

2022

NINTH SESSION

SEPTEMBER 1, 2022

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 an 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 Wells
Inlet	John Frey
Lake Pleasant	ABSENT
Long Lake	Clay J. Arsenault
Morehouse	ABSENT
Wells	Nick Mauro

Also present: Elizabeth Cooper, Danielle Dalaini and Zach Hobbs-Adirondack North Country Association (ANCA) Staff, County Attorney, Judge Coffinger, Kimberly Byrne- Personnel Officer, Beth Hunt-Treasurer, Barry Baker-Real Property Tax Director/Budget Officer and Christopher Shambo-District Attorney.

A motion was made to accept the minutes of August 4, 2022, by Mr. Mauro, seconded by Mr. Tomlinson. Carried.

Public Comment: Elizabeth Cooper, Executive Director of ANCA, introduced herself. She stated that she was relatively new to the position and wanted to introduce herself. She also discussed the Center for Businesses in Transition. They try to connect people that currently own a business, that want to retire, with business prospects; to keep all these wonderful small businesses open for years into the future. She stated that Hamilton County has been very supportive of this partnership, and she thanked everyone for that. She introduced her colleagues, Danielle Dalaini, Director of the Entrepreneurial Department and Zach Hobbs, Outreach Coordinator. The Chairman asked them how Hamilton County is doing. Ms. Cooper stated that there was a study done a couple years ago and somewhere over 80% of the small businesses are owned by people of retirement age. So, it is definitely affecting this region. Typically, it takes three years to build a transition plan and they are just starting to see the transition after three years. She also stated that the word is getting out there.

County Attorney: Nothing to report.

Reports of Standing/Special Committees:

Mr. Mauro: Stated that they had received an email from District Attorney Shambo.

Mr. Frey: Stated that it is budget time. Barry Baker, Budget Officer, is ready. They will be having the discussion about COLA later. He wants to get it set so that Personnel can get the salaries to the department heads.

Mr. Baker stated that all of the budget worksheets are out and need to be back by September 12th. He also stated that the Department Head Committee is hoping the Board would consider their proposal. The Board has asked for numbers and they are working through those. They hope to get the health insurance forecast from Burnham and the Committee would like to meet with the Board on Committee Day.

Mr. Frey stated that COLA is looking like 10%. They won't be asking that. They are going to probably keep that down so they can make room for other opportunities. He stated that in Inlet's draft budget they have 7.5% which will probably end up being more like 6%. Mr. Baker stated that the SSI projection is 8.9 - 9.5%. Mr. Frey asked everyone to think about it because he would like to be able to give a soft number to Personnel before they leave.

Mr. Rhodes: Stated that Tourism has completed the map and every Board member has one on their desk. Tourism also helped the Village with the RSVP invitations for the Fire Tower, completed the new Fire Tower brochure, updating the Waterfall brochure and helping various establishments with printing projects. They will also be attending the NYS Snowmobile Show in Syracuse at the end of the month.

Mr. Tomlinson: Stated that there were some Public Works resolutions on the agenda.

Chairman: Stated that he was invited Tuesday to meet with Assemblyman Jones and Simpson to speak about the gun legislation and what it means for the Adirondack Park. He represented Hamilton County as the Chair and stated media coverage was there. The Governor will be signing the legislation into law and it's effective that day. He feels that it's flawed and terrible. It's not political, it is just wrong.

PRESENTATION:

Christopher Shambo, District Attorney (DA), discussed the email he sent to the Board. It included vehicle/traffic tickets, what the numbers are and what the process is with the Discovery Program. The Chair asked if traffic reductions were being done in-house. The DA stated that some are done in the office and some in court. It depended on the court. He stated that there are five to ten people in the Wells and Indian Lake Courts per month and in the other courts maybe one person. The email also showed the summary of cases to date and a spreadsheet for misdemeanor cases. The Chairman asked about the cases still open from 2015-2017. The DA stated those probably had outstanding warrants. He further discussed their cases. The Chairman thanked the DA for the information. He stated that he understands that the DA is looking for help in the office. He feels that it's important for him to put together what he needs and to give it to the Budget Officer. Mr. Mauro also thanked the DA.

Elizabeth Cooper, Danielle Dalaini, Zach Hobbs, Judge Coffinger and DA Shambo all left the meeting.

RESOLUTIONS:

RESOLUTION NO. 264-22

AUTHORIZATION TO ATTEND THE 2022 NYSAC FALL SEMINAR

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

WHEREAS, the New York State Association of Counties (NYSAC) will conduct the Fall Seminar in Buffalo, N.Y. September 19 – September 21, 2022, therefore, be it

RESOLVED, that all Supervisors and County Officials be granted permission to participate in the above mentioned Conference and that the actual and reasonable expenses of the officers attending such meeting shall be a County charge and be audited by this Board in the same manner as other County charges.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 265-22

AMENDING RESOLUTION NO. 301-21 – CALENDAR SCHEDULE OF REGULAR SESSIONS FOR THE YEAR 2022

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

WHEREAS, Resolution No. 301-21 set the schedule for the Board of Supervisors Regular Sessions with Committee meetings being held on the Monday, eleven days prior to the regular meeting, and

WHEREAS, the Board has determined that it would be beneficial to change the Committee meetings from Monday to Tuesday, be it

RESOLVED, that Resolution No. 301-21 be hereby amended to set the monthly Committee meeting day to Tuesday, ten days prior to the regular meeting.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 266-22

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

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

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 \$169.00 over last year's agreement has been proposed for a total contract price of \$12,188.00 to cover the period of January 1, 2023 through December 31, 2023, 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 Mr. Snyder and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 267-22

APPROVAL OF BID ON AUCTIONED TAX PARCEL

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

WHEREAS, the County of Hamilton held the annual foreclosure auction on-line on July 13, 2022, and

WHEREAS, one parcel bid at the auction was under review and not presented for approval in the August Resolution No. 229-22 approving bids, and

WHEREAS, the issue with the parcel under review has been resolved, and

WHEREAS, attached hereto and made part hereof is Schedule "A" which contains the name of the high bidder, the tax parcel number, and the bid price for that one parcel, be it

RESOLVED, that the Hamilton County Board of Supervisors, pursuant to Section 116 of the Real Property Tax Law of the State of New York, does hereby approve the bid for the map parcel shown on "Schedule A" and does hereby authorize the transfer of said property to the named high bidder subject to receipt of the entire bid amount along with associated transfer costs and the approval of the County Attorney, and be it further

RESOLVED, that the Hamilton County Board of Supervisors does hereby authorize the Chairman of the Hamilton County Board of Supervisors to execute Quit Claim Deeds for said tax map parcels to the high bidder and to execute all other necessary documents to transfer said tax map parcels to the high bidder.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

SCHEDULE "A"

Town of Wells:

Bidder:

Michael Mell Parcel: 130.018-2-11.110 Bid Price: \$8,500.00

Sheila Crouse entered the meeting.

