THIRD SPECIAL SESSION

August 28, 2017

Board of Supervisors – County of Hamilton Lake Pleasant, New York

Mrs. Laura A. Abrams, Clerk Board of Supervisors of Hamilton County Lake Pleasant, New York 12108

Dear Clerk:

WHEREAS, the undersigned, we the majority of the members of the Board of Supervisors of Hamilton County, do hereby request you to call a Special Session pursuant to Section 152 of the County Law, to be held at the Chambers of the Board, in the Town of Lake Pleasant, in said County on Monday, August 28, 2017 at 10:45 A.M. for the purpose of Considering Proposed Local Law No. 11 Of 2017 A Local Law To Extend The Additional Mortgage Recording Tax In The County Of Hamilton And Resolution Of The Board Of Supervisors Of Hamilton County Extending The General Sales And Compensating Use Taxes For A Period Of Three Years and for any other business that may come before said Board.

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

Also present: Daryl Parslow and Pete Klein

Public Comment: No one present.

Reports/Standing Committees:

Mr. R Wilt: Stated that all projects are moving forward. Bids will be out next week. Hopefully PSAP will be turned on by the end of September. The Chairman reminded everyone that on September 11th there will be a special meeting conducted for the Bid Award. Bid Opening:

Transport - PH

- 1. Blue Line Commuter \$298.75 per day
- 2. Durrin, Inc. \$168.00 per day using a school van driver +\$ 58.00 – for aid

A motion was made to accept the bids and refer to committee by Mr. Seaman, seconded by Mr. D Wilt. Carried.

RESOLUTIONS:

RESOLUTION NO. 235-17

AUTHORIZING PURCHASE ORDER FOR MICROWAVE SYSTEM – LIGHTSPEED TECHNOLOGIES, INC.

DATED: AUGUST 28, 2017

BY MR. R. WILT:

WHEREAS, Hamilton County has received a grant from New York State Office of Interoperable Communications in the amount of \$2,530,385.00, Contract No. C198376, for a new communications system, and

WHEREAS, one phase of the communications project is a new Microwave system to be located on East Mt., Blue Mt., Oak Mt. and Lake Pleasant towers, and

WHEREAS, a quote for the system with a 5 year maintenance agreement has been given to Hamilton County by Lightspeed Technologies, the sales arm of Nokia (formerly known as Alcatel-Lucent) under NYS contract #PT64249, and

WHEREAS, Nokia (dba Lightspeed Technologies Inc.) is the microwave system provider for the other counties in the Adirondack Regional Interoperability Communications Consortium, of which Hamilton County is a member, and

WHEREAS, the Lightspeed Technologies Inc, quote offered to Hamilton County is in the amount of \$467,926.03 for the Microwave system and \$74,371.20 for a 5 year systems' maintenance agreement totaling \$542,297.23, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes a purchase order be made to Lightspeed Technologies, Inc. for the aforementioned Microwave system and 5 year maintenance agreement in the amount of \$542,297.23, with funding for said amount to be charged against Account No. A3645.406 Statewide Communications Grant.

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

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

NAYS: NONE

ABSENT: EDWARDS, FREY AND TOWERS

RESOLUTION NO. 236-17

AUTHORIZING PURCHASE OF ADDITIONAL CAD SYSTEM FOR HAMILTON COUNTY SHERIFF'S OFFICE

DATED: AUGUST 28, 2017

BY MR. SNYDER:

WHEREAS, Hamilton County has received a grant from New York State Department of Homeland Security and Emergency Services (DHSES) in the amount of \$2,530,385.00, contract C198376, for a new communications system, and

WHEREAS, one phase of the communications project is a new Public Safety Answering Point (PSAP) located at the Hamilton County Sheriff's Dispatch Center, and

WHEREAS, a function of that PSAP is the ability to be backed up in case of overload or emergency shut-down, and

WHEREAS, Resolution No. 188-17 authorized the purchase of the IMPACT for the Hamilton County Sheriff's Dispatch Center, and

WHEREAS, the Hamilton County Sheriff has additional backup dispatch station in the Sheriff's Office that was left off of the original quote, and

WHEREAS, Hamilton County has received a quote from IMPACT for the back-up license under New York State Contract Number PM67376 for \$8,670.00 for the back-up license for the Sheriff's Office's back-up dispatch station, be it

RESOLVED, that the Hamilton County Board of Supervisors authorizes the purchase of the IMPACT System for \$8,670.00 for the Hamilton County Sheriff's Office backup dispatch station , and be it further

RESOLVED, that the Hamilton County Treasurer is hereby authorized to disburse to IMPACT, 500 Bi-County Blvd, Suite 122 Farmingdale, New York 11735, \$8,670.00 from Account No. A3645.0406, Statewide Communications Grant.

