

**2023**

**TENTH SESSION**

**OCTOBER 5, 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	ABSENT
Long Lake	Clay J. Arsenault
Morehouse	William G. Farber
Wells	Rebekah M. Crewell

Also present: County Attorney, Kimberly Byrne- Personnel Officer, Barry Baker-Real Property Tax Director/Budget Officer, Caitlin Stewart-Soil and Water District Manager, Katie WhitKovits-Soil and Water Technician, Beth Hunt-Treasurer and Nancy Grosselfinger

A motion was made to accept the minutes of September 7, 2023 by Mr. Farber, seconded by Ms. Crewell. Carried.

**Public Comment:**

Katie WhitKovits, Soil and Water Technician, introduced herself and stated that she had a community outreach update for the Board. She gave the Board a handout on their recent events. She stated that this year was the 44<sup>th</sup> Annual Lynn Galusha Conservation Field Day for the 5<sup>th</sup> and 6<sup>th</sup> graders in Hamilton County. They had good attendance. It was wonderful that both Assemblyman Smullen and Senator Walczyk attended and spoke at the event. There were seven different presentations for the students. One of the presentations was beaver management. It was presented as a town hall and they were asked what they would do to manage the beaver problems.

Ms. WhitKovits stated that another event they had was Home School Day at the Blue Mountain Museum. It was for all different ages and also their parents. They did a fun activity with them on migratory birds.

Caitlin Stewart, Soil and Water District Manager, introduced herself and stated that she wanted to give the Board an update on the Upper Hudson River Watershed Roadside Erosion Remediation Program Phase II Grant. There was a handout given to show some of the work they have been doing. This roadside erosion remediation grant is \$58,200. It is a 3-year grant and they are

focusing on thirteen projects in the Upper Hudson River. It includes the Town of Hope, Lake Pleasant, Wells, and Indian Lake. They are focusing on things like hydroseeding, rolled erosion products, check dams and ditch stabilization. With this grant they were able to fund the Gilmantown Road Bank Stabilization Project in the Town of Wells. This is one of the larger projects that Lenny Croote, District Technician, has been the foreman for. The handout showed the steps for this project, and she further discussed. During the discussion she talked about the installation of geoweb which is a form of green infrastructure that not only stabilizes the bank but also allows for revegetation to occur. There was hardpan under the project site and geoweb further helped stabilize that section of the bank. They hydroseeded and used a special growth medium called flexterra growth mulch. It is a hydraulic mulch that promotes fast seed germination, and it helps to stabilize the bank. Ms. Stewart stated that during the annual presentation in November there will be a full video showcasing the entire event so the Board can get a better feel for the magnitude and scope of the project. She stated that since this is a 3-year grant they spent some money this year on Gilmantown Road and over the next three years they will do some hydroseeding and further bank stabilization throughout the Upper Hudson River Watershed.

Ms. Stewart stated that she wanted to give the Board an update on the July storm and how the Conservation District has been involved. When the storm first hit Mr. Croote was in the towns of Indian Lake and Long Lake to survey damage. He was specifically focused on road washouts, culverts, bridges, and stream channels. Mr. Croote enacted an emergency authorization for NYSDEC and this expedited the application process for temporary fixes. He met with the Department of Homeland Security and determined some cost estimates that are required by FEMA to meet the threshold for reimbursement. He met with engineering firms that worked on the Jennings Pond Dam and worked with Thomas Bielli who heads the Emergency Watershed Protection Funding Program through Natural Resources Conservation Service. Mr. Croote has shifted gears now to general permits for NYSDEC to allow work to continue. He has also been attending meetings and reviewing projects. She stated that Indian Lake and Long Lake have their support; she knows that it was a terrible situation, and they are doing their best to help in any way that they can.

The Chairman asked when hydroseeding with flexterra growth medium, are there different styles? Ms. Stewart stated that flexterra appears brown on the landscape and it's a new type of what they call green armor that contains a lot of nutrients. Ms. WhitKovits stated that there are different types of hydroseeding and specifically for these projects there was a regular hydro mulch that almost acts like a topsoil with extra nutrients and then flexterra goes on top like an ecosystem glue. There are multiple kinds and there is also regular wood mulch which they use on stabilization projects without steep banks. She stated that Mr. Croote is their in-house expert on when to apply what mulches. Ms. Stewart stated that for that project, because the banks were so steep, they purchased this flexterra growth medium to really act as the glue to hold everything in place so the vegetation could get established quickly. It is more expensive but in certain site conditions it's beneficial. Everyone thanked Ms. Stewart for the update.

#### Reports of Standing/Special Committees:

Mr. Farber: Stated that on Committee Day they briefed the Board on the Emergency Communication Tower Projects. He hoped that people found that helpful and asked if there were

any questions that they let himself or Jill Dunham, Emergency Services Director know so they could ask C&S Engineers. He feels that they are making good progress, but it doesn't mean that there aren't any hurdles ahead. There are multiple sites that will require APA permitting but they have had good cooperation and collaboration with Inlet, Inlet's Fire Department, and the Town of Hope. They are feeling good about the direction it's going. They will have a couple upcoming committee meetings. One of them, Ms. Dunham, is working on currently. As you know they explored funding during Committee Day and there are a lot of grants out there that they have applied for one purpose and things have changed since the point of the award. They have experienced inflation and different needs so they will be meeting with the state grant team in the next coming weeks. He has helped Ms. Dunham define an agenda for Eddie from DHSES (Division of Homeland Security and Emergency Services) and the team. He encouraged those on the Committee to attend so they have some sense of the funding. They are going to try to wrap up some of the grants as well. Getting some of the grants closed out will be helpful.

Mr. Farber stated that there is an upcoming meeting with the EMS Council. He has been speaking with Carl Turner who chairs that committee. Mr. Turner is going to be down here for some election training so he will try to work the meeting around that.

