

2023

THIRD SESSION

MARCH 2, 2023

The Board convened at 10:30 A.M. in the Supervisors' Chambers at the Court House, Lake Pleasant, New York, with the Chairman, Brian E. Wells presiding. Mr. Wells 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	Chris D. Rhodes
Benson	Phillip C. Snyder
Hope	Steven M. Tomlinson
Indian Lake	Brian Wells
Inlet	ABSENT
Lake Pleasant	ABSENT
Long Lake	Clay J. Arsenault
Morehouse	William G. Farber
Wells	Rebekah M. Crewell (<i>via ZOOM</i>)

Also present: County Attorney, Sterling Goodspeed-Public Defender, Beth Hunt-Treasurer, Kimberly Byrne- Personnel Officer and Barry Baker-Real Property Tax Director/Budget Officer

A motion was made to accept the minutes of November 15th and 18th and December 1st, 2022 by Mr. Farber, seconded by Mr. Tomlinson. Carried.

Public Comment: No one present.

Hamilton County Attorney: No Report.

Reports of Standing/Special Committees:

Mr. Farber: Stated that they are still working on getting the final reference letter in for the EMS Coordinator position so that they can do reference checks. He had reported previously about having a committee meeting with the EMS Council and was able to attend one of their meetings since then. The good news is that they are moving forward with the things that were articulated in the meeting. They have the EMS class set up for the southern part of the county that begins the following week on Monday and Wednesday evenings. They also put together a schedule to do the CME classes in Blue Mountain to cover the northern part of the County. On their next agenda will be the conversation about setting up dates and schedules, well in advance, for two classes. They are going to be north and south and on an annual basis. Things are going well for them financially. The County is asking them to do more in terms of classes. Carl Turner is doing a great job. He has got a couple of individuals he would like to incorporate into teaching this next class. Their budget is stable, but they will have to keep an eye out on it if they need more support as they are able to teach more classes. Regarding the bi-weekly calls for the emergency communication

project, he feels that they are having some success getting the cellular providers to engage with them differently around the tower sites. He stated that there needs to be a committee meeting next month to discuss the RS Telecom contract as well as Capital Digitronics.

Mr. Rhodes: Stated that Christy Wilt, Planning and Tourism Director, attended the Small Community, Big Opportunity Conference in Saranac Lake. She has a job fair set for March 22nd at Oak Mountain from 4-8PM. The Board can contact her if they would like her to hand some of their town's brochures out. The IDA Audit will be complete next week, and they have started the registration for the birding festival. They have worked on the initial plot plan for the Oak Mountain property that the IDA owns. To do it and address the need they have doesn't meet the zoning. They need to work on that and try to incorporate the snowmobile trail into it. He thinks that they can, and he hasn't received any negative feedback from the preliminary design. He asked if the County had ever logged the property in Lake Pleasant. There is a logging operation on a parcel that adjoins the County's property. He thinks it would be a good opportunity to generate some revenue. Mr. Farber stated that he didn't think the County had, but he didn't think that there was anything that would preclude them from doing so. Mr. Snyder verified that there are 46 acres. Mr. Tomlinson stated that they just logged 40 acres in the Town of Hope last year; it was very beneficial to have it done. Mr. Rhodes stated that he didn't know how to proceed but could discuss it with Tracy Eldridge, Highway Superintendent, to see if he knew. Mr. Tomlinson stated that they had hired a forester in Hope, and it worked out well.

Mr. Tomlinson: Stated that there are a lot of resolutions on the Agenda for Public Works, and he was looking for the Board's support.

RESOLUTIONS:

After the following resolution was placed on the floor; Mr. Farber stated that this was the single topic at NYSAC. They opened the business meeting a day early to adopt this resolution just to separate it out from the rest of the resolutions that NYSAC passed. There is both a state and federal strategy with respect to this.

RESOLUTION NO. 70-23

CALLING ON THE STATE OF NEW YORK TO CONTINUE TO PASS-THRU FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE FUNDS

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, the SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and New York City, and

WHEREAS, the State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers, and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included, and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027, and

WHEREAS, it is the strong view of Hamilton County that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match, and

WHEREAS, since 2003, the state has shared the funds proportionally based on our analysis of savings we have received during periods when an enhanced federal Medicaid match was enacted by Congress, and

WHEREAS, enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion., and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties. The savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program. Through February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC, and

WHEREAS, counties strongly disagree with the need to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule, depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024.

NOW, THEREFORE, BE IT RESOLVED, that Hamilton County calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years, and

BE IT FURTHER RESOLVED, that Hamilton County shall forward copies of this resolution to the Governor of the State of New York and all others deemed necessary and proper.

Seconded by All and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

After the following resolution was placed on the floor; the Chairman thanked the Supervisors because he knows they are in a tough place here. They are advocating for their town, and they are also trying to work for the County. He doesn't think the public realizes sometimes the push and pull that goes on trying to do that. He thought all the Supervisors did a great job on this and he gave them props for working on it.

RESOLUTION NO. 71-23

APPROVAL OF A ONE-TIME PAYMENT OF ARPA FUNDS TO THE TOWNS OF HAMILTON COUNTY AND VILLAGE OF SPECULATOR

DATED: MARCH 2, 2023

BY MR. ARSENAULT:

WHEREAS, the Hamilton County Finance Committee met on February 21, 2023, and discussed sharing the American Rescue Plan Act (ARPA) monies received by the County with the nine towns and one village of Hamilton County, and

WHEREAS, the Committee felt the County could share a portion of their ARPA funds to help the Towns and Village with increasing expenses realized over the last several years, and

WHEREAS, this will be a one-time distribution based on receipt of the one-time federal APRA funds and the fact that the County through diligence and sound decisions weathered the COVID pandemic better than anticipated, and

WHEREAS, the Finance Committee agreed that a total of \$20,000.00 be shared with each Town and the Village, be it

RESOLVED, that the County Treasurer is hereby authorized to create and fund Account No. A1010.0408 – ARPA - Towns and Village, in the amount of \$200,000.00 to be offset by funding Revenue Account No. A4089.0200 – American Rescue Plan Act (ARPA) in the amount of \$200,000.00, and be it further

RESOLVED, that the County Treasurer is hereby authorized to pay as follows:

Town of Arietta	\$20,000.00
Town of Benson	\$20,000.00
Town of Hope	\$20,000.00
Town of Indian Lake	\$20,000.00
Town of Inlet	\$20,000.00
Town of Lake Pleasant	\$20,000.00
Town of Long Lake	\$20,000.00
Town of Morehouse	\$20,000.00