RESOLUTION NO. 268-22

APPROVAL TO FUND AND PAY INVOICES RECEIVED UTILIZING THE ARP ACT FUNDS FOR THE NEW FINANCIAL SOFTWARE BEING IMPLEMENTED IN THE TREASURERS, PERSONNEL AND CLERK OF THE BOARD'S OFFICE

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

WHEREAS, three invoices have been received from Tyler Technologies for the new financial/personnel software being implemented, and

WHEREAS, per Resolution No. 288-21 dated November 10, 2021 the Board created the ARP Act accounts to cover the expenses of this implementation, be it

RESOLVED, the County Treasurer is hereby authorized to fund Account No. A1325.0412 – ARP Act Financial Software in the amount of \$910.00 to be offset by funding Revenue Account No. A4089.0200 – American Rescue Plan Act (ARPA) in the amount of \$910.00, and be it further

RESOLVED, that the County Treasurer is hereby authorized to pay Tyler Technologies \$910.00 for Invoice No. 025-386896 (\$32.50), Invoice No. 025-388412 (\$97.50) and Invoice No. 025-391666 (\$780.00) from Account No. A1325.0412 ARP Act, Financial Software.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 269-22

CREATE AND FUND ARP ACT ACCOUNTS FOR VIRTUAL MEETING EQUIPMENT – LAKE PLEASANT CONFERENCE ROOM

DATED: SEPTEMBER 1, 2022

BY MR. SNYDER:

WHEREAS, Hamilton County was awarded ARP Act monies, and

WHEREAS, it has been determined that there is a need to upgrade the technology in the Lake Pleasant Conference Room to be able to accommodate virtual meetings, and

WHEREAS, a quote has been obtained from My Techs, Inc., be it

RESOLVED, that the County Treasurer be hereby authorized to create and fund Account No. A1040.0409 – ARP Act, Virtual Meeting Equipment in the amount of \$3,196.60 to be totally offset by funding Revenue Account No. A4089.0200 – American Rescue Plan Act (ARPA) in the amount of \$3,196.60.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 270-22

CREATING NEW POSITION IN PERSONNEL OFFICE

DATED: SEPTEMBER 1, 2022

BY MR. ARSENAULT:

WHEREAS, the Personnel Officer has evaluated the clerk job description and determined that a new position is needed, and

WHEREAS, the Personnel Officer discussed creating the Personnel Assistant position with the Internal Management Committee and the proposal was supported, and

WHEREAS, the Personnel Officer is requesting that her current clerk position, Grade 3, be replaced with a Personnel Assistant position, set at Grade 8, and

WHEREAS, the Personnel Officer requests to advertise the newly created position, now, therefore, be it

RESOLVED, that a full-time Personnel Assistant position be created, and be it further

RESOLVED, that the Personnel Officer is authorized to advertise for said position, and the County Treasurer be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

After the following resolution was placed on the floor; the Chairman thanked Soil and Water for taking charge of this and how much the Board appreciates it.

RESOLUTION NO. 271-22

AUTHORIZING STATE SEPTIC SYSTEM REPLACEMENT PROGRAM COUNTY PARTICIPATION LETTER

DATED: SEPTEMBER 1, 2022

BY MR. ARSENAULT:

WHEREAS, NYS Environmental Facilities Corporation is administering the New York State Septic System Replacement Program, and

WHEREAS, Hamilton County is eligible to participate through entering into a Letter of Participation, and

WHEREAS, the funding available to Hamilton County is \$150,000.00, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign the Participation Letter, and be it also

RESOLVED, that the Hamilton County Board of Supervisors hereby authorize Hamilton County Soil & Water as the implementing entity to implement this grant program in Hamilton County.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

After the following resolution was placed on the floor; the Chairman stated that the history of the Hamilton County Sheriff's Office is outstanding and second to none across New York State. All of the Board agreed.

RESOLUTION NO. 272-22

RECOGNITION OF SHERIFFS' WEEK

DATED: SEPTEMBER 1, 2022

BY MR. RHODES:

WHEREAS, the Office of Sheriff has been an integral part of the criminal justice system in New York State and in Hamilton County throughout our history, having been established in the State's first Constitution in 1777 and continued in every succeeding Constitution, and having been one of the original Constitutional offices guaranteed to the People upon the founding of our County, and

WHEREAS, despite changes in its function, status and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community, and

WHEREAS, the Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police officers, using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field, and

WHEREAS, the Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of "Keeper of the Peace", and extend into many facets of public service, including maintaining the county jail, providing security in our courts, dispatching emergency services, and serving and executing civil process for our courts, and

WHEREAS, as a Constitutionally empowered Office directly responsible to the People, the ancient Office of Sheriff remains, even today, responsive and accountable to the public it serves, and

WHEREAS, it is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that the Sheriffs play in our modern criminal justice system, therefore, be it

RESOLVED, we, the Hamilton County Board of Supervisors do recognize the important services provided to the citizens of this County by Sheriff Karl G. Abrams and the members of the Sheriff's Office, and do hereby proclaim September 18 to 24, 2022 to be Sheriffs' Week in Hamilton County.

Seconded by ALL and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

Helen Grier and Janet Wagoner entered the meeting.

A motion was made at 11AM to open the Public Hearing on Proposed Local Law 11 of 2022 –

Authorizing Lease Agreement for Installation of Communication Tower in Town of Arietta by Mr. Rhodes, seconded by Mr. Tomlinson. Carried.

Public in Attendance: Sheila Crouse, Helen Grier and Janet Wagoner

The Chairman stated that it was part of the County's Emergency Communication Program. Unfortunately, Mr. Farber couldn't be at this meeting; he has been the driving force for years. The other Supervisors are learning and he thanked Mr. Rhodes for being so involved. He opened the floor to the public for questions and comments.

