, and

WHEREAS, Hamilton County, like many other Counties within NYS, has worked diligently on Broadband mapping (local work, PSC maps, FCC maps), all an effort to have quality information to plan from, and

WHEREAS, Hamilton County takes very seriously our responsibility for working with NYS and the ConnectAll Office, as we seek funding to fill the remaining Broadband gaps across Hamilton County, and

WHEREAS, key to our ability to plan, is being able to have open and engaged conversations with all the providers who are in a position to partner with the County in providing service, and

WHEREAS, for Hamilton County, Frontier Communications is a key player in terms of their current footprint, the RDOF Award, as well as in helping to fill the additional gaps, and

WHEREAS, Hamilton County, and as we understand it other Counties in NYS are all struggling to plan around the uncertainty of the RDOF Awards (10 years to build out), now therefore, be it

RESOLVED, that Hamilton County calls upon the NYS ConnectAll Office (as the future funds administrator), NYS PSC (as the NYS Mapping entity and also the overseer of part of Frontier Communications Service), as well as the FCC to work with all involved Counties to immediately set up a planning meeting with Frontier Communications so the following can be determined:

- What RDOF projects will be completed and by when?
- When will other System improvement work or Broadband expansions take place, if any are planned?
- What is the best model for dealing with County identified gaps or county/customer identified problems?

and be it further

RESOLVED, that a copy of this Resolution be forwarded to the Governor, ConnectAll Office, PSC, FCC, Adirondack Inter-County, NYSAC, and NACo.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 240-23

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

DATED: AUGUST 3, 2023

BY MS. BAIN:

WHEREAS, the Hamilton County Public Health Nursing Service is required to provide for Related Services (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, Indian Lake 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, 2023 through August 31, 2024 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 Ms. Crewell and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 241-23

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH LAKE PLEASANT
CENTRAL SCHOOL DISTRICT TO PROVIDE SERVICES FOR THE PRESCHOOL
SPECIAL EDUCATION PROGRAM**

DATED: AUGUST 3, 2023

BY MS. CREWELL:

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 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, Lake Pleasant Central School District is an approved provider of special education and 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 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 authorized to enter into a contract with said provider to provide the aforesaid services for the period of September 1, 2023 through August 31, 2024 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 Ms. Bain and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 242-23

**AUTHORIZING CHAIRMAN TO SIGN CONTRACTS FOR EVALUATION AND
SERVICE PROVISION WITH CENTER-BASED SERVICE PROVIDERS FOR
CHILDREN AGED 3-5 YEARS**

DATE: AUGUST 3, 2023

BY MS. CREWELL:

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 September 1, 2023 through August 31, 2024 between the Hamilton County Public Health Nursing Service and, not limited to but including, the following center-based preschool service providers:

NYSARC, Inc.
a/k/a The Children's Corner – The Adirondack ARC
12 Mohawk Street Tupper Lake, NY 12986
518-359-3351

Center for Disability Services (No evaluations)
Db a Prospect Center

133 Aviation Road
Queensbury, NY 12804
518-798-0170

Upstate Cerebral Palsy, Inc
125 Business Park Drive
Utica, NY 13502
315-724-6907

Kelberman Center, Inc
1601 Armory Drive
Utica, NY 13501
315-797-6241

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 243-23

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

DATED: AUGUST 3, 2023

BY MS. CREWELL:

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, 2023 through August 31, 2024 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. Arsenault and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 244-23

AUTHORIZING CONTRACT WITH MICHELLE KELLY TO INSTRUCT YOGA CLASSES 2023-2024

DATED: AUGUST 3, 2023

BY MS. CREWELL:

WHEREAS, the Hamilton County Public Health Nursing Service maintains an agreement between Warren/Hamilton Office for the Aging to provide services for Hamilton County residents under a Community Services Contract code A.6780 10 470, and

WHEREAS, this contract has been submitted for renewal for the period August 1, 2023 – July 31, 2024 in the full amount of \$3,313.00, and

WHEREAS, Michelle Kelly of 219 Lake Snow Road, Indian Lake, NY is a certified Yoga Instructor and wishes to contract with Hamilton County to instruct Yoga Classes, and

WHEREAS, the term of this contract shall be from August 1, 2023 through July 31, 2024 and compensated at a rate of \$40.00 per class plus mileage at the current county rate, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a contract with Michelle Kelly to instruct Yoga classes to the residents of Hamilton County, for the period August 1, 2023 through July 31, 2024 at a rate of \$40.00 per class plus mileage upon approval of the County Attorney and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 245-23

AUTHORIZING CHAIRMAN TO SIGN WIC CONTRACT

DATED: AUGUST 3, 2023

BY MS. CREWELL:

WHEREAS, the New York State Department of Health, Agency # 12000, requests the renewal of the Contract No. DOH01-C38237GG-3450000 with Hamilton County Public Health Nursing Service to provide Women, Infant and Children Program (WIC) Services, for the period of October 1, 2023– September 30, 2024, and

WHEREAS, the grant year overlaps the 2023- 2024 County Budgeted fiscal year, and

WHEREAS, the total grant contract is for Fifty-three Thousand Eight Hundred Dollars (\$53,800), and

WHEREAS, the necessary funds have been appropriated in the 2023 Municipal Budget and the remainder will be proposed for the 2024 Municipal Budget, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the Contract with the NYS WIC Program, and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 246-23

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: AUGUST 3, 2023

BY MR. SNYDER:

RESOLVED, that the bills in the Machinery Fund amounting to \$155,990.65 and bills in the County Road Fund amounting to \$271,311.31 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. Arsenault and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 247-23

APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND AND CAPITAL PROJECT 2022-1 BIG BROOK BRIDGE

DATED: AUGUST 3, 2023

BY MR. FARBER:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$269,093.15 the following committees:

Public Works (Buildings) Committee.....	\$32,123.41
Public Works (Solid Waste).....	33,358.66
Finance Committee	19,393.85
Health Committee.....	11,625.31
Human Services Committee.....	29,882.22
Central Government Committee	15,588.76
Emergency Prep./Emergency Response.....	88,070.55
Publicity, Tourism, Economic Development & Planning Committee.....	37,159.91
Internal Management Committee	1,890.48

be it further

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

Big Brook Bridge Capital Project 2022-1.....	\$23,016.55
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are hereby approved.

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

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

NAYS: NONE

ABSENT: FREY

Mr. Farber introduced to the floor Resolution No. 24 which resolves to rescind Resolution No. 219-23 of July 6, 2023 Transfer of Funds - Board of Elections.

RESOLUTION NO. 248-23

RESCINDING RES. NO. 219-23 – TRANSFER OF FUNDS – BOARD OF ELECTIONS

DATED: AUGUST 3, 2023

BY MR. FARBER:

BE IT RESOLVED, that Resolution No. 219-23 Transfer of Funds – Board of Elections adopted on July 6, 2023 be hereby rescinded.

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

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

NAYS: NONE

ABSENT: FREY

Other Reports:

Mr. Farber: Stated that it looks like they will be a little early for their meeting with Jill Dunham, Emergency Services Director. He knew that she had a conflict but with the consent of the committee members maybe as soon as she finished, they could move up the meeting that was scheduled at noon. All agreed.

Ms. Bain: Thanked Barry Baker, Real Property Tax Director/Budget Officer, for getting the information on the occupancy tax to them. She thought it was good information and she was hoping the Board would consider moving on it.

The Chairman stated that he had a request from North Country Regional Economic Development Council. They are looking for people to serve on a Workforce Committee and a Housing

Committee from August through November. He would be able to put them in touch or they could reach out to Jim McKenna.

The Chairman asked the consensus of the Board regarding working with Ms. Dunham to take out a full-page ad in the Hamilton County Express to thank all the volunteers and municipal entities that worked with the flooding. Everyone agreed.

The Chairman stated that there were two other retirees as well. He knew that they would not want to come today, but he would like to thank Cindy King and Beth Wells King. He was very proud of them both and very proud that he knows them both.

Mr. Farber: He would also like to thank Mr. Baker for the information on occupancy tax. It was more striking than he realized. He knew that there was a small number of them that didn't have occupancy tax, but he had no idea that 3 out of the 4 were already working on it. Mr. Baker stated that he would follow up on those numbers. Mr. Farber stated that Essex County had an occupancy tax during his tenure as Chair and Franklin County put in place an occupancy tax at the point in time when ROOST was doing the marketing for Hamilton, Essex and Franklin Counties. As part of that occupancy tax both Essex and Franklin Counties allowed the collection for short-term rentals and because of that they got a grant to get search software that identified all the short-term rentals across all the platforms on the web. That way they could identify, reach out to and collect occupancy tax from those short-terms and as part of that, back around 2019, ROOST did an estimate of what the occupancy tax would have been for Hamilton County at 3,4 or 5%. He stated that if they wanted updated numbers, they could reach out to Jim McKenna, ROOST CEO, and he could use their data sets. Ms. Bain stated that they should keep in mind that it looks like 2 or 3 of them had started out too low and 1 or 2 years later they are realizing it and moving it up. She feels that the County really needs to be diligent in that decision. Mr. Farber stated that what they had heard from the Board when it came up was the importance of if there was a movement to do it then doing it in a way that it not only funds the County's piece of the marketing but maybe looks like the Essex County model. Essex County put in place 5% but 2% of the revenue is dedicated back to the towns so that they can address amenity issues. ROOST also, back around the same time, went through a process with several of our communities as well as Essex to do destination planning and it was all predicated upon communities or block of communities (towns together) evaluating themselves as an amenity. It was to see what investments were going to be necessary to take themselves to the next level. Essex County took that destination planning work to the next level by increasing their occupancy tax from 3% to 5% and dedicating that additional 2% back to the towns to allow for the support of different projects in the communities that were helpful in enhancing the destination. Warren County has always done that less formally. They just do very well on their occupancy tax because of all the lodging around Lake George and now the short-term rentals. They too push money back to towns. So, there are a couple of models out there if they are interested in going forward. Ms. Crewell asked if it was something they would continue for 2024. Mr. Farber stated that it wouldn't happen immediately because it requires state legislation. So, it's the kind of thing that if they wanted to do it then they should start evaluating it and then make the request for the state legislators to carry the authorization this next session. Once it's approved by the legislature and signed then there is an implementation period much like sales tax and county steps involved. Mr. Tomlinson confirmed that it would be a monitoring process. The Chairman stated that he wasn't sure how Essex County does it but in talking with the Minerva

Supervisor, who doesn't have a huge population, they get about \$75,000 per year. Ms. Crewell asked when the Board would vote on it. Mr. Farber stated that he thought the timing of voting on it was premature to discuss in that there is a lot of homework to do, and Mr. Baker is getting some numbers on statewide information as well as having Christy Wilt, Economic Development/Tourism Director, looking at what the local revenues would be. He does think that it's worth discussing during the budget process.

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