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

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

NAYS: NONE

RESOLUTION NO. 237-17

AUTHORIZATION TO PURCHASE HARDWARE FOR CAD SYSTEM

DATED: AUGUST 28, 2017

BY MR. WELLS:

WHEREAS, Hamilton County has received a grant from New York State Department of Homeland Security and Emergency Services (DHSES) in the amount of \$2,530,385.00, contract C198376, for a new communications systems, and

WHEREAS, one phase of the communications project is a new Public Safety Answering Point (PSAP) located at the Hamilton County Sheriff's Dispatch Center, and

WHEREAS, Resolution No. 188-17 authorized the purchase of the IMPACT for the Hamilton County Dispatch Center, and

WHEREAS, IMPACT needs to be installed on new workstations and networked through centralized servers, and

WHEREAS, Charles Taylor has put together an estimate for three workstations and two servers with pricing from Dell, and

WHEREAS, Dell is under New York State Contract Number PM20820, and

WHEREAS, the estimate from Charles Taylor for the hardware from Dell is for \$19,000.00, be it

RESOLVED, that the Hamilton County Board of Supervisors authorizes the purchase of the hardware for IMPACT System for \$19,000.00, and be it further

RESOLVED, that the Hamilton County Sheriff's Office is authorized to order the listed hardware from Charles Taylor's estimate.

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

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

NAYS: NONE

ABSENT: EDWARDS, FREY AND TOWERS

After the following resolution was placed on the floor; the Chairman stated that the continuing challenge associated with this is the insurance which is still being worked out.

RESOLUTION NO. 238-17

AUTHORIZING THE COMMISSIONER OF DEPARTMENT OF SOCIAL SERVICES AND THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN A CONTRACT FOR WELFARE FRAUD INVESTIGATIONS

DATED: AUGUST 28, 2017

BY MR. SEAMAN:

WHEREAS, the Commissioner of Social Services of the County of Hamilton (hereinafter the "Commissioner") is charged with the responsibility for the administration of all health and welfare services provided in Hamilton County, at public expense pursuant to the Statewide Managed Care Program, Chapter 165 of the Laws of 1991, directly or through an authorized agent, and

WHEREAS, it is economically and organizationally feasible for the HCDSS to contract with the Provider for the provision of Supportive Investigative Services for the Social Services Programs, and

WHEREAS, the HCDSS and Provider are desirous of further specifying their mutual obligations and responsibilities owed under this Agreement, be it

RESOLVED, that the Commissioner of the Department of Social Services and the Chairman of the Hamilton County Board Of Supervisors, be and hereby are, authorized to enter into a contract between the Hamilton County Department of Social Services and Mark Cerbo, 157 Oak Mountain Drive, PO Box 102, Speculator, NY 12164 to provide supportive investigative services for the Social Services Department with the approval of the County Attorney.

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

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

NAYS: NONE

ABSENT: EDWARDS, FREY AND TOWERS

After the following resolution was placed on the floor; the Chairman stated that the one thing to realize with this resolution is that the laminated decking materials were priced without hardware. That is because we can get the deck quicker this way. We will be doing the drilling onsite and ordering the hardware separate.

RESOLUTION NO. 239-17

AUTHORIZING EMERGENCY PURCHASE OF LAMINATED DECKING – FOUR MILE BRIDGE

DATED: AUGUST 28, 2017

BY MR. WELLS:

WHEREAS, Hamilton County owns Four Mile bridge located on County Route 17, French Road in the Town of Morehouse, and

WHEREAS, the bridge decking has experienced a failure mid span and has been temporarily repaired to keep the bridge open to traffic but the decking needs replacing as soon as possible, and

WHEREAS, the DPW Superintendent has requested pricing and availability quotes from two vendors that manufacture glue laminated bridge decking, and

WHEREAS, the Superintendent received the following price quotes:

Laminated Concepts, Inc.
PO Box 369, 3310 State Route 352
Big Flats, NY 14814

Specified Materials Delivered: \$27,500.00 without hardware

Unalam
18 Clifton St.
Unadilla, NY 13849

Specified Materials Delivered: \$29,012.00 without hardware

and,

WHEREAS, the Superintendent feels this is an emergency purchase and recommends the purchase be made from Laminated Concepts, be it

