

## **AGENDA**

### **SECOND SESSION**

**FEBRUARY 5, 2015**

10:30 AM Call to Order  
Pledge to Flag  
Opening Prayer  
Roll Call

Public Comment Period

Reports of Standing/Special Committees

11:00 AM Public Hearing – 2015 Hamilton County Community Development Block  
Grant Application

#### **RESOLUTIONS:**

- No. 1 Resolution Authorizing Hamilton County Towns to Approve Use of County Roads as Designated for Snowmobile Use for Year 2015 and the Necessary Steps
- No. 2 Commemorating 50 Years of Natural Resource Conservation
- No. 3 Hamilton County Board of Supervisors Supports Necessary Reforms to New York Labor Law §240 and §241
- No. 4 Authorizing Chairman to Execute Agreement with the Adirondack Park Local Government Review Board – 2015
- No. 5 Authorizing Chairman to Sign Contract for Hamilton County Probation Department Ignition Interlock Funding
- No. 6 Authorizing Full Time Deputy Position
- No. 7 Authorizing Purchase for 8 Mobile Motorola APX Series High Band Radios
- No. 8 Authorizing Chairman to Sign New York State Medicaid Enrollment Form
- No. 9 Agreement with Hamilton County Public Health Nursing Service/Home Health Agency & Department of Social Services
- No. 10 Authorizing Chairman to Sign Provider Agreement with VNA Homecare Option, LLC

- No. 11 Authorizing Chairman to Sign Agreement with New York State Electric and Gas for Phase II Back Up Generator at Long lake Highway Facility
- No. 12 Amending Amount of 2014 Appropriation and Revenue for State Snow & Ice Contract
- No. 13 2014 Transfer of Funds – Highway Diesel and Gasoline
- No. 14 Authorizing County Highway Superintendent to Purchase a Material Spreader
- No. 15 Authorizing Payment for Empire State Development

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING HAMILTON COUNTY TOWNS TO  
APPROVE USE OF COUNTY ROADS - AS DESIGNATED FOR SNOWMOBILE USE -  
FOR YEAR 2015 AND THE NECESSARY STEPS**

**DATED: FEBRUARY 5, 2015**

**BY**

RESOLVED, that the Board of Supervisors hereby authorizes any town within the county to designate any County Road or part thereof for snowmobile usage for the year 2015, be it further

RESOLVED, if a town chooses to designate a County Road or any part thereof within that particular towns boundary, the town shall follow all rules and regulations of designating a road for snowmobile use per the guidelines set forth in New York State Office of Parks, Recreation and Historic Preservations Snowmobile Unit, plus provide Hamilton County with a certificate of insurance covering said use, in favor of the County as an additional insured.

Seconded by

**RESOLUTION NO.**

**COMMEMORATING 50 YEARS OF NATURAL RESOURCE CONSERVATION**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS on February 4, 1965 the Hamilton County Board of Supervisors appointed a Soil Conservation Committee and prepared a Notice for a Hearing to be published in the *Hamilton County News* to advertise a Public Hearing for February 4, 1965 to discuss plans for forming a Soil and Water Conservation District, and

WHEREAS, at the hearing on February 4, 1965 all Board Members were in favor of establishing a Soil and Water Conservation District (District) with a five member board of directors to study needs and determine a program for forestry, recreation, and watershed development, and

WHEREAS, the District Board of Directors determined that the mission of the District would be to manage and promote the wise use of natural resources in the county, and

WHEREAS, over the last 50 years the District has expanding their programs to meet the ever growing natural resource needs and concerns of Hamilton County, and

WHEREAS, the District has promoted economic vitality through their efforts to protect the pristine natural resources that are so critical to the County's recreational industry, and

WHEREAS, the District has developed an outstanding conservation education program that serves to bring awareness and knowledge to students and adults to illustrate how they can work to protect the landscape from the adverse impacts of invasive species, sediment loading, soil erosion, and pollution, and

WHEREAS, the District has been monitoring 21 lakes and numerous streams since 1993 to keep a watchful eye on the water quality trends, and

WHEREAS, over the last 50 years the District has been instrumental in bringing hundreds of thousands of dollars in grant funds to administer programs that benefit the natural resources of the County, and

WHEREAS, the District has offered residents of the County numerous services to assist in protecting natural resources such as hydroseeding, native Adirondack tree and shrub sale, water testing, soil erosion prevention, shoreline best management practices, and invasive species management, and

WHEREAS, the District has worked to offer GIS services to landowners and municipalities that assist them with permits, grants and planning purposes, and

WHEREAS, the District has been instrumental in the development of watershed partnerships that work together to develop management plans, priority concern and seek grant funding to implement priority projects, and

WHEREAS, thousands of hours have been spent planning, inventorying and organizing the inventory and management of invasive species throughout the County, therefore, be it

RESOLVED that the Hamilton County Board of Supervisors will join the Hamilton County Soil and Water Conservation District in a yearlong birthday celebration throughout 2015 commemorating 50 years of natural resource conservation.