Sheila Crouse asked for more information regarding the tower. Mr. Rhodes stated that the proposal is for a 90-foot emergency communications tower on the corner of Wayne Smith Rd. and Rt. 8, on Barry Baker's property. Essentially, it's to enhance our communications for sheriff, fire and ambulance. That's all it is for now. That location was chosen because of the microwave path from Oak Mountain but it's missing a link for that purpose. It's proposed with a microwave dish on it but it's not active. Ms. Crouse asked what the 90-foot tower looks like. The Chairman explained that during a public hearing the public can make comments, but questions aren't for that period. The Chairman further stated that they would answer questions as long as the Supervisors were comfortable with that. Ms. Crouse asked if there were health risks involved in having a cell tower on a residential road. Mr. Frey reminded everyone of what Mr. Rhodes had said, that the tower was not a cell tower. He also stated that the APA is involved, being it's over 40-feet tall, and if a cell company wants to go on that tower, they will have to reopen the public process. Like what Mr. Rhodes had stated the only thing Hamilton County is asking for is for emergency communications connectivity. He believes that it was going to be fiber to the tower for broadcast and receive for police, fire and ambulance. There is a microwave dish on it for the sole purpose of being able to have backup if the fiber lines go down. He believes it's going to be a non-monopole structure similar to what is there at the courthouse. Janet Wagoner asked if the tower at the courthouse was 90-feet. Mr. Frey stated that he didn't have that information, but it was representative of the look of the tower but without the rectangular cell antennas. The Chairman stated that Mr. Frey has been going through this in Inlet and that the Board appreciates his expertise. Ms. Wagoner asked why they were putting the tower there. Mr. Frey stated that it was safe to say that they looked at four or five different locations and the majority comes down to microwave paths for the future. The hope is to have a complete loop through the County, out of the County and back into the County. Going as far west as Old Forge and Town of Webb down into Utica and then coming up through Morehouse to circle back around. It's a game of trying to find the links. They need height and line of sight. Ms. Wagoner asked if that is how they came up with this location. Mr. Frey stated that he thought there were two or three others where property owners had passed away or they became undesirable because of the line of sight. He discussed how Nokia is the one doing the microwave path studies and they do this all over the country. Ms. Wagoner asked if the location was the best. Mr. Frey stated that if NYS would allow towers on their property, they would have a lot of better sites. Ms. Crouse stated that there are a number of property owners that are uncomfortable with the cell tower. She asked what do they do if they are concerned about it. Do the Supervisors just say yes and it's done? The Chairman stated that it is private property. Mr. Frey clarified again that it wasn't a cell tower. Helen Grier stated that she would like to know what the tower will look like. What she would be looking at because she lives across the street to where it was going and what the benefit/non-benefit was to having it almost in

her front yard. All she has heard is rumors and thought this meeting was to get more information. Mr. Frey stated that there was a big difference between private and public property. For him this is all about emergency communications. Ms. Wagoner stated that there seems to be there could be something that isn't so visible to the people in that area. Mr. Rhodes stated that they were limited with land and the clear line of sight. He did reach out and try to have a meeting regarding this back in February. Ms. Crouse stated that it was April before she had communication about it and she had reached out stating she wanted to have a meeting about it. Then she received notice there was this public hearing so they just assumed this was where they would come. Not that it was the last step. The Chairman stated that the Board would take their comments to heart and listen. He also stated that the Board wouldn't have to pass it if there was that many valid concerns. Ms. Crouse stated that there were other people concerned that couldn't be there. It was so noted that Sheila Crouse, Helen Grier and Janet Wagoner oppose the tower. Mr. Arsenault asked what road the tower was going to be on and how many residents lived there. Ms. Crouse stated that it is Wayne Smith Road. It is a residential road. It is all families that live in the community and that it is around eight homes. Mr. Frey stated that the Board had the option to leave the public hearing open until the next meeting.

Sheila Crouse, Helen Grier and Janet Wagoner left the meeting at this time.

A motion was made at 11:15AM to open the Public Hearing on Proposed Local Law 12 of 2022 – Authorizing Lease Agreement for Installation of Communication Tower in Town of Morehouse by Mr. Rhodes, seconded by Mr. Frey. Carried.

No Public Comment

RESOLUTIONS: *continued*

After the following resolution was placed on the floor; the Chairman stated that he hopes this will make a difference. Nobody has been able to figure out when the Governor is doing this so they are just waiting.

RESOLUTION NO. 273-22

RESOLUTION OPPOSING ASSEMBLY BILL A41001 AND SENATE BILL S51001

DATED: SEPTEMBER 1, 2022

BY MR. SNYDER:

WHEREAS, on July 1, 2022 the Assembly and the Senate of New York voted on new legislation proposed under a Message of Necessity, a 3-day message, which allows for passage of Law without public comment or public hearings, and

WHEREAS, on July 1, 2022 Governor Hochul signed the Bill into Law circumventing the Constitutionally required 3 days, even though the law would not take effect until September 1, 2022, and

WHEREAS, the Hamilton County Board of Supervisors does hereby reject the politicization and weaponization of a Message of Necessity for political gain and this Board calls upon the Legislature to review and limit the power assumed by the Governor citing Article IV Section 3 of the Constitution to call the Legislature of the State of New York into Extraordinary Session with the express purpose of avoiding usual legal process of adopting legislation in the State of New York, and

WHEREAS, this Board considers this law to be an unconstitutional infringement upon law abiding citizen's right to bear arms and an overt infringement upon freedom and liberty in New York State, which does nothing to deal with the problems of crime and illegal firearms, and

WHEREAS, the State of New York has advertised both its public lands, Conservation Easement Lands and Private Lands as a destination Park, and

WHEREAS, among the most onerous of its provisions, making it a felony for any individual to enter any Park or any sensitive areas as designated by Senate Bill s51001 including the Adirondack Park with a valid New York State carry conceal permit and to designate Houses of Worship as sensitive areas with no legislative authority and direct violation of the "Establishment Clause" of the 14th Amendment which separates Church from State, be it

RESOLVED, that the Hamilton County Board of Supervisors does hereby reject and condemn this Bill as a direct violation of the Second Amendment of the Constitution of the United States of America.

Seconded by ALL and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 274-22

**AUTHORIZING PAYMENT TO RS TELECOM, INC. FOR MICROWAVE
MAINTENANCE – SI19-1010-E00**

DATED: SEPTEMBER 1, 2022

BY MR. RHODES:

WHEREAS, Resolution No. 263-22 authorized the extension of the Hamilton County contract with RS Telecom, Inc. for microwave maintenance for a term of August 1, 2022 - July 31, 2023, and

WHEREAS, NYS Homeland Security and Emergency Services has approved the County's request to use \$33,000.00 of FY19 SICG Formula grant funds (Contract #C197915) to enter into a non-competitive procurement contract with RS Telecom, Inc. for microwave maintenance, be it

RESOLVED, that upon receipt of a fully executed agreement between Hamilton County and RS Telecom, Inc. for microwave maintenance for the period August 1, 2022 - July 31, 2023, in the amount of \$33,000.00, the County Treasurer is hereby authorized to pay RS Telecom, Inc. \$33,000.00 for Invoice #2022-53 from Account No. A3645.0422 Statewide Communications Grant SI19-1010-E00.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 275-22

**AUTHORIZING CONTRACT WITH MICHELLE KELLY TO INSTRUCT YOGA
CLASSES 2022-2023**

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

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 April 1, 2022 – March 31, 2023 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, 2022 through July 31, 2023 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, 2022 through July 31, 2023 at a rate of \$40.00 per class plus mileage upon approval of the County Attorney and the County Treasurer be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 276-22

AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH HOME HEALTH CARE PARTNERS, CORP. REGARDING HOME HEALTH AIDE TRAINING PROGRAM

DATED: SEPTEMBER 1, 2022

BY MR. MAURO:

WHEREAS, Hamilton County Public Health Nursing Service provides home health aide level services for the resident of Hamilton County, and

WHEREAS, the Public Health Director proposes to contract with Home Health Care Partners to provide home health aide certification training, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors be and is hereby authorized to sign a contract on behalf of the County of Hamilton with Home Health Care Partners, Corp., 1830 River Front Center, Amsterdam, NY 12010 to provide training of Certified Home Health Aides of the Hamilton County Public Health Nursing Service for the period of August 1, 2022 to July 31, 2023.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 277-22

AUTHORIZING PURCHASE OF PCR TESTING SUPPLIES

DATED: SEPTEMBER 1, 2022

BY MR. ARSENAULT:

WHEREAS, the Public Health Department was awarded the 2021-2024 HRI AIDS institute ELC Grant No. 6896-01 which included funding for PCR machines and testing supplies for schools, and

WHEREAS, Abbott Rapid Diagnostics is the only vendor with PCR testing supplies in stock that are compatible with our Abbott ID Now PCR machines, and

WHEREAS, the Public Health Director is requesting to purchase 35 boxes of PCR test kits for the 2022-2023 school year in the amount of approximately \$32,000, be it

RESOLVED, that the County Treasurer is hereby authorized to charge Account No. A4189.4105 for this purchase.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 278-22

**AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT BETWEEN
WARREN/HAMILTON COUNTY OFA AND PUBLIC HEALTH NURSING SERVICE
FOR TITLE III-E FUNDING**

DATED: SEPTEMBER 1, 2022

BY MR. SNYDER:

WHEREAS, Warren/Hamilton Counties Office for the Aging has grant monies available to provide respite Home Health Aide Services under Title III-E for seniors who are patients of the Certified Home Health Agency and require these services to provide respite for caregivers, and

WHEREAS, this agreement is for the period commencing January 1, 2022– December 31, 2022 for a total of \$10,000.00, and

WHEREAS, this anticipated funding was appropriated in the 2022 Municipal budget as a part of the budget development process, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the grant agreement between the Office for the Aging and the Hamilton County Public Health Nursing Service upon approval of the County Attorney, and the County Treasurer be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 279-22

**AUTHORIZING CHAIRMAN TO SIGN EISEP AGREEMENT BETWEEN
WARREN/HAMILTON COUNTY OFA FOR PCI AND PCII LEVEL SERVICES –
PUBLIC HEALTH**

DATED: SEPTEMBER 1, 2022

BY MR. MAURO:

WHEREAS, the Hamilton County Public Health Nursing Service has the capacity to provide personal care worker services for Hamilton County residents, and

WHEREAS, Warren/Hamilton Office for the Aging wants to contract for PCI and PCII levels of service under the EISEP program with Hamilton County Public Health Nursing Service, and

WHEREAS, this agreement is for the period commencing April 1, 2022 – March 31, 2023 for a total of \$35,100, be it

RESOLVED, that upon the County Attorney's approval, the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with Warren/Hamilton Office for the Aging for PCI and PCII level services under the EISEP program for a term of April 1, 2022 to March 31, 2023 for a total of \$35,100.00.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 280-22

**AUTHORIZING CHAIRMAN TO SIGN COMMUNITY SERVICES FOR THE
ELDERLY CONTRACT AGREEMENT BETWEEN WARREN/HAMILTON OFFICE
FOR THE AGING AND HAMILTON COUNTY PUBLIC HEALTH NURSING
SERVICE**

DATED: SEPTEMBER 1, 2022

BY MR. MAURO:

WHEREAS, the Hamilton County Public Health Nursing Service maintains an agreement with Warren/Hamilton Office for the Aging, and

WHEREAS, Hamilton County Public Health Nursing Service provides services for Hamilton County residents under a Community Services for the Elderly contract, and

WHEREAS, this contract has been submitted for renewal for the period April 1, 2022 – March 31, 2023 in the amount of \$3,313.00, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the agreement between the Public Health Nursing Service and Warren/Hamilton Office for the Aging, upon approval of the County Attorney, on behalf of the Hamilton County Public Health Nursing Service.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 281-22

AUTHORIZING CHAIRMAN TO SIGN TITLE III-D – DISEASE PREVENTION AND HEALTH PROMOTION CONTRACT AGREEMENT BETWEEN WARREN/HAMILTON COUNTY OFFICE FOR THE AGING AND HAMILTON COUNTY PUBLIC HEALTH NURSING SERVICE

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

WHEREAS, the Hamilton County Public Health Nursing Service maintains an agreement with Warren/Hamilton Office for the Aging, and

WHEREAS, Hamilton County Public Health Nursing Service provides services for Hamilton County residents under a Title III-D contract, and

WHEREAS, this contract has been submitted for the period January 1, 2022 – December 31, 2022 in the full amount of \$3,460.00, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the agreement between the Public Health Nursing Service and Warren/Hamilton Office for the Aging, upon approval of the County Attorney, on behalf of the Hamilton County Public Health Nursing Service.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 282-22

**AMEND COUNTY BUDGET AND CONTRACT WITH THE HAMILTON, FULTON,
MONTGOMERY PREVENTION COUNCIL**

DATED: SEPTEMBER 1, 2022

BY MR. SNYDER:

WHEREAS, the County of Hamilton has approved the 2022 contract with the Hamilton, Fulton, Montgomery Prevention Council to provide Prevention Services to the residents of Hamilton County, and

WHEREAS, NYS OASAS funding was increased in the most recent State Aid Letter by \$3,199.00, and

WHEREAS, the current contract does not reflect this increase in the County's 2022 budget, be it

RESOLVED, that Revenue Account No. A.3484.100 and Expenditure Account No. A.4310.0425 both be increased by \$3,199.00, and be it further

RESOLVED, that the Hamilton County Board of Supervisors hereby approves amending the County's 2022 contract with Hamilton, Fulton, Montgomery Prevention Council from \$74,245.00 to \$77,444.00, and the Treasurer be so advised

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 283-22

**AUTHORIZING CHAIRMAN TO SIGN A CONTRACT AGREEMENT BETWEEN
WARREN/HAMILTON COUNTY OFFICE FOR THE AGING AND HAMILTON
COUNTY DEPARTMENT OF SOCIAL SERVICES FOR CASE MANAGEMENT
SERVICES**

DATED: SEPTEMBER 1, 2022

BY MR. MAURO:

WHEREAS it is necessary for the Hamilton County Department of Social Services to enter into an agreement with Warren Office for the Aging for case management services, and

WHEREAS, the contract will be for the following program:

Title III-E January 1, 2022 – December 31, 2022 \$1,000.00

be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the agreement between the Department of Social Services and Warren/Hamilton County Office of the Aging, upon approval of the County Attorney, on behalf of the Hamilton County Department of Social Services.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 284-22

**AUTHORIZING CHAIRMAN TO SIGN EISEP CONTRACT AGREEMENT BETWEEN
WARREN/HAMILTON COUNTY OFFICE FOR THE AGING AND HAMILTON
COUNTY DEPARTMENT OF SOCIAL SERVICES**

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

WHEREAS, the Hamilton County Department of Social Services maintains an agreement with Warren/Hamilton Office for the Aging, and

WHEREAS, Hamilton County Department of Social Services provides services for Hamilton County residents under an EISEP Contract, and

WHEREAS, this contract will be for the period of April 1, 2022 – March 31, 2023 in an amount not to exceed \$30,500.00, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the agreement between the Department of Social Services and Warren/Hamilton Office for the Aging, upon approval of the County Attorney, on behalf of the Hamilton County Department of Social Services.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 285-22

**AUTHORIZING PURCHASE AND PAYMENT FOR FURNACES FOR
REPLACEMENT – INDIAN LAKE COUNTY FACILITY**

DATED: SEPTEMBER 1, 2022

BY MR. TOMLINSON:

WHEREAS, the furnaces in the Social Service and Legal Wings of the Indian Lake County Facility need to be replaced, and

WHEREAS, there are two (2) furnaces in each wing, and

WHEREAS, the Superintendent received three (3) written quotes for the purchase of the four (4) furnaces which includes the coil plenums for the central air conditioning, and

WHEREAS, the written quotes were from the following vendors –

- F.W. Webb - \$12,409.96
- J.E. Sawyer - \$11,909.16 (did not meet specs)
- Security Supply - \$10,435.00 (could not provide all parts needed)

and

WHEREAS, the DPW Superintendent moved forward with the ordering of the said furnaces from F. W. Webb and the said furnaces have been delivered, be it

RESOLVED, that hereby the Board of Supervisors authorizes the Superintendent for the purchase of the said furnaces, and

RESOLVED, that payment for the said furnaces is hereby authorized and the County Treasurer be so authorized to send a payment of \$12,409.96 to F.W. Webb Company, 3 Highland Ave, Queensbury, NY 12804 out of Account No. A1620.0413 IL & LP Projects and the Clerk of the Board and DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 286-22

AUTHORIZING PAYMENT FOR REPAIRS TO GRADALL 3100 #301

DATED: SEPTEMBER 1, 2022

BY MR. TOMLINSON:

WHEREAS, Resolution No. 154-22 authorizes repairs to be made to the County owned Gradall 3100 #301 for an estimate of \$10,511.23 at Alta Construction Equipment Co., and

WHEREAS, the repairs were completed to the Gradall at a cost of \$8,414.39 and the Gradall is back in service, be it

RESOLVED, that hereby the County Treasurer is hereby authorized to send payment to Alta Construction Equipment New York, LLC, PO Box 22154, New York, New York 10087-2154 in the amount of \$8,414.39 for Gradall #301 and the funds be taken out of Account No. DM5130.401 Repairs and Clerk of the Board and Highway Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 287-22

AWARD OF BID FOR SPECIFICATION NO. 6-2022 VEHICLES

DATED: SEPTEMBER 1, 2022

BY MR. TOMLINSON:

WHEREAS, the Public Works Committee authorized the County Highway Superintendent to advertise for bids for the purchase of New 2023 Model Year Vehicles, and

WHEREAS, two (2) bids were received for 2023 Model Year Vehicles in accordance with Specification No. 6-2022 as advertised by the Highway Superintendent and Public Works Committee, and

WHEREAS, the following bids were received:

1. Don's Ford
5712 Horatio St., Utica, NY 13502

Item 1 – 2023 Ford F150 Lightning Pickup Bid Price - \$64,259.00

Item 2 – 2023 Dodge Durango PPV – No Bid

2. Carbone Chrysler, Jeep Dodge, Jeep Ram
5017 Commercial Drive, Yorkville, NY 13495

Item 1 – 2023 Ford F150 Lightning Pickup Bid Price - No Bid

Item 2 – 2023 Dodge Durango PPV - \$42,729.00

and

WHEREAS, the low bids for each item are as follows:

Item 1 – 2023 Ford F150 Lightning Pickup Bid Price - \$64,259.00

Item 2 – 2023 Dodge Durango PPV Bid Price - \$42,729.00

and

WHEREAS, the Fleet Coordinator recommends the award be made to lowest bidder for each item, be it

RESOLVED, the Board of Supervisors does award the bid to the lowest bidder for each Item as herein mentioned and the Fleet Coordinator, County Treasurer and Clerk of the Board be so advised.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 288-22

**AUTHORIZING AMENDMENT OF RESOLUTION NO. 246-22 - AMENDING
AMOUNT OF 2022 APPROPRIATION AND REVENUES FOR GAS AND DIESEL AND
AUTHORIZING TRANSFER OF FUNDS**

DATED: SEPTEMBER 1, 2022

BY MR. TOMLINSON:

WHEREAS, Resolution No. 246-22 duly adopted by the Board of Supervisors on August 4, 2022 amended the gas and diesel appropriations and revenues for 2022, and

WHEREAS, Resolution No. 246-22 authorized the transfer of \$200,000.00 from the Unappropriated Machinery Fund Balance, and

WHEREAS, the Unappropriated Machinery Fund Balance does not have funding available to make the said transfer, and

WHEREAS, after meeting with the Public Works committee the DPW Superintendent recommends transferring \$200,000.00 from the Solid Waste Reserve Fund, be it

RESOLVED, that Resolution No. 246-22 be hereby amended to transfer \$200,000.00 from the Solid Waste Reserve instead of the Unappropriated Machinery Fund Balance to Account No. DM5130.0405 Gas and Diesel, be it further

RESOLVED, that the other amendments authorized in Resolution 246-22 stand as adopted and the County Treasurer be so authorized and the Clerk of the Board and DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 289-22

AUTHORIZING FLEET COORDINATOR TO PURCHASE VEHICLE FOR SHERIFF

DATED: SEPTEMBER 1, 2022

BY MR. TOMLINSON:

WHEREAS, the Sheriff's Office will need to replace one patrol vehicle in 2023, and

WHEREAS, the Fleet Coordinator has advertised for bids for 2023 vehicles, and

WHEREAS, the Board of Supervisors have awarded Dodge Durango PPV to Carbone Chrysler, Jeep, Dodge, Ram at a cost of \$42,729.00, be it

RESOLVED, that the Fleet Coordinator is hereby authorized to issue a purchase order for one (1) 2023 Dodge Durango from Carbone Chrysler, Jeep, Dodge, Ram for the Sheriff Department for 2023 for a total of \$42,729.00 delivered, and the Clerk of the Board, County Treasurer, County Sheriff and Fleet Coordinator be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 290-22