Town of Wells	\$20,000.00
Village of Speculator	\$20,000.00

for a total of \$200,000.00 from Account No. A1010.0408, and be it further

RESOLVED, that the Clerk of the Board, Budget Officer, and County Treasurer to so advised.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 72-23

APPOINTMENT OF PERSONNEL OFFICER

DATED: MARCH 2, 2023

BY MR. ARSENAULT:

WHEREAS, by Resolution No. 70 dated March 11, 2005, Kimberly L. Parslow was appointed Hamilton County Personnel Officer effective March 28, 2005 for a term of six (6) years, and

WHEREAS, by Resolution No. 95 dated April 7, 2011, Kimberly L. Parslow was appointed Hamilton County Personnel Officer effective March 28, 2011 for a term of six (6) years, and

WHEREAS, by Resolution No. 92 dated March 27, 2017, Kimberly L. Byrne was appointed Hamilton County Personnel Officer effective March 28, 2017 for a term of six (6) years, and

WHEREAS, Ms. Byrne's appointment expires March 27, 2023 and the Chairman of the Internal Management Committee recommends that Kimberly L. Byrne be appointed Hamilton County Personnel Officer for a term of six (6) years, effective March 28, 2023, be it

RESOLVED, that Kimberly L. Byrne be appointed Hamilton County Personnel Officer for a term of six (6) years, effective March 28, 2023, and be it further

RESOLVED, that the salary for the Hamilton County Personnel Officer be at a salary of \$67,002.00 per annum, paid in bi-weekly installments and County Treasurer be so advised.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 73-23

**AUTHORIZING RENEWAL AGREEMENT WITH HAMILTON COUNTY
EMERGENCY MEDICAL SERVICES COUNCIL, INC.**

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, Hamilton County EMS Council, Inc. places significant emphasis on training ambulance personnel, and

WHEREAS, the EMS Coordinator and the Deputy EMS Coordinator have provided a report and financials to the Board of Supervisors regarding the need to contract with Hamilton County EMS Council, Inc. for training, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes an agreement with Hamilton County EMS Council, Inc. to provide training for 2023 in the amount of \$5,000, and be it further

RESOLVED, that the Hamilton County Treasurer is hereby authorized to issue a check to the Hamilton County Emergency Medical Services Council, Inc. in the amount of \$5,000.00, from Account No. A3640.0403 EMS Training.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 74-23

**AMENDMENT TO RESOLUTION NO. 55-23
PURCHASE OF CONSOLES FOR PSAP FOR THE HAMILTON COUNTY SHERIFF'S
OFFICE**

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, Hamilton County Emergency Management was awarded SICG Grant from NYS Statewide Interoperable Communications Formula Grant SI21-1050-E00 in the amount of \$1,126,497.00, contract C197759, and

WHEREAS, Resolution No. 55-23 was passed by the Hamilton County Board of Supervisors on February 2, 2023, and

WHEREAS, it was noted after the resolution was passed that the resolved portion of that resolution was incorrect, be it

RESOLVED, that Resolution No. 55-23 be amended to state that the Director of Hamilton County Emergency Management is hereby authorized to purchase consoles from Digital Video Group, Inc., as part of the PSAP upgrade for the Hamilton County Sheriff's Office in the amount of \$23,970.47 from Account No. A3645.0427 – SI21-1050-E00 grant.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

After the following resolution was placed on the floor; Mr. Farber thanked Sheriff Abrams and Kimberly Byrne, Personnel Officer, for working together to get this figured out. He thought they moved quickly to deal with an issue around boat patrol salary and didn't recognize the fact that Dominic Arena works in many capacities. They were explicit in that initial resolution and created an unintended consequence. He thinks this is a good fix.

RESOLUTION NO. 75-23

CHANGE IN STEP FOR DOMINIC ARENA BASED ON YEARS OF EXPERIENCE

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, Dominic Arena has been an employee of the Hamilton County Sheriff's Office for over three years, serving in the capacity as seasonal Deputy Sheriff (Boat and Snowmobile Patrol, also certified as Navigational and Snowmobile Instructor) and as a Correction Officer on a fill-in basis, and

WHEREAS, Mr. Arena has extensive knowledge and experience with his thirty-eight plus years of service within law enforcement, and

WHEREAS, the Emergency Preparedness/Emergency Response Committee has reviewed Sheriff Karl Abrams' recommendation to change Mr. Arena's step due to his numerous years of experience, and

WHEREAS, Sheriff Abrams recommends that Dominic Arena be changed from Correction Officer Grade 4, Step Hire to Grade 4, Step 11 with an hourly rate of \$28.505 effective March 2, and

WHEREAS, the Emergency Preparedness/Emergency Response Committee recommends the change to Grade 4, Step 11, therefore, be it

RESOLVED, that Mr. Arena's step be changed from Step Hire to Step 11, and be it further

RESOLVED, that Mr. Arena's hourly rate be changed to \$28.505, and be it further

RESOLVED, that the Treasurer's Office and the Personnel Officer be notified of such change.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

Tracy Eldridge, Highway Superintendent entered the meeting.

RESOLUTION NO. 76-23

APPOINTMENTS TO THE CONTINUING QUALITY IMPROVEMENT COMMITTEE

DATED: MARCH 2, 2023

BY MR. SNYDER:

WHEREAS, the Public Health Nursing Service/Home Health Agency's certification requires Hamilton County Board of Supervisors to appoint members from the Professional Advisory Committee to the Quality Improvement Committee, and

WHEREAS, the Public Health Service/Home Health Agency's Professional Advisory Committee has named the following members for appointment:

Elizabeth Gundel, RN
Indian Lake Central School

Avis Warner, RN
Community Member

David Welch, MD
Medical Director

Charles Taylor
Community Member

Leila Lewis
Community Member

Ellen Kleppang
Community Member

Carriann Grexa-Allen, RN
Community Member

RESOLVED, that said members be appointed to the Continuing Quality Improvement Committee for the two-year period of 2023 and 2024, and be it further

RESOLVED, that the Medical Director, Director of Public Health, and Director of Patient Services will serve during tenure of their employment to Hamilton County Public Health Nursing Service.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 77-23

APPOINTMENTS TO PROFESSIONAL ADVISORY COMMITTEE

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, the Public Health Nursing Service/Certified Home Health Agency's certification requires Hamilton County Board of Supervisors to appoint members to the Professional Advisory Committee (PAC), and

WHEREAS, the Public Health Nursing Service/Home Health Agency's Professional Advisory Committee has named the following members for appointment:

Abigail Eichler
Department of Social Services

Elizabeth Gundel, RN
Indian Lake Central School

Deanna Parks
Office for the Aging

Deborah Ameden
Community Action

Avis Warner, RN
Community Member

David Welch, MD
Medical Director

Russell Rider, MD
Long Lake Physician

Charles Taylor
Community Member

Leila Lewis
Community Member

Kathy Hutchins
Community Member

Robert Kleppang
Community Member

Ellen Kleppang
Community Member

Jamila Page
Cornell Cooperative Extension

Lynette Greene
Department of Community Services

Kristen Sayers
NYSDOH Regional Environmental Health
Carriann Grexa-Allen, RN
Community Member

be it

RESOLVED, that said members be appointed to the Professional Advisory Committee for the two-year period of 2023 and 2024, and be it further

RESOLVED, that terms will include: (1) Chairman of the Health Committee of the Hamilton County Board of Supervisors, and be it further

RESOLVED, that the Medical Director, Director of Public Health, and Director of Patient Services will serve during tenure of their employment to Hamilton County Public Health Nursing Service.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

After the following resolution was placed on the floor; the Chairman stated that he thought this touched on what Mr. Farber was just discussing as far as when they make changes sometimes, they hurry and miss things. This is a good correction. Mr. Farber stated that he thinks this is the right correction. They made adjustments previously to positions that were filled and at that point and time not recognizing or thinking about the fact that there was a Public Health position that was vacant, so they didn't address the issue. Because of the qualifications of the Public Health Nurse under the Department of Health rules they simply need to acknowledge the fact that it is a higher grade in that it requires a baccalaureate degree where the other nursing positions do not. He thinks that it is the right thing to do and it's always good that they talk it through so people understand the interrelationship between a lot of the County job titles.

RESOLUTION NO. 78-23

AUTHORIZING AND FUNDING GRADE CHANGE FOR PUBLIC HEALTH NURSE

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, Karaina Elkin is currently working under the job title Registered Professional Nurse, and

WHEREAS, the job description for a Registered Professional Nurse is appropriate for a Home Health Agency Nurse, and

WHEREAS, Ms. Elkin's job duties are consistent with that of a Public Health Nurse and not as a Registered Professional Nurse, and

WHEREAS, Ms. Elkin trained with Avis Warner, based on her bachelor's degree, and her therefore eligibility for this promotion when Ms. Warner retired, and

WHEREAS, the grades for nurses were increased in 2022, and the grade for a Public Health Nurse should have been increased as well, and

WHEREAS, the Public Health Director requests that the grade for Public Health Nurse change from grade 17 to grade 18, be it

RESOLVED, that Karaina Elkin's job title be changed to Public Health Nurse at a grade 18, and be it further

RESOLVED, that the Hamilton County Personnel Office be authorized to make this change effective March 1, 2023, and be it further

RESOLVED, that the Hamilton County Treasurer be authorized to make the following transfer to fund said promotion:

FROM: Account No. A4050.0103 Reg. Prof. Nurse	\$2,450.00
TO: Account No. A4050.0122 Reg. Prof. Nurse #4	\$2,450.00

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 79-23

**PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE GRANT - HRI
CONTRACT NO. 1611-16**

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, the New York State Department of Health through Health Research, Inc. (HRI) has offered renewal of Contract No. 1611-16 with Hamilton County Public Health Nursing Service for Public Health Emergency Preparedness and Response for the period July 1, 2022 through June 30, 2023, and

WHEREAS, the grant year overlaps the 2022 and 2023 County Budgeted fiscal year, and

WHEREAS, the total grant contract is for \$52,099, and

WHEREAS, the necessary funds have been appropriated in the 2022 Municipal Budget and the remainder will be proposed for the 2023 Municipal Budget, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the Contract with the NYS Department of Health through Health Research Inc., pending approval by the County Attorney and the County Treasurer be so advised.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 80-23

AWARD OF BID FOR BAGGED, BULK, AND LIQUID CALCIUM CHLORIDE AND EMULSIFIED ASPHALT DUST CONTROL MATERIALS FOR 2023

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, one (1) bid was received for Bagged Bulk, and Liquid Calcium Chloride and Emulsified Asphalt Dust Control Materials for 2023 in accordance with Specification No. 5-2023, dated February 21, 2023, as advertised by the County Highway Superintendent, and

WHEREAS, the following bid was received:

1. Gorman Brothers, Inc.
Att: Dane Mellon, Sales Manager
200 Church Street
Albany, N.Y. 12202

BAGGED CaCl -- Price per Pallet
(Pallet =20 bags@100 lbs) \$950.00 Bid per Ton

BULK DELIVERED \$1,200.00 Bid per Ton

LIQUID CaCl₂ -- Price per Gallon
35% Bulk Liquid Applied \$ 1.24 per Gallon

LIQUID MAGNESIUM CHLORIDE
28-30% Corrosion Inhibited Applied \$ 1.35 per Gallon

and

WHEREAS, the County Highway Superintendent recommends the award be made to the low bidder for each item, now, therefore, be it

RESOLVED, that award be made for Bagged, Bulk, and Liquid Calcium Chloride and Emulsified Asphalt Dust Control Materials for 2023 as follows:

Bagged CaCl - \$950.00 per Ton. Gorman Brothers, Inc.

Bulk Delivered CaCl- \$1,200.00 per Ton Gorman Brothers, Inc.

LIQUID CaCl₂ -- Per Gallon
35% Bulk Liquid Applied \$ 1.24 per Gallon Gorman Brothers, Inc.

Liquid Magnesium Chloride
28-30% Bulk Liquid Applied \$ 1.35 per Gallon - Gorman Brothers, Inc.

and the Superintendent, Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 81-23

**AMENDING AMOUNT OF 2022 APPROPRIATION AND REVENUE FOR STATE
SNOW & ICE CONTRACT**

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, the budget appropriation amount for State Snow removal for 2022 was set and duly adopted for \$1,200,000.00 for Account No. D5144.400 for State Snow & Ice Contract, and

WHEREAS, the budget revenue amount for the State Snow for 2022 was set and duly adopted for \$1,200,000.00 for Account No. D2302.0000 (Snow Removal other Govt) for a total offset of expenditures, and

WHEREAS, the final expenditures and revenues for 2022 need to be adjusted as follows:

Appropriations -	
D5144.401 Equipment Rental -	Increased - \$ 6,457.26
D5144.402 Salt -	Increased - \$10,433.64

Revenue –	
D2302.000 Snow Removal -	Increased - \$16,890.90

be it

RESOLVED, the 2022 budget be amended as stated above and the County Treasurer be so authorized and the Clerk of the Board and Highway Superintendent be so notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 82-23

