

**2020**

**NINTH SESSION**

**SEPTEMBER 3, 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	ABSENT
Benson	John M. Stortecky
Hope	Steven M. Tomlinson
Indian Lake	ABSENT
Inlet	John Frey
Lake Pleasant	Betsy A. Bain
Long Lake	Clay J. Arsenault
Morehouse	William G. Farber
Wells	Nick Mauro

Also present: County Attorney

A motion was made to accept the minutes of July 27<sup>th</sup> and August 6<sup>th</sup>, 2020 by Mr. Arsenault, seconded by Mr. Stortecky. Carried.

Public Comment: No Public.

Reports of Standings/Special Committees:

Mr. Frey: Stated that the Board is moving into Budget and things are up in the air. He feels that the County needs to be prepared for what they aren't going to get, we should have a Plan A and a Plan B. The message needs to get out to Department Heads; it's not going to be business as usual. The Chairman agreed. He was struck by the fact that Senator Schumer wasn't willing to commit to another stimulus bill. There is some feeling that the Governor is making this more political which he feels is counterproductive. He stated how he had heard that some schools were looking at huge layoffs and doing teaching at home to live within what they expect will be cuts in State Aid. If schools are thinking they will have State Aid cuts to that degree then municipal governments shouldn't think they are immune. He and Mr. Frey discussed the worst case scenario and also the ad valorem tax. Ad valorem tax is NYS paying the County for state land. The current language is that the state will pay tax on the forest preserve as if it were privately held. The Constitutional protection around Article 14 is a protection of the wild forest lands. It doesn't provide for the payment of tax. The legislature in any session can change that. It is a budget driven initiative every time. The notices going out to County Department Heads are saying NYS

will withhold 20% of their money; nowhere found does it extend to ad valorem tax. The County is safe until NYS discusses the next budget year.

The Board discussed the County Sales Tax and how the pandemic is affecting it; also about what it would bring for snowmobile season. Property sale increases were also discussed, as well as occupancy tax and how short-term rentals affects that. Mr. Frey stated that he feels the County should be taking a look at occupancy tax. The Chairman stated there is a shared service grant that is administered through Regional Office of Sustainable Tourism (ROOST). Mr. Tomlinson asked if the tax got split between towns or does it go directly to the County. The Chairman stated that there was no harden fast rule on how that is done. It is part of the local law that sets up the occupancy tax; different areas have done it differently.

11:00AM – The Chairman asked to open the Public Hearing on Proposed Local Law No. 8 of 2020 - A Local Law to Extend the Additional Mortgage Recording Tax within the County of Hamilton.

A motion was made to open the Public Hearing on Proposed Local Law 8 of 2020 – A Local Law to Extend the Additional Mortgage Recording Tax within the County of Hamilton by Mr. Frey, seconded by Mr. Arsenault. Carried.

No public present.

The Chairman stated this used to be done every 2 years but the last time they had extended them to 3 years. NYS has given the County the authority in both of these cases to extend 3 more years but then they will need to go back to Albany to make the request. Neither one of these are a new or increase tax they are simply the extension of the existing taxes in place.

Reports of Special/Standing Committees Continued:

Mr. Tomlinson: Stated that he has been working everyday with Erica Mahoney, Public Health Director. He praised both she and her staff.

Mr. Stortecky: Stated he wasn't sure if this should be discussed later on Committee Day but wanted to bring it up. He asked if it would be worth having the discussion that when a resolution is brought to the floor the resolution is moved by the Committee Chair. The Chairman stated that the resolutions come primarily from the Department Heads. When they come from a Department Head, they make it on the Agenda after being approved by either the Chairman or Committee Chair. There are other counties, that as part of the rules of order, resolutions have to be moved by the pertinent Committee Chair. Hamilton County has never had anything that regimented within the rules. He stated that it would be something the Board could talk about. Mr. Stortecky asked if it would be possible to have a note next to each resolution on the Agenda as to what committee it is under. The Chairman stated that they have been seeing resolutions coming in much later then usual making the second agenda longer and longer. Ideally the second agenda is for those emergencies that are unforeseen. The office has been trying to get the Department Heads to get them in sooner so the Board has time to review and ask questions. Mr. Frey stated that he doesn't like to see resolutions being pushed until the next month just because it didn't come in on time. The Chairman gave the example of paying a number of Highway bills by resolution. He feels it's