Mr. Arsenault: Stated that Long Lake is working on FEMA funding. The Town is looking good again but there is still a lot of work to do especially with Jennings Pond. He stated that Buck Mountain is open. It looks great and is popular. The Chairman stated that he has seen some great pictures that people have shared on Facebook.

**RESOLUTIONS:**

**RESOLUTION NO. 281-23**

**SETTING ANNUAL SESSION DATES**

**DATED: OCTOBER 5, 2023**

**BY MR. FARBER:**

RESOLVED, the following dates have been designated as the annual session for 2023:

November 2 10:30 A.M.  
November 8 10:30 A.M.  
November 13 10:30 A.M.  
November 15 10:30 A.M.  
November 17 10:30 A.M.  
PUBLIC HEARING 11:00 A.M.  
December 7 AUDIT 10:30 A.M.  
December 22 AUDIT 10:30 A.M.

and be it further

RESOLVED, that any necessary changes will be subsequently arranged.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 282-23**

**FUNDING NYS CDBG PROJECT # 500HR311-21**

**DATED: OCTOBER 5, 2023**

**BY MR. FARBER:**

WHEREAS, Hamilton County was awarded NYS CDBG Project # 500HR311-21 in the amount of \$297,603.00, be it

RESOLVED, that the County Treasurer is hereby authorized to fund the following accounts:

Revenue:

CD.4089 Federal Aid, CDBG-Housing Rehab Grant #500HR311-21	\$297,603.00
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Expenditure:

CD.8668.0401 Community Development, Rehab Loans and Grants	\$297,603.00
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Seconded by Mr. Arsenault and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 283-23**

**AUTHORIZING FUNDING OF PAYROLL CLERK POSITION IN THE  
TREASURER'S OFFICE**

**DATED: OCTOBER 5, 2023**

**BY MR. ARSENAULT:**

WHEREAS, Resolution No. 176-23 created the position of Payroll Clerk in the County Treasurer's Office, and

WHEREAS, the Treasurer has been approved for the provisional appointment of Michelle Malinowski to the position of Payroll Clerk, be it

RESOLVED, that Account No. A1325.0103 be renamed Payroll Clerk, and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$9,200.00 from Account No. A1990.0401 Contingent to Account No. A1325.0103, Payroll Clerk, and be it further

RESOLVED, that the County Treasurer, Budget Officer, and Personnel Officer to so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 284-23**

**APPROVAL OF APPLICATION SOFTWARE AND SUPPORT SERVICES PROVIDED BY SYSTEMS EAST, INC. FOR THE TREASURER'S OFFICE TAX COLLECTION**

**DATED: OCTOBER 5, 2023**

**BY MR. RHODES:**

WHEREAS, the proposal to provide application software and support services to the Hamilton County Treasurer's Office, as well as the towns and school districts, for their tax collection has been submitted by Systems East, Inc., and

WHEREAS, the Treasurer's Office is satisfied with the services and support received from Systems East in the past, and

WHEREAS, an increase of \$174 over last year's agreement has been proposed for a total contract price of \$12,362.00 to cover the period of January 1, 2024 through December 31, 2024, and

WHEREAS, a portion of this contract price will be charged back to the towns and schools at the same level as last year (\$200.00 each), be it

RESOLVED, that the Chairman of the Board be authorized to sign the agreement as proposed and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 285-23**

**APPROVING 2024 HOLIDAY SCHEDULE**

**DATED: OCTOBER 5, 2023**

**BY MS. CREWELL:**

WHEREAS, the Hamilton County Board of Supervisors has received a recommendation from the Internal Management Committee to approve the 2024 Holiday Schedule, and

WHEREAS, the Internal Management Committee has reviewed the 2024 Holiday Schedule proposed by the County Personnel Office, and

RESOLVED, that this Board of Supervisors authorizes the Hamilton County Holiday Schedule for 2024 as attached and recommended by the Personnel Officer, and be it further

RESOLVED, that the Personnel Officer is hereby authorized to disseminate the 2024 Hamilton County Holiday Schedule as appropriate and that a certified copy of this resolution be provided to the Hamilton County Personnel Officer.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

COUNTY HOLIDAYS

2024

New Year's Day	Monday, January 1, 2024
Martin Luther King, Jr. Birthday	Monday, January 15
President's Day	Monday, February 19
Good Friday	Friday, March 29
Memorial Day	Monday, May 27
Juneteenth Day	Wednesday, June 19
Independence Day	Thursday, July 4
Labor Day	Monday, September 2
Columbus Day	Monday, October 14
Veterans Day	Monday, November 11
Thanksgiving	Thursday, November 28
	Friday, November 29
Christmas Eve	Tuesday, December 24 – Half Day
Christmas	Wednesday, December 25

**RESOLUTION NO. 286-23**

**AUTHORIZATION TO TRANSFER FUNDS - COUNTY CLERK'S OFFICE**

**DATED: OCTOBER 5, 2023**

**BY MR. RHODES:**

WHEREAS, the Hamilton County Clerk's Office continues to have staffing issues on both sides of the house due to illness and vacations, and

WHEREAS, all office employees have been willing to work additional hours to complete the work as needed, and

WHEREAS, the Additional Time Account funds are nearly exhausted and the need is likely to continue until the end of the year, and

WHEREAS, there is money available in Account No. A1410.0106 Motor Vehicle Clerk 3 to transfer to Account No. A1410.0108 Additional Time, and

WHEREAS, at the recent Central Government Committee meeting, it was agreed that \$5,000.00 could be transferred, therefore, be it

RESOLVED, that \$5,000.00 be transferred from Account No. A1410.0106 Motor Vehicle Clerk 3, to Account No. A1410.0108 Additional Time and the Treasurer's Office be so authorized.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 287-23**

**FULTON COUNTY INFORMATION SERVICES CONTRACT – PROBATION**

**DATED: OCTOBER 5, 2023**

**BY MR. FARBER:**

WHEREAS, the Hamilton County Probation Department began contracting with the Fulton County Information Services Department to provide hosting and IT services for their Caseload Explorer Program on October 1, 2013, and