ACCEPTANCE OF BIDS FOR COLD IN-PLACE RECLAMATION FOR 2023

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, two (2) bids were received for Cold In-Place Reclamation for 2023, in accordance with Specification No. 4-2023, dated February 21, 2023, as advertised by the Hamilton County Highway Superintendent, and

WHEREAS, the following bids were received:

1. Gorman Brothers, Inc., 200 Church St., Albany, New York 12202

COLD IN-PLACE RECLAMATION

	Recycle Price/ square yard	Recycle with Stabilizer/ square yard
Depth of cut		
4-7 inches	\$.85	\$2.10
7-10 inches	\$.95	\$2.30

2. Peckham Road Corporation, 438 Vaughn Road, Hudson Falls, NY 12839

COLD IN-PLACE RECLAMATION

	Recycle Price/ square yard	Recycle with Stabilizer/ square yard
Depth of cut		
4-7 inches	\$ 1.20	\$ 3.20
7-10 inches	\$ 1.40	\$ 3.40

and

WHEREAS, the County Highway Superintendent recommends the award be made to the low bidder for Cold In-Place Reclamation, be it

RESOLVED, that award be made for Cold In-Place Reclamation for 2023 to Gorman Brothers, Inc. and the Superintendent, County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 83-23

**ACCEPTANCE OF BID FOR BRIDGE/BUILDING REPAIR & PNEUMATICALLY
PROJECTED CONCRETE**

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, two (2) bids were received for Bridge/Building Repair, in accordance with Specification No. 1-2023, dated February 21, 2023 as advertised by the Hamilton County Highway Superintendent and the Highway Committee, and

WHEREAS, the bid amounts are shown hereon:

(1) Randy J. Bascom, Owner
R & B Construction, L.L.C.
1094 Bulls Head Rd.
Amsterdam, N.Y. 12010

A. Foreman W/equipped field truck	\$100.00
B. Carpenter/Iron Worker	\$ 90.00
C. Laborer	<u>\$ 98.00</u>
Total	\$288.00

With a price per bag of Pneumatically Projected Concrete at a unit price of \$250.00

(2) Town & County Bridge and Rail
Vincent L Paolozzi, President
PO Box 16395
Albany, NY 12212

A. Forman w/equipped field truck	\$112.00
B. Carpenter/Iron Worker	\$110.00
C. Laborer	<u>\$106.00</u>
Total	\$328.00

With a price per bag of Pneumatically Projected Concrete at a unit price of \$290.00

and

WHEREAS, R & B Construction L.L.C is the low bidder now, therefore, be it

RESOLVED, that the Highway Committee and the County Highway Superintendent have determined that the bid does meet the specifications and that the bid be awarded to R & B Construction L.L.C., at the amount shown hereon for all locations as per the requirements of the Hamilton County Highway Superintendent, and be it further

RESOLVED, that hereby the Chairman of the Board is authorized to enter into a agreement with R&B Construction L.L.C. for Bridge/Building Repair and Pneumatically Projected Concrete with the approval of the County Attorney and the County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 84-23

AWARD OF BID FOR PAVEMENT MARKING 2023

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, one (1) bid was received for Pavement Markings for 2023 in accordance with Specification No. 2-2023, dated February 21, 2023, as advertised by the County Highway Superintendent, and

WHEREAS, the following bid was received:

1. Seneca Pavement Markings
3526 Watkins Rd.
Horseheads, NY 14845

Pavement Markings -

Mobilization Fee into County	\$1,000.00
Centerline application including materials per mile	\$555.00
Edgeline application including materials per mile/per side	\$370.00
Yellow traffic line paint per gallon	\$ 13.00
White traffic line paint per gallon	\$ 13.50
Reflectorized Glass Beads per pound	\$.45

Pavement Symbols & Letters -

Stop Bars 18" wide	\$ 5.00 Per Foot
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and

WHEREAS, the County Highway Superintendent recommends the award be made to the low bidder for each item, now, therefore, be it

RESOLVED, that award be made for Pavement Markings to Seneca Pavement Markings of Horseheads, NY and the Superintendent, Treasurer and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 85-23

AWARD OF BID SPECIFICATION 3-2023 - EXCAVATOR

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, the Public Works Committee authorized the County Highway Superintendent to advertise for bids for the purchase of a New 2023 Model Year Kobelco Excavator, and

WHEREAS, one (1) bid was received for one New and Unused 2023 Kobelco SK85 Excavator in accordance with Specification No. 3-2023 as advertised by the Highway Superintendent and Highway Committee, and

WHEREAS, the following bid was received:

1. Robert H. Finke and Sons, Inc.
PO Box 127, Selkirk, NY 12158

2023 Kobelco Excavator Model – SK85CS as specified –

Option 1 – Kobelco SK85CS with Rubber Tracks - \$106,900.00

Option 2 – Kobelco SK85CS with Steel Tracks - \$111,150.00

and

WHEREAS, the County Highway Superintendent recommends awarding the bid to Robert H. Finke and Sons, Inc., be it

RESOLVED, that the award be made to Robert H. Finke and Sons, Inc., PO Box 127, Selkirk, NY 12158 and the County Highway Superintendent, County Treasurer and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 86-23

**AUTHORIZING COUNTY HIGHWAY SUPERINTENDENT TO PURCHASE
EXCAVATOR – DPW (HIGHWAY)**

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, the DPW highway division is in need of replacing a mid-size excavator, and

WHEREAS, Hamilton County has advertised for public bids for a 2023 Excavator and the bid was awarded to Robert H. Finke and Sons, Inc., and

WHEREAS, Finke Equipment is offering \$35,000.00 for the currently county owned 2016 Kobelco SK85 in as is condition (VIN LF0806006) as trade in value toward the purchase of the 2023 Kobelco SK85CS, be it

RESOLVED, the County Highway Superintendent is hereby authorized to trade in the 2016 Kobelco SK85 VIN No. LF0806006 currently owned by Hamilton County and purchase the 2023 Kobelco and that the trade in value is \$35,000.00 and the final cost for the purchase of the 2023 Kobelco SK85CS with Rubber Tracks delivered is \$71,900.00 to be a charge to Account D5112.0202 Permanent Improvements (CHIP's), be it further

RESOLVED, that the Chairman of the Board is authorized to enter into a purchase agreement for one (1) 2023 Kobelco SK85CS Excavator from Robert H. Finke and Sons, Inc. of Selkirk NY per the County Attorney's approval and the County Attorney, DPW Superintendent, County Treasurer and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

After the following resolution was on the floor; Mr. Arsenault verified that the purchase amount was \$101,501.33. Mr. Rhodes stated that the John Deere was a pricier unit but the value usually stays with it. Mr. Eldridge agreed.