less of a concern when its straight forward but when it's a resolution like Equalization Rates or a specific program that might raise questions, he encourages them to get them in for the first agenda.

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 within the County of Hamilton and Imposing an Additional One Percent Rate of Such 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 with the County of Hamilton and Imposing an Additional One Percent Rate of Such Taxes for a Period of Three Years by Mr. Frey, seconded by Mr. Stortecky. Carried.

The Chairman stated that both the mortgage tax and sales tax extensions are on the same cycle. Mr. Frey stated as a reminder the reason the County pushes for the extra 1% is for bridge and road funds. The sales tax is one of those things where at least the visitors are paying a portion of that.

**RESOLUTIONS:**

After the following resolution was placed on the floor; Mr. Frey stated he would like to go to 100. Mr. Stortecky stated that Wells, Hope and Benson have been discussing this. Barry Baker, Real Property Director, has been involved. Benson has passed a resolution approving reevaluation but Wells and Hope have to also do it. He stated that both Wells and Hope are undecided. With this there is a \$48,000 charge leaving Wells to pay the majority at \$24,000. He was told by Mr. Baker that if the 3 towns decide to not do it, they have to agree together and also pay back money. He feels that if they don't do something now one way or the other it won't be changed anytime soon. The equalization rates will continue to decrease. He is asking the Board to talk with Mr. Baker and give support to the 3 towns involved. The Chairman stated that per request of the 3 Town Supervisors he would schedule a Finance Committee meeting on Committee Day. Historically the County has stayed out of these types of things. Certainly, if the towns are looking for help in the way of explaining this to their constituents then yes the County could help. They went on to discuss.

**RESOLUTION NO. 209-20**

**SETTING EQUALIZATION RATES**

**DATED: SEPTEMBER 3, 2020**

**BY MR. TOMLINSON:**

RESOLVED, that the assessment rolls with proposed rates as set up by the Equalization Committee be adopted for the year 2020 as follows:

Arietta..... 100.00

Benson.....	85.00
Hope.....	85.00
Indian Lake.....	100.00
Inlet.....	100.00
Lake Pleasant.....	100.00
Long Lake.....	100.00
Morehouse.....	100.00
Wells.....	85.00

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

After the following resolution was placed on the floor; the Chairman stated this was discussed on Committee Day. The resolution has thresholds that follow the procurement policy. He explained the current contract process and stated how more vendors are looking for a signed agreement for these small amounts. He used a training class needed in Public Health as an example. This will alleviate the department having to wait.

**RESOLUTION NO. 210-20**

**POLICY FOR AUTHORIZING CONTRACTS/AGREEMENTS**

**DATED: SEPTEMBER 3, 2020**

**BY MR. STORTECKY:**

BE IT RESOLVED, that contracts/agreements that are between \$0 - \$1,999 for purchases/services may be signed by the Department Head or County official providing it has been approved by the County Attorney and an appropriation has been made in the current year's budget for said goods or services, and be it further

RESOLVED, that contracts/agreements that are between \$2,000 - \$ 9,999 for purchases/services may be signed by the Chairman of the Board of Supervisors providing the Procurement Policy has been followed, it has been approved by the County Attorney and an appropriation has been made in the current year's budget for said goods or services.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 211-20**

**AUTHORIZING PAYMENT TO WARRENSBURG COLLISION CENTER, INC.**

**DATED: SEPTEMBER 3, 2020**

**BY MR. ARSENAULT:**

WHEREAS, Sheriff's vehicle #619 was involved in an accident and the repairs for the damage was completed by Warrensburg Collision Center, Inc., and