Seconded by

**RESOLUTION NO.**

**HAMILTON COUNTY BOARD OF SUPERVISORS SUPPORTS NECESSARY  
REFORMS TO NEW YORK LABOR LAW §240 AND §241**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, New York Labor Law §240 and §241, commonly known as the “Scaffold Law”, outlines liability for injuries caused by an employee’s fall from a height, and

WHEREAS, the laws impose strict liability on employers and owners of buildings if a worker falls from any height, and

WHEREAS, the law was first imposed in 1885 at a time when worker safety was largely neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist, and

WHEREAS, the Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation, and

WHEREAS, the Scaffold Law is a boon to personal injury lawyers as half of the 30 largest law suits in the state stem from Scaffold Law issues and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500 percent, and

WHEREAS, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further it is one of a very few laws that mandate strict liability in the State of New York, and

WHEREAS, the increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in other states, and

WHEREAS, not only does the law drive away out-of-state investment in infrastructure, but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York’s skilled laborers to find appropriate employment, and

WHEREAS, recent studies by the Rockefeller Institute of Government suggests that workers are more likely to be injured due to the current version of the Scaffold Law, and

WHEREAS, this was based on statistics on construction injuries in Illinois that show a decrease in work related injuries since the 1995 repeal of its Scaffold Law at a much quicker pace than here in New York, and

WHEREAS, following the removal of the Illinois Scaffold Law, the state also found an increase in the number of construction jobs created on an annual basis, and

WHEREAS, comparative negligence standards would help maintain worker safety while decreasing some of the insurance costs related to implementation of the current Scaffold Law, and

WHEREAS, this negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury, and

WHEREAS, federal regulations have been enacted that attempt to protect workers from injury to falls by requiring certain precautions to be in place for people working at height and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors is strongly in support of Scaffold Law reform as well as meaningful protection of construction workers, and be it further

RESOLVED, that the Hamilton County Board of Supervisors supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Assembly Speaker, Senate Majority Leader Dean Skelos, Senator Hugh Farley, Assemblyman Marc Butler, NYSAC and Adirondack Intercounty.

Seconded by

**RESOLUTION NO.**

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT WITH THE  
ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD – 2015**

**DATED: FEBRUARY 5, 2015**

**BY**

BE IT RESOLVED, that the Chairman is hereby authorized to execute an Agreement with the Adirondack Park Local Government Review Board for the 2015 appropriation in the amount of Three Thousand Dollars (\$3,000.00), charging Account No. A6326.403, and is hereby approved for payment and the County Treasurer be so advised.

Seconded by



**RESOLUTION NO.**

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR HAMILTON COUNTY  
PROBATION DEPARTMENT IGNITION INTERLOCK FUNDING**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, the Hamilton County Probation Department has been approved for the annual funding of the Ignition Interlock Device Monitoring Program, Contract No. T523667 for Project No. 1112-1022-D02 with the Department of Criminal Justice Services, and

WHEREAS, the Hamilton County Probation Department's grant allocation for 2015 is \$945.00, and

WHEREAS, the Chairman of the Board of Supervisors is hereby authorized to sign said grant with the Department of Criminal Justice Services.

Seconded by

**RESOLUTION NO.**

**AUTHORIZING FULL TIME DEPUTY POSITION**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, Jason Knapp was hired in February 2014 as a part time Sheriff Deputy, and

WHEREAS, the Sheriff requested hiring Mr. Knapp on a full time basis starting January 1, 2015, and

WHEREAS, Account No. A3110.0105 Sheriff Deputy D was created in the 2015 budget anticipating hiring Mr. Knapp on a full time basis effective January 1, 2015, be it

RESOLVED, that Jason Knapp is hereby hired as a full time Sheriff Deputy effective January 1, 2015 and the County Treasurer, Personnel Officer and Sheriff be so notified.

