

2017

EIGHTH SESSION

AUGUST 3, 2017

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, Frank Mezzano and Pete Klein

A motion was made to accept the minutes of June 26th and July 6, 2017 by Mr. D Wilt, seconded by Mr. Edwards. Carried.

Public Comment: No one present.

Reports of Standing/Special Committees:

Mr. Frey: Discussed the meeting that was in Old Forge with Congresswoman Elise Stefanik yesterday. The Chairman said that he thought there was good discussion around rural healthcare issues that are worth being aware of. Mr. Frey said there was a conversation about broadband which Congresswoman Stefanik highlighted that we have had a good advocate fighting for us, William Farber. The Chairman stated that Phase III is out there and is still trying to figure out how much we can get of this phase. He knows the challenges in some areas because there are still Phase II projects that aren't completed. The deadline has been extended for applications until August 31st.

Mr. R Wilt: Stated that there are some resolutions in today for tower projects. The Chairman stated there needs to be a special meeting scheduled on September 11th; but the time is flexible. Mr. R Wilt said the training for PSAP is September 11th and goes to the 22nd. The cut out date is October 2nd with hopes that everything goes well; as there are a lot of open pieces with that too.

Mr. Edwards: Attended Inter-County last Thursday at the Herkimer Diamond Mines where there was a good presentation made by the doctor that owns the mines. It was a far bigger operation than he thought as they are international. Also discussed by Warren County was that the boating while intoxicated law needs more teeth. Would like to get support and present this to the State. The Chairman said that Warren County wanted an Inter-County resolution but had not passed one locally or submitted it for the counties. They plan on passing a resolution and submitting it to NYSAC along with sending it out for counties to consider it locally. We should be seeing something here and we should be thinking about how we individually feel.

Mr. Wells: Attended the Local Government Review Board meeting; there was a discussion on the conservation design subdivision bill and the transferable building rights.

MobileLite says they are moving forward in Ticonderoga and the Town of Webb based on municipal properties right now. They project by the year 2018 to be expanded into Fort Ann and Schroon Lake.

Mr. Wells further stated that Deb Christy, St. Lawrence County Trails Coordinator, gave an update of where they were at and what victories they have on the trail connections. There was also a discussion regarding an analysis study on housing in the Adirondack Park.

Mr. Wells stated that he has an interview scheduled for tomorrow with The WallStreet Journal regarding the economics of the classification for Boreas Ponds.

The Chairman stated he asked Budget Officer, Frank Mezzano, to join them today to kick off the discussion of what the Cost of Living Adjustment (COLA) will be for 2018.

Budget Officer Mezzano started by saying he's looking for some guidance from the Board in terms of COLA. If there is agreement on a number today, it doesn't mean we can't change it later. He stated that the Employment Cost Index (ECI) for State and Local Government workers showed an increase of 2.1% over the last 12 months. It is his recommendation to start the discussion there. The Chairman wanted to mention a couple numbers related to the budget situation they should be aware of; the Tax Cap is 1.84% and Social Security is going to be adjusted by 2.2%. Mr. Towers wanted to know where the County was the last couple of years. Budget Officer Mezzano stated that last year was 2%. The Chairman stated that the County was under the Tax Cap last year and the wages were adjusted based on the ECI. Mr. Frey would like to recommend we start at 2%. The Board agreed on a starting COLA number of 2%. Mr. R Wilt asks how our sales tax is doing. Budget Officer Mezzano stated that we are off by a little bit. With talking with local businesses he suggests that we leave it alone for the coming year.

RESOLUTIONS:

After the following resolution was placed on the floor; the Chairman stated that the focus for the main day of the conference is two back to back sessions on Change the Age. He suggested that it wouldn't be a bad idea to have some attendees paying attention to some of this on our behalf.