RESOLVED, the County Board of Supervisors authorizes the purchase of the said bridge decking materials delivered in the amount of \$27,500.00 from Laminated Concepts, Inc. of Big Flats, NY and the funds to be taken out of Account No. D5112.203 Bridge Repair and be it further

RESOLVED, the Chairman of the Board be authorized to enter into a purchase agreement for said items with Laminated Concepts, Inc. subject to the approval of the County Attorney and the County Treasurer, 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, WELLS, D. WILT, SEAMAN AND FARBER

NAYS: NONE

ABSENT: EDWARDS, FREY AND TOWERS

11:00AM – The Chairman asked to open the Public Hearing on Proposed Local Law No. 11 of 2017

A motion was made to open the Public Hearing on Proposed Local Law No. 11 of 2017 – A Local Law to Extend the Additional Mortgage Recording Tax in the County of Hamilton by Mr. D. Wilt, seconded by Mr. Wells. Carried.

No public present.

The Chairman talked a little bit about the 2018 budget and how the department heads' requests didn't reflect huge ticket items so far, except Treasurer's. There will need to be a discussion about computer software for the Treasurer's office. The Treasurer's office has talked with one vendor already and has one more to meet with before they want to discuss. Some of the Board members then discussed what Accounting Systems they use at the town level.

The Chairman talked about shared services and the need to have three more meetings along with hearings.

11:15AM – The Chairman asked to open the Public Hearing for the Resolution of the Board of Supervisors of Hamilton County Extending the General Sales and Compensating Use Taxes for a Period of Three Years

A motion was made to open the Public Hearing for the Resolution of the Board of Supervisors of Hamilton County Extending the General Sales and Compensating Use Taxes for a Period of Three Years by Mr. Snyder, seconded by Mr. Wells. Carried.

No public present.

The Chairman explained that per the County Attorney, the extension of the General Sales and Compensating Use Taxes needs to be approved by two resolutions. Those resolutions are on the Boards' desks.

The Chairman called for a ten minute recess.

Meeting was reconvened at 11:30AM.

A motion to close the Public Hearing for the Proposed Local Law No. 11 of 2017 – A Local Law to Extend the Additional Mortgage Recording Tax in the County of Hamilton by Mr. D. Wilt, seconded by Mr. Snyder. Carried.

The Chairman wanted to give an update regarding his exchange with the County Attorney and Lee Pollock of Rose & Kiernan, regarding the contract for the Fraud Investigator. Mr. Pollock has shared more recently that it looks like some counties do wave certain professional insurances. We are continuing to work on that but it looks like we may be able to work out the situation for the Fraud Investigator position.

A motion was made to close the Public Hearing for the Resolution of the Board of Supervisors of Hamilton County Extending the General Sales and Compensating Use Taxes for a Period of Three Years by Mr. D. Wilt, seconded by Mr. Seaman. Carried.

RESOLUTIONS: (continued)

RESOLUTION NO. 240-17

RESOLUTION OF THE BOARD OF SUPERVISORS OF HAMILTON COUNTY, AMENDING RESOLUTION NO. 209 OF 2013 RELATIVE TO SALES AND COMPENSATING USE TAXES

DATED: AUGUST 28, 2017

BY MR. WELLS:

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

Resolution of 209 of 2013 heretofore enacted by the Board of Supervisors is hereby amended such that Section 2 shall read as follows:

Section 2. Notwithstanding the repeal of such Resolution No. 20 of 1968 by this resolution, all provisions of such Resolution No. 20, in respect to the imposition, exemption, assessment, payment, payment over, determination, collection, and credit or refund of taxes imposed thereunder, the filing of forms and returns, the preservation of records for the purposes of such taxes, the secrecy of returns, the disposition of revenues, and the civil and criminal penalties applicable to the violation of the provisions of such resolution, shall continue in full force and effect with respect to all such taxes accrued up to December 1, 2013; all actions and proceedings, civil or criminal, commenced or authorized to be commenced under or by virtue of any provision of such Resolution No. 20 so repealed, and pending or able to commenced immediately prior to the taking effect of such repeal, may be commenced, prosecuted and defended to final effect in the same manner as they might if such provisions were not so repealed; and the provisions of the new resolution effective December 1, 2013, as amended from time to time, recodifying and reimposing the taxes imposed by such Resolution No. 20, shall be construed as a continuation of the provisions of Resolution No. 20, modified or amended according to the

language employed, and not as an enactment of new taxes, other than the additional one percent rate of such taxes imposed for the period commencing December 1, 2013.