RESOLUTION NO. 87-23

**AUTHORIZING COUNTY HIGHWAY SUPERINTENDENT TO PURCHASE
EXCAVATOR -DPW (SOLID WASTE)**

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, the Solid Waste Division is in need of replacing a backhoe located at the Indian Lake transfer station, and

WHEREAS, 2023 John Deere Excavators with a grapple are available for purchase on State Contract with associated options, and

WHEREAS, the vendor of the excavator has offered \$55,000.00 for the currently county owned 2017 John Deere 410L Backhoe in as is condition (VIN 1T0410LXVHF310412) as trade in value toward the purchase of the 2023 John Deere 85G Excavator with Grapple bucket, be it

RESOLVED, that hereby the County Highway Superintendent is authorized to order said Excavator under New York State Contract PC69403, Sourcewell Contract 032119-JDC pricing from United Construction and Forestry, be it further

RESOLVED, the County Highway Superintendent is hereby authorized to trade in the 2017 John Deere 410L VIN No.1T0410LXVHF310412 Backhoe currently owned by Hamilton County and that the trade in value is \$55,000.00 and the final cost for the purchase of the 2023 John Deere 85C Excavator is \$101,501.33 with 60 month extended warranty delivered and will be a charge to Account A8189.0401 Solid Waste Capital Reserve and the County Treasurer, Clerk of the Board and DPW Superintendent be so notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

After the following resolution was placed on the floor, Mr. Farber stated that they have been purchasing different vehicles and he was wondering how it was going from a service standpoint. Mr. Eldridge stated that it was going well so far. He would know better when the warranties are up. The software is available so when the warranty is up, they have to provide it so they can read the codes. Mr. Tomlinson asked if it would be worth it to trade the vehicles in. Mr. Eldridge stated that it could be a discussion they have. He discussed how it wouldn't be beneficial to lease and how they currently depreciate vehicles and move them to different departments but going forward that doesn't mean they shouldn't move them quicker. Mr. Farber stated that they could bid them with a trade rather than auctioning them off at the end of the day. There is such a market for used vehicles within dealers, it may tip the balance as the right way to get rid of the vehicles. He agrees they have to be rotated through before they get rid of them but there still may be an opportunity to get rid of them differently. Mr. Eldridge stated that they are seeing that now with heavy equipment. The Chairman discussed there being a recall on Nissan but Mr. Eldridge hadn't heard that. Mr.

Eldridge stated that the domestic brands are getting away from sedans and going SUV or bigger. The people that had got the bid under marketplace for Nissan told him that he had to order it but thought they would expect it in 30 days.

RESOLUTION NO. 88-23

**AUTHORIZING FLEET COORDINATOR TO PURCHASE ONE VEHICLE FOR
SOCIAL SERVICES 2023**

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, the County Board of Supervisors have duly adopted the 2023 Hamilton County Budget, and

WHEREAS, within the said adopted 2023 budget the Board appropriated \$28,000.00 for the purchase of one vehicle for the Social Services Department, and

WHEREAS, the Fleet Coordinator requested bids for a mid-size all-wheel drive sedan through the New York State Marketplace and received a bid for a 2023 Nissan Altima in the amount of 30,119.21, and

WHEREAS, the Fleet Coordinator recommends the purchase of one (1) sedan for use in 2023 as follows per NYS Contract mini-bid #23166 Vehicles:

(1) 2023 Nissan Altima AWD 4 door sedan - \$30,119.21

be it

RESOLVED, that the Fleet Coordinator is hereby authorized to order one (1) 2023 Nissan Altima for Social Services mentioned herein for a total of \$30,119.21 delivered from Kingston Automotive LLC, DBA Kingston Nissan, be it further

RESOLVED, that the County Treasurer be hereby authorized to increase Appropriation Account No. A6010.0202 Automobile by \$2,119.21 and increase Revenue Account No. A4610.000 Federal Aid Services to cover the cost of the vehicle and the County Treasurer, Fleet Coordinator and the Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 89-23

**AUTHORIZING FLEET COORDINATOR TO PURCHASE ONE VEHICLE FOR
PUBLIC HEALTH 2023**

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, the County Board of Supervisors have duly adopted the 2023 Hamilton County Budget, and

WHEREAS, within the said adopted 2023 budget the Board appropriated \$25,000.00 for the purchase of one vehicle for the Public Health Department, and

WHEREAS, the Fleet Coordinator requested bids for a mid-size all-wheel drive sedan through the New York State Marketplace and received a bid for a 2023 Nissan Altima in the amount of 30,119.21, and

WHEREAS, the Fleet Coordinator recommends the purchase of one (1) sedan for use in 2023 as follows per NYS Contract mini-bid #23166 Vehicles:

(1) 2023 Nissan Altima AWD 4 door sedan - \$30,119.21

be it

RESOLVED, that the Fleet Coordinator is hereby authorized to order one (1) 2023 Nissan Altima for Public Health mentioned herein for a total of \$30,119.21 delivered from Kingston Automotive LLC, DBA Kingston Nissan, be it further

RESOLVED, that the County Treasurer be hereby authorized to increase Appropriation Account No. A4050.0201 Automobile by \$5,119.21 and increase Revenue Account No. A3401.0000 State Aid Public Health to cover the cost of the vehicle and the County Treasurer, Fleet Coordinator and the Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 90-23

APPROVAL TO PAY 2022 EXAMINATION FEE BILLING

DATED: MARCH 2, 2023

BY MR. ARSENAULT:

WHEREAS, the Personnel Office has received the Hamilton County certified 2022 Municipal Examination Fee Billing from New York State Civil Service, and

WHEREAS, the Personnel Officer provided an Accounts Payable to the Clerk of the Board of Supervisors for payment in 2022, and

WHEREAS, the certified 2022 Municipal Examination Fee Billing came in after the February 21, 2023 deadline, and

WHEREAS, the Personnel Officer requests the 2022 Municipal Examination Fee Billing be paid and charged from year 2022 accounts, be it

RESOLVED, the 2022 Municipal Examination fee Billing of \$112.50 be paid from year 2022 to New York State Department of Civil Service, Application and Fee Processing Unit, Albany, NY 12239, and be it further

RESOLVED, the 2022 Municipal Examination fee Billing be charged to Account No. A1430.0406, and be it further

RESOLVED, the County Treasurer and Clerk of the Board be notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 91-23

**AUTHORIZING THE PERSONNEL OFFICER TO CHANGE THE PROCESS OF
ACCRUING VACATION AND SICK LEAVE BENEFITS FOR FULL-TIME
EMPLOYEES FROM 13 PERIODS TO 12 PERIODS PER YEAR**