RESOLUTION NO. 215-17

AUTHORIZATION TO ATTEND THE 2017 NYSAC FALL CONFERENCE

DATED: AUGUST 3, 2017

BY MR. TOWERS:

WHEREAS, the New York State Association of Counties (NYSAC) will conduct the Fall Conference in Syracuse, N.Y. September 13, 2017 – September 15, 2017, 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. 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 that he is working on the scheduling for Committee Day so there can be a presentation on the Hamlet to Huts in the afternoon to look at some of the routes being worked on. He may be reaching out to the Board members to see if there are people that should be also invited to this discussion.

RESOLUTION NO. 216-17

**RESOLUTION AUTHORIZING THE TWO CFAS TO ASSIST IN IMPLEMENTING
THE HAMLETS TO HUTS LODGING PROJECT**

DATED: AUGUST 3, 2017

BY MR. EDWARDS:

WHEREAS, the Hamilton County Board of Supervisor previously authorized and was the sponsor municipality for the Adirondack Community Trails and Lodging System project, and

WHEREAS, the planning and develop work which was done and continues through that project, has simply reinforced Hamilton County's sense that this work will be of great assistance to our economic success, and

WHEREAS, since that initial award of funding to Hamilton County, the Governor, former DEC Commissioner Joe Martens, and now DEC Commissioner Basil Seggos have all embraced this effort, and

WHEREAS, Hamilton County now has an opportunity to assist in the broad implementation of this work, as well as the opportunity to localize the impact through these two implementation projects, and

WHEREAS, the Hamilton County Board of Supervisor has previously discussed and agreed we should do whatever is necessary to further these projects, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes the submission of:

2017 ESD CFA Project Title: North Creek Indian Lake Hut to Hut Circuit Lodging Project
Total Amount: \$1,825,000
Amount Requested by Hamilton County (20%): \$365,000

2017 DOS LWRP Project Title: Adirondack Hamlets to Huts Implementation Project
Total Amount: \$292,500
Amount Requested by Hamilton County (75%): \$219,375

and be it further

RESOLVED, that the Hamilton County Board of Supervisors hereby records its strong support for both of these projects, asking that all due consideration be given to funding these two critical projects.

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. 217-17

**AUTHORIZING PAYMENT FOR OPERATION AND MAINTENANCE OF STORAGE
RESERVOIRS – BLACK RIVER AREA**

DATED: AUGUST 3, 2017

BY MR. WELLS:

WHEREAS, Hamilton County has received Invoice No. B-08-14 Direct Billing for 94th Annual Assessment: Year 2017 in the amount of \$1,550.00 for operation and maintenance of storage reservoirs – Black River Area, be it

RESOLVED, that the County Treasurer be authorized to transfer \$50.00 from Account No. A1990.0401 Contingent to Account No. A1950.0401 Taxes and Assessment on Muni Property, and be it further

RESOLVED, that the County Treasurer be hereby authorized to write a check to the State Comptroller for Invoice No. B-08-14 in the amount of \$1,550.00 from Account No. A1950.0401 Taxes and Assessment on Muni Property to be mailed to Hudson River-Black River Regulating District, 317 Washington Street, Suite 614, Watertown, NY 13601.

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. 218-17

AUTHORIZATION TO CLOSE OUT THE BROADBAND CAPITAL PROJECT

DATED: AUGUST 3, 2017

BY MR. FREY:

WHEREAS, Hamilton County was awarded an Empire State Development Grant to bring Broadband Internet Services to Hamlets in Hamilton County, and

WHEREAS, the Hamilton County Board of Supervisors authorized the administration of the Broadband Capital Project, Account No. CD8689.401, with Resolution No. 163-12, dated May 12, 2012, and

WHEREAS, it has been determined that the Broadband Capital Project has been completed to the satisfaction of the Board of Supervisors, and now the Board directs that the account be closed, and the remaining balance of interest earned be transferred to the Hamilton County General Fund, therefore, be it

RESOLVED, that the Broadband Capital Project Account No. CD8689.401, be hereby closed, and the remaining interest balance of \$29.58 be transferred to the Hamilton County General Fund, 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

RESOLUTION NO. 219-17

AUTHORIZING CHAIRMAN TO SIGN “CERTIFICATION STATEMENT FOR PROVIDER UTILIZING ELECTRONIC BILLING”

