

2016

EIGHTH SESSION

AUGUST 4, 2016

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

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

Arietta	Richard A. Wilt
Benson	Phillip C. Snyder
Hope	Robert C. Edwards
Indian Lake	Brian Wells
Inlet	John Frey
Lake Pleasant	Daniel Wilt
Long Lake	Clark J. Seaman
Morehouse	William G. Farber
Wells	Brian E. Towers

Also present: County Attorney and Tracy Eldridge

Public Comment: No one present

Reports of Standings/Special Committees

Mr. R. Wilt: Most of the punch list is done for the East Mountain site. The road design and the tower base still need to be completed. The Chairman explained, post balloon test, they plan on having a discussion with the APA to get their reaction. He stated there wasn't a lot of dialog the day of the balloon test. They know the nature of the site, it is basically on top of a ridge in order to be able to reach from the Sheriff's Office to there and then on to Blue Mountain. We are not currently putting a microwave on that so it won't get us to the Gore tower. Mr. Wilt reported they had a meeting yesterday with Frontier and he will let Superintendent Eldridge report on that.

Mr. Edwards: He and Mr. Farber attended Inter-county in St. Lawrence County at the Ranger School. The ranger classes average around 50 individuals with 6 facility members. 90% of the enrollment is the State of New York with a 95% placement average upon graduation. They also took a tour of the Benson Mine. The County owns 40 acres with many defunct buildings on it. They received a grant to help them demolish the buildings; then they will put it back on the market. They also have a railroad that should be operational in a year or so.

The Chairman stated there will be a Public Hearing at 11:00 AM, but being ahead of schedule he will have Superintendent Eldridge report on the Frontier meeting.

Superintendent Eldridge stated the meeting was in regards to our new phone system. We have had some issues with the service, which includes the phone system and the internet. He feels it was a positive meeting; it didn't solve everything, but it did give us a direction to go in.

Mr. Towers asked Superintendent Eldridge if we now have a contact person, where we make one call to make things happen. Superintendent Eldridge stated yes. We will still have to call for a ticket number. We will contact our contact to expedite the ticket. He continued to explain. He feels comfortable that we are going in the right direction. Mr. Towers asked with the new 911 system and the realization that Frontier doesn't have a backup internet system, how does this affect our 911 system. Mr. R. Wilt stated it doesn't; the trunk lines that feed the 911 system come directly from Gloversville. He hopes once the microwave system is hooked up that will be the backup for everything.

Superintendent Eldridge reported the power doesn't affect the phones there are backups that are built into the system.

The Chairman asked Mr. Towers if he would like to discuss the AATV meeting and the salt issue while Superintendent Eldridge is here.

Mr. Towers reported there is a working group voicing their concerns regarding the amount of road salt that is being used in the Adirondacks and the negative effects it is having on the environment. From his perspective we have been discussing this for a number of years now and the alternatives. The easiest solution would be to cut the canopy back. The members continued to discuss. The Chairman expressed his concerns with the test strips of decreased road salt in his town; there have been increased vehicle accidents, vehicles sliding off the road etc. Superintendent Eldridge voiced his concerns of lawsuits due to poor road conditions. Our sunlight isn't enough, we don't have the traffic volume for the salt to work; that is a lot of the issue.

Superintendent Eldridge wanted to report he had a meeting with the Indian Lake Transfer Station employees making sure everyone is following the rules of recycling, sorting etc. We decided to start stopping people before coming in because it just gets too busy for the staff to handle that kind of volume. They can't watch everyone to make sure they are throwing their stuff in the correct bin etc. He just wanted them to be aware in case people start calling the Supervisors.

11:00 AM - A motion was made to open the Public Hearing for proposed Local Law No. 7 of 2016 - A Local Law of the County of Hamilton, New York Allowing for Common, Safe Items to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(B) by Mr. D. Wilt, seconded by Mr. Seaman. Carried.

No one was present for the hearing but the Chairman did ask if any of the board members had any questions regarding the Local Law.

Mr. Wells stated his Buildings Code Enforcement Officer asked if we are going to allow transit setups. For example a tent setup on someone's lawn selling fireworks.

The Chairman stated his understanding for this particular law is that it would be by the town codes. County Attorney Getty agreed with the Chairman, it would be the town that would issue a permit.