WHEREAS, the Probation Department wishes to continue receiving this service, and

WHEREAS, the Fulton County IT Department is willing to continue this service at the same rate of \$2,600.00 per year, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract between Hamilton County Probation Department and the Fulton County Information Services Department for \$2,600.00 per year, effective January 1, 2023 – December 31, 2023.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 288-23**

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR EVALUATIONS WITH  
NORTHVILLE CENTRAL SCHOOL DISTRICT FOR CHILDREN AGED 3-5 YEARS**

**DATED: OCTOBER 5, 2023**

**BY MR. SNYDER:**

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, 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 Evaluations as described above; in order to provide parents with a choice for service provision, and

WHEREAS, reimbursement for comprehensive evaluations is determined by the extent of the evaluation, 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 Evaluations, for the period of September 1, 2023 through August 31, 2024 between the Hamilton County Public Health Nursing Service, and

Northville Central School District  
131 S. 3<sup>rd</sup> Street  
Northville, NY 12134

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

After the following resolution was placed on the floor; the Clerk of the Board stated that the County is already in a contract with Glove City but they have been bought by another company, so the County Attorney recommended doing a resolution with the new name.

**RESOLUTION NO. 289-23**

**RESOLUTION TO CONTRACT FOR RABIES VACCINATION CLINICS – VETCOR OF ALBANY LLC d/b/a GLOVE CITIES VETERINARY HOSPITAL**

**DATED: OCTOBER 5, 2023**

**BY MR. FARBER:**

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 quarterly 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, VetCor of Albany LLC d/b/a Glove Cities Veterinary Hospital, 35 Harrison Street, Gloversville, NY has agreed to provide veterinarian services for HCPHNS, and

WHEREAS, VetCor of Albany LLC d/b/a 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 VetCor of Albany LLC d/b/a 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 Ms. Crewell and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY AND BAIN

After the following resolution was placed on the floor; the Chairman thanked Mr. Farber for his continued work on this.

**RESOLUTION NO. 290-23**

**AUTHORIZING 3 YEAR CONTRACT WITH I AM RESPONDING AND PAYMENT  
FOR YEAR 1 – EMERGENCY SERVICES**

**DATED: OCTOBER 5, 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 \$540,451.00, contract C197915, to include improvements to the communications system, and

WHEREAS, one part of the improvement of the communications system includes an app for all fire and EMS departments called I AM Responding, and

WHEREAS, its function is to provide alerts via text or email of calls and important agency or county information, and

WHEREAS, Hamilton County Emergency Services has received an invoice from Emergency Services Marketing Corps, Inc. for such services at a price of \$8,490.00 per year for a contract period of three years, and

WHEREAS, the purchase of the I Am Responding app requires a payment of \$8,490.00, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors authorizes the purchase of the I Am Responding app for \$8,490.00 and with the approval of the County Attorney the Chairman of the Board of Supervisors is hereby authorized to sign said contract, and be it further

RESOLVED, the Hamilton County Treasurer is hereby authorized to make a payment of \$8,490.00 from Account No. A3645.0422 Statewide Communications Grant Emergency Services SI19-1010-E00 to Marketing Corps., Inc., PO Box 93, Dewitt, NY 13214-0093 in order to place the order and the Director of Emergency Management and Sheriff be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 291-23**

**AUTHORIZING PAYMENT TO SOUTHWORTH-MILTON, INC.– INSURANCE  
REPAIR**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, the Cat Model 306 Excavator – Fleet #307 was involved in an accident and the repairs for the damage were completed by Southworth-Milton, Inc., and

WHEREAS, the Fleet Coordinator recommends the payment of said repairs of the Cat Model 306 Excavator – Fleet #307, be it

RESOLVED, the County Treasurer is hereby authorized to increase Account No. A1910.0402 Repairs to Vehicles-Insurance by \$4,272.91 to be totally offset by increasing Revenue Account No. A2680.0000 Insurance Recoveries by \$4,272.91, and be it further

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

Southworth-Milton, Inc.  
PO Box 3851  
Boston, MA 02241-3851

for Invoice #SCINV746409 in the amount of \$5,272.91 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. Snyder and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY AND BAIN

The Chairman stated that the Board has a replacement Resolution No. 12 on their desks. Moved by Mr. Tomlinson and seconded by Mr. Farber.

After the following resolution was placed on the floor; the Chairman stated that during the Committee Meeting this morning they discussed it with Tracy Eldridge, Highway Superintendent, and he thanked the County Attorney for the clarification.

**RESOLUTION NO. 292-23**

**AUTHORIZING DISCONTINUANCE OF END SECTION OF COUNTY ROUTE 4, BIG  
BROOK ROAD, INDIAN LAKE**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Hamilton County maintains 7.72 centerline miles of highway by use named County Route 4, Big Brook road located in the Town of Indian Lake, and

WHEREAS, there exists a three rod unpaved section of 750 feet (or 0.142 miles) at the very end of County Route 4 with private land on both sides of County Route 4 which serves no benefit to Hamilton County by continuing the cost of maintenance and liability responsibility, and

WHEREAS, the landowners of the property would like the county to stop maintenance of the said 750 feet of County Route 4, and

WHEREAS, the Public Works Superintendent recommends that Hamilton County discontinue the section of highway by use 750 feet (or 0.142 miles) at the end of County Route 4, be it

RESOLVED, that the County Board of Supervisors hereby authorize the discontinuance of the portion of highway by use 750 feet (or 0.142 miles) at the end of County Route 4, be it further

RESOLVED, that beginning on October 5, 2023, Hamilton County relieves itself of all maintenance, liability and any other responsibilities the County may be subject to for this section of road namely the last 750 feet (or 0.142 miles) of County Route 4, be it further