**AUTHORIZATION TO PAY INVOICE FROM INFO QUICK SOLUTIONS
FOR 2022 MICROFILM PROJECT**

DATED: SEPTEMBER 1, 2022

BY MR. MAURO:

WHEREAS, the Hamilton County Clerk's Office has contracted for many years with INFO QUICK SOLUTIONS, a records management vendor, and

WHEREAS, the 2022 project has been completed and all the documents have been uploaded into the system making all deed records since Book 1 in the year 1794 available, and

WHEREAS, money has been budgeted yearly to fund this type of project and there are currently enough funds available to pay this latest invoice, be it

RESOLVED, that the County Treasurer be hereby authorized to pay Info Quick Solutions, Inc Invoice# 30244 in the amount of \$8,978.70 with the charge being made to County Clerk Account A1410.0406 Micro-film and the County Clerk be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 291-22

APPOINTMENT OF FIRE COORDINATOR

DATED: SEPTEMBER 1, 2022

BY MR. RHODES:

WHEREAS, Jay Griffin has resigned the Fire Coordinator Position and the Board wishes to fill said position, and

WHEREAS, Deputy Fire Coordinator Sean O'Brien has agreed to accept appointment as Fire Coordinator, now, therefore, be it

RESOLVED, that Sean O'Brien is hereby appointed Fire Coordinator effective immediately and for a term ending December 31, 2022 at an hourly base rate of \$24.634 from Account No. A3640.0103, not to exceed the Appropriation, and the County Treasurer and Personnel Officer be so advised.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

After the following resolution was placed on the floor; the Chairman stated the County could change the agreement with Verizon and get more rental on this. The Chairman stated that Mr. Farber would like to keep it status quo to keep moving forward. His question to the County Attorney was if they pass it now could they go back and renegotiate later? The County Attorney stated that he would have to look at the agreement but that the resolution is simply allowing them to proceed with the application to the APA.

RESOLUTION NO. 292-22

**AUTHORIZING LANDOWNER CONSENT FOR VERIZON ANTENNA ARRAY
EQUIPMENT MODIFICATION TO LAKE PLEASANT TOWER**

DATED: SEPTEMBER 1, 2022

BY MR. SNYDER:

WHEREAS, Verizon Wireless has proposed an equipment upgrade to the Lake Pleasant County tower so as to add CBAND spectrum service, and

WHEREAS, Verizon Wireless has provided construction drawings and a structural analysis with respect to such equipment upgrade per the existing lease agreement, and

WHEREAS, said equipment upgrade/tower modification requires Adirondack Park Agency review and approval including landowner consent, now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Hamilton authorizes the Chairman, with the approval of the County Attorney, to execute the landowner consent (on behalf of the County of Hamilton as property owner of the Lake Pleasant tower) per Verizon Wireless application to the Adirondack Park Agency with respect to the aforesaid equipment upgrade, together with such other documents necessary to effectuate such modifications.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 293-22

**AUTHORIZING A TOWER USAGE AGREEMENT WITH HERKIMER COUNTY AND
THE TOWN OF WEBB**

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

WHEREAS, placement of a Hamilton County microwave dish on the McCauley Mountain Tower, located in Herkimer County, will benefit Hamilton County by providing connections to a new tower in the Inlet-Eagle Bay area and by providing redundant microwave connections as well as connecting Hamilton County into the Adirondack Communication Consortium Counties, and

WHEREAS, funding for tower work and radio communications equipment will be 100 percent covered by State Interoperable Communications Grants, and

WHEREAS, the Town of Webb is the landowner of the premises upon which the McCauley Mountain Tower is located on known as Tax Parcel No. 41-1-59.1 and 41-1-59.2 commonly known as the McCauley Mountain Ski Resort, and

WHEREAS, the Town of Webb has granted Herkimer County the right and easement to said parcels for the purposes of constructing, operating, and maintaining a Herkimer County Radio EMS/011 Tower, together with necessary equipment, and

WHEREAS, Herkimer County and the Town of Webb have agreed to grant a license to Hamilton County to install, operate, maintain, and repair a six-foot diameter Microwave Dish on the existing tower with associated cabling, be it

RESOLVED, that the Chairman of Hamilton County Board of Supervisors is hereby authorized to sign a Intermunicipal Communications Tower License and Lease Agreement with the County of Herkimer and the Town of Webb, providing Hamilton County with an easement to place the six-foot microwave dish and equipment and an easement for ingress and egress, upon approval of the Hamilton County Attorney, and be it further

RESOLVED, that Hamilton County shall be responsible for installation of its own equipment, associated cabling, meters, cabling, communications lines and for its share of the cost of electrical power used by Hamilton County's equipment, and be it further

RESOLVED, that certified copies of this Resolution shall be sent to Herkimer County Emergency Services, Director of Emergency Services of Hamilton County, and the Supervisor of the Town of Webb.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 294-22

AUTHORIZATION TO COMPLETE PAVING PARKING LOT – COMMUNITY SERVICES

DATED: SEPTEMBER 1, 2022

BY MR. SNYDER:

WHEREAS, it has been recommended by the DPW Superintendent that the parking lot at the Community Services Building needs to be repaved, and

WHEREAS, the project was partially completed in 2021 and was to be completed in 2022, and

WHEREAS, the project has now been completed as at a final cost of \$78,506.39, and

WHEREAS, it was determined in 2021 by Resolution No. 260-21 that Federal Salary Sharing funds were to cover the costs, be it

RESOLVED, the Board of Supervisors hereby authorize a transfer of \$78,506.39 from Federal Salary Sharing currently in the unappropriated general fund balance be transferred from the Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. A4310.0403 Supplies and Services to cover the said cost and the County Treasurer be so authorized and the Community Service Director, Clerk of the Board and the DPW Superintendent be so advised.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 295-22

AUTHORIZING PAYMENT FOR PAVING AND ASPHALT - COMMUNITY SERVICES' PARKING LOT

DATED: SEPTEMBER 1, 2022

BY MR. TOMLINSON:

WHEREAS, the DPW was authorized to rehabilitate and pave the Community Services parking lot, and

WHEREAS, the parking lot paving is now completed, and

WHEREAS, the Superintendent recommends the payment to Gorman Brothers, Inc. and Peckham Materials for the stated paving and hot mix asphalt, be it

RESOLVED, that the County Treasurer be so authorized to make payment to the following vendors as follows –

Peckham Material Corp, PO Box 1055, Albany, NY 12201-1055 in the amount of \$51,568.14 for Hot Mix Asphalt (HMA)

Gorman Brothers, Inc., 200 Church Street, Albany, NY 12202 in the amount of \$26,938.25 for paver and related equipment

with both payments to be made from Account No. A4310.0403 Supplies and Services and the Clerk of the Board, Community Services Director and DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 296-22