DATED: AUGUST 3, 2017

BY MR. D. WILT:

WHEREAS, the Hamilton County Public Health Nursing Service submits electronic claims to the State’s Medicaid Fiscal Agent, and

WHEREAS, the agency maintains 3 programs for which one or more “Certification Statement for Provider Utilizing Electronic Billing” forms is required as follows:

Hamilton County Public Health Nursing Service (ED):

ETIN: 00E8 – Medicaid Provider Number 02960992, NPI 1528197894 – Hamilton County Public Health Early Intervention Service Coordination. Expires May.

be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign each “Certification Statement for Provider Utilizing Electronic Billing” for the Hamilton County Public Health Nursing Service, as needed, for the period January 1, 2017 through December 31, 2017.

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. 220-17

AUTHORIZATION TO ADVERTISE FOR FULL TIME CLINICAL SOCIAL WORKER

DATED: AUGUST 3, 2017

BY MR. SEAMAN:

WHEREAS, Hamilton County Community Services (HCCS) has identified the need to add a Clinical Social Worker to provide mental health and substance abuse counseling, and

WHEREAS, funding for the position is currently available in the Departments budget due to an unfilled Clinical Supervisor position, be it

RESOLVED, that HCCS and the County's Personnel Department are authorized to advertise for this new position.

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. 221-17

**AUTHORIZING REGIONAL MEETING – HAMILTON COUNTY COMMUNITY
SERVICES BOARD**

DATED: AUGUST 3, 2017

BY MR. SEAMAN:

WHEREAS, the Hamilton County Community Services is the sole provider of behavioral health service in Hamilton County, and

WHEREAS, the Hamilton County Community Services Board (CSB) has identified the impact on Hamilton County of recent healthcare transformation initiatives by the State of New York as representing significant challenge to its ability to continue to provide adequate behavioral health services to all of its residents, and

WHEREAS, the Hamilton CSB has recommended that a regional meeting be held with other counties in the North Country that would include each counties Director of Community Services, CSB Chair and relevant CSB members to develop both regional and local strategies to ensure that behavioral health services can continued to be provided to all Hamilton County residents, and

WHEREAS, representatives of the NYS Office of Mental Health's Central Office as well as representation from the Regional Field Office of the NYS Office of Mental Health, the NYS Conference of Mental Hygiene Directors and representatives of the regions state operated Psychiatric Hospitals would also participate in this meeting, and

WHEREAS, the Hamilton County CSB would sponsor this meeting in Hamilton County,
be it

RESOLVED, that a meeting be held at the Minnowbrook Conference Center in Blue Mt. Lake, NY on the 17th and 18th of October, 2017, for the purpose stated above, and be it further

RESOLVED, that Hamilton County Community Services will cover the cost of Hamilton County participants at an amount not exceed \$650.00 to be charged to Mental Health Account No. A4320.407 Outreach.

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. 222-17

AUTHORIZING PAYMENT TO BRANT LAKE COLLISION

DATED: AUGUST 3, 2017

BY MR. SNYDER:

WHEREAS, the Resolution No. 184-17 Authorizes the repair of a 2011 Chevrolet Tahoe at Brant Lake Collision, and

WHEREAS, the County Highway Superintendent has picked up the said vehicle and the work is completed satisfactorily, and

WHEREAS, the Highway Superintendent recommends the payment of the said painting/repair of the said vehicle, be it

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

Brant Lake Collision, Inc.
11 Town Landfill Road
Brant Lake, NY 12815

in the amount of \$6,670.98 and the funds be taken out of Account No.DM5130.401 Repairs 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. 223-17

**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN A CONTRACT FOR SHARED
HIGHWAY SERVICES ON BEHALF OF THE COUNTY OF HAMILTON**

DATED: AUGUST 3, 2017

BY MR. EDWARDS:

WHEREAS, all municipalities, including the County of Hamilton, have the power and authority to contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators, with other municipalities, and