WHEREAS, an invoice for the repairs has been received and the Fleet Coordinator recommends the payment of the said repairs of vehicle #619, be it

RESOLVED, the County Treasurer is hereby authorized to increase Account No. A1910.0402 Repairs to Vehicles-Insurance by \$4,177.42 to be totally offset by increasing Revenue Account No. A2680.0000 Insurance Recoveries by \$4,177.42, and be it further

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

Warrensburg Collision Center, Inc.  
3985 Main Street  
Warrensburg, NY 12885

in the amount of \$5,177.42 for Invoice #3023 and the funds be taken out of Account No. A1910.0402 Repairs to Vehicles-Insurance and the Fleet Coordinator and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 212-20**

**AUTHORIZING THE HAMILTON COUNTY MOTOR VEHICLE OFFICE TO CLOSE TO THE PUBLIC ON WEDNESDAYS, EFFECTIVE SEPTEMBER 9, 2020, UNTIL FURTHER NOTICE**

**DATED: SEPTEMBER 3, 2020**

**BY MR. FREY:**

WHEREAS, the Hamilton County DMV has been extremely busy since the inception of the COVID-19 pandemic, and

WHEREAS, due to the Governor's regulations and other County DMV policies in who and how they are to service their customers, and

WHEREAS, Hamilton County is a tourist area and the DMV office historically has always serviced our summer residents from all other counties and we have now seen a serious influx of people in our area for the past many months who normally do not reside here, and

WHEREAS, due to this situation, we are unable to keep up and are severely behind with the back end work and reporting requirements as required by NYS DMV, and

WHEREAS, many conversations have been held with board members by the Hamilton County Clerk putting forth the situation in the Motor Vehicle office in efforts to help resolve this present situation, and

WHEREAS, a meeting was held with the Central Government Committee on August 24, 2020 and after much discussion, it was felt that closing the DMV to the public one day a week would help alleviate the present situation by being able to concentrate on in-house paperwork, and

WHEREAS, the County Clerk suggested that the best day to close for the above purposes would be on Wednesdays to help with this situation until further notice, and

WHEREAS, New York State DMV has been notified through the County Clerk liaison who understands the situation that all offices are currently facing and was supportive of our proposal and asked to be kept informed as weeks progressed, therefore, be it

RESOLVED, that the Hamilton County DMV Office will be closed to the General Public on Wednesdays beginning September 9, 2020 until further notice.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 213-20**

**AUTHORIZING THE PAYMENT OF COMPENSATORY TIME - DEPUTY COUNTY CLERK**

**DATED: SEPTEMBER 3, 2020**

**BY MS. BAIN:**

WHEREAS, the Hamilton County Clerk's Office has experienced an increased workload due to the COVID-19 Crisis with increased customer traffic in the DMV office resulting in a work backlog, and

WHEREAS, this situation has necessitated all the staff and specifically that the Deputy County Clerk work longer hours which has been accumulated as compensatory time, and

WHEREAS, the Deputy County Clerk has accrued the maximum allowed compensatory time of 80 hours, and

WHEREAS, a Central Government Committee meeting was held on August 24, 2020 to discuss this issue and it was agreed by the committee and approved by the Deputy Chairman of the Board of Supervisors, Brian Wells, therefore, be it

RESOLVED, that the Deputy County Clerk shall be compensated for her accumulated compensatory time of 80 hours at the rate of \$32.838 for a total of \$2,627.04 to be paid in 2 separate checks with payrolls ending September 19, 2020 and October 3, 2020 and the Treasurer's Office be so authorized.