AUTHORIZING PAYMENT FOR HOT MIX ASPHALT - BURNHAM MILL BRIDGE

DATED: SEPTEMBER 1, 2022

BY MR. TOMLINSON:

WHEREAS, the DPW was authorized to rehabilitate the Burnham Mill bridge per Resolution No. 138-21, and

WHEREAS, paving of the bridge is now completed, and

WHEREAS, the Superintendent recommends the payment to Peckham Materials for the hot mix asphalt, be it

RESOLVED, that the County Treasurer be so authorized to make payment to Peckham Material Corp, PO Box 1055, Albany, NY 12201-1055 in the amount of \$5,564.04 for Hot Mix Asphalt (HMA) and the payment is to be made from Account No. D5120.2008 Burnham Mill bridge and the Clerk of the Board and DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 297-22

**AUTHORIZING EXTENSION OF CONTRACT WITH TOWN OF INLET FOR
OPERATION OF RECYCLING CENTER**

DATED: SEPTEMBER 1, 2022

BY MR. TOMLINSON:

WHEREAS, Resolution No. 281-13 authorized the Chairman of the Board to enter into an agreement with the Town of Inlet for the operation of the Northern Recycling Center, and

WHEREAS, the Solid Waste Coordinator recommends that Hamilton County extend the said contract for a period of one (1) year beginning on January 1, 2022 to December 31, 2022 for the same terms, be it

RESOLVED, that effective January 1, 2022 the County will contract with the Town of Inlet for the operation of the Northern Recycling Center, and be it further

RESOLVED, the Chairman of the Board is hereby authorized to enter into a contract with the Town of Inlet for:

- A period to run from January 1, 2022 to December 31, 2022
- For \$40,000.00 per year
- The county will continue to own and maintain the skid steer and bailer, including replacement if necessary
- All other responsibilities and functions will be borne by the Town of Inlet

and be it further

RESOLVED, the Solid Waste Coordinator and County Treasurer be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 298-22

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: SEPTEMBER 1, 2022

BY MR. SNYDER:

RESOLVED, that the bills in the Machinery Fund amounting to \$129,011.02 and bills in the County Road Fund amounting to \$61,458.55 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: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 299-22

APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND AND CAPITAL PROJECT 2019-1 HALLOWEEN STORM

DATED: SEPTEMBER 1, 2022

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$202,174.56 by the following committees:

Public Works (Buildings) Committee.....	\$17,199.91
Public Works (Solid Waste) Committee	81,978.26
Finance Committee	15,094.62
Health Committee.....	7,196.10
Human Services Committee.....	24,681.37
Central Government Committee	31,430.67
Emergency Prep./Emergency Response.....	19,472.28
Publicity, Tourism, Economic Development & Planning Committee.....	3,400.19
Internal Management Committee	1,721.16

be it further

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

Halloween Storm Capital Project 2019-1.....	\$ 569,096.65
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are hereby approved.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

Discussion on Local Laws: (*Continued*)

Mr. Rhodes stated that Ms. Crouse had reached out in April wanting to meet. He had responded that they could meet but this was a county matter. She asked if she should reach out to Mr. Farber and Mr. Rhodes agreed that would be a good idea, but then she didn't come until this meeting. Mr. Rhodes stated that he had given them opportunity to voice their opinion and they still did have that option because it still had to go through APA for approval. He is in favor of adopting the law. Mr. Frey verified that their public comments had been noted.

A motion was made to close the Public Hearing on Proposed Local Law 11 of 2022 - Authorizing Lease Agreement for Installation of Communication Tower in Town of Arietta by Mr. Tomlinson, seconded by Mr. Frey. Carried.

A motion was made to close the Public Hearing on Proposed Local Law 12 of 2022 - Authorizing Lease Agreement for Installation of Communication Tower in Town of Morehouse by Mr. Frey, seconded by Mr. Tomlinson. Carried.

The Chairman called for a motion to adopt Local Law 11 of 2022 - Authorizing Lease Agreement for Installation of Communication Tower in Town of Arietta

Motion: Mr. Tomlinson

Second: Mr. Frey

LOCAL LAW NO. 11 OF 2022

LOCAL LAW AUTHORIZING LEASE AGREEMENT FOR INSTALLATION OF COMMUNICATION TOWER IN TOWN OF ARIETTA

WHEREAS, in the Town of Arietta certain lands owned by Almina Rogers Baker have been determined to be appropriate for installation of a communications tower, and

WHEREAS, Hamilton County wishes to install such communications tower to enhance existing emergency management communications, and

WHEREAS, said property owner is willing to enter into a 99-year lease agreement allowing Hamilton County to enhance said communications, now, therefore,

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF
HAMILTON, AS FOLLOWS:**

Section 1. Almina Rogers Baker is the owner of premises in the Town of Arietta, said real property more particularly described as set forth in a certain deed dated October 1, 1947 and recorded in the Hamilton County Clerk's Office October 2, 1947 at Liber 86, Page 6.

Section 2. Said property owner has agreed to lease to the County of Hamilton the said property as more particularly set forth in the said lease agreement.

Section 3. The term of the proposed lease is ninety-nine (99) years.

Section 4. An analysis of the potential environmental impacts of the said aforesaid lease, if any, has been done under the State Environmental Quality Review Act (SEQRA) with Hamilton County acting as lead agency; this legislative body determines that the proposed action constitutes a Type II action, and accordingly adopts a Negative Declaration, with a determination of no significant effect on the environment.

Section 5. This Local Law is enacted to amend and supersede County Law Section 215(3) so as to authorize the County of Hamilton to enter into a lease of private property identified and as set forth hereinbefore, the purpose of superseding County Law Section 215 is to authorize the County to enter into a lease for a term exceeding five (5) years.

Section 6. The Chairman of the Board of Supervisors is authorized to enter into any and all agreements and execute all documents deemed necessary by the County Attorney for the lease of the above-described property from said landowner for a period of ninety-nine (99) years.

Section 7. This Local Law shall take effect upon filing in accordance with the provisions of the Municipal Home Rule Law of the State of New York

AYES: ARIETTA (292), BENSON (221), HOPE (413), INDIAN LAKE (1,363) INLET (355),
LONG LAKE (791), WELLS (683) = 4,118

NAYS: NONE

ABSENT: LAKE PLEASANT (897), MOREHOUSE (92) = 989

The Chairman called for a motion to adopt Local Law 12 of 2022 - Authorizing Lease Agreement for Installation of Communication Tower in Town of Morehouse.

