

2024

FIRST ANNUAL SESSION

NOVEMBER 7, 2024

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 E. Wells
Inlet	John Frey (<i>via ZOOM</i>)
Lake Pleasant	Betsy A. Bain
Long Lake	Clay J. Arsenault
Morehouse	Anthony Fernandez
Wells	Beth Hunt

Also present: County Attorney, Sheriff Abrams, Timothy O'Neill-Emergency Services Manager, Barry Baker-Real Property Tax Director/Budget Officer and Carole Ruiz-Personnel Officer

A motion was made to accept the minutes of August 1st, September 5th, October 3rd and 10th, 2024 by Mr. Rhodes, seconded by Ms. Hunt. Carried.

Public Comment: No one present

Hamilton County Attorney: Stated that there is a resolution on the agenda regarding litigation.

Reports of Standing/Special Committees:

Mr. Rhodes: Discussed the Inlet Tower site. He stated that the APA application had been resubmitted for Spy Lake and Morehouse. He further discussed the microwave system.

Mr. Rhodes discussed the 911 routing resolution. Sheriff Abrams has looked into where Inlet's calls are going and it's Herkimer, Orange and Hamilton Counties.

Mr. Rhodes stated that there is a resolution on the agenda that provides a 25-year retirement plan for Correction Officers.

Mr. Rhodes stated that the County didn't get the grant for volunteer infrastructure and response equipment that they applied for.

Mr. Frey (via Zoom) stated that calls that came to Hamilton County were in error. Cell did not have routing figured out Inlet as local. The Chairman asked if he had talked to the Town of Long Lake to see how it is working with Essex County.

Ms. Hunt: Stated that there is a resolution on the agenda for the handbook changes. Carole Ruiz, Personnel Officer explained.

Mr. Arsenault: Stated that Christy Wilt, Economic Development/Tourism Director, had completed the IDA budget. He discussed the lease fee transfer for the Woods Inn, snowmobile map, upcoming events and that Ms. Wilt would be attending 2024 IDA Academy.

Mr. Arsenault stated that the new Director of Public Health will be the first in the workforce housing at Oak Mountain.

Mr. Fernandez: Stated that the new Public Health Director would be starting on November 12th and he suggested that Lynette Greene, Community Services/Interim Public Health Director stay on as Interim for 30 days.

Mr. Tomlinson: Stated that the County has an incredible Highway Department. They are doing Robb Creek Bridge by themselves and he is very, very impressed.

The Chairman discussed a disclosure form.

RESOLUTIONS:

RESOLUTION NO. 324-24

AUTHORIZING FUNDING FOR MISSED STEP IN TREASURER'S OFFICE

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

WHEREAS, the Personnel Officer and County Treasurer have determined that the Account Clerk/Computer Support Aide in the Treasurer's Office was due a Step on her anniversary date of July 11, 2024, and

WHEREAS, the account was not budgeted for the Step for 2024, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$82.00 from Account No. A.1990.0401 Contingent to Account No. A.1325.0104 Account Clerk/Computer Support Aide to cover the increase in pay, and be it further

RESOLVED, that the Personnel Officer and Treasurer be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 325-24

TRANSFER OF FUNDS - ACCRUED LIABILITIES

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

WHEREAS, accurate payroll records must be maintained each year, and

WHEREAS, a portion of the first payroll in a fiscal year, referred to as accrued liabilities, is charged back to the prior fiscal year, and

WHEREAS, due to a clerical oversight, Payroll Account D.5010.0102 – Deputy Highway Superintendent will be short at year-end 2024, therefore, be it

RESOLVED, that \$390.00 be transferred from Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. D.5010.0102 – Deputy Highway Superintendent 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 Ms