RESOLVED, that a certified copy of the adopted resolution be filed in the Clerk of Board office, Hamilton County Clerks office, County Highway office and a certified copy be mailed to the Town of Indian Lake, PO Box 730, Indian Lake, NY, 12842 and Mr. Tim Marks, PO Box 568, Indian Lake, NY 12842 and the County Sheriff and County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 293-23**

**AUTHORIZING SELECTION OF CONSULTING FIRM FOR CR16 GILMANTOWN ROAD BRIDGE OVER ELBOW CREEK 2022 BRIDGE NY PROJECT**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Hamilton County has been awarded \$1,854,400.00 for the replacement of the CR16 Gilmantown Road bridge over Elbow Creek through the 2022 Bridge NY program, and

WHEREAS, the County Highway Superintendent sent out Request for Interest to fifteen consulting firms that are on NYSDOT Region 2 list for Locally Administered Federal Aide Projects (LAFA), and

WHEREAS, Hamilton County has a four-member selection committee to review and select a consulting firm from the nine firms who submitted interest letters in the project, and

WHEREAS, the selection committee reviewed and rated the firms qualifications and selected Greenman-Pedersen, Inc. (GPI) of Albany to proceed with the project, and

WHEREAS, the DPW Superintendent recommends that the County Board approve the selection made by the selection committee, be it

RESOLVED, the Chairman of the Board is hereby authorized to sign a contract agreement with Greenman-Pedersen, Inc. for the CR16 Gilmantown Road bridge over Elbow Creek 2022 Bridge NY project with the approval of the County Attorney and the Treasurer, Clerk of the Board and Highway Superintendent be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 294-23**

**AUTHORIZING PURCHASE AND PAYMENT FOR POLARIS UTV - DPW**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, the County Superintendent met with the Public Works committee and purchasing a UTV was considered because of emergencies in storms and maintenance of East Mountain road to the 911 tower site, and

WHEREAS, the committee approved moving forward with the purchase of the said UTV with tracks, and

WHEREAS, a UTV was available under Sourcewell purchasing agreement from Powerhouse Motor Sports for \$31,823.77, and

WHEREAS, the said UTV has been approved to be eligible for CHIP's funding and the County will be fully reimbursed under CHIP's funding, and

WHEREAS, the said UTV has been delivered and inspected by the Superintendent who now recommends payment of the UTV, be it

RESOLVED, the County Treasurer is hereby authorized to make payment to Powerhouse Motor Sports, PO Box 414, Mayfield, NY 12117 in the amount of \$31,823.77 and it be a charge to Account No. D5112.0202 Capital Projects and the DPW Superintendent and the Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 295-23**

**AUTHORIZING PAYMENT FOR VEHICLE – SHERIFF'S OFFICE**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Resolution No. 269-23 authorizes the County Fleet Coordinator to purchase one (1) 2022 Dodge Ram SSV Pickup from Main Motor Car for use by the Sheriff's Office, and

WHEREAS, the vehicle ordered was delivered, and

WHEREAS, the County Fleet Coordinator has inspected the said vehicle and confirms it is accepted and meets specifications and recommends payment for said vehicle, be it

RESOLVED, the County Treasurer is hereby authorized to make payment to Main Motorcar, 224 West Main Street, Johnstown, NY 12095 in the amount of \$42,247.00 and the funds to be taken out of Account No. A3110.0202 Automobile and the Sheriff and the Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

The Chairman stated that the Board had a replacement resolution on their desks which has more detail. Moved by Mr. Tomlinson and seconded by Mr. Arsenault.

**RESOLUTION NO. 296-23**

**AUTHORIZING PAYMENT FOR VEHICLE – DPW**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Resolution No. 185-23 authorized the payment of two (2) 2023 New Dodge Ram Pickups from Account No. DM5130.0201 Road Eqpt, and

WHEREAS, one of the said Ram Pickups was for the Buildings Division and was inadvertently charged to the DM Road Equipment budget, and

WHEREAS, the DPW Superintendent recommends transferring \$45,000.00 from Account No. A1620.0202 Equipment to reimburse DM5130.0201 Road Equipment for said vehicle, and

WHEREAS, Resolution No. 270-23 authorizes the County Fleet Coordinator to purchase one (1) 2023 Dodge Durango from Main Motor Car for use by the Highway Division, and

WHEREAS, the vehicle ordered was delivered, and

WHEREAS, the County Fleet Coordinator has inspected the said vehicle and confirms it is accepted and meets specifications and recommends payment for said vehicle, be it

RESOLVED, the County Treasurer is hereby authorized to transfer \$45,000.00 from Account No. A1620.0202 Equipment to Account No. DM5130.0201 Road Equipment, be it further

RESOLVED, the County Treasurer is hereby authorized to make payment to Main Motorcar, 224 West Main Street, Johnstown, NY 12095 in the amount of \$44,610.00 and the funds to be taken out of Account No. DM5130.201 Road Equipment and the DPW Superintendent and the Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 297-23**

**AUTHORIZING COUNTY PUBLIC WORKS SUPERINTENDENT TO PURCHASE A  
USED CAB & CHASSIS**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, the Highway Department is in need of a used cab & chassis to utilize as a water truck, and

WHEREAS, the Lake Pleasant Volunteer Fire Department owns a 1996 International 470 cab & chassis that was replaced by a new truck, and

WHEREAS, the volunteer fire department has offered the said cab & chassis to Hamilton County for \$10,000.00, and

WHEREAS, the County Highway Superintendent is recommending approval to purchase the said cab & chassis to utilize it for a water truck, be it

RESOLVED, that hereby the County Highway Superintendent is authorized to purchase the 1996 International 470 Cab & Chassis, VIN #1HTSLABM4TH349600 in the amount of \$10,000, be it further

RESOLVED, that hereby the County Treasurer is authorized to issue a check in the amount of \$10,000.00 to the Lake Pleasant Volunteer Fire Co., PO Box 545, Lake Pleasant, NY 12108 out of Account No. DM5130.0201 Road Equipment and the Clerk of the Board and DPW Superintendent be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 298-23**