RESOLUTIONS:

RESOLUTION NO. 206-16

AUTHORIZING ACCEPTANCE OF BACK TAXES

DATED: AUGUST 4, 2016

BY MR. TOWERS:

WHEREAS, the Board of Supervisors has been contacted by Deborah Frederick concerning the 2014 and 2015 taxes owed on property located in the Town of Wells, with parcel ID #130.014-1-48, and

WHEREAS, Deborah Frederick has submitted a written explanation of the circumstances of why the taxes have not been paid to date and a request to rectify the situation by paying the 2014 and 2015 back taxes, be it

RESOLVED, that the Hamilton County Treasurer is hereby authorized to accept payment of the taxes owed in the amount of \$5,775.83 together with an administrative charge of \$500.00 for a total of \$6,275.83 due by August 31, 2016.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER
AND TOWERS

NAYS: NONE

RESOLUTION NO. 207-16

INCREASE OF STATE AID FOR PREVENTION SERVICES

DATED: AUGUST 4, 2016

BY MR. FREY:

WHEREAS, the New York State Office of Alcohol and Substance Abuse is retroactively increasing Hamilton County's state aid for prevention services provided by Hamilton County Community Services by \$128.00 effective April 1, 2016, and

WHEREAS, the New York State Office of Alcohol and Substance Abuse is retroactively increasing Hamilton County's state aid for prevention service provided by the Hamilton, Fulton, Montgomery Prevention Council by \$741.00 effective April 1, 2016, be it

RESOLVED, that Revenue Account No. A4488 Federal Aid, OASAS Prevention in the 2016 Hamilton County Budget for Hamilton County Community Services be increased by \$869.00 from \$143,382 to \$144,251, and be it further

RESOLVED, that Account No. A4310.418 Prevention in the 2016 Hamilton County Budget for Hamilton County Community Services be increased by \$128.00 from \$4,000 to \$4,128, and be it further

RESOLVED, that Account No. A4310.425 HFM Prevention Council in the 2016 Hamilton County Budget for Hamilton County Community Services be increased by \$741.00 from \$71,175 to \$71,916.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER
AND TOWERS

NAYS: NONE

RESOLUTION NO. 208-16

**AUTHORIZATION TO CLOSE A PERMANENT PROJECT ACCOUNT THAT IS
COMPLETE AND TRANSFER REMAINING BALANCE TO OTHER PERMANENT
PROJECT**

DATED: AUGUST 4, 2016

BY MR. EDWARDS:

WHEREAS, there is a County Road Permanent Improvement Project that is completed for 2016 and has a remaining fund balance, and

WHEREAS, the remaining fund balance can be utilized in other permanent improvement projects that require funding, and

WHEREAS, this project's funds have been appropriated through the CHIP's program, be it

RESOLVED, the following permanent project account be closed:

D5112.2498 CR8 Griffin Road 2016 – balance \$15,457.36

and be it further

RESOLVED, the remaining balance of \$15,457.36 be transferred into the following Capital Project Account No. D5112.202 Capital Projects and the County Treasurer be so authorized and the Clerk of the Board and Highway Superintendent be so notified.

Seconded by Mr. D. Wilt and adopted by the following vote:

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER
AND TOWERS

NAYS: NONE

After the following resolution was placed on the floor; the Chairman explained that the county was awarded and we will be hiring professional services through the grant. We have worked with River Street Design up to this point. This particular project seeks to broaden the engagement and transition from just a contractor working with us to an implementation.

RESOLUTION NO. 209-16

**AUTHORIZING AND FUNDING PARKWIDE ADIRONDACK TRAIL TOWNS
INITIATIVE IMPLEMENTATION CONTRACT**

DATED: AUGUST 4, 2016

BY MR. TOWERS:

WHEREAS, Hamilton County has been awarded an Adirondack Park Smart Growth Implementation State Assistance Grant for the Parkwide Adirondack Trail Towns Initiative Implementation Contract #C00175G in the amount of \$75,000.00, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign the Parkwide Adirondack Trail Towns Initiative Implementation Contract #C00175G in the amount of \$75,000.00, and be it further

RESOLVED, the County Treasurer is hereby authorized to create Account No. A6326.0409 Adk. Trail Towns in the amount of \$75,000.00 to be totally offset by creating and funding Revenue Account No. A3789.100 Adk. Trail Towns in the amount of \$75,000.00.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER
AND TOWERS

NAYS: NONE

After the following resolution was placed on the floor; the Chairman stated everyone should be getting the monthly reports on the residents that are using this free service. He is not sure how they gauge success; he hasn't heard anything negative.