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

AYES: STORTECKY, TOMLINSON, FREY, BAIN, ARSENAULT AND MAURO

NAYS: NONE

ABSENT: WILT AND WELLS

ABSTAIN: FARBER

**RESOLUTION NO. 214-20**

**AUTHORIZING THE TRANSFER OF FUNDS FROM MOTOR VEHICLE CLERK 3 TO  
DEPUTY COUNTY CLERK**

**DATED: SEPTEMBER 3, 2020**

**BY MR. FREY:**

WHEREAS, the Central Government Committee members met on August 24, 2020 and discussed monies due to the Deputy County Clerk for the 80 hours of accrued compensatory time as earned and such payment approved by Brian Wells, the Deputy Chairman of the Board of

Supervisors, and

WHEREAS, the total amount due to the Deputy County Clerk is \$2,627.04 and there are insufficient funds in the Deputy County Clerk line item to make this payment, and

WHEREAS, a 3<sup>rd</sup> Motor Vehicle Clerk was hired for a yearly salary of \$28,123.00 for the year 2020, and

WHEREAS, the new motor vehicle person did not start work until August 10, 2020 leaving a surplus amount that will not be expended and would allow a transfer of some of this money to cover the payment of compensatory time to the Deputy County Clerk, therefore, be it

RESOLVED, that \$2,627.04 be transferred from Motor Vehicle Clerk #3, Account No. A1410.106 to Deputy County Clerk, Account No. A1410.102 and the Treasurer's Office be so authorized.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 215-20**

**2020 NYS HAVA CARES ACT GRANT – BOARD OF ELECTIONS**

**DATED: SEPTEMBER 3, 2020**

**BY MR. FREY:**

WHEREAS, the Hamilton County Board of Elections has been awarded the NYS HAVA CARES Act Grant BOE01-C004189-1110000 for an amount up to \$8,796.41, and

WHEREAS, this grant is a reimbursement grant to cover actual costs per the Work Plan submitted by the Hamilton County Board of Elections, and

WHEREAS, both Commissioners have agreed to and signed off on said Work Plan, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign NYS HAVA CARES Act Grant BOE01-C004189-1110000.

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



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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 216-20**

**AUTHORIZING PURCHASE OF RADIO EQUIPMENT – EMERGENCY SERVICES**

**DATED: SEPTEMBER 3, 2020**

**BY MR. TOMLINSON:**

WHEREAS, one of the requirements of all current New York State Department of Homeland Security and Emergency Services (DHSES) grants funding issued through the Office Interoperable Emergency Communications (OIEC) is for 24/7 monitoring of established National Interoperability Channels, and

WHEREAS, in order to be able to monitor said National Channels, specific radio equipment must be used, and

WHEREAS, the Hamilton County Office of Emergency Services has received a quote from Capital Digitronics for said radio equipment under NYS Contract #'s PT68716, PT68728, and PT68714, in the amount of \$23,446.46, and

WHEREAS, funding for this purchase is available through DHSES grant C198204, Account No. A3645.418, therefore, be it

RESOLVED, that the purchase of said radio equipment from Capital Digitronics by the Hamilton County Office of Emergency Services in the amount of \$23,446.46 with funding from Account No. A3645.418, DHSES contract C198204 is hereby authorized, and the Treasurer and the Office of Emergency Services be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 217-20**

**AUTHORIZING DOWN PAYMENT FOR GENERATOR – EMERGENCY SERVICES**

**DATED: SEPTEMBER 3, 2020**

**BY MR. STORTECKY:**

WHEREAS, Resolution No. 208-20 authorized the Hamilton County Office of Emergency Management to purchase a 48v DC generator from Polar Power in the amount of \$17,980.00 with funding coming from New York State Office of Homeland Security and Emergency Services grant C198204, Account No. A3645.418, and

WHEREAS, Polar Power, with invoice #15999, is requiring a 40% down payment of the quoted amount which constitutes a figure of \$7,192.00, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to cut a check in the amount of \$7,192.00 to Polar Power with funds coming from Account No. A3645.418, grant contract # C198204, and the Office of Emergency Management be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 218-20**