WHEREAS, all municipalities, including the County of Hamilton, have the power and authority to borrow or lend materials and supplies to other municipalities, and

WHEREAS, it is hereby determined that the County of Hamilton and other municipalities have machinery and equipment which is not used during certain periods, and

WHEREAS, it is determined that the County of Hamilton and other municipalities often have materials and supplies on hand which are not immediately needed, and

WHEREAS, it is hereby determined that by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the County of Hamilton and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or storing a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

WHEREAS, it is recognized and determined, from a practical working arrangement, that no program of borrowing, exchanging, leasing, renting or maintaining of highway machinery and equipment or borrowing or lending of materials can be successful if each individual arrangement or agreement has to receive prior approval by the Board of Supervisors and the governing board of each of the other municipalities which may be parties to such agreements, since such agreements must often be made on short notice and at times when governing boards are not in session, and

WHEREAS, it is incumbent upon each municipality to design a simple method whereby materials and supplies, equipment and machinery, including the operators thereof, may be obtained or maintained with a minimum of paperwork and inconvenience and with a swift approval process, and

WHEREAS, it is the intent of the Hamilton County Board of Supervisors to give the Hamilton County Highway Superintendent the authority to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the person serving in similar capacities in other municipalities without the necessity of obtaining approval of the Hamilton County Board of Supervisors prior to the making of each individual arrangements, and

WHEREAS, a standard contract has been prepared which is expected to be adopted and placed into effect in other municipalities, and will grant the Hamilton County Highway Superintendent the authority to make similar arrangements, and

WHEREAS, all entities entering into this agreement shall notify their respective insurance companies of the municipal contract and provide documentation to the respective townships naming them as additional insured, and

WHEREAS, it is hereby determined that it will be in the best interests of the County of Hamilton to be a party to such shared services arrangements, be it

RESOLVED, that the Chairman of the Board is hereby authorized to sign a contract on behalf of the County of Hamilton to permit the County Highway Superintendent to share services with Highway Superintendents in other municipalities who possess similar authorization for the borrowing or lending of materials and supplies and the exchanging, leasing, renting or maintaining of machinery and equipment, including the operators thereof, for the purpose of aiding the County Highway Superintendent in the performance of his/her duties.

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

After the following resolution was placed on the floor; the Chairman wanted to reiterate that this is a 3 year extension versus what we have historically seen of the legislature. Typically they have a pattern of doing these every 2 years.

RESOLUTION NO. 224-17

**AUTHORIZING A PUBLIC HEARING TO CONSIDER
PROPOSED LOCAL LAW NO. 11 OF 2017 A LOCAL LAW TO EXTEND
THE ADDITIONAL MORTGAGE RECORDING TAX WITHIN THE
COUNTY OF HAMILTON**

DATED: AUGUST 3, 2017

BY MR. FREY:

RESOLVED, that proposed Local Law No. 11 of 2017 titled "A LOCAL LAW TO EXTEND THE ADDITIONAL MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HAMILTON", attached hereto and made a part hereof, be, and the same hereby is introduced before the Hamilton County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors' Rooms in the Hamilton County Municipal Building on the 28th day of August, 2017, at 11 a.m., on the matter of the adoption of said proposed Local Law No. 11 of 2017, entitled

“A LOCAL LAW TO EXTEND THE ADDITIONAL MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HAMILTON”, and it be further

RESOLVED, that the Clerk of the Board of Supervisors be, and she hereby is authorized and directed to give notice of such public hearing in the manner provided by law.

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

PROPOSED LOCAL LAW NO. 11 OF 2017

State of New York
County of Hamilton

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

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

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

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

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

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

Section 3: Imposition of Tax. For the period commencing December 1, 2017 and ending December 1, 2020, unless further extended by Local Law of the Board of Supervisors, there is hereby imposed, in the County of Hamilton a tax of twenty-five cents (\$0.25) for each one hundred dollars (\$100.00), and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Hamilton and recorded on or after December 1, 2015, and a tax of twenty-five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than

one hundred dollars (\$100.00).