RESOLUTION NO. 210-16

AUTHORIZING THE EXTENSION OF THE PROACT, INC. AGREEMENT

DATED: AUGUST 4, 2016

BY MR. SEAMAN:

WHEREAS, Resolution No. 152-10 of June 3, 2010 authorized Hamilton County entering into a "Managed Pharmacy Benefit Services Agreement", and

WHEREAS, Hamilton County elected not to authorize the automatic renewals of said agreement, and

WHEREAS, said agreement needs to be renewed effective September 1st, and

WHEREAS, this agreement has benefited the people of Hamilton County, now, therefore,
be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes a one year
renewal of said agreement.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER
AND TOWERS

NAYS: NONE

After the following resolution was placed on the floor; the Chairman stated he is sure everyone is
familiar with this. The county was the applicant for the original broadband project we did with
Frontier. The first phase has been closed out; this is the second phase closeout with all work
completed.

RESOLUTION NO. 211-16

**FUNDING ACCOUNTS FOR HAMILTON COUNTY'S BROADBAND PROJECT AND
AUTHORIZING PAYMENT TO FRONTIER COMMUNICATIONS FOR THE
COMPLETION OF PHASE II OF THE HAMILTON COUNTY BROADBAND
PROJECT**

DATE: AUGUST 4, 2016

BY MR. EDWARDS:

WHEREAS, Hamilton County is a grant recipient of an Empire State Development Grant
from Governor Cuomo's Economic Development Funding to create Broadband Service
throughout rural Hamilton County, and

WHEREAS, Hamilton County worked with Frontier Communications to satisfy their
portion of Phase II work to bring internet service to hamlets in the County through the North
Country Development Council, and

WHEREAS, as part of the Empire State Development Grant disbursement requirements
the Independent Auditor for Hamilton County will review the accounting records associated with
the Hamilton County Broadband Project, Phase II, and

WHEREAS, account numbers need to be funded to support this project, and

WHEREAS, the County will claim reimbursement of State Aid through the Consolidated
Funding Agreement, and upon receipt of the \$1,700,000.00 of State Aid, the Board authorizes
payment of \$1,700,000.00 to Frontier Communications for completion of their Phase II work,
therefore, be it

RESOLVED, that Account No. CD8689.401-Broadband Project be funded at \$1,700,000.00, to be totally offset by funding State Aid Revenue Account No. CD3787 NYSEDC Aid-Broadband Project in the County's Financial System for the Broadband Project, and be it further

RESOLVED, that the Hamilton County Treasurer has the authority to pay Frontier Communications for their Phase II work upon full receipt of the State Aid due to the County, for the Hamilton County Broadband Project.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER AND TOWERS

NAYS: NONE

RESOLUTION NO. 212-16

AUTHORIZING PAYMENT FOR HISTORIAN REIMBURSEMENT

DATED: AUGUST 4, 2016

BY MR. SNYDER:

WHEREAS, Resolution No. 69-16 of March 3, 2016 authorized the County Historian to accept the National Endowment for the Humanities grant "Humanities in the Public Square" (CFDA No. 45.164) in the amount of \$149,517, and

WHEREAS, between June 28, 2016 and July 26, 2016 the County Historian incurred expenses totaling \$3,164.92, remitted by personal credit card, and

WHEREAS, upon review of the receipts the Central Government Committee hereby recommends the approval of payment for said claims, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes payment of \$3,164.92 from Account No. A7510.0405 Humanities in the Public Square for the reimbursement of the County Historian and the County Treasurer be so authorized.

Seconded by Mr. D. Wilt and adopted by the following vote:

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER AND TOWERS

NAYS: NONE

After the following resolution was placed on the floor; the Chairman reported that Director Franko and Kleppang have met twice with the committee to discuss what they want to use the funds for.