**AUTHORIZING PURCHASE AND INSTALLATION OF ANCILLARY EQUIPMENT  
FOR SHERIFF VEHICLE - 2020**

**DATED: SEPTEMBER 3, 2020**

**BY MR. TOMLINSON:**

WHEREAS, Resolution No. 42-20 authorizes the purchase of a 2020 Dodge Durango SSV for the Sheriff's Office, and

WHEREAS, the said vehicle needs to have ancillary equipment installed such as but not limited to 2 way radio's, emergency lights, sirens, etc., and

WHEREAS, the County has received a written quote for the installation of the ancillary equipment as from JPJ Electronics, 1 W. Whitesboro St., Yorkville, NY in the amount of \$12,982.38, and

WHEREAS, this quote is based on pricing discounts on equipment under a contract JPJ currently has with Otsego County, and

WHEREAS, because of the electronics that new vehicles have from the factory such as air bag components and computer-controlled factory equipment the Superintendent recommends waiving the County's procurement for three written quotes, and recommends that JPJ Electronics complete the installation of the ancillary equipment, be it

RESOLVED, the Fleet Coordinator is authorized to purchase the Ancillary Equipment from JPJ Electronics installed at a cost of \$12,982.38 and the Clerk of the Board, County Sheriff and Fleet Coordinator be so notified, be it further

RESOLVED, that the County Treasurer is hereby authorized to issue a check to JPJ Electronics in the amount of \$12,982.38 to be charged to Sheriff Account No. A3110.202 Automobile.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

After the following resolution was placed on the floor; the Chairman stated that the funding is going to be used in cooperation with the schools to help them with reopening.

**RESOLUTION NO. 219-20**

**FLEXIBLE FUNDING FOR RURALLY BASED LOCAL HEALTH DEPARTMENTS  
TO FUND COVID-19 EMERGENCY RESPONSE EFFORTS**

**DATED: SEPTEMBER 3, 2020**

**BY MR. TOMLINSON:**

WHEREAS, the New York State Association of County Officials (NYSACHO) has offered Hamilton County Public Health Nursing Service a flexible funding grant to assist Hamilton County School Districts in COVID-19 Emergency Response efforts, and

WHEREAS, the total grant contract is for \$6,785.00, and

WHEREAS, this is a new grant requiring a new budget line, be it

RESOLVED, that appropriation Account No. A4050.447 NYSACHO COVID-19 be created in the amount of \$6,785.00 to be totally offset by increasing Revenue Account Number A.2770 by \$6,785.00, and be it further

RESOLVED, that the County Treasurer be so authorized.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 220-20**

**AUTHORIZING CHAIRMAN TO SIGN ATTESTATION FORM FOR NYS OMH 2019-20 ENACTED BUDGET – COMMUNITY SERVICES**

**DATED: SEPTEMBER 3, 2020**

**BY MS. BAIN:**

WHEREAS, the New York State Office of Mental Health (NYS OMH) enacted budget for 2019-20 included a 0.02% increase for salary and salary-related fringe benefits effective April 1, 2020, and

WHEREAS, the statute authorizing that the increase requires that each provider sign an attestation that the funding be used to support salary and salary-related fringe benefit increases, be it

RESOLVED, that the Attestation Form be completed to indicate that Hamilton County Community Services will use the increase in funding to support salary and salary-related fringe benefit increases, and be it further

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes the Chairman to sign the Attestation form as requested by NYS OMH and the County Treasurer be so advised.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

After the following resolution was placed on the floor; the Chairman explained how the County doesn't know the funding during budget time every year. The funding is year by year appropriation based on how much funding the federal government provides to the state and then the state

provides to the County. The money has always been put in the budget when there are actual numbers.