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

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

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

Section 7: Disposition of Taxes. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Hamilton during each month upon account of the tax imposed pursuant to this Local Law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of Section 253-j of the Tax Law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of Hamilton County and, after the deduction by such treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the County of Hamilton. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, under which the provisions of Section 253-j of the Tax Law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the New York State Commissioner of Taxation and Finance.

Section 8: Payment of Taxes. The tax imposed pursuant to this Local Law shall be payable

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

Section 9: Effective Date. This Local Law shall take effect December 1, 2017, provided that a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's Office in Albany at least 30 days prior to the date this Local Law shall take effect. Certified copies of this Local Law shall also be filed with the Hamilton County Clerk, the Secretary of State and the State Comptroller within five (5) days after the Local Law is duly enacted and this Local Law shall be deemed to be duly enacted upon its date of adoption by the Hamilton County Board of Supervisors.

RESOLUTION NO. 225-17

**AUTHORIZING A PUBLIC HEARING TO CONSIDER
PROPOSED RESOLUTION TO EXTEND THE GENERAL SALES AND
COMPENSATING USE TAXES TAX WITHIN THE COUNTY OF
HAMILTON**

DATED: AUGUST 3, 2017

BY MR. TOWERS:

RESOLVED, that proposed Resolution extending the general sales and compensating use taxes within the County of Hamilton, attached hereto and made a part hereof, be, and the same hereby is introduced before the Hamilton County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors' Rooms in the Hamilton County Municipal Building on the 28th day of August, 2017, at 11:15 a.m., on the matter of the adoption of said proposed Resolution extending the general sales and compensating use taxes within the County of Hamilton, and it be further

RESOLVED, that the Clerk of the Board of Supervisors be, and she hereby is authorized and directed to give notice of such public hearing in the manner provided by law.

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

**RESOLUTION OF THE BOARD OF SUPERVISORS OF HAMILTON COUNTY
EXTENDING THE GENERAL SALES AND COMPENSATING USE TAXES FOR A
PERIOD OF THREE YEARS**

WHEREAS, Resolution 210 of 2013 duly enacted by the Board of Supervisors of the County of Hamilton authorized imposition of general sales and compensating use taxes at the rate of Four percent (4%) in accordance with Section 1210 of Article 29 of the Tax Law of the State of New York, and

WHEREAS, the Board of Supervisors of the County of Hamilton desires to extend such general sales and compensating use taxes, NOW, THEREFORE

BE IT ENACTED by the Board of Supervisors of Hamilton County as follows:

SECTION 1. Imposition of general sales and compensating use taxes. There are hereby imposed in this county and there shall be paid all of the sales and compensating use taxes described in Article Twenty-eight of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of the Tax Law, at the rate of three percent. In addition to those taxes imposed at the rate of three percent, there are hereby imposed in this county and there shall be paid such sales and compensating use taxes at the additional rate of one percent, for the period commencing December 1, 2017, and ending November 30, 2020.

SECTION 2. Local options - Application of special provisions. Notwithstanding any contrary provision of this enactment or other law:

(a) Motor fuel and diesel motor fuel described in subdivision (m) of section eleven hundred eleven of the Tax Law shall not be taxed at a rate of cents per gallon.

(b) The clothing and footwear exemption described in paragraph thirty of subdivision (a) of section eleven hundred fifteen of the Tax Law shall apply to the taxes imposed by this enactment.

(c) The residential solar energy systems equipment and installation service exemptions described in subdivision (ee) of section eleven hundred fifteen of the Tax Law shall apply to the taxes imposed by this enactment.

(d) The commercial solar energy systems equipment and installation service exemptions described in subdivision (ii) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(e) The empire zone refund and credit described in clause six of subdivision (a) of section eleven hundred nineteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(f) The qualified empire zone enterprise refund and credit described in subdivision (d) of section eleven hundred nineteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(g) Residential energy sources and services described in paragraph three of subdivision (a) of section twelve hundred ten of the Tax Law shall be exempt from the taxes imposed by this enactment at the rate of three percent and also from the additional one percent rate of such taxes.