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, Hamilton County has purchased a new payroll system, and

WHEREAS, the system changed the way that vacation and sick leave benefits are earned for Hamilton County full-time employees, and

WHEREAS, the hours earned per year remain the same, but will now be earned monthly at the end of each month versus per time record, be it

RESOLVED, that the Personnel Officer is hereby authorized to accrue vacation and sick leave benefits for full-time employees on a monthly basis, and be it further

RESOLVED, that the Department Heads and employees of Hamilton County will be furnished a copy of this notice.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 92-23

APPROVAL OF MEMORANDUM OF AGREEMENT BETWEEN THE FIVE COUNTIES OF CLINTON, ESSEX, HAMILTON, WARREN AND WASHINGTON AND THE LAKE CHAMPLAIN-LAKE GEORGE REGIONAL PLANNING BOARD

DATED: MARCH 2, 2023

BY MR. RHODES:

WHEREAS, Hamilton County has received an updated Memorandum of Agreement between the Five Counties of Clinton, Essex, Hamilton, Warren and Washington and the Lake Champlain-Lake George Regional Planning Board, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby approves said Memorandum of Agreement.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 93-23

**AUTHORIZING PURCHASE OF AXON BODY CAMERAS, TASER 7 AND
EVIDENCE.COM SOFTWARE**

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, the Hamilton County Sheriff's Axon Taser X2's were originally purchased in 2014 and our currently outdated, and

WHEREAS, Axon Enterprises offers a software called Evidence.com in which uploads body camera footage to a secure a cloud base software in which the footage would be stored in a cloud-based servers, and

WHEREAS, Axon Enterprises is the industry standard for law enforcement agencies that use conducted energy devices, body worn camera and a cloud-based digital evidence platform, and

WHEREAS, the County has received a written quote for access to Evidence.com, six Taser 7 and six Axon Body 3 cameras with accessories which include with batteries, holsters, chargers, docking stations, and cartridges, from Axon Enterprise, Inc, 17800 N 85th Street, Scottsdale, Arizona in the amount of \$39,792.77, and

WHEREAS, Axon Enterprise, Inc has provided the quote using Sourcewell Contract #10720-AXN pricing, and

WHEREAS, Axon Enterprise has provided the quote in which all hardware and software will be under warranty for 5 years and they will provide the Hamilton County Sheriff's Office with new hardware after two and half years, be it

RESOLVED, the County Sheriff is authorized to purchase Evidence.com, six Taser 7 units, six Axon Body 3 camera units with accessories from Axon Enterprise, Inc. at a cost of \$39,792.77.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

After the following resolution was placed on the floor; the Chairman thanked Mr. Tomlinson and appreciated that he moved it along so quickly.

RESOLUTION NO. 94-23

**AUTHORIZING ENTRY AND TESTING AGREEMENT WITH TOWN OF HOPE –
EMERGENCY COMMUNICATION TOWER PROJECT**

DATED: MARCH 2, 2023

BY MR. FARBER:

BE IT RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign the Entry and Testing Agreement with the Town of Hope for the Emergency Communication Tower Project.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

After the following resolution was placed on the floor, Mr. Farber stated that they were notified that the County had missed one step in this process. The Clerk of the Board stated that the Treasurer was notified because of the funding. Mr. Farber stated that they needed to have this plan in place in order to be eligible for the Mitigation Funding under FEMA.

RESOLUTION NO. 95-23

**A RESOLUTION OF THE COUNTY OF HAMILTON ADOPTING THE 2020
HAMILTON COUNTY HAZARD MITIGATION PLAN**

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, the Hamilton County Board of Supervisors recognizes the threat that natural hazards pose to people and property within Hamilton County, and

WHEREAS, Hamilton County has prepared a multi-hazard mitigation plan, hereby known as the 2020 Hamilton County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, the 2020 Hamilton County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Hamilton County from impacts of future hazards and disasters, and

WHEREAS, adoption by the Hamilton County Board of Supervisors demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2020 Hamilton County Mitigation Plan, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors adopts the 2020 Hamilton County Hazard Mitigation Plan. This plan, approved by the Hamilton County, may be edited or amended after submission for review, but will not require Hamilton County to re-adopt any further iterations. This only applies to this specific plan and does not absolve Hamilton County from updating the plan in 5 years.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 96-23

**PROVISIONAL AND PROMOTIONAL APPOINTMENT OF SENIOR MOTOR
VEHICLE CLERK**

DATED: MARCH 2, 2023

BY MR. RHODES:

WHEREAS, Resolution No. 18-23, dated January 5, 2023, established a new position of Senior Motor Vehicle Clerk in the Hamilton County Clerk's Office, and

WHEREAS, Linda Kennedy, a Motor Vehicle Clerk who has worked in the office since May 19, 2008, has expressed a desire to advance and take on more responsibilities in this area and it is felt she is qualified to do so, and

WHEREAS, in a recent meeting with the Internal Management Committee it was agreed that this new position would be a grade 8 in the Hamilton County grade and step scale, and

WHEREAS, it was recommended that this transition should proceed immediately, be it

RESOLVED, that Linda Kennedy will be provisionally appointed to Senior Motor Vehicle Clerk effective immediately, at grade 8 and current step 6 pending the results of the Senior Motor Vehicle test once it is offered by New York State Civil Service, and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$3,350.00 from Contingent Account No. A1990.0401 to Account No. 1410.0107 Motor Vehicle Clerk #2 and the Personnel Officer and the County Treasurer is so notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

