2020

SEVENTH SESSION

JULY 2, 2020

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 John M. Stortecky
Hope Steven M. Tomlinson

Indian Lake
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Indian Lake
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Also present: County Attorney, Daniel Engel-Director of Veterans Services

Public Comment: No Public.

The Chairman stated that Daniel Engel, Director of Veterans Services, was present and asked if he would like to comment.

Mr. Engel stated that he was there because of the two legislative items that were on the Agenda. He was asking for resolutions from the Board of Supervisors to support them. He went on to explain them both and their importance. He told the Board about the Veterans Salute to Service Dinner planned for August but the amount of people attending depends on COVID-19 regulations. He left flyers in the office.

Reports of Standings/Special Committees:

Mr. Frey: Stated that there was an earlier conversation regarding having a Finance Committee meeting added to the beginning of Board Day. He feels that the Board needs to get laser focused on what they can and cannot do for the remainder of the year. The Chairman stated that the meeting could start with Finance in the beginning of the Agenda. He went on to discuss the impact on sales tax revenue if we were to be closed for the summer. Mr. Frey stated how NYSAC is saying that there are other counties taking drastic measures with furloughs and hiring freezes. He knows that the Board has always tried to do the right thing and it is going to be hard to tighten the belt in some places but it has to be done. The Chairman stated they had discussed being in good standings with Fund Balance and that the County would be able to absorb one year of sales tax being down but

not multi-year including the possible loss of businesses. Mr. Frey stated that the Board was able to raise the sales tax so to keep up with the road projects and because of that we might be in a better position to say Tracy Eldridge, Highway Superintendent, we need help in looking at this going forward. The Chairman stated that Mr. Eldridge has already shown flexibility in moving things around. Mr. Frey stated that if they take from highway then when the sales tax goes back up that is where the money goes back to.

Mr. Wilt: Stated that the fire radios for countywide dispatch are up and running. Going to test them out with the patrol cars and a few people for a couple of months before they let the Fire Departments know the numbers. The Chairman stated the importance of doing it this way. He told the Supervisors to please let the Fire Departments know this if they hear anything in their towns.

Mr. Wilt further stated that they are getting tower sites locked down. The Chairman further discussed.

RESOLUTIONS:

RESOLUTION NO. 159-20

AUTHORIZING AND FUNDING TEMPORARY CLERK POSITION IN CLERK OF THE BOARD'S OFFICE

DATED: JULY 2, 2020

BY MR. STORTECKY:

WHEREAS, the Assistant Deputy Clerk in the Clerk of the Board's Office has been out on an extended medical leave, and

WHEREAS, the Clerk of the Board met with the Finance Committee and requested permission to hire a temporary clerk, be it

RESOLVED, that the Clerk of the Board is hereby authorized to hire a temporary clerk, and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$2,700.00 from Account No. A1990.0401 Contingent to Clerk of the Board Account No. A1040.0103 Temporary and the Personnel Officer be so notified.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 160-20

TRANSFER OF FUNDS – BOARD OF SUPERVISORS

DATED: JULY 2, 2020

BY MR. FREY:

WHEREAS, the Board of Supervisors' Account No. A1010.0407 Misc. is over expended due to unforeseen expenditures, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$3,000.00 from Account No. A1990.0401 Contingent to Account No. A1010.0407 Misc.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 161-20

EMPLOYEE VACATION AND SICK BENEFIT ACCRUAL MAXIMUM CAP INCREASED

DATED: JULY 2, 2020

BY MR. FREY:

WHEREAS, on April 1, 2020, Hamilton County Chairman issued a memorandum to all the Department Heads stating that maximum benefit time caps would be suspended during the County State of Emergency closing's due to COVID-19 for all employees, and

WHEREAS, the Hamilton County Personnel Officer placed the maximum benefit cap suspension into effect for employee time sheet five (#5) forward, and

WHEREAS, the County Board has opened offices and have reviewed the employee benefit time caps that were accrued during the closings, and

WHEREAS, the County Board acknowledges the need to increase employee maximum benefit time caps to eliminate overages which have occurred for employees during the COVID-19 closing, be it