Seconded by

**RESOLUTION NO.**

**AUTHORIZING PURCHASE FOR 8 MOBILE MOTOROLA APX SERIES HIGH  
BAND RADIOS**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, Resolution No 105-14 adopted May 1, 2014 authorizes EM DHSES Grant Si13-1010-D01 in the amount of \$2,530,385.00, Contract Number C198376, and

WHEREAS, Resolution No 105-14 stated that Grant SI13-1010-D01 would be used for the purpose of communication upgrades, equipment purchases and interoperability, and

WHEREAS, Sheriff Karl G. Abrams is requesting to purchase on State Contract (NYS Contract No. PT62495 – Equipment) from Wells Communications eight Motorola Mobile APX Series High band radios for Twenty Eight Thousand Eighty Four Dollars and Eighty Cents (\$28,084.80) with six of the radios being for the Hamilton County Sheriff’s Office Patrol Vehicles and two of the radios for the Inlet Police Department Patrol Vehicles, and

WHEREAS, Sheriff Karl G. Abrams is requesting to purchase on State Contract (NYS Contract No. PT62495 – Equipment) from Wells Communications five Motorola PM1200 Series Low band Radios for Six Thousand Five Hundred Eighty Two Dollars and Fifty Cents (\$6,582.50) with the five radios being for the Hamilton County Sheriff’s Office Patrol Vehicles, and

WHEREAS, Sheriff Karl G. Abrams would like to have Wells Communications complete the installation of the radios into the patrol vehicles on State Contract (NYS Contract No. PS62496 – Services) for Seven Thousand Ninety Dollars (\$7,090.00), therefore, be it

RESOLVED, that Sheriff Karl G. Abrams is authorized to purchase and have installed under New York State Contracts PT62495 and PS62496 eight Motorola Mobile APX Series High Band Radios and five Motorola PM1200 Series Low Band Radios from Wells Communications for a total of Forty-one Thousand Seven Hundred Fifty-seven Dollars and Thirty Cents (\$41,757.30) from Account Number A3645.406 – Statewide Communications Grant.

Seconded by

**RESOLUTION NO.**

**AUTHORIZING CHAIRMAN TO SIGN NEW YORK STATE MEDICAID  
ENROLLMENT FORM**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, Hamilton County Public Health Nursing Service treats individuals with Medicaid and is allowed to bill Medicaid for certain services, and

WHEREAS, as a Medicaid provider Hamilton County Public Health Nursing Service is required to revalidate enrollment in the New York State Medicaid when requested, and

WHEREAS, the 2015 fee for revalidation is \$553.00, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the New York State Medicaid Enrollment Form, pending approval by the County Attorney and the County Treasurer be so advised.

Seconded by

**RESOLUTION NO.**

**AGREEMENT WITH HAMILTON COUNTY PUBLIC HEALTH NURSING  
SERVICE/HOME HEALTH AGENCY & DEPARTMENT OF SOCIAL SERVICES**

**DATED: FEBRUARY 5, 2015**

**BY**

BE IT RESOLVED, the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign an agreement on behalf of Hamilton County Public Health Nursing Service/Home Health Agency with Department of Social Services, to provide services to Medicaid recipients, for the period of January 1, 2015 to December 31, 2015.

Seconded by

**RESOLUTION NO.**

**AUTHORIZING CHAIRMAN TO SIGN PROVIDER AGREEMENT WITH VNA  
HOMECARE OPTIONS, LLC**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, VNA Homecare Options, LLC has requested a Provider Agreement with Hamilton County Public Health Nursing Service for the provision of Home Health Care Services for their participants, and

WHEREAS, the Hamilton County Public Health Nursing Service and VNA Homecare Options, LLC have agreed to the following fee schedule as set forth in Exhibit A of the Provider Agreement:

Skilled Nursing Visit	\$170.00
Physical Therapy Visit	\$145.00
Occupational Therapy Visit	\$145.00
Speech Therapy Visit	\$145.00
Medical Social Worker Visit	\$145.00
Home Health Aide	\$10.75 / per 15 minutes

be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the Provider Agreement with VNA Homecare Options, LLC, commencing February 1, 2015 with approval of the County Attorney.