Effective date. The enactment of the foregoing amendment shall take effect December 1, 2017.

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

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

NAYS: NONE

ABSENT: EDWARDS, FREY AND TOWERS

RESOLUTION NO. 241-17

RESOLUTION OF THE BOARD OF SUPERVISORS OF HAMILTON COUNTY, AMENDING RESOLUTION 210 OF 2013 RECODIFYING AND REIMPOSING GENERAL SALES AND COMPENSATING USE TAXES IMPOSED AT THE RATE OF THREE PERCENT BY RESOLUTION NO. 20 OF 1968, ENACTED JANUARY 4, 1968, AS AMENDED, AND ALSO IMPOSING AN ADDITIONAL ONE PERCENT RATE OF SUCH TAXES FOR A PERIOD OF THREE YEARS, PURSUANT TO THE AUTHORITY OF SECTION 1210 OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

DATED: AUGUST 28, 2017

BY MR. SEAMAN:

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

RESOLUTION 210 of 2013 heretofore enacted by the Board of Supervisors is hereby amended such that Section 1 shall read as follows:

SECTION 1. Imposition of general sales and compensating use taxes. There are hereby imposed in this county and there shall be paid all of the sales and compensating use taxes described in Article Twenty-eight of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of the Tax Law, at the rate of three percent. In addition to those taxes imposed at the rate of three percent, there are hereby imposed in this county and there shall be paid such sales and compensating use taxes at the additional rate of one percent, for the period commencing December 1, 2013, and ending November 30, 2020.

Effective date. The enactment of the foregoing amendment shall take effect December 1, 2017.

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

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

NAYS: NONE

ABSENT: EDWARDS, FREY AND TOWERS

The Chairman called for a motion to adopt Proposed Local Law No. 11 of 2017 - A Local Law to Extend the Additional Mortgage Recording Tax in the County of Hamilton.

Motion: Mr. R. Wilt Second: Mr. D. Wilt

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:

- <u>Section 1: Title.</u> This Local Law shall be titled "A Local Law Extending the Additional Mortgage Recording Tax in Hamilton County".
- <u>Section 2: Purpose and Intent.</u> 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.

<u>Section 6: Additional Mortgage Recording Tax.</u> 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.

AYES: ARIETTA (304), BENSON (192), INDIAN LAKE (1352), LAKE PLEASANT (781), LONG LAKE (711) AND MOREHOUSE (86),) = 3,426

NAYS: NONE

ABSENT: HOPE (403), INLET (333), WELLS (674)= 1,410

The Chairman called for a recess until 1:10 PM, in order for Daryl Parslow to have time to contact the transportation bidders for more information.

Meeting was reconvened at 1:10 PM.

RESOLUTION NO. 242-17

ACCEPTANCE OF BID FOR TRANSPORTATION FOR CHILDREN WITH DISABILITIES IN HAMILTON COUNTY

DATED: AUGUST 28, 2017

BY MR. SEAMAN:

WHEREAS, Hamilton County Public Health Nursing Service heretofore solicited bids for the Transport for Children with Disabilities pursuant to invitation to bidders and in accordance with all applicable state regulations, and

WHEREAS, two (2) bids were received in response to the said invitation to bidders, as follows:

1. Blueline Commuter, Inc.

PO Box 775

Indian Lake, NY 12842 \$298.75 per day

2. Durrin, Inc.

124A Ingersol Rd.

Saratoga Springs, NY 12866 \$168.00 per day

and

WHEREAS, Durrin, Inc. does meet specifications for the above mentioned invitation to bidders and contingent upon a reasonable start date being confirmed, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with Durrin, Inc. at the rate listed above, upon approval of the County Attorney and the County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: EDWARDS, FREY AND TOWERS

Other Reports:

Chairman: Stated that because we have not heard back from the Town of Wells in regards to doing a shared services meeting there, he suggested doing the first shared services hearing here September 7th at 1:30PM. On September 11th do a special Hamilton County Board of Supervisors meeting at 1:00PM in Indian Lake at the Town Hall and at 1:30PM we will do a shared services panel meeting that is required. The Chairman asked if there is a recommendation for the third hearing; if not he recommends putting it on the calendar for 6:00 PM on September 7th. The Board agreed.

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