RESOLVED, that the County Board authorizes the Personnel Officer to extend the vacation benefit time cap maximum to the following:

- 40 hour employees from 320 hours to 360 hours
- 35 hour employees from 280 hours to 315 hours
- 30 hour employees from 240 hours to 270 hours

and be it further

RESOLVED, that the County Board authorizes the Personnel Officer to extend the sick benefit time cap maximum to the following:

- 40 hour employees from 720 hours to 760 hours
- 35 hour employees from 630 hours to 665 hours
- 30 hour employees from 540 hours to 570 hours

and be it further

RESOLVED, that the new maximum accrual caps will be effective 6/29/20 for employee time sheet nine (#9) forward, and be it further

RESOLVED, that the Personnel Officer will hereby increase the employee maximum benefit time caps authorized and will send a notice to all the department heads and employees.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 162-20

AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT WITH NEW YORK STATE UNIFIED COURT SYSTEM

DATED: JULY 2, 2020

BY MR. WILT:

WHEREAS, Hamilton County has a 5-year agreement with the Unified Court System for security services to the courts of Hamilton, and

WHEREAS, the contract begins on April 1, 2019 and ends on March 31, 2024, and

WHEREAS, the contract stated in pertinent part, "All subsequent periods of the contract, the maximum compensation and where necessary new staffing schedule for that period are to be established by mutual written agreement of the parties.", and

WHEREAS, the State Unified Court System has provided a proposal wherein the period of the contract begins on April 1, 2020 and ends on March 31, 2021, the maximum compensation for the period is Thirty Thousand Dollars (\$30,000.00) and the Hamilton County Sheriff provides an attendant staffing schedule, and

WHEREAS, the Hamilton County Sheriff has provided an Attendant Staffing Schedule to the State Court System,

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is authorized to execute an agreement with the New York State Unified Court System to provide Court Attendant Staffing by the Hamilton County Sheriff for the maximum compensation of Thirty Thousand Dollars (\$30,000.00) for the period of time beginning on April 1, 2020 and ending on March 31, 2021.

Seconded by Ms. Bain and adopted by the following vote:

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 163-20

AUTHORIZING THE 2020 CHILD & FAMILY SERVICES PLAN ANNUAL UPDATE

DATED: JULY 2, 2020

BY MR. STORTECKY:

WHEREAS, Resolution No. 119-18 adopted April 5, 2018 authorized the April 1, 2018-March 31, 2023 Child & Family Services Plan, and

WHEREAS, Roberta A Bly has provided the Hamilton County Board of Supervisors with the April 1, 2020- March 31, 2021 Child & Family Services Plan Annual Update, be it

RESOLVED, that Roberta A Bly, Commissioner of Social Services; Robert Kleppang, Executive Director of the County Youth Bureau; Amy Granger, Probation Director and the Chairman of the Hamilton County Board of Supervisors are authorized to sign.

Seconded by Ms. Bain and adopted by the following vote:

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 164-20

AUTHORIZING FUNDING FOR ADDITIONAL WORK FOR COURTHOUSE ENTRANCE REPAIR PROJECT

DATED: JULY 2, 2020

BY MR. TOMLINSON:

WHEREAS, Resolution No. 337-19 authorized the courthouse entrance repairs, and

WHEREAS, during repairs on the east entrance it was determined that additional repairs requiring complete replacement of the porch sides and limestone caps were needed and that it was advantageous to complete at the same time, and

WHEREAS, the additional repairs were completed at a cost of \$15,978.00, and

WHEREAS, the Office of Court Administration will fund 56% of the additional work, be it

RESOLVED, that the County Treasurer is hereby authorized to increase Account No. A1620.205 Court Improvements by \$8,947.68 to be totally offset by increasing Revenue Account No. A3021.0000 Court Facilities by \$8,947.68, and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$7,030.32 from the Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. A1620.205 Court Improvements and the DPW Superintendent and the Clerk of the Board be so notified.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 165-20

APPROVAL OF BUDGET ADJUSTMENT FOR ONE COUNTY ROAD FUND PROJECT FOR 2020

DATED: JULY 2, 2020

BY MR. FREY:

WHEREAS, Resolution No. 137-20 authorizes County Road Fund Projects for 2020, and

WHEREAS, the County Highway Superintendent recommends increasing the budget for one (1) of the approved projects to complete the top course of HMA as follows:

COUNTY ROAD PROJECT NO. 2 Town of Morehouse Co. Rd No. 17 – French Road, Account No. D5112.2523 was budgeted for \$120,000.00

be it

RESOLVED, that the Board of Supervisors of the County of Hamilton does approve the following transfer:

\$80,000.00 - From: Account No. D5112.202 Capital Projects To: Account No. D5112.2523 CR17 French Road

and the County Treasurer be so authorized and the County Highway Superintendent and Clerk of the Board be so advised.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

After the following resolution was placed on the floor; the Chairman stated that the County has cellular companies interested in trying to enhance their coverage in the area. Verizon has been one of the companies that came into Lake Pleasant and the Village of Speculator to discuss small cell sites. The County happens to have a tower site that they believe will enhance their coverage and are working on entering into a lease agreement. He believes that they are also looking at the tower site on Oak Mountain.

RESOLUTION NO. 166-20

AUTHORIZING CHAIRMAN TO SIGN APPLICATION FOR ADIRONDACK PARK AGENCY PROJECT VERIZON WIRELESS TOWER SITE

DATED: JULY 2, 2020

BY MS. BAIN:

WHEREAS, Verizon Wireless has requested The County of Hamilton to enter into a lease for the extension and use of the tower situated at the County Courthouse complex, Lake Pleasant, New York, and

WHEREAS, the aforesaid tower extension and use by Verizon Wireless will enhance the broadband capacity for users within the County of Hamilton, and

WHEREAS, preliminary to any extension of the Hamilton County tower, review of such extension project must be undertaken and approval granted by the Adirondack Park Agency, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign the required Application for Adirondack Park Agency Project Verizon Wireless Lake Pleasant tower site, such application granting site access for the purpose of investigations, examinations, tests and site evaluations, as necessary.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 167-20

RESOLUTION SUPPORTING U.S. VETERANS CLAIM TRANSPARENCY ACT

DATED: JULY 2, 2020

BY MR. ARSENAULT:

WHEREAS, veterans throughout the United States often rely on veterans service agency representatives to assist them in pursuing assistance from government programs they may be eligible for, and

WHEREAS, the U.S. Department of Veterans Affairs (VA) has proposed to limit representative access to veterans' electronic files in the Veterans Benefits Management System (VBMS), and

WHEREAS, the Veterans Claim Transparency Act has been introduced in the U.S. Senate to ensure that veterans and their representatives have 48 hours to review and dispute disability claims before they are finalized, and

WHEREAS, said legislation would amend Title 38, United States Code, requiring the VA to provide veteran representatives with an opportunity to review disability rating determinations before they are finalized, and

WHEREAS, the Veterans Claims Transparency Act is supported by the Disabled American Veterans (DAV), Veterans of Foreign Wars (VFW), American Legion, AMVETS, and Paralyzed Veterans of America, now, therefore, be it

RESOLVED, that the Board of Supervisors herby supports the U.S. Veterans Claim Transparency Act and urges its passage as a reasonable safeguard to ensure a fair claim filing procedure for all veterans, and be it further

RESOLVED, that a certified copy of the Resolution be forwarded to the Veterans Service Agency Director.

Seconded by Ms. Bain and adopted by the following vote:

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

After the following resolution was placed on the floor; Mr. Stortecky stated that this is one of a million programs that everybody is going to be looking to fund at new levels. Does anybody know if this is realistic? The Chairman stated that he was surprised that there weren't more questions asked to Mr. Engel. That was why he had asked him to be there because the resolutions did not make the first agenda. He feels that is a legitimate question. He knows that Fulton County has passed these two resolutions at Mr. Engel's request. He is unsure if this is a realistic request as well as if there is a chance that the federal government is going to have resources to fund this. He was more struck by the fact that this is a comparatively small amount of money and wondered how much can be done. Mr. Stortecky asked that if we pass this and support it, would we be obligated as a county to provide funds. The Chairman stated that it just means we like the idea and that we would love for the federal government to fund it. He went on to say that the County receives resolutions from other counties advocating for State or Federal Funding and State or Federal Reform. The filter that has always been used is to wait for them to come to the Board through the Department Heads. Mr. Frey stated that he feels this shines a light on an issue that hasn't been dealt with. Mr. Stortecky asked if it would have been better to bring this type of a resolution up at Committee Day first to be hashed out. The Chairman stated that there wasn't time the way that it flowed. He feels that it is a good question and not sure how it would have flowed had Mr. Engel come to Committee Day. This type of resolution tends to be more an up or down question. He feels that the County is very efficient in how we move resolutions quickly. He stated that maybe with the financial stresses the County is under the Board could use a Finance filter. He is open to feedback regarding this.

RESOLUTION NO. 168-20

RESOLUTION SUPPORTING COMMITMENT TO VETERANS SUPPORT AND OUTREACH ACT (S.3020/H.R. 5516)

DATED: JULY 2, 2020

BY MR. FREY:

WHEREAS, County Veterans Service Officers (CVSO) provide significant work for veteran applicants to the federal and state governments with no federal fiscal support, and

WHEREAS, the National Association of County Veterans Service Officers (NACVSO) supports of the Commitment to Veteran Support and Outreach Act, "CVSO Act", which recognizes the important role of local veteran advocates and the lack of vital federal funding to provide services, and

WHEREAS, the CVSO Act proposes to provide \$250 million dollars to local CVSO agencies over a five (5) year period, and

WHEREAS, said funding will assist local CVSO agencies in promoting veteran health and wellness through coordination, implementation, and evaluation of comprehensive veteran suicide prevention and outreach programs, and

WHEREAS, funding will support additional staffing needs, training and accreditation of personnel and technology updates, and

WHEREAS, the County Veterans Service Officers Act is supported by the National Association of Counties (NACo) and the National Association of County Veteran Service Officers (NACVSO), now, therefore, be it

RESOLVED, that the Board of Supervisors hereby supports the U.S. Commitment to Veterans Support and Outreach Act, and be it further

RESOLVED, that a certified copy of this Resolution be forwarded to the Veterans Service Agency Director.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 169-20

AUTHORIZATION TO PAY PATIENT CENTERED OUTCOMES RESEARCH INSTITUTE (PCORI) FEE

DATED: JULY 2, 2020

BY MR. STORTECKY:

WHEREAS, the Affordable Care Act imposes a fee on HRA plan sponsors to help fund the Patient-Centered Outcomes Research Institute (PCORI), and

WHEREAS, the PCORI Fee, required to be reported only once a year on the second quarter FORM 720 and paid by July 31, is based on the average number of lives covered under the plan for the twelve months of the previous plan year, and

WHEREAS, the Chairman of the Board of Supervisors has the authority to authorize said payments on an annual basis upon completion of Tax Form 720 by the County Treasurer, and

WHEREAS, the applicable dollar amount is \$2.54 per covered life on an annual basis, and

WHEREAS, the Personnel Officer has determined the average number of covered lives for the Hamilton County 2019 plan year is 37, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors do hereby authorize payment of \$93.98 made payable to the United States Treasury, Department of Treasury, Internal Revenue Service, Ogden, UT 84201-0009, out of Account No. A9060.801, for the required 2019 PCORI Fee and the County Treasurer be so authorized and the Personnel Officer be so advised.

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 170-20

FEDERAL SALARY SHARING FUNDS – COMMUNITY SERVICES

DATED: JULY 2, 2020

BY MS. BAIN:

WHEREAS, the Hamilton County Community Services Department has received Federal Salary Sharing funds that can be used to support services provided by the Department, and

WHEREAS, \$4,387.18 in Federal Salary Sharing currently in the unappropriated general fund must be spent by December 31, 2020, and

WHEREAS, there is a need to increase available funds in supplies and services due to the purchase of an encryption program and other necessary supplies and services for the remainder of the year, be it

RESOLVED, that \$4,387.18 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 A4310.403 Supplies and Services