RESOLUTION NO. 213-16

**CREATING AND FUNDING ACCOUNTS FOR DSRIP ENGAGEMENT FUNDS -
HAMILTON COUNTY PUBLIC HEALTH AND HAMILTON COUNTY COMMUNITY
SERVICES**

DATED: AUGUST 4, 2016

BY MR. D. WILT:

WHEREAS, Hamilton County Public Health (HCPH) and Hamilton County Community Services (HCCS) participate as partners in the Adirondack Health Institute's (AHI) Performing Provider System (PPS), and

WHEREAS, partnership in the AHI PPS allows HCPH and HCCS to participate in AHI's Delivery System Reform Incentive Payment Program (DSRIP) that is intended to enhance and transform health and behavioral health care systems and services in AHI's service area covering Franklin, Hamilton, Essex, Warren, Washington, Clinton, northern Fulton and northern Saratoga, and

WHEREAS, HCPH and HCCS have each received \$10,000 in DSRIP funding from AHI for engagement services intended to increase utilization by county residents of health and behavioral health services offered by both departments, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes that the budgets of each department be amended as follows to allow the funds to be expended in accordance with the terms as conditions set forth in AHI's DSRIP plan as approved by the New York State Department of Health:

Public Health		
Create and Fund Revenue Account No. A.3401.200 AHI DSRIP		\$10,000.00
Create and Fund Expenditure Account No. A4050.0445 AHI DSRIP		\$10,000.00
Community Services		
Create and Fund Revenue Account No. A3490.200 AHI DSRIP		\$10,000.00
Create and Fund Expenditure Account No. A4310.0419 AHI DSRIP		\$10,000.00

and the County Treasurer be so authorized.

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

**AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER
AND TOWERS**

NAYS: NONE

After the following resolution was placed on the floor; the Chairman stated we tried to be quick and efficient and approve it so we were prepared to sign the contract, but when we received the contract the amount was higher than we thought. The resolution needs to match the contract which it didn't, so it had to be amended.

RESOLUTION NO. 214-16

**RESCINDING RESOLUTION NO. 167-16 AND AUTHORIZING A NEW AMOUNT
FOR A BUDGET AMENDMENT FOR THE CONTRACT WITH NYSDEC FOR ROAD
MAINTENANCE – MOOSE RIVER PLAINS RECREATIONAL AREA**

DATED: AUGUST 4, 2016

BY MR. FREY:

WHEREAS, Hamilton County has a road maintenance contract with the New York State Department of Environmental Conservation (NYSDEC), and

WHEREAS, said contract is for road maintenance for the Moose River Plains Recreational Area for \$30,000 for 2016, and

WHEREAS, Resolution No. 167-16 of June 2, 2016 authorized the wrong amount for a budget amendment for the contract with New York State Department of Environmental Conservation (NYSDEC), and

WHEREAS, the NYSDEC would like additional road work and graveling completed in 2016 for an additional \$90,000 estimated, be it

RESOLVED, that Resolution No. 167-16 of June 2, 2016 be hereby rescinded, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the necessary contract/contract amendment, and be it also

RESOLVED, that Account No. D5110.402 Rental of Equipment be increased by \$60,000.00 and Account No. D5110.403 Stone & Gravel be increased by \$60,000.00 and Revenue Account No. D2389.0000 Service to Other Governments be increased by \$120,000.00 and the County Treasurer be so authorized and the Highway Superintendent and Clerk of the Board be so notified.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER
AND TOWERS

NAYS: NONE

RESOLUTION NO. 215-16

AUTHORIZING DISPOSITION OF EXCESS VEHICLES/EQUIPMENT

DATED: AUGUST 4, 2016

BY MR. SNYDER:

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

WHEREAS, the County Fleet Coordinator has made the recommendations that the following vehicles and/or 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>
2007	Ford F150 Pickup	1FTRF14W27KD53560	AB3265	DPW	115
1999	Galbreath Trailer	1G9F1272XXA157085	AB5097	DPW	420

be it

RESOLVED, the above vehicles/equipment be sold by auction on line by Auctions International and funds from the mentioned auction shall be a revenue credit to Revenue Account DM2665 Sale of Equipment, and 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. D. Wilt and adopted by the following vote:

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER AND TOWERS

NAYS: NONE

RESOLUTION NO. 216-16

AUTHORIZING TRANSFER OF VEHICLE WITHIN COUNTY AGENCIES

DATED: AUGUST 4, 2016

BY MR. WELLS:

WHEREAS, the Fleet Coordinator recommends the following vehicle transfer to utilize the vehicle for a pool vehicle:

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>	<u>Plate</u>
FROM: Public Health – Car #752			
(1) 2012	Chevrolet Impala	2G1WF5E33C1271595	AB9070
	To: DPW for pool vehicle	Value:	\$1,986.00

and

WHEREAS, the above values represent the policy of Hamilton County to transfer vehicles from one County Agency to another at 35% of low book value, now, therefore, be it

RESOLVED, that vehicle transfer be made as shown above, and be it further

RESOLVED, that the Fleet Coordinator ensure that the proper ownership is recorded and the appropriate paperwork for this transaction is accomplished, and be it further

RESOLVED, that the Director of Fixed Assets, Respective Department Heads, and the County Treasurer be so advised

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER AND TOWERS

NAYS: NONE

RESOLUTION NO. 217-16

APPROVAL OF AND TRANSFER OF FUNDS FOR 2016 MERIT PAY

DATED: AUGUST 4, 2016

BY MR. TOWERS:

WHEREAS, the Hamilton County Board of Supervisors has instituted a merit system for county employees, and

WHEREAS, the Internal Management Committee met on July 25, 2016 to review merit evaluations, be it

RESOLVED, that the Internal Management Committee recommends the following hourly merit increments:

SHERIFF

Carrie O'Neill	August 1, 2016 to August 1, 2017	\$1.65
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HIGHWAY

Clarence Desrochers	August 9, 2016 to August 9, 2017	\$1.43
Phillip Eldridge	August 7, 2016 to August 7, 2017	\$1.54
Lisa Johnson	August 30, 2016 to August 30, 2017	\$1.65
Samantha Sherman	August 14, 2016 to August 14, 2017	\$.99

SOCIAL SERVICES

Dyanne Crotty	August 27, 2016 to August 27, 2017	\$1.54
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COMMUNITY SERVICES

Paige Benton	July 18, 2016 to July 18, 2017	\$.55
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and be it further

RESOLVED, that the following transfers be made to cover the above 2016 merit pay:

FROM:	A1990.402	Contingent for Merit	\$17,517.39
TO:	A3110.107	Confidential Secretary	\$3,014.55
	D5110.101	Personal Services	\$2,985.84
	DM5130.101	Mechanics	\$3,352.80
	D5010.102	Administrative Assistant to Hwy	\$3,445.20
	A1620.104	Cleaner	\$792.00
	A6010.109	Support Collection Specialist	\$2,813.58
	A4310.104	Clerk	\$1,113.42

and be it further

RESOLVED, that Resolution No. 64-16 for merit pay, had the incorrect account listed for Avis Warner for the transfer of merit pay, and the following correction be made for Avis Warner:

From Account: A4010.107 to A4050.104 Registered Professional Nurse \$1,946.56

and be it further

RESOLVED, Resolution No. 202-16 for merit pay, had the incorrect account listed for Gregory Foster for the transfer of merit pay and the following correction be made for Gregory Foster:

From Account: DM5130.101 to D5110.101 Personal Services \$2,296.80

and the County Treasurer be so authorized and Personnel Officer be notified.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER
AND TOWERS

NAYS: NONE

RESOLUTION NO. 218-16

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: AUGUST 4, 2016

BY MR. WELLS:

RESOLVED, that the bills in the Machinery Fund amounting to \$51,900.09 and bills in the County Road Fund amounting to \$111,989.04 presented by the County Superintendent of Highways and audited this day by the County Public Works Committee, be, and the same hereby are approved and audited.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER AND TOWERS

NAYS: NONE

RESOLUTION NO. 219-16

APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND

DATED: AUGUST 4, 2016

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$163,386.28 by the following committees:

Building Committee	\$14,962.82
Public Works (Solid Waste) Committee	32,549.29
Finance Committee	12,817.83
Health Committee.....	16,585.71
Human Services Committee.....	11,607.85
Central Government Committee	13,439.83
Emergency Prep./Emergency Response.....	54,968.32
Publicity, Tourism, Economic Development & Planning Committee.....	5,698.35
Internal Management Committee	756.28

are hereby approved.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, SEAMAN, FARBER AND TOWERS

NAYS: NONE

Other Reports:

Mr. Towers: Old Home Days is this weekend in Wells.