Motion: Mr. Rhodes

Second: Mr. Mauro

LOCAL LAW NO. 12 OF 2022

LOCAL LAW AUTHORIZING LEASE AGREEMENT FOR INSTALLATION OF COMMUNICATION TOWER IN TOWN OF MOREHOUSE

WHEREAS, in the Town of Morehouse certain lands owned by Daniel and Rebecca Virgil have been determined to be appropriate for installation of a communications tower, and

WHEREAS, Hamilton County wishes to install such communications tower to enhance existing emergency management communications, and

WHEREAS, said property owner is willing to enter into a 99-year lease agreement allowing Hamilton County to enhance said communications, now, therefore,

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HAMILTON, AS FOLLOWS:

Section 1. Daniel and Rebecca Virgil are the owners of premises in the Town of Morehouse, said real property more particularly described as set forth in a certain deed dated December 12, 2004 and recorded in the Hamilton County Clerk's Office December 14, 2004 at Book 232, Page 829.

Section 2. Said property owner has agreed to lease to the County of Hamilton the said property as more particularly set forth in the said lease agreement.

Section 3. The term of the proposed lease is ninety-nine (99) years.

Section 4. An analysis of the potential environmental impacts of the said aforesaid lease, if any, has been done under the State Environmental Quality Review Act (SEQRA) with Hamilton County acting as lead agency; this legislative body determines that the proposed action constitutes a Type II action, and accordingly adopts a Negative Declaration, with a determination of no significant effect on the environment.

Section 5. This Local Law is enacted to amend and supersede County Law Section 215(3) so as to authorize the County of Hamilton to enter into a lease of private property identified and as set forth hereinbefore, the purpose of superseding County Law Section 215 is to authorize the County to enter into a lease for a term exceeding five (5) years.

Section 6. The Chairman of the Board of Supervisors is authorized to enter into any and all agreements and execute all documents deemed necessary by the County Attorney for the lease of the above-described property from said landowner for a period of ninety-nine (99) years.

Section 7. This Local Law shall take effect upon filing in accordance with the provisions of the Municipal Home Rule Law of the State of New York

AYES: ARIETTA (292), BENSON (221), HOPE (413), INDIAN LAKE (1,363) INLET (355),
LONG LAKE (791), WELLS (683) = 4,118

NAYS: NONE

ABSENT: LAKE PLEASANT (897), MOREHOUSE (92) = 989

RESOLUTIONS: *continued*

RESOLUTION NO. 300-22

**AUTHORIZING AGREEMENT FOR INSTALLATION OF COMMUNICATION
TOWER IN TOWN OF ARIETTA**

DATED: SEPTEMBER 1, 2022

BY MR. RHODES:

WHEREAS, Hamilton County wishes to install a communications tower in the Town of Arietta to enhance existing emergency management communications, and

WHEREAS, a landowner, Almina Rogers Baker, is willing to enter into a 99-year lease agreement allowing Hamilton County to utilize property of said landowner to install a tower so as to enhance emergency management communications, now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Hamilton authorizes the Chairman, with the approval of the County Attorney, to enter into a 99-year lease agreement with said property owner in the Town of Arietta for the purpose of installing a tower so as to enhance emergency management communications within Hamilton County.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

RESOLUTION NO. 301-22

**AUTHORIZING AGREEMENT FOR INSTALLATION OF COMMUNICATION
TOWER IN TOWN OF MOREHOUSE**

DATED: SEPTEMBER 1, 2022

BY MR. MAURO:

WHEREAS, Hamilton County wishes to install a communications tower in the Town of Morehouse to enhance existing emergency management communications, and

WHEREAS, landowners, Daniel and Rebecca Virgil, are willing to enter into a 99-year lease agreement allowing Hamilton County to utilize property of said landowners to install a tower so as to enhance emergency management communications, now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Hamilton authorizes the Chairman, with the approval of the County Attorney, to enter into a 99-year lease agreement with said property owners in the Town of Morehouse for the purpose of installing a tower so as to enhance emergency management communications within Hamilton County.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, ARSENAULT, AND MAURO

NAYS: NONE

ABSENT: BAIN AND FARBER

Other Reports:

Mr. Mauro: Stated that we were finally able to get DA Shambo to meet with the Board. The Board got information and it was good that it was directed towards him submitting it in his budget worksheet.

Mr. Frey: Stated that he would like to give Kimberly Byrne, Personnel Officer, a direction to go for cost of living. He recommended 4% at that time with the hopes that the Board moves forward with some of the items the Department Head Committee has been working on for the employees. The Board agreed with his recommendation. Mr. Tomlinson verified that the 4% was for everyone.

The Chairman stated that he had sent out an email to the Board regarding the Supervisors' salaries. He recommended 0% cost of living and only heard back from a few. He stated the reason for doing it that way was because once budget worksheets are submitted to the Budget Officer, they are public and he wanted the Board to have the chance to discuss before that. He does value everyone's opinion. Mr. Frey stated that cost of living was just that. It wasn't a merit raise. What they are discussing with the Department Head Committee is the adjustment of merit and where the pay scale should be. If they want to discuss tweaking the pay scale for the Board then that's a different conversation. The Chairman discussed what the Town of Indian Lake does. Mr. Frey stated from his standpoint his pay wasn't dictated fully by what he did at the County. His job has become more fulltime at the Town. He stated that the neighboring towns, outside of the County, don't have County responsibilities and make quite a bit more. If the Board was going to discuss changing the Board's salaries, then he would have to bring it back to his Town Board. Mr. Tomlinson asked what his recommendation was. Mr. Frey stated the cost of living and felt it was short in the budget cycle to open pay discussion for the Board of Supervisors. He stated that he was willing to do that in the future but needs more time at the town level. Do people think it needs to be cut? Are they talking about getting rid of insurance for the Board and pushing it back to the towns? That is all part of trying to skew things off the town levy back to the county. As they have talked before, they aren't sharing sales tax. Sales tax all sits with the County so there ought to be

a couple of things that come from the County back to the towns in his opinion. Mr. Tomlinson and Mr. Arsenault agreed. The Chairman stated that he really appreciates all of the Board. They have been helpful for him. He has had a better feeling this year than he has in the past and that's not due to leadership. Mr. Rhodes stated that leadership is a big player in that and the Chairman thanked him. The Board agreed with cost of living for Supervisor salaries.

Mr. Rhodes: Stated that he appreciated Mr. Frey's help with the tower questions. The Chairman and Mr. Arsenault agreed.

Mr. Tomlinson: Thanked Mr. Frey and Mr. Rhodes. He felt that they both went above and beyond today.

Mr. Arsenault: Stated they are waiting on the new roof panels to come in for the Fire Tower. Once those come in, they need to be painted and the fencing around so no one can fall. He also stated that they have finished two more mountain biking trails in Long Lake. One is an expert trail with a jump line and the other is a climbing trail from the tennis courts up through the woods. Both are open as of yesterday and are on the Trailforks app.

As there was no further business, motion to adjourn by Mr. Arsenault, seconded by Mr. Mauro. Carried.