SECTION 3. Taxes in addition to others. The taxes imposed by this enactment are in addition to any and all other taxes authorized or imposed under any other provision of law.

SECTION 4. Administration of taxes. The taxes imposed by this enactment shall be administered and collected by the State Commissioner of Taxation and Finance as provided in Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 5. Applicability of state law to taxes imposed by this enactment. The provisions of Articles Twenty-eight and Twenty-nine of the Tax Law and any provision of the Tax Law or other law that applies to Article Twenty-eight or Twenty-nine, relating or applicable to the taxes imposed by this enactment, including the applicable definitions, transitional provisions, limitations, special provisions, exemptions, exclusions, refunds, credits, and administrative provisions, so far as those provisions can be made applicable to the taxes imposed by this enactment, shall apply to the taxes imposed by this enactment with the same force and effect as if those provisions had been incorporated in full into this enactment and had expressly referred to the taxes imposed by this enactment, except to the extent that any of those provisions is either inconsistent with or not relevant to the taxes imposed by this enactment.

SECTION 6. Allocation and distribution of net collections. Pursuant to section 1262 of the Tax Law:

(a) The county shall set aside for county purposes one hundred percent of the net collections from the taxes imposed by this enactment at the rate of four percent.

(b) The county shall set aside for educational purposes zero percent of the net collections from the taxes imposed by this enactment.

(c) The county shall allocate quarterly zero percent of the net collections from the taxes imposed by this enactment to the towns in the county.

(d) Because there are no cities in the county to preempt the county's taxes, the county shall not be subject to mandatory distribution under Tax Law section 1262(d).

SECTION 7. Deposit and use of revenues. Except as otherwise provided by law, net collections received by this county from the taxes imposed by this enactment shall be paid into the treasury of the county and shall be credited to and deposited in the general fund thereof and, unless restricted by local law, ordinance, or resolution to a specified purpose or purposes, shall be available for any county purpose of this county. Expenditures from the proceeds of such taxes shall not be considered as part of the cost of government within the meaning of any limitation on expenditures contained in any general, special, or local law applicable to this county.

SECTION 8. Severability. If any provision of this enactment or the application thereof, for any reason, shall be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this enactment, but shall be confined in its operation to the provision thereof directly involved in the controversy in which such judgment shall have been rendered and the application of that provision to other persons or circumstances shall not be affected by that judgment.

SECTION 9. Effective date. This enactment shall take effect December 1, 2017.

RESOLUTION NO. 226-17

RESOLUTION AUTHORIZING COMMUNICATION PROJECT BIDDING

DATED: AUGUST 3, 2017

BY MR. R. WILT:

WHEREAS, Hamilton County received an Interoperable Communication Project Grant in December of 2013 (Contract No. C198376), and

WHEREAS, the County has proceeded through design and permitting, and

WHEREAS, at this time it is necessary for the County Board to authorize for bidding key components of said project, now, therefore, be it

RESOLVED, that the following is authorized with respect to said bidding:

1. Advertise for bids in the Hamilton County Express August 17 & August 24, 2017 editions
2. Bid Opening September 6, 2017 at 10:30 AM in Supervisors' Chambers
3. Bid award at Special Meeting of the Hamilton County Board on September 11, 2017

and be it also

RESOLVED, that the Clerk of the Board of Supervisors and Emergency Manager be so authorized.

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. 227-17

**AUTHORIZING EQUIPMENT PURCHASE THROUGH NEWPORT TELEPHONE
COMPANY TO FINALIZE E911 PHONE LINE CONNECTION**

DATED: AUGUST 3, 2017

BY MR. R. WILT:

WHEREAS, Hamilton County has successfully worked with Newport Telephone Company and Frontier Communications to create an off network E911 connections to handle 911 calls, and

WHEREAS, the County has confirmed monthly payment for said service through TANF and the Public Service Commission, and

WHEREAS, the only remaining piece is for Newport Telephone Company (NTC) to install the final equipment on their end, and

WHEREAS, the County cost for said equipment is \$3,000.00, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to sign the necessary authorization with NTC committing the County to reimbursing said equipment expense.

