

## AGENDA CONTINUED

AUGUST 3, 2023

### RESOLUTIONS:

#### **Finance Committee:**

- No. 13 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
- No. 14 Contracting Abstracting Services for the Treasurer's Office

#### **Publicity, Tourism, Planning & Economic Development Committee:**

- No. 15 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

#### **Health Committee:**

- No. 16 Authorizing Chairman to Sign Contract with School District to Provide Related Services for the Preschool Special Education Program – Indian Lake Central School
- No. 17 Authorizing Chairman to Sign Contract with Lake Pleasant Central School District to Provide Services for the Preschool Special Education Program
- No. 18 Authorizing Chairman to Sign Contracts for Evaluation and Service Provision with Center-Based Service Providers for Children Aged 3-5 Years
- No. 19 Authorizing Chairman to Sign Contract with School District to Provide Related Services for the Preschool Special Education Program – Wells Central School
- No. 20 Authorizing Contract with Michelle Kelly to Instruct Yoga Classes 2023-2024
- No. 21 Authorizing Chairman to Sign WIC Contract

#### **Finance Committee:**

- No. 22 Approval of Audits in County Highway Funds

No. 23      Approval of Audits in the County General Fund and Capital Project 2022-1  
Big Brook Bridge

Other Reports

Adjourn

**RESOLUTION NO.**

**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**

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

**RESOLUTION NO.**

**CONTRACTING ABSTRACTING SERVICES FOR THE TREASURER'S OFFICE**

**DATED: AUGUST 3, 2023**

**BY**

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

**RESOLUTION NO.**

**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**

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 RDOF (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

**RESOLUTION NO.**

**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**

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

**RESOLUTION NO.**

**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**

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

**RESOLUTION NO.**

**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**

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)  
Dba 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

**RESOLUTION NO.**

**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**

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

**RESOLUTION NO.**

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

**DATED: AUGUST 3, 2023**

**BY**

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

**RESOLUTION NO.**

**AUTHORIZING CHAIRMAN TO SIGN WIC CONTRACT**

**DATED: AUGUST 3, 2023**

**BY**

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

**RESOLUTION NO.**

**APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS**

**DATED: AUGUST 3, 2023**

**BY**

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

**RESOLUTION NO.**

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

**DATED: AUGUST 3, 2023**

**BY**

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
--	-------------

are hereby approved.

Seconded by