**AUTHORIZING THE PURCHASE AND INSTALL OF KEYLESS SECURITY SYSTEM  
INDIAN LAKE BUILDINGS - 2023**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, the DPW Superintendent has met with the Public Works committee to discuss installing a keyless security system for the Indian Lake Buildings entryways, and

WHEREAS, the DPW has received a written quote for the full purchase and installation from LINSTAR, Inc. under New York State Contract No. PT68825 in the amount of \$40,248.90 which includes a one-year maintenance agreement, and

WHEREAS, the Superintendent recommends the security system be purchased and installed, be it

RESOLVED, the DPW Superintendent is authorized to move forward with the purchase and installation of the keyless door security system as described hereon at a cost of \$40,248.90 from LINSTAR, Inc., 430 Lawrence Bell Drive, Buffalo, NY 14221 to be charged to Account No. A1620.0414 5 Year Building Project Plan and the County Treasurer, DPW Superintendent and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 299-23**

**STANDARD WORK DAY AND REPORTING FOR ELECTED AND APPOINTED  
OFFICIALS**

**DATED: OCTOBER 5, 2023**

**BY MS. CREWELL:**

WHEREAS, New York State Retirement Regulation 315.4 requires time logs, and the Board of Supervisors to set the Standard Work Day for Elected and Appointed Officials, and

WHEREAS, time logs have been kept and submitted, now, therefore, be it

RESOLVED, that the County of Hamilton here establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Board:

Name	SSN	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	ROA Results	Not Submitted	Pay Frequency	Tier 1
Rebekah M. Crewell	████	████	Supervisor	1/16/23-12/31/23	7.00	2.52		Bi-Weekly	

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 300-23**

**TRANSFER OF FUNDS – PUBLIC DEFENDER**

**DATED: OCTOBER 5, 2023**

**BY MR. FARBER:**

WHEREAS, the Hamilton County Public Defender's Office leases office space at 2559 State Route 8, Lake Pleasant, NY from Mountain Abstract Company, Inc., and

WHEREAS, Account No. A1170.0406 Rent was previously underbudgeted, therefore creating a shortfall for the remaining two months of the fiscal year, and

WHEREAS, the Hamilton County Public Defender's Office Account No. A1170.0407 Supplies & Telephone has a shortfall for the remaining two months of the fiscal year, be it

RESOLVED, the County Treasurer is hereby authorized to increase Revenue Account No. A3025.0100 in the amount of \$1,900.00 to be totally offset by increasing Account No. A1170.0406 Rent by \$900.00 and Account No. A1170.0407 Supplies & Telephone by \$1,000.00 to cover the shortfall.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

After the following resolution was placed on the floor; the Chairman stated that this was also discussed during the Public Works Committee Meeting earlier this morning.

**RESOLUTION NO. 301-23**

**AUTHORIZING DPW TO HIRE LABORER HIGHWAY – INDIAN LAKE**

**DATED: OCTOBER 5, 2023**

**BY MR. SNYDER:**

WHEREAS, the DPW has two full-time openings within the highway division in Indian Lake, and

WHEREAS, the Superintendent has interviewed Parker Cambell of Indian Lake, and

WHEREAS, the Superintendent recommends that Parker Cambell be hired at Laborer, Grade 7, Step Hire at \$19.580 per hour and once this employee possesses his Commercial Driver's License (CDL Class B minimum) the Superintendent recommends the said employee to be promoted to Motor Equipment Operator (MEO), be it

RESOLVED, that hereby the Superintendent is authorized to hire Parker Cambell of Indian Lake at Laborer, Step Hire effective October 12, 2023 and further authorized when the employee passes his CDL Class B road test the employee may be promoted to Motor Equipment Operator (MEO) at the current Grade & Step, and the Public Works Superintendent, Personnel Officer, County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 302-23**

**AMENDING AMOUNT OF 2023 APPROPRIATION AND REVENUES FOR GAS AND DIESEL AND AUTHORIZING TRANSFER OF FUNDS**

**DATED: OCTOBER 5, 2023**

**BY MR. FARBER:**

WHEREAS, the budget appropriation amount for Gas and Diesel for 2023 was set and duly adopted for \$800,000.00 for Account No. DM5130. 405 for the purchase of Gas and Diesel Fuel, and

WHEREAS, the budget revenue amount for the sale of Gas and Diesel for 2022 was set and duly adopted for \$500,000.00 for Account No. DM2655.0000 and \$50,000.00 for Account No. DM2801.0000 for sale of fuel, and

WHEREAS, the said amounts mentioned herein are estimated by the County Highway Superintendent based on the previous year's expenditures and gallons used, and

WHEREAS, because of the continued high price in fuel costs adjustments need to be made to the 2023 appropriations and revenues as follows:

Appropriations -  
DM5130.405 Gas and Diesel -           Increased - \$200,000.00

Revenue –  
DM2655.000 Sale of Fuel -           Increased - \$75,000.00  
DM2801.000 Interfund Sale of Fuel Increased - \$25,000.00

and

WHEREAS, the Superintendent recommends \$100,000.00 be transferred out the County General Fund balance to accomplish the adjustments stated hereon, be it

RESOLVED, that hereby the County Board of Supervisors approves the above mentioned amendments to appropriation and revenues and that \$100,000.00 be transferred out of the Unappropriated County General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. DM5130.0405 Gas and Diesel and the County Treasurer be so authorized and the Clerk of the Board and DPW Superintendent be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 303-23**

**AUTHORIZING TRANSFER OF FUNDS FOR DPW COUNTY ROAD FUND FOR 2023**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, because of increases in Hot Mix Asphalt (HMA), County Road Fund Account No. D5110.0404 Asphalt and Emulsion is over expended by \$22,430.51 to date for 2023, and

WHEREAS, there still needs to be some minor paving projects completed in 2023 that are necessary and the superintendent estimates \$50,000.00 will be needed to cover the remaining paving and to cover the current overage, be it