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. 228-17

**AUTHORIZING CHAIRMAN TO SIGN HEAP AGREEMENTS WITH
WARREN/HAMILTON OFA AND COMMUNITY ACTION AGENCY**

DATED: AUGUST 3, 2017

BY MR. TOWERS:

WHEREAS, the Department of Social Services requires a service agreement with a qualified provider to provide HEAP outreach and certification services to the low-income residents, 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 Ageing and Community Action Agency for HEAP services for a term of October 1, 2017 – September 30, 2018.

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. 229-17

**AUTHORIZING BUDGET AMENDMENT FOR HAMILTON COUNTY FUEL
CONSOLIDATION PROJECT PHASE III**

DATED: AUGUST 3, 2017

BY MR. FREY:

WHEREAS, Phase III of the Hamilton County Fuel Consolidation Project and established an estimated budget of \$797,028.00 per the NYS Department of State grant award to fund the said project, and

WHEREAS, Phase III is essentially complete and currently the total estimated cost with engineering and construction is \$926,521.08, be it

RESOLVED, that \$129,521.08 be transferred from the Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. H5.5989.201 Fuel Consolidation Project Phase III and the County Treasurer be so authorized.

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. 230-17

**AUTHORIZING PAYMENT TO AMPERSAND ELECTRIC INC. FOR BACKUP
GENERATOR – FUEL CONSOLIDATION PHASE III – MOREHOUSE SITE**

DATED: AUGUST 3, 2017

BY MR. WELLS:

WHEREAS, Ampersand Electric Inc. has installed the backup generator for the county fueling depot located at the Morehouse site, and

WHEREAS, the Highway Superintendent recommends the payment of the said installation of the said generator, be it

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

Ampersand Electric Inc.
PO Box 1077
Saranac Lake, NY 12983

in the amount of \$10,134.21 and the funds be taken out of Account No. H5.5989.201 Fuel Consolidation and the Highway Superintendent and Clerk of the Board 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. 231-17

AUTHORIZING PAYMENT TO WHITE'S BORE REPAIR AND WELDING SERVICE

DATED: AUGUST 3, 2017

BY MR. WELLS:

WHEREAS, the DPW owns a 2002 Freightliner tandem axle dump truck fleet number 134,
and

WHEREAS, the said truck needed the rear hinge pins of the dump body line bored and re-
bushed because of excessive looseness, and

WHEREAS, this is specialized work and the County Highway Superintendent had White's
Bore Repair and Welding Service do the repairs and the work is completed satisfactorily, and

WHEREAS, the Highway Superintendent recommends the payment of the said repairs of
the said vehicle, be it

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

White's Bore Repair and Welding Service
PO Box 215
Fonda, NY 12068

in the amount of the authorized repair of \$2,000.00 and the funds be taken out of Account No.
DM5130.401 Repairs and the Highway Superintendent and Clerk of the Board be so notified.

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

RESOLUTION NO. 232-17

APPROVAL OF AND TRANSFER OF FUNDS FOR 2017 MERIT PAY

DATED: AUGUST 3, 2017

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 24, 2017 to review merit evaluations, be it

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

SHERIFF

Carrie O'Neill	August 1, 2017 to August 1, 2018	\$1.65
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HIGHWAY

Clarence Desrochers	August 9, 2017 to August 9, 2018	\$1.43
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Lisa Johnson	August 30, 2017 to August 30, 2018	\$1.65
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Robert O'Neill	August 14, 2017 to July 5, 2018	\$.55
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SUPERVISORS

Samantha Sherman	August 14, 2017 to August 14, 2018	\$.99
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SOCIAL SERVICES

Dyanne Crotty	August 27, 2017 to August 27, 2018	\$1.54
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Cynthia Hansen	August 1, 2017 to August 1, 2018	\$.99
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NURSING