Mr. Frey: American Legion Post will be dedicating a new Memorial on August 14th.

Mr. D. Wilt: After speaking with quite a few people and being involved with the North Country Economic Development Council, he was wondering has there been any thought to having a professional grant writer on staff and available to towns. There seems to be a lot of opportunities that we may not be taking advantage of.

Mr. Frey stated they share a program with Old Forge and CAP-21 for grant writing. It costs them \$15,000 per year and they have quadrupled what they have gotten back on their investment.

The Chairman stated it is certainly something they could explore. Mr. Frey mentioned the model that works for them. They also offer those services to Indian Lake and Long Lake. The lower half of the county is the problem on how we would serve them. He could have CAP-21 come down and discuss it at a committee meeting. Mr. Frey stated that the agreement was once we signed on, any organization in town could use them.

Mr. Wells: August 25th is Cycle Adirondacks with a layover in Indian Lake. At 7 PM Forever Wild will be performing at the school followed by the Washington County Blue Grass Band.

The Chairman explained due to some changes with New York State Public Defenders he is now looking into legal representation by the DA's Office and Public Defenders for after hour arrangements. The Justices have been talking about this at their magistrate meetings. We are going to get the Sheriff's Office more involved because there are implications for the deputies, holding cells, etc. There will also be implications for the Public Defender's Office.

As a reminder everyone knows the Workforce Investment Council Chair Bill Murphy has resigned. He represented us at the local and regional level; now we will need to be thinking of someone to replace him as of September 1, 2016.

The Chairman attended the EMS Council meeting last night in Inlet.

A motion was made to close the Public Hearing for proposed Local Law No. 7 of 2016 A Local Law of the County of Hamilton, New York Allowing for Common, Safe Items to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(B) by Mr. Frey, seconded by Mr. D. Wilt. Carried.

A motion was made to adopt proposed Local Law No. 7 of 2016 A Local Law of the County of Hamilton, New York Allowing for Common, Safe Items to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(B) by Mr. Frey, seconded by Mr. Seaman.

Mr. Towers stated he still has some reservations.

Mr. Frey stated this enforces what is allowed and what is not.

Motion Carried.

Motion by: Mr. Frey

Seconded by: Mr. Seaman

PROPOSED LOCAL LAW NO. 7 OF 2016

State of New York
County of Hamilton

A LOCAL LAW OF THE COUNTY OF HAMILTON,
NEW YORK ALLOWING FOR COMMON, SAFE ITEMS TO BE
EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION
AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(b)

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 “Sparkling Devices”.

Section 2: Legislative Intent

- A. Whereas on November 21, 2014 Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.7888/A10141).
- B. Whereas this state law amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal enjoyment.
- C. Whereas the Governor signed this version of the bill into law in part due to its strong home rule authority, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.
- D. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405 this Board further finds and determines that “sparkler devices” may be sold and enjoyed, only in the manner described below, within Hamilton County.
- E. This Board finds that allowing our residents the use of safe “sparkler devices” will benefit them and our local businesses.
- F. This Board further finds that the sale and use of “sparkler devices” is permitted with the following restrictions:
 - 1) Sales will only be permitted on or between June 1st through July 5th and December 26th and January 2nd of each calendar year.
 - 2) All distributors, manufacturers and retailers must be registered through the New York State Office of Fire Prevention and Control.
 - 3) Only those over the age of 18 may purchase said products.

Section 3: Definitions:

“Sparkling Devices” are defined as follows:

“Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

- (1) cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each

other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.

(2) cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.

(3) wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.

(4) novelties which do not require approval from the United States department of transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:

(A) party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.

(B) snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

Section 4: Separability

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

Section 5: Effective Date.

This law shall take effect immediately upon filing with the Secretary of State.

AYES: ARIETTA (304), BENSON (192), HOPE (403), INDIAN LAKE (1352), INLET (333)
LAKE PLEASANT (781), LONG LAKE (711), MOREHOUSE (86), WELLS (674) =
4836

NAYS: NONE

As there was no further business, motion to adjourn by Mr. Snyder, seconded by Mr. D. Wilt. Carried.