RESOLVED, that \$50,000.00 be transferred from the Unappropriated County Road Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. D5110.404 Asphalt and Emulsion and that hereby the County Treasurer is authorized to make the said transfer, and the County DPW Superintendent and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 304-23**

**AUTHORIZING TRANSFER OF FUNDS FOR DPW SOLID WASTE/RECYCLING FOR 2023**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Account No. A8160.403 Tire Disposal/Recycling is over expended by \$5,885.30 to date for 2023, and

WHEREAS, the Superintendent has a minimum of 5 loads of waste tires yet to hauled to the recycler in 2023, and

WHEREAS, the Superintendent estimates \$20,000.00 will be needed to cover the remaining loads to be recycled and to cover the current overage, be it

RESOLVED, that \$20,000.00 be transferred from the Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. A8160.403 Tire Disposal and that hereby the County Treasurer is authorized to make the said transfer, and the County DPW Superintendent and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 305-23**

**AUTHORIZING DPW EMPLOYEE TRANSFER FROM HIGHWAY DIVISION TO SOLID WASTE DIVISION**

**DATED: OCTOBER 5, 2023**

**BY MS. CREWELL:**

WHEREAS, the Transfer Station Technician position is vacant at the Indian Lake transfer station, and

WHEREAS, a current highway employee would like to transfer from the Highway Division to the Solid Waste Division to become the Transfer Station Technician, and

WHEREAS, the Public Works Superintendent has met with the employee to discuss the said transfer and the Superintendent supports and recommends the transfer, be it

RESOLVED, that hereby the Board of Supervisors approve the transfer, be it further

RESOLVED, the Personnel Officer is so authorized to change John McArdle's job title from Motor Equipment Operator (MEO) Grade 11 to Transfer Station Technician Grade 12 at his current Step 7 effective October 19, 2023 and the DPW Superintendent, County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 306-23**

**AUTHORIZING PAYMENT FOR CAT MINI LOADER – DPW (Highway)**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Resolution No. 233-23 authorizes the purchase of a 2023 Cat 289D3 Mini Loader (Skid Steer) from Southworth-Milton, Inc. under Sourcewell Contract pricing in the amount of \$25,837.00 not including extended warranty and with Hamilton County's trade-in mini loader, and

WHEREAS, the said mini loader has been delivered and inspected by the Superintendent and the Superintendent recommends payment be made, be it

RESOLVED, that the Board of Supervisors authorizes the County Treasurer to make payment in the amount of \$25,837.00 to Southworth-Milton, Inc., PO Box 3851, Boston, MA 02241-3851 out of Account D5112.202 Permanent Improvements (CHIP's) and the DPW Superintendent and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 307-23**

**AUTHORIZING THE IMPLEMENTATION AND FUNDING COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, a Project for the Bridge NY 2022: County Road 16, Gilmantown Road Over Elbow Creek (BIN 3307350), Bridge Replacement, Town of Wells, Hamilton County, P.I.N. 2754.84.121 (D040978) (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds, and

WHEREAS, the Sponsor will design, let and construct the "project", and

WHEREAS, the County of Hamilton desires to advance the Project by making a commitment of 100% of the costs of the work for The Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes the County of Hamilton to pay in the first instance 100% of the federal and non-federal share of the cost of The Project work for the Project or portions thereof, be it further

RESOLVED, that the Hamilton County Board of Supervisors hereby agrees that the County of Hamilton shall be responsible for all cost of the project which exceed the amount of the NY Bridge Funding awarded to the County of Hamilton, be it further

RESOLVED, that the sum of \$1,854,400.00 is hereby appropriated from Unappropriated County Road Fund Balance in accordance with Section 366 Subdivision 1 of the County Law and made available to cover the cost of participation in the above phase of the Project; be it further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Hamilton County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, be it further

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the project shall be completed within thirty (30) months of commencing construction, be it further

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

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; be it further

RESOLVED, this Resolution shall take effect immediately.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

After the following resolution was placed on the floor; Beth Hunt, Treasurer, stated that the bid was for \$229,868 and she was wondering why it's \$6,500 more. The Board suggested that she call Mr. Eldridge.

10:55AM Board Recessed for 5 minutes for Ms. Hunt to call Mr. Eldridge to get an answer as to why the amount being transferred was different than the bid amount.

The Chairman opened the meeting.

A motion was made at 11:00AM to open the Public Hearing for Proposed Local Law No. 3 of 2023 – A Local Law to Extend the Additional Mortgage Recording Tax within the County of Hamilton by Mr. Arsenault, seconded by Mr. Farber. Carried.

Mr. Tomlinson stated that Mr. Eldridge says that the balance was due to overage on an excavator and that Lisa Johnson, Public Works Administrative Manager, is giving that information to Ms. Hunt. Ms. Hunt returned and stated that the amount had to be changed to \$229,868. The difference of \$6,501.30 was already done in Resolution No. 189-23. Mr. Tomlinson confirmed that the resolution should be amended, and the number should be \$229,868. Motioned by Mr. Tomlinson and seconded by Mr. Arsenault. Mr. Farber confirmed that they would strike the second whereas that referred to the excavator.