Seconded by

**RESOLUTION NO.**

**AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH NEW YORK STATE  
ELECTRIC AND GAS FOR PHASE II BACK UP GENERATOR AT LONG LAKE  
HIGHWAY FACILITY**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, the HCFCP Phase II included a backup generator for the Long Lake Highway Facility, and

WHEREAS, New York State Electric & Gas (NYSEG) requires an agreement for the said generator to be connected, and

WHEREAS, the County Attorney and the Engineer for Phase II have reviewed and approved the agreement, be it

RESOLVED, the Chairman of the Board is hereby authorized to enter into an agreement with NYSEG for the backup generator connection at the Long Lake County Highway Facility and the Clerk of the Board and Highway Superintendent be so advised.

Seconded by

**RESOLUTION NO.**

**AMENDING AMOUNT OF 2014 APPROPRIATION AND REVENUE FOR STATE  
SNOW & ICE CONTRACT**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, the budget appropriation amount for State Snow removal for 2014 was set and duly adopted for \$800,000.00 for Account No. D5144.400 for State Snow & Ice Contract, and

WHEREAS, the budget revenue amount for the State Snow for 2014 was set and duly adopted for \$800,000.00 for Account No. D2302.0000 (Snow Removal other Govt) for a total offset of expenditures, and

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

WHEREAS, because of variations of winter conditions the Highway Department has over expended the 2014 budget estimate in the following amounts:

D5144.401 Equipment	\$50,176.28
D5144.402 Salt	\$12,589.15

be it

RESOLVED, the 2014 budget appropriation for Account No. D5144.401 Equipment be increased by \$50,176.28 and Account No. D5144.402 Salt be increased by \$12,589.15 to be totally offset by increasing Revenue Account No. D2302.0000 by \$62,765.43 and that hereby the County Treasurer be so authorized and the Clerk of the Board and Highway Superintendent be so notified.

Seconded by



**RESOLUTION NO.**

**2014 TRANSFER OF FUNDS - HIGHWAY DIESEL AND GASOLINE**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, the budget appropriation amount for Diesel and Gasoline for 2014 was set and duly adopted for \$650,000.00 for Account No. DM5130.0405 for usage by county departments and other town governments, and

WHEREAS, the said amount mentioned herein is estimated by the County Highway Superintendent based on the previous year's usage and pricing, and

WHEREAS, the final expenditure for Diesel and Gasoline for 2014 was \$677,567.37, be it

RESOLVED, that the 2014 budget appropriation for Diesel and Gasoline Account No. DM5130.0405 be increased by transferring \$27,567.37 from the 2014 Unappropriated Machinery Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. DM5130.0405 and the County Treasurer be so authorized and Clerk of the Board be so notified.

Seconded by

**RESOLUTION NO.**

**AUTHORIZING COUNTY HIGHWAY SUPERINTENDENT TO PURCHASE A  
MATERIAL SPREADER**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, the Highway Department is in need of a Material Spreader for a tandem dump truck for 2015, and

WHEREAS, Tarco Highlander material spreaders are available for purchase under Oneida County Contract #1751 through Viking Cives, Inc. installed at a price of \$18,010.30, and

WHEREAS, the County Highway Superintendent is recommending approval to purchase the said Material Spreader, be it

RESOLVED, that hereby the County Highway Superintendent is authorized to purchase said Material Spreader under Oneida County Contract pricing at a cost not to exceed \$18,010.30, and the funds to be taken out of Account No. DM5130.401 Equipment and the Highway Superintendent, County Treasurer and Clerk of the Board be so notified.

Seconded by

**RESOLUTION NO.**

**AUTHORIZING PAYMENT FOR EMPIRE STATE DEVELOPMENT**

**DATED: FEBRUARY 5, 2015**

**BY**

WHEREAS, the County was awarded a local assistance grant for Hurricane Irene – Tropical Storm Lee, and

WHEREAS, part of the grant requirement was the county would need to pay for the out of pocket expenses for ESD staff for the required public hearing, and

WHEREAS, the public hearing was held and the out of pocket expenses were \$640.11, be it

RESOLVED, that the Hamilton County Board of Supervisors do hereby authorize payment in the amount of \$640.11 out of Account No. H8760.401 DEC Flood Mitigation to:

Empire State Development Corp.  
633 Third Avenue  
New York, NY 10017

for the services provided for the public hearing on the flood mitigation projects and the County Treasurer be so authorized and the Clerk of the Board and County Highway Superintendent be so advised.

Seconded by