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

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

and

RESOLUTION NO. 171-20

APPROVAL OF EXPENDITURES FOR CONSTRUCTION OF COUNTY ROAD FUND PROJECTS FOR 2020

DATED: JULY 2, 2020

BY MR. WELLS:

WHEREAS, County Route 5, Algonquin Drive needs an Hot Mix Overlay (HMA) overlay on a 0.7 mile section in order to extend the life of the road, and

WHEREAS, Hamilton County owned bridge on County Route 6, Rogers Bridge BIN 3307290 is in need of a deck replacement, and

WHEREAS, the County Highway Superintendent has recommended the creation of the following projects and the expenditure of \$140,000.00 for the construction of said projects:

WHEREAS, the above designated roads and bridge are on a completed system of the Hamilton County road map adopted by the Board of Supervisors of Hamilton County and approved by the Commissioner of Transportation, be it

RESOLVED, that the Board of Supervisors of the County of Hamilton does allot and appropriate from Account No. D5112.202 Capital Projects, the sum of \$140,000.00, for the construction of the above designated projects as recommended by the County Highway Superintendent and the County Treasurer and Clerk of the Board be so advised.

Seconded by Ms. Bain and adopted by the following vote:

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT,

NAYS: NONE

RESOLUTION NO. 172-20

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: JULY 2, 2020

BY MR. MAURO:

RESOLVED, that the bills in the Machinery Fund amounting to \$51,074.13 and bills in the County Road Fund amounting to \$157,705.48 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. Wells and adopted by the following vote:

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

RESOLUTION NO. 173-20

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

DATED: JULY 2, 2020

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$296,993.88 by the following committees:

Public Works (Buildings) Committee	\$55,991.32
Public Works (Solid Waste) Committee	30,251.74
Finance Committee	13,738.35
Health Committee	24,606.29
Human Services Committee	67,637.12
Central Government Committee	11,501.29
Emergency Prep./Emergency Response	68,902.68
Publicity, Tourism, Economic Development & Planning	
Committee	23,929.55
Internal Management Committee	435.54

be it further

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

Halloween Storm Capital Project 2019-1.....\$ 45,582.87

are hereby approved.

Seconded by Ms. Bain and adopted by the following vote:

AYES: WILT, STORTECKY, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

Other Reports:

Mr. Wells: Stated that the Local Government Review Board sent out a resolution requesting review and change of APA policy on towers and other tall structures within the Adirondack Park. He believes that the towns should have gotten this. He was hoping that the County could pass a resolution supporting this at the next Board meeting. The Chairman asked if the County should do a resolution the same as other counties and Inter-County or the Review Board. He said that he would get the resolutions out to the Board and then they could discuss on Committee Day. Mr. Wells stated that he didn't get Warren County's. The Chairman stated that the office didn't but did get Saratoga and Washington County's. Mr. Stortecky asked what authority the Review Board has. Mr. Wells stated that they are the voice at the APA. The Chairman went on to explain how the Review Board came about and how it's joined to the APA. He feels that the Review Board has been very helpful to the County over the years.

The Chairman stated that Fulton County will be on site the following week to start on the fiber upgrade. They will need rack space for equipment. Lisa Johnson, DPW Administrative Manager, has found the racks that will work through Amazon.com. The racks are just under \$200 apiece and we will need 3. Mr. Eldridge was hoping that the Board could approve the credit card purchase during the meeting so the order could be placed as soon as possible. All approved.

Mr. Stortecky stated that when he came through Wells and Lake Pleasant, he saw that the American Flags were on the poles and how it felt very inspirational. He also wanted to make a point to say that flags are still flying at half-mast with no end in sight. Mr. Wilt discussed the flags in Arietta and how there was a complaint this year about some of them not being lit.

The Chairman thanked Gordon Purdy - Emergency Services Director, Karl Abrams – Sheriff and Michael Tracy – Critical Care Tech for all their work talking with Gwendolyn Craig, Reporter for Adirondack Explorer about Cathead Mountain. He felt that they did a magnificent job helping to frame that issue. The article was published in the Adirondack Explorer and he had been notified that morning that it was also published on the front page of The Times Union.

As there was no further business, motion to adjourn by Mr. Frey, seconded by Mr. Stortecky. Carried.