**RESOLUTION NO. 221-20**

**INCREASING THE SUMMER YOUTH EMPLOYMENT PROGRAM BUDGET**

**DATED: SEPTEMBER 3, 2020**

**BY MR. STORTECKY:**

WHEREAS, the Hamilton County Summer Youth Employment Program (SYEP), administered by the Hamilton County Department of Social Services, has been awarded the amount of Eleven Thousand Five Hundred Seventeen Dollars (\$11,517.00) for the administration of the 2020 SYEP, and

WHEREAS, the amount to be awarded for SYEP was not known at the time the 2020 budget was adopted, no amount was put in the 2020 Hamilton County budget for Account No. A6290.103, Job Training Participating Summer Youth, therefore, be it

RESOLVED, that Account No. A6290.103, Job Training Participating Summer Youth, be increased by Eleven Thousand Five Hundred Seventeen Dollars (\$11,517.00) to be totally offset by increasing Revenue Account No. A4089.100, Federal Aid, WIA, by same amount and the County Treasurer be so authorized.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

After the following resolution was placed on the floor; the Chairman stated that this is being done by resolution because the initial cost is an amount the Board needs to approve per the procurement policy. Mr. Eldridge did mention that he might not need it for the entire time.

**RESOLUTION NO. 222-20**

**AUTHORIZING RENTAL OF OFF ROAD DUMP TRUCK**

**DATED: SEPTEMBER 3, 2020**

**BY MR. MAURO:**

WHEREAS, the DPW needs to rent a single axle off road dump truck for the cleanup of Elbow Creek from the Halloween Storm of 2019, and

WHEREAS, the DPW solicits for bids for equipment rental and currently has a list of duly awarded bidders, and

WHEREAS, three vendors (Finke Equipment, A. Montano & Anderson Equipment) on the awarded bid placed bids for a four wheel drive off road dump truck, and

WHEREAS, these vendors either do not have off road trucks available for rent in the near future or have trucks that are too large for the need, and

WHEREAS, the bids from Finke Equipment, A. Montano and Anderson Equipment are \$6,775.00, \$8,800.00 and \$6,500.00 per month respectively plus delivery charge, and

WHEREAS, Abele Tractor has a single axle off road truck available for rent and the Superintendent has received a price quote of \$5,500.00 per month plus \$400.00 delivery charge, and

WHEREAS, the Superintendent requests authorization to rent the off road truck from Abele Tractor at the above quoted price for up to two (2) months to complete the cleanup of Elbow Creek, be it

RESOLVED, that hereby the DPW Superintendent is authorized to rent the said single axle off road truck from Abele Tractor for no longer than two (2) months with costs not to exceed \$11,800.00 and the County Highway Superintendent, County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

After the following resolution was placed on the floor; Mr. Stortecky asked what extension means. The Chairman stated that these bids were opened and awarded previously. The bid specifications that the County put out and the documents allowed us to extend with mutual consent. The vendor was willing to extend the pricing at the same level making it the County's best interest to extend.

**RESOLUTION NO. 223-20**

**EXTENSION OF AWARD OF BID FOR SPECIFICATION NO. 1-2020 VEHICLES**

**DATED: SEPTEMBER 3, 2020**

**BY MR. TOMLINSON:**

WHEREAS, Resolution No. 2-20 awarded Specification 1-2020 Vehicles Item 1 and Item 5 to Carbone Auto Group, and

WHEREAS, Resolution No. 48-20 awarded Specification 1-2020 Vehicles Items 2, 3 & 4 to Carbone Auto Group, and

WHEREAS, the said awards were as follows:

Item 1 – 2020 Chevrolet Malibu Bid Price - \$17,270.00

Item 2 – 2020 Chevrolet 1500 Pickup Bid Price - \$31,736.00

Item 3 – 2020 Chevrolet 2500 Pickup Bid Price - \$35,178.00

Item 4 – 2020 Chevrolet 3500 Pickup

Configuration A Bid Price - \$35,669.00

Configuration B Bid Price - \$32,964.00

Item 5 – 2020 Dodge Durango SSV Bid Price - \$32,189.00

and

WHEREAS, the bid specification was able to be extended up to three (3) years if pricing remained the same and both parties agree, and

WHEREAS, the 2020 Models have been built out and 2021 models are available for ordering, and

WHEREAS, the pricing will remain the same for the model year 2021 on the following items:

Item 1 – 2021 Chevrolet Malibu Bid Price - \$17,270.00

Item 3 – 2021 Chevrolet 2500 Pickup Bid Price - \$35,178.00

Item 4 – 2021 Chevrolet 3500 Pickup

Configuration A Bid Price - \$35,669.00

Configuration B Bid Price - \$32,964.00

and

WHEREAS, the Fleet Coordinator recommends extending the award for the above items, be it

RESOLVED, the Bid Specification 1-2020 Vehicles be extended for 2021 models as stated above and the County Treasurer, Fleet Coordinator and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 224-20**

**CHAIRMAN AUTHORIZED TO EXECUTE AGREEMENT WITH INDEPENDENT  
AUDIT FIRM FOR THREE YEAR CONTRACT-AUDIT SERVICES FOR 2020, 2021  
AND 2022**

**DATED: SEPTEMBER 3, 2020**

**BY MR. FREY:**

WHEREAS, the County Treasurer requested a quote from our present County auditor's for the year ending 2020, 2021 and 2022, as our contract has expired with the 2019 year-end audit, and

WHEREAS, the County Treasurer has recommended continuing with our present audit firm of Drescher and Malecki, and

WHEREAS, the Finance Committee agreed with staying with our present auditors, and

WHEREAS, the accounting firm of Drescher and Malecki, LLP, proposed \$25,150.00 per year for County audit services and the NYS DOT audit for years 2020, 2021 and 2022, which is a 0% increase over the last three years, therefore, be it

RESOLVED, that the Chairman is hereby authorized to sign a contract with Drescher and Malecki, LLP, Certified Public Accounts, for the audit years 2020, 2021 and 2022 at the stipulated cost of \$25,150.00 per year, based on the approval of the contract by the County Attorney, and be it further

RESOLVED, that the Treasurer and Clerk of the Board be so notified.

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



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

NAYS: NONE

ABSENT: WILT AND WELLS

After the following resolution was placed on the floor; the Chairman stated how difficult it has been to get bids for this route. In the past the County has gotten more than one bid but now it hasn't been unusual to only get one. There are other parts of the County where schools are better positioned to help with transportation. This is also an expensive route. He has had the discussion with Mr. Tomlinson and Ms. Mahoney about advertising for a bus driver and getting a County vehicle inspected to use as a bus to transport. He would rather the County not go to that but at a certain point the cost might make it impossible and we will have to look at other options. Mr. Tomlinson asked if there was a set rate that the County paid the schools to transport. The Chairman stated that the County has worked with schools on a variety of different formulas. He and Mr. Tomlinson will continue to work with Ms. Mahoney and Kimberly Byrne, Personnel Officer, regarding this so there is a Plan B. Mr. Arsenault asked how long the County has been doing the transportation for this route. The Chairman stated that the County has been responsible for this child for 3 years he thought. Mr. Arsenault asked if it cost \$400.00 per day in 2019. The Chairman stated that it was close to that. He stated that at a last resort when there wasn't a bidder, the County did have an employee that was a certified school bus driver that drove and that there was a County vehicle inspected as a school bus for that person to drive. He stated how this is different as it would be a fiscal last resort. Mr. Arsenault asked how the County would accommodate this if they didn't go this route. The Chairman stated that it would be bid out and when the bids are opened the Board would go from there. They then discussed that the County pays the parents mileage to do the transport as well. The Chairman stated that the parent of this child agreed to do the transport only in the interim.

**RESOLUTION NO. 225-20**

**AUTHORIZING ADVERTISING FOR BIDS FOR TRANSPORTATION FOR A  
PRESCHOOL CHILD FROM LONG LAKE TO CHILDREN'S CORNER IN TUPPER  
LAKE, NY**

**DATED: SEPTEMBER 3, 2020**

**BY MR. TOMLINSON:**

WHEREAS, Hamilton County is obligated to provide roundtrip transportation for Hamilton County children receiving Early Intervention or Preschool Special Education services that cannot be provided in the home setting, and

WHEREAS, the HCPHNS staff encourage parents to provide transportation, which however is not an option for this family beginning September 21, 2020, be it

RESOLVED, that bids for roundtrip transportation from Long Lake to Children's Corner in Tupper Lake, NY be solicited from vendors for the 2020 fall and spring school sessions, and be it further

RESOLVED, that said bids will be due on September 21, 2020 at 10:30 am.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 226-20**

**APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS**

**DATED: SEPTEMBER 3, 2020**

**BY MR. FREY:**

RESOLVED, that the bills in the Machinery Fund amounting to \$71,241.59 and bills in the County Road Fund amounting to \$18,092.99 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. Arsenault and adopted by the following vote:

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

NAYS: NONE

ABSENT: WILT AND WELLS

**RESOLUTION NO. 227-20**

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

**DATED: SEPTEMBER 3, 2020**

**BY MR. FREY:**

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$180,251.85 by the following committees:

Public Works (Buildings) Committee.....	\$24,856.49
Public Works (Solid Waste) Committee .....	35,191.39
Finance Committee .....	20,817.40
Health Committee.....	16,542.72
Human Services Committee.....	13,450.58
Central Government Committee .....	6,137.29
Emergency Prep./Emergency Response.....	60,915.81
Publicity, Tourism, Economic Development & Planning Committee.....	1,182.35
Internal Management Committee .....	1,157.82

be it further

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

Halloween Storm Capital Project 2019-1.....\$ 70,388.61

are hereby approved.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

12PM - The Chairman asked to close the Public Hearing on Proposed Local Law 8 of 2020 – A Local Law to Extend the Additional Mortgage Recording Tax within the County of Hamilton

A motion was made to close the Public Hearing on Proposed Local Law 8 of 2020 – A Local Law to Extend the Additional Mortgage Recording Tax within the County of Hamilton by Mr. Stortecky, seconded by Mr. Frey. Carried.

The Chairman called for a motion to adopt Local Law 8 of 2020. Motion by Mr. Frey, seconded by Mr. Stortecky. Carried.

Motion: Mr. Frey  
Second: Mr. Stortecky

LOCAL LAW NO. 8 OF 2020

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, 2020 and ending December 1, 2023, 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, 2020, 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, 2020, 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: BENSON (192), HOPE (403), INLET (333), LAKE PLEASANT (781), LONG LAKE (711), MOREHOUSE (86), WELLS (674) = 3,180

NAYS: NONE

ABSENT: ARIETTA (304), INDIAN LAKE (1352) = 1,656

12:05PM – The Chairman asked to close the Public Hearing for the Resolution of the Board of Supervisors of Hamilton County Extending the General Sales and Compensating Use Taxes within the County of Hamilton and Imposing an Additional One Percent Rate of Such Taxes for a Period of Three Years

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 with the County of Hamilton and Imposing an Additional One Percent Rate of Such Taxes for a Period of Three Years by Mr. Frey, seconded by Mr. Arsenaault. Carried.

**RESOLUTION NO. 228-20**

**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: SEPTEMBER 3, 2020**

**BY MR. FREY:**

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, 2020, and ending November 30, 2023.

Effective date. The enactment of the foregoing amendment shall take effect December 1, 2020.

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

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

NAYS: NONE

ABSENT: WILT AND WELLS

Other Reports:

Mr. Stortecky: Stated Assemblyman Smullen will be at the Benson Town Hall for their meeting Tuesday, September 15<sup>th</sup> at 6:30PM.

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