### **RESOLUTION NO. 308-23**

#### **APPROVAL OF TRANSFER OF FUNDS FOR SOLID WASTE EQUIPMENT**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, Resolution No. 234-23 authorizes the purchase of two (2) ejector trailers for solid waste, and

WHEREAS, the Superintendent recommends transferring \$229,868.00 out of the Solid Waste Equipment Reserve account to cover the cost of the said equipment, be it

RESOLVED, that \$229,868.00 be transferred from the Solid Waste Equipment Reserve to Account No. A8189.401 Solid Waste Capital Reserve Expenditure for the said equipment as recommended by the DPW Superintendent and the County Treasurer be so authorized to make the transfer and Clerk of the Board and DPW Superintendent be so advised.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 309-23**

**AUTHORIZING DEPOSITION OF EXCESS VEHICLES**

**DATED: OCTOBER 5, 2023**

**BY MR. TOMLINSON:**

WHEREAS, certain vehicles/equipment have become excess and no longer needed by certain County Agencies, and

WHEREAS, the County Fleet Coordinator has recommended that the following vehicles/equipment be disposed from the County inventory:

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>	<u>Plate#</u>	<u>Dept</u>	<u>FN</u>
2016	Chev. Impala	2G1WA5E32G1155325	AX5705	P.H.	760
2017	Chev. Malibu	1G1ZC5ST5HF226894	AY9158	P.H.	762
2017	Chev. Malibu	1G1ZC5ST2HF223449	AY9153	P.H.	763
1988	Hummer	049307	N/A	Sheriff	611
2017	Chev. Tahoe SSV	1GNSKFEC6HR290624	N/A	Sheriff	620
2013	Ford F350 Crew	1FD8W3B67DEA86979	AB3205	DPW	100
2015	Chev. 2500 Club	1GC2KUEG3FZ507706	AT5055	DPW	89
1999	Steco Ejector Trailer	1S9EAR2T4X1252957	AB8892	DPW	957

be it

RESOLVED, the above vehicles be sold by auction online by Auctions International and funds from the auction shall be a revenue credit to Account A2665 Sale of Equipment for all general fund vehicles and Account No.DM2665 Sale of Equipment for DPW vehicles, be it further

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

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 310-23**

**APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS**

**DATED: OCTOBER 5, 2023**

**BY MR. FARBER:**

RESOLVED, that the bills in the Machinery Fund amounting to \$134,865.12 and bills in the County Road Fund amounting to \$52,503.12 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 Ms. Crewell and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY AND BAIN

**RESOLUTION NO. 311-23**

**APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND AND CAPITAL  
PROJECT 2023-1 JULY 2023 FLOODING**

**DATED: OCTOBER 5, 2023**

**BY MR. SNYDER:**

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$310,566.16 the following committees:

Public Works (Buildings) Committee.....	\$40,461.78
Public Works (Solid Waste).....	44,643.18
Finance Committee .....	107,001.33
Health Committee.....	16,726.52
Human Services Committee.....	37,196.86
Central Government Committee .....	18,768.39
Emergency Prep./Emergency Response.....	41,194.75
Publicity, Tourism, Economic Development & Planning Committee.....	3,691.50
Internal Management Committee .....	881.85

be it further

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

July 2023 Flooding Capital Project 2023-1..... \$4,090.00

are hereby approved.

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

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

NAYS: NONE

ABSENT: FREY AND BAIN

The Chairman confirmed that there weren't any comments on the proposed local law.

Other Reports:

Mr. Farber: Reminded the Board that the Common Ground Alliance Forum which is being co-organized by AATV this year is going to be at Gore Mountain on October 20<sup>th</sup>. He thinks that AATV was successful in setting up some very good morning panels with people from the State to talk about State opportunities around the Bond Act, funding for communities and NYSDEC issues. He stated that if anyone needs information to let him know so he can get them the link to sign up. The Chairman stated that Mr. Farber was being modest on this. Mr. Farber has done this single handedly for AATV. He stated that if any of the Board had a chance to go it would be well worth it for the networking alone. Mr. Arsenault asked when it started. Mr. Farber stated that sign-in registration starts at 8:30AM at Gore Mountain. The welcome will kick off shortly after 9AM and the panels will be 10AM and 11AM. There will be a box lunch to follow. He stated that they were successful in getting Susan Arbetter from Capital Tonight to come up with her film crew. She is going to film some of the morning and then she is going to moderate and ask questions around a panel discussion at lunch time. Then Common Ground Alliance will do the breakout sessions in the afternoon with a reception at the end of the day. The Chairman reiterated that Mr. Farber has

put a lot of work into this to try to make it successful and he would appreciate the support. Mr. Arsenault thanked Mr. Farber.

Ms. Crewell: Stated that she wanted to give acknowledgement to the Sheriff's Office, Probation, DSS and Community Services for assisting her with an issue in her town. She thanked everyone who was involved and really appreciated it.

Mr. Tomlinson: Wanted to thank Mr. Eldridge, his crew, Wells, Ms. Stewart and her crew for all their help on the bank stabilization project on Gilmantown Road. He stated that it's really incredible and hopes everybody has a chance to drive by to take a look at it. They did a great job.

A motion was made to close the Public Hearing on Proposed Local Law No. 3 of 2023 – A Local Law to Extend the Additional Mortgage Recording Tax within the County of Hamilton by Mr. Arsenault, seconded by Ms. Crewell. Carried.

A motion was made to adopt Local Law No. 3 of 2023 – A Local Law to Extend the Additional Mortgage Recording Tax within the County of Hamilton by Mr. Farber, seconded by Ms. Crewell. Carried.

Motion: Mr. Farber  
Second: Ms. Crewell

### **LOCAL LAW NO. 3 OF 2023**

State of New York  
County of Hamilton

#### **A LOCAL LAW TO EXTEND THE ADDITIONAL MORTGAGE RECORDING TAX IN THE COUNTY OF HAMILTON**

WHEREAS, Local Law No. 9 of 2006 duly enacted by the Board of Supervisors of the County of Hamilton authorized the imposition of a mortgage recording tax in accordance with Section 253 of the Tax Law of the State of New York, and

WHEREAS, the Board of Supervisors of the County of Hamilton desires to further extend such mortgage recording tax, now, therefore

BE IT ENACTED, By the Board of Supervisors of the County of Hamilton, State of New York, as follows:

Section 1: Title. This Local Law shall be titled "A Local Law Extending the Additional Mortgage Recording Tax in Hamilton County".

Section 2: Purpose and Intent. The purpose of this law is to authorize Hamilton County, pursuant to the provisions of Section 253-j of the Tax Law of the State of New York, to impose an Additional Mortgage Recording Tax.

