

**FIRST EMERGENCY SESSION  
OCTOBER 31, 2022  
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 an Emergency 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, October 31, 2022 at 1:00 P.M. for the purpose of paying claims for the Consolidated Local Street and Highway Improvement Program and for any other business that may come before said Board.

Arietta _____	Chris D. Rhodes
Benson _____ ABSENT	Phillip C. Snyder
Hope _____	Steven M. Tomlinson
Indian Lake _____	Brian E. Wells
Inlet _____ ABSENT	John Frey
Lake Pleasant _____ ABSENT	Betsy A. Bain
Long Lake _____ ABSENT	Clay J. Arsenault
Morehouse _____	William G. Farber
Wells _____	Nick Mauro

Also present: Lisa Johnson-Public Works Administrative Manager, Tracy Eldridge-Highway Superintendent, Beth Hunt-Treasurer and Barry Baker-Real Property Tax Director/Budget Officer

Reports of Standing/Special Committees:

Mr. Farber: Stated that they are continuing to work on the emergency communications projects. There aren't any resolutions on the agenda but there will be some for Thursday. They are working on getting backup power for the site on Blue Mountain. It is a priority for them before winter and he will have a more complete report for them on Thursday.

Mr. Mauro: Asked if the Board had heard anything from the District Attorney's Office. The Clerk of the Board stated that she had not. The Chairman stated that he had spoken with the Personnel Officer regarding if he had reached out to her to advertise his vacant account clerk position and she has not heard from him. He thought it was possibly something they should discuss on Thursday.

Mr. Tomlinson: Stated that there are a few resolutions on the agenda for Public Works and there is also a committee meeting scheduled for 1:30PM with Tracy Eldridge, Highway Superintendent.

Phil Snyder entered the meeting at the start of the resolutions.

RESOLUTIONS:

**RESOLUTION NO. 327-22**

**AUTHORIZING TRANSFER OF FUNDS FROM GENERAL FUND BALANCE TO  
COUNTY ROAD FUND**

**DATED: OCTOBER 31, 2022**

**BY MR. TOMLINSON:**

WHEREAS, due to delayed revenue returns from FEMA and NYSDOT while the County Road Fund continues to complete maintenance and reconstruction projects the County Road Fund is over expended until expected revenues come in, and

WHEREAS, the Superintendent has met with the County Treasurer and County Public Works Committee to discuss how much will be needed in the near term, and

WHEREAS, DPW Superintendent recommends the transfer of \$1,000,000.00 from the Unappropriated General Fund balance to fund the County Road Fund obligations in the near term, be it

RESOLVED, that \$1,000,000.00 be transferred from Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to the County Road Fund Balance and that hereby the County Treasurer is authorized to make the said transfer and the Clerk of the Board and County DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FARBER, AND MAURO

NAYS: NONE

ABSENT: FREY, BAIN, AND ARSENAULT

**RESOLUTION NO. 328-22**

**AUTHORIZING TRANSFER OF FUNDS FROM GENERAL FUND BALANCE TO  
COUNTY MACHINERY FUND**

**DATED: OCTOBER 31, 2022**

**BY MR. TOMLINSON:**

WHEREAS, due to large cost increases to parts, supplies and fuel the County Machinery Fund needs funding for the remainder of the fiscal year 2022, and

WHEREAS, the Superintendent has met with the County Treasurer and County Public Works Committee to discuss how much will be needed for the rest of the fiscal year 2022, and

WHEREAS, DPW Superintendent recommends the transfer of \$300,000.00 from the Unappropriated General Fund balance to fund the County Machinery Fund obligations for the remainder of 2022, be it

RESOLVED, that \$300,000.00 be transferred from Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to the County Machinery Fund Balance and that hereby the County Treasurer is authorized to make the said transfer and the Clerk of the Board and County DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FARBER, AND MAURO

NAYS: NONE

ABSENT: FREY, BAIN, AND ARSENAULT

**RESOLUTION NO. 329-22**

**AUTHORIZING CLOSING OF OXBOW LAKE OUTLET CULVERT PROJECT**

**DATED: OCTOBER 31, 2022**

**BY MR. TOMLINSON:**

WHEREAS, the Oxbow Outlet Culvert Project is completed, and

WHEREAS, the County received a \$248,500.00 Bridge NY award for this project and the project cost was much higher than this award, and