Lisa Lorensen	August 24, 2017 to August 24, 2018	\$1.21
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and be it further

RESOLVED, that the following transfers be made to cover the above 2017 merit pay:

FROM:	A1990.402	Contingent for Merit	\$16,635.41
TO:	A3110.107	Confidential Secretary	\$3,003.00
	D5110.101	Personal Services	\$2,974.40
	D5010.102	Administrative Assistant to Hwy	\$3,432.00
	D5110.101	Personal Services	\$440.00
	A1040.105	Asst. Deputy Clerk of the Board	\$1,801.80
	A6010.109	Support Collection Specialist	\$2,802.80

A6010.112	Clerk	\$755.37
A4010.115	Certified Home Health Aide	\$1,426.04

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. 233-17

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: AUGUST 3, 2017

BY MR. WELLS:

RESOLVED, that the bills in the Machinery Fund amounting to \$39,345.49 and bills in the County Road Fund amounting to \$24,251.79 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. 234-17

APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND AND CAPITAL PROJECT 2015-1 FUEL CONSOLIDATION PHASE III

DATED: AUGUST 3, 2017

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$133,243.15 by the following committees:

Building Committee	\$20,078.14
Public Works (Solid Waste) Committee	26,724.29
Finance Committee	13,311.53
Health Committee.....	20,630.17
Human Services Committee.....	16,590.75
Central Government Committee	13,732.02

Emergency Prep./Emergency Response.....	19,832.05
Publicity, Tourism, Economic Development & Planning Committee.....	785.99
Internal Management Committee	1,558.21

be it further

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

Fuel Consolidation Phase III.....\$ 180.92

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. R Wilt: Stated that Senator Schumer is going to be coming to Piseco Airport tomorrow. The Chairman said that he sent out a reminder and that the Senator wanted to discuss the FAA issue along with the potential of talking about federal infrastructure aid.

Mr. Edwards: Wanted to comment on the Chairman’s email regarding shared services. He thought that it looked quit complete and covered it very nicely. The Chairman continued the conversation by saying that work is being continued on the Inlet/Webb piece. He is going to talk with the State Associations and see who on the majority side of the Assembly we need to be talking to. Will also be looking at whether it makes sense to elevate that kind of an issue to the level of a state wide fix. He has set up, for those interested, a meeting with members of the Tug Hill Commission that have experience of creative solutions around the justice court system; combining communities for the purpose of justices. It’s scheduled for August 24th at the Boonville town hall. He will be sending out the information regarding the meeting again along with directions. The other thing is if there are specific things in what is drafted that you don’t think reflect conversations we have had within the shared panel, then let him know so those changes can be made. The process is that the draft documentation comes to the Board of Supervisors for edits and then it goes back to the shared services panel. There are ultimately some more obligations with respect to this in terms of doing the public meetings and panel review before submission. Even though the submission articulates in broad terms of what we are going to work on and look at; the full plan will be a 2018 submission for 2019. The clock for the savings that you start to accrue, what is able to be matched, is calculated for the following 12 months. What we can accrue savings around is the Solid Waste Recycling side and we wouldn’t be able to implement that until 2019.

Chairman: Discussed a request the County received from an individual to redeem a property from which the County is the owner of. The property was actually foreclosed upon while in the parents’ name, both deceased. One of the siblings would like the County to now allow himself to pay the

back taxes and put the property in his name rather than including the other siblings. When the property was foreclosed upon it cut off lien holders. This would not follow in any way shape or form anything that the County has ever done. Typically we would bring the request forward with the resolution but his isn't even close to meeting a rational way of dealing with back taxes, so he wanted to make sure the Board was made aware of this.

Mr. D Wilt: Stated that they have been made aware of an opening on the County Board of Ethics. The Chairman stated that there are a couple things going on in respect to the County Board of Ethics. The Ethics Board is looking at a draft update to the code and maybe one will come to the Board by the September meeting. Along with that one of the long serving members, Cynthia Thompson, has retired. Something that we should keep in mind is that the State statute requires that one of the board members be a county employee.

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