Section 3: Imposition of Tax. For the period commencing December 1, 2023 and ending December 1, 2025, unless further extended by Local Law of the Board of Supervisors, there is hereby imposed, in the County of Hamilton a tax of twenty-five cents (\$0.25) for each one hundred dollars (\$100.00), and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Hamilton and recorded on or after December 1, 2023, and a tax of twenty-five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00).

Section 4: Administration and Collection of Tax. The taxes imposed pursuant to this Local Law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 of the Tax Law and paragraph (b) of subdivision one of Section 255 of the Tax Law. Except as otherwise provided in Section 253-j of the Tax Law, all the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivision shall apply to the taxes imposed by this Local Law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in Section 253-j of the Tax Law, except to the extent that any provision is either inconsistent with a provision of Section 253-j of the Tax Law or not relevant to the tax authorized by Section 253-j of the Tax Law.

Section 5: Real Property located in more than one County or State. Where the real property covered by the mortgage subject to the tax imposed pursuant to this Local Law is situated in this state but within and without Hamilton County, the amount of such tax due and payable to Hamilton County shall be determined in a manner similar to that prescribed in the first undesignated paragraph of Section 260 of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within Hamilton County and without the state, the amount due and payable by Hamilton County shall be determined in the manner prescribed in the second undesignated paragraph of such Section 260 which concerns property situated within and without the State. Where real property is situated within and without Hamilton County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

Section 6: Additional Mortgage Recording Tax. The tax imposed pursuant to this Local Law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

Section 7: Disposition of Taxes. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Hamilton during each month upon account of the tax imposed pursuant to this Local Law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of Section 253-j of the Tax Law or

Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of Hamilton County and, after the deduction by such treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the County of Hamilton. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, under which the provisions of Section 253-j of the Tax Law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the New York State Commissioner of Taxation and Finance.

Section 8: Payment of Taxes. The tax imposed pursuant to this Local Law shall be payable on the recording of each mortgage of real property subject to taxes there under. Such tax shall be paid to the recording officer of the county in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded shall collect the tax imposed by this Local Law. It shall be the duty of such recording officer to endorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt for such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

Section 9: Effective Date. This Local Law shall take effect December 1, 2023, provided that a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's Office in Albany at least 30 days prior to the date this Local Law shall take effect. Certified copies of this Local Law shall also be filed with the Hamilton County Clerk, the Secretary of State and the State Comptroller within five (5) days after the Local Law is duly enacted and this Local Law shall be deemed to be duly enacted upon its date of adoption by the Hamilton County Board of Supervisors.

AYES: ARIETTA (292), BENSON (221), HOPE (413), INDIAN LAKE (1,363), LONG LAKE (791), MOREHOUSE (92) WELLS (683) = 3,855

NAYS: NONE

ABSENT: INLET (355) LAKE PLEASANT (897) = 1,252

Nancy Grosselfinger, resident of Raquette Lake, asked the Chairman if she could make a public comment and the Chairman allowed.

Ms. Grosselfinger introduced herself as being a resident of Raquette Lake. She stated that Mr. Arsenault asked her how Raquette Lake was doing, and she wanted to report that she didn't think it should be doing well because in the last 12 months they have lost five people. Five people when the community only has a population of 132. One of the losses could have been classified as a suicide and she would say a preventative one. She stated that this person was under enormous

stress and would have been difficult to manage. She doesn't know that they have the infrastructure to help people in that kind of a position. Maybe it was something that probation could have inserted itself because it was a criminal matter that was causing the stress. She would like to put out the thought that maybe they should look at some kind of intervention and support services and/or monitoring for people under criminal charge. She stated that she has some personal experience in this, so she knows it isn't an easy job but knows that it is doable.

Ms. Grosselfinger stated that she would like to bring to the Board's attention that there isn't sufficient publicity on the fact that the County subsidizes and gives a vehicle to Community Transport Services out of Old Forge to provide transportation for those that need to go to medical appointments. She explained how 2-years ago she needed to have cataract surgery. In calling around for a ride she ended up with Community Transport in Old Forge. They explained to her how it works through the County and how the van is driven by one of their volunteers. For her to go for a total of 4 appointments they had to pick 4 different people to take her. They couldn't find anyone in Inlet or Raquette so they had to pick someone from Herkimer County. She thinks that they need to have more publicity and better coordination with Community Transport. The Chairman confirmed with Ms. Grosselfinger that the drivers were volunteers. Ms. Grosselfinger stated that we need better publicity to try and motivate our own people to fit themselves onto the roster. They are not obliged to take the job; they just call you and ask if you are available. They are a good agency that manages to get updated vans for themselves. She doesn't see any publicity for it in Raquette Lake. She would like the Town and County to work more collaboratively with the people in Old Forge.

Ms. Grosselfinger stated that she would also like some funding to be designated for education/training for people over the age of 18 in Hamilton County. We don't have a community college. She has come to the Board before and asked for the same thing. If the Board would please investigate, with her help, to create a position called an Education Navigator, ½ guidance counselor and ½ social worker. Guidance Counselor to help you find the right program for what you're trying to accomplish and a Social Worker to support and stick with you to help you complete. She feels that this is very much needed. Mr. Arsenault asked if there were other counties that she could point to that had this position. Ms. Grosselfinger stated that there wasn't one in our state. That we are different from everybody else. She thought maybe there was one in another state like Maine. Ms. Crewell stated that she thought they were doing it in our school districts as far as the guidance counselor working with BOCES. Ms. Grosselfinger agreed that they were but only up to age 18. Ms. Crewell stated that maybe they could encourage our school districts to get more involved before it gets to the point where they are 18. Ms. Grosselfinger stated that she doesn't want to say that the school districts aren't doing a fine job but beyond that age they can't go back. She further discussed knowing a young man who she feels is totally lost. He needs a mentor to help him learn and that he is also going to be homeless in 6 weeks. She thanked the Board.

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