WHEREAS, the County has \$77,315.38 of CHIP's funding that can be utilized to help offset some of the local costs, be it

RESOLVED, that hereby the Superintendent is authorized to utilize the \$77,315.38 CHIP's funding available out of Account No. D5112.0202 Capital Projects, be it further

RESOLVED, that hereby the Oxbow Outlet Culvert Project Account No. D5112.2022 Oxbow Lake Culvert Project be closed and the remaining balance of \$10,835.30 be returned to the County Road Fund Balance and the County Treasurer be authorized to close this account and the

Clerk of the Board and the County DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FARBER, AND MAURO

NAYS: NONE

ABSENT: FREY, BAIN, AND ARSENAULT

**RESOLUTION NO. 330-22**

**AUTHORIZING PAYMENT TO VENDORS FOR COUNTY ROAD PROJECT ON  
COUNTY ROUTE 4, BIG BROOK ROAD IN INDIAN LAKE**

**DATED: OCTOBER 31, 2022**

**BY MR. TOMLINSON:**

WHEREAS, Resolution No. 157-22 authorizes the reconstruction of a portion of County Route 4, Big Brook Road, and

WHEREAS, payment is due to three vendors for work and materials for this project as follows –

- Gorman Brothers, Inc., 200 Church St., Albany, NY 12202 for paving - \$69,057.84
- Empire Paving, 1900 Duanesburg Road, Duanesburg, NY 12056 for 19mm binder HMA - \$162,350.07
- Peckham Materials Corp., PO Box 1055, Albany, NY 12201-1055 for 12.5mm HMA Top Course - \$114,559.41

be it

RESOLVED, that the County Treasurer is hereby authorized to make payments as stated herein out of Account No. D5112.2531 CR4, Big Road and the Highway Superintendent and Clerk of the Board be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FARBER, AND MAURO

NAYS: NONE

ABSENT: FREY, BAIN, AND ARSENAULT

**RESOLUTION NO. 331-22**

**AUTHORIZING TRANSFERS FOR COMPLETED 2022 PERMANENT PROJECT  
ACCOUNTS AND TO CLOSE ACCOUNTS**

**DATED: OCTOBER 31, 2022**

**BY MR. TOMLINSON:**

WHEREAS, three (3) County Road Permanent Improvement projects are completed for 2022, and

WHEREAS, all of the project funds have been appropriated and estimated through the CHIPS program, and

WHEREAS, the following two (2) projects are complete and over-expended;

D5112.2532 CR15 – Old Northville Road 2022-	\$ (279.17)
D5112.2533 CR12 – Cedar River Road 2022 –	\$ (49,790.95)

be it

RESOLVED, that the County Treasurer be so authorized to complete the transfers stated hereon:

\$ 279.17 From Account D5112.0202 to Account D5112.2532 CR15  
\$ 49,790.95 From Account D5112.0202 to Account D5112.2533 CR12

be it further

RESOLVED, the following 2022 Capital Road Projects are complete:

D5112.2531 CR4 - Big Brook Road 2022  
D5112.2532 CR15 – Old Northville Road 2022  
D5112.2533 CR12 – Cedar River Road 2022

and the County Treasurer be authorized to close these accounts and the Clerk of the Board and the County DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FARBER, AND MAURO

NAYS: NONE

ABSENT: FREY, BAIN, AND ARSENAULT

**RESOLUTION NO. 332-22**

**AUTHORIZING PAYMENT TO VENDORS FOR COUNTY ROAD PROJECT ON  
COUNTY ROUTE 12, CEDAR RIVER ROAD IN INDIAN LAKE**

**DATED: OCTOBER 31, 2022**

**BY MR. TOMLINSON:**

WHEREAS, Resolution No. 157-22 authorizes the reconstruction of a portion of County Route 12, Cedar River Road, and

WHEREAS, payment is due to three vendors for work and materials for this project as follows –

- Gorman Brothers, Inc., 200 Church St., Albany, NY 12202 for paving - \$69,254.84
- Empire Paving, 1900 Duanesburg Road, Duanesburg, NY 12056 for 19mm binder HMA - \$109,879.19
- Peckham Materials Corp., PO Box 1055, Albany, NY 12201-1055 for 12.5mm HMA Top Course - \$92,813.28

be it

RESOLVED, that the County Treasurer is hereby authorized to make payments as stated herein out of Account No. D5112.2533 CR12, Cedar River Road and the Highway Superintendent and Clerk of the Board be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FARBER, AND MAURO

NAYS: NONE

ABSENT: FREY, BAIN, AND ARSENAULT

**RESOLUTION NO. 333-22**

**AUTHORIZING PAYMENT FOR HAMM ROLLER - DPW**

**DATED: OCTOBER 31, 2022**

**BY MR. TOMLINSON:**

WHEREAS, Resolution No. 313-22 authorizes the purchase a one (1) 2020 New Leftover

Hamm Roller for use by DPW, and

WHEREAS, the said roller was delivered and inspected by the Superintendent, who now recommends payment of the roller, be it

RESOLVED, the County Treasurer is hereby authorized to make payment to Finke Equipment, PO Box 127, Selkirk, NY 12158 in the amount of \$128,861.00 and the funds to be taken out of Account No. D5112.0202 Capital Projects for the DPW and the County Highway Superintendent and the Clerk of the Board be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FARBER, AND MAURO

NAYS: NONE

ABSENT: FREY, BAIN, AND ARSENAULT

Mr. Eldridge stated that after the committee meeting last Tuesday, he and Lisa Johnson, Administrative Manager, sat down with Beth Hunt, Treasurer and Jodie Small, Deputy Treasurer to go through everything because it bothered him. They did find two large issues he hoped will be corrected. NYSDOT has not made their payment for the final snow voucher from June, the amount due is \$507,000. He has since called Utica and Albany regarding this. They also didn't pay their interim payment until March 31, 2022; that is for the 2021-2022 snow season. He has told them that it is unacceptable. He further discussed how the contract for state snow works. It is based on a three-year average and multiplied by 67%. That amount is the interim payment that they pay the County typically in December. After that they do monthly vouchers to NYSDOT to pay for salt, pay the towns and that gives them a cash flow. At the end of the year when snow and ice is done, they do a final voucher. Whatever the difference is in the final cost of the snow season they deduct the interim payment and then pay the balance. The amount this year was \$507,000. He stated that the next day they are expecting a payment of \$350,000 and the reason why it is only that is because the County exceeded their contract. Mr. Eldridge does not agree with that and said it was going to get straightened out. He also stated that when he originally wrote the first resolution it was for more money but since they have received a FEMA payment, he was able to adjust the amount. Ms. Johnson will be getting the reimbursements for the CHIPS in that week and the checks will go out before the deadline. He thinks by January 15<sup>th</sup> they should expect that money and will zero CHIPS out. There will be no rollover for next year. He also further discussed that the FEMA payment received was for Griffin Road. He stated that they should expect another for Haskell's Road, County Route 11 and Gilmantown Road. The Chairman asked him about the State share of the FEMA project and Mr. Eldridge and Ms. Johnson both said that the County has received that as well. Mr. Eldridge stated that everything is into FEMA except Fayle Road. Mr. Farber and Mr. Eldridge further discussed relocating the bridge onto Lyme Timber land.

Ms. Betsy Bain entered the meeting during Mr. Eldridge's discussion.

The Chairman stated that they had previously discussed Verizon Wireless and doing a rent adjustment. They hadn't done anything formally, so he asked the Board for their opinion. Mr. Farber made a motion that Verizon is allowed to change the equipment with no increase in rent. The equipment change is to provide better service. Seconded by Mr. Tomlinson. Mr. Rhodes asked how long this was locked in. The Chairman and Mr. Farber both stated that they weren't sure. Mr. Farber stated that it wasn't a fixed amount for 20 years. There were rollovers and reups of the agreement. Motion Carried.

As there was no further business, motion to adjourn by Mr. Rhodes, seconded by Mr. Tomlinson. Carried.