After the following resolution was placed on the floor; the Chairman thanked Sterling Goodspeed, Public Defender, for being there and asked him if he would like to explain further. Mr. Goodspeed stated that they are at the end of year 5 of the grant. They have grown. They have had challenges but expanded and hired a person. Things are going well. Their program is 90% funded by Indigent Legal Services (ILS) in the state of New York. The one arm that is not fully funded by them is Family Court. They agreed last year to take on a bulk of that. As of April 1st they will be done with year 5 and have been told there will be years 6,7 and 8. The funding is in place for those years. He stated that there have been radical changes in the way criminal defense is handled statewide as a result of two things, one is the Hurrell-Harring lawsuit that resulted in a settlement that funded all these counties to do a better job at indigent legal defense. They changed from a panel system to an actual Public Defender. The Public Defender's work is expanding because the panel is shrinking. There are so few lawyers that there are not enough to cover Family Court. The Public Defender's Office covers about 40% of Family Court as well. The second thing is, about eight or nine years ago the court of appeals held that an arraignment is a meaningful and important part of every criminal case. A defendant must have counsel present at those cases. The next resolution regarding Distribution 11 deals with that. The Public Defender's Office must go to arraignments and appear in person. Ironically, the prosecution can appear remotely or by phone. He stated that he was in Long Lake for an arraignment on Monday. He was in Indian Lake on Sunday at 9AM for one as well. It is particularly challenging because Hamilton County has a small population but geographically and weather wise these are rough hauls. They are headed to the end of year 5 and he has covered almost every single arraignment. They are looking to try to get some stability with the arraignments and some additional coverage. In researching how to do this he determined that they are a little bit newer than some of the other counties and there were some funds that they weren't permitted to apply for. He explained to ILS that they are not able to apply for the funding and there are neighboring counties that have a constant stream or stipend to cover arraignments. It is an incentive, and it helps. He feels that his new employee is at a lower pay scale than she should be so he tried to see this as a way that could solve several things at once. If he could convince the Office of Indigent Legal Services (OILS) to create a stipend for a couple of years he could also simultaneously use that to heighten her salary without spending any county dollars. The theory is that they will still have to cover all these arraignments, but his second assistant could cover a percentage of them now. She will get a stipend of \$400 as well as mileage.

Mr. Goodspeed further stated that things are going well. The County has permitted them to enter into a lease agreement, so they have an office across the road. It permits them to meet with people and gives them privacy. He feels they are doing a good job representing the clients. He stated that when he started, they had 34 on the family court panel list and now they only have 4. If they have a conflict, they must find another defense lawyer to do the work. The primary person that he has

been able to find to do the work travels from Saratoga County. Rural upstate NY is losing lawyers rapidly. It is a huge crisis, but people are aware. Hamilton County has been lucky for this to fall into place as the lawyer crisis really hit home. The office is strong, and they do a good job. He also stated that there have been heated discussions regarding whether the assigned counsel rate is going to go up. The conventional wisdom is that there is a compromise coming out of Albany and that there will be two rates. One for upstate and one for downstate. The rate here will go up to either \$106 or \$116 per hour. Mr. Farber stated that Mr. Goodspeed was spot on. It makes what Mr. Goodspeed has accomplished in the Public Defense Office all the more meaningful to Hamilton County. He and his office have done an extraordinary job for Hamilton County, and he thanked Mr. Goodspeed.

RESOLUTION NO. 97-23

AUTHORIZING CHAIRMAN TO SIGN NYS OFFICE OF INDIGENT LEGAL SERVICES GRANT CONTRACT STATEWIDE EXPANSION OF HURRELL-HARRING YEAR 5

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, Resolution No. 86-19 authorized the NYS Office of Indigent Legal Services five-year Statewide Expansion of Hurrell-Harring Grant Contract No. CSTWIDEHH20 in the amount of \$769,574.34, and

WHEREAS, Hamilton County has received the amended five-year Statewide Expansion of Hurrell-Harring contract which reflects the budget and work plan for Year Five, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign the Statewide Expansion of Hurrell-Harring Grant Contract No. CSTWIDEHH20 for Year Five budget.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 98-23

AUTHORIZING CHAIRMAN TO SIGN NYS OFFICE OF INDIGENT LEGAL SERVICES GRANT CONTRACT - DISTRIBUTION 11

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, Hamilton County has received from the NYS Office of Indigent Legal Services the contract for Distribution 11 Contract No. T110001 in the amount of \$25,896.00, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign Distribution 11 Contract No. T110001.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 99-23

**AUTHORIZING CHAIRMAN TO SIGN CHIEF ELECTED OFFICIALS' AGREEMENT
- NORTH COUNTRY WORKFORCE DEVELOPMENT BOARD**

DATED: MARCH 2, 2023

BY MR. SNYDER:

WHEREAS, Sylvie Nelson, Executive Director of the North Country Workforce Development Board (NCWDB) has submitted the Chief Elected Officials' Agreement for signature, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign the NCWDB Chief Elected Officials' Agreement.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 100-23

**APPOINTMENT OF BUSINESS REPRESENTATIVE ON THE NORTH COUNTRY
WORKFORCE DEVELOPMENT BOARD**

DATED: MARCH 2, 2023

BY MR. SNYDER:

BE IT RESOLVED, that the Hamilton County Board of Supervisors hereby approves the appointment of Emily Martz, Executive Director, Great Camp Sagamore, as a Business Representative on the North Country Workforce Development Board.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 101-23

SYRACUSE UNIVERSITY EDUCATION AFFILIATION AGREEMENT AND FIELD EXPERIENCE FOR ASHLEY SNOW

DATED: MARCH 2, 2023

BY MR. SNYDER:

WHEREAS, Ashley Snow who attends Syracuse University has expressed interest in completing a field experience with Hamilton County Community Services, and

WHEREAS, the field experience is from May 8, 2023 through May 31, 2024, and

WHEREAS, Syracuse University has sent an education affiliation agreement and certificate of liability insurance, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the education affiliation agreement between Syracuse University and Hamilton County Community Services, and be it further

RESOLVED, that Ashley Snow be permitted to complete her field experience with Hamilton County Community Services.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 102-23

ALLOWING FLEX HOURS FOR INTERNSHIP – DSS EMPLOYEE

DATED: MARCH 2, 2023

BY MR. ARSENAULT:

WHEREAS, Ashley Snow is a Caseworker for the Department of Social Services and is needing a unpaid field placement for her Social Work degree, and

WHEREAS, she interviewed with Lynette Green the Director of the Hamilton County Community Services and was accepted for field placement in Community Services, and

WHEREAS, Syracuse University has approved the field placement, and

WHEREAS, Ms. Snow has requested a flexible work schedule between the Hamilton County Department of Social Services and the Hamilton County Community Services that consists of Monday and Tuesday from 8-5:30 with the Department of Social Services, Wednesday and Thursday field placements of 16-20 hours with Community Services and Friday from 8-5:30 with Social Services and Saturday from 6–2:30 working in the field and at home maintaining her case notes for the Department of Social Services, and

WHEREAS, this will be both a benefit to the County in maintaining staff and decreasing the comp time of other Caseworkers in Department of Social Services and supporting and possibly recruiting Social Work staff for the Community Services, be it

RESOLVED, that Ashley Snow be authorized to flex her hours for one year beginning May 2023 until May 2024 with the Department of Social Services and Community Services through an unpaid field placement to support her Social Work degree.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 103-23

**AUTHORIZING CHAIRMAN TO SIGN TITLE III-D – TAI CHI AGREEMENT
BETWEEN WARREN/HAMILTON COUNTY OFFICE FOR THE AGING AND
HAMILTON COUNTY PUBLIC HEALTH NURSING SERVICE**

DATED: MARCH 2, 2023

BY MR. FARBER:

WHEREAS, the Hamilton County Public Health Nursing Service maintains an agreement with Warren/Hamilton Office for the Aging, and

WHEREAS, Hamilton County Public Health Nursing Service provides services for Hamilton County residents under a Title III-D contract, and

WHEREAS, this contract has been submitted for the period January 1, 2023 – December 31, 2023 in the full amount of \$3,460.00, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the agreement between the Public Health Nursing Service and Warren/Hamilton Office for the Aging, upon approval of the County Attorney, on behalf of the Hamilton County Public Health Nursing Service.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 104-23

AUTHORIZING PAYMENT TO GERHART SYSTEMS AND CONTROLS

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, Gerhart Systems and Controls completes annual calibration services for the County owned transfer stations scales, and

WHEREAS, Gerhart Systems and Controls completed minor repairs to the Indian Lake Transfer station scale, and

WHEREAS, Gerhart Systems completed these calibrations and repairs in October of 2022, and

WHEREAS, the DPW never received the stated invoices until very recently as Gerhard Systems had only emailed them to the wrong email address and never mailed hard copies to the DPW mailing address, and

WHEREAS, the Superintendent recommends payment be made to Gerhart Systems and Controls in the amount of \$2,748.00, be it

RESOLVED, that payment is hereby authorized, and the County Treasurer be so authorized to send a payment of \$2,748.00 to Gerhart Systems and Controls, PO Box 580, Tatamy, PA 18085 out of Account No. A8161.0404 Solid Waste Misc. Expenses and the Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

After the following resolution was placed on the floor, Mr. Eldridge stated that this is the leftover funding from 2022 that the Board moved to start the 5-year building plan. There are some expenses already out of 2023 that are charged to this account. Mr. Farber discussed looking at these projects and figuring out which ones can be taken out of the APRA funding.

RESOLUTION NO. 105-23

**APPROVAL OF TRANSFER OF FUNDS FOR FIVE-YEAR BUILDING PROJECTS
PLAN FOR 2023**

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

WHEREAS, Resolution No. 245-22 authorized \$600,000.00 to begin to fund a 5-Year Buildings Projects Plan, and

WHEREAS, after several projects were completed in 2022 there remained a balance of \$332,753.43, and

WHEREAS, the Superintendent recommends transferring the remaining balance into a Buildings Project appropriation account, and

WHEREAS, the Superintendent will be meeting with the Public Works Committee to discuss what projects were completed in 2022 and what project should done in 2023, be it

RESOLVED, that the Board of Supervisors hereby approves the transfer of \$332,753.43 from the Buildings Reserve Fund to Account No. A1620.0414 Five-Year Building Project Plan and the County Treasurer be so authorized and the Superintendent and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 106-23

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: MARCH 2, 2023

BY MR. TOMLINSON:

RESOLVED, that the bills in the Machinery Fund amounting to \$202,585.02 and bills in the County Road Fund amounting to \$167,788.26 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. Snyder and adopted by the following vote:

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

RESOLUTION NO. 107-23

**APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND AND CAPITAL
PROJECT 2022-1 BIG BROOK BRIDGE**

DATED: MARCH 2, 2023

BY MR. FARBER:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$252,358.57 by the following committees:

Public Works (Buildings & SW) Committee.....	\$55,739.20
Finance Committee	74,701.80
Health Committee.....	14,407.93
Human Services Committee.....	23,742.55
Central Government Committee	10,349.09
Emergency Prep./Emergency Response.....	68,462.67
Publicity, Tourism, Economic Development & Planning Committee.....	3,326.67
Internal Management Committee	1,628.66

be it further

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

Big Brook Bridge Capital Project 2022-1.....	\$14,841.72
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are hereby approved.

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

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

NAYS: NONE

ABSENT: FREY, BAIN AND CREWELL

Other Reports:

Mr. Farber: Stated that he and Beth Hunt, Treasurer, attended NYSAC. There was a resolution passed encouraging FCC to play a greater role both financially and from the regulatory side; pushing the cell industry to start to meaningfully fill some of the gaps in cell service across the nation. When you look at the mobility fund map there are large swaths of America that don't have cell service and we are one of those areas. He further discussed our logistical challenges and the different buildout methodologies. He feels that Hamilton County has some allies and further discussed what has happened so far.

Mr. Farber discussed the suggested changes to the tax foreclosure structure. It makes the County, as the entity that has always held the towns, school districts and village harmless because we reimburse them and make them whole for the taxes, more responsible to the lien holders and even the people upon who we foreclose to make sure if there were any excess revenue from the sale of the parcel we would have to distribute it back to everybody. He thinks it's an onerous suggestion and it doesn't fit with the system that has been in place. Ms. Hunt, County Treasurer stated that they voiced their opinion against it.

Ms. Hunt stated that there is some training money that Probation has been getting that has been cut out of the State Budget. Mr. Farber stated that Probation went from initially being something

that the state funded at \$49.6% and now it's down under 10% that the County gets back as they add to the burdens that Probation has to take on. Ms. Hunt stated that if the County has more of a Medicaid expense, then it will impact the tax cap and the programs attached to staying under. There were a lot of people there that supported the resolution against Medicaid so she's hoping the Governor gets the message. She had heard recently that there was some progress made. They both further discussed electric transition. Mr. Eldridge stated that he attended the Transportation Committee meeting and one of the resolutions passed was concerning electric transition. They are asking for the state to work with local governments. He also stated that New York got a bulk of the build back better federal dollars but they are still staying at level funding. This is a problem and a real need in the state. They are not going to get these federal dollars every other year. Now is the time to use it correctly and get some infrastructure repaired. Mr. Farber stated that the second resolution he had through his committee was the one from the Solid Waste Management Association with respect to the fact that planning units are being treated exactly the same way as private sector landfills. There is a proposal coming out of the climate action plan that there should be a surcharge tacked on top of solid waste disposal fees that goes to the state. They will take that surcharge and use it however they deem appropriate tipping the balance so that it's more expensive to get rid of solid waste than it is to get rid of recyclables. There was a resolution from the solid waste managers in opposition to that and really critiquing some of the logic of the climate action counsel on this. He stated that it made for an interesting debate as his committee was Economic Development Environment and Energy.

Mr. Farber stated that Ms. Wilt, ROOST and others are working on planning Adirondack Day for Albany on May 8th. They are trying to elevate the Adirondack issues in Albany in a little different way so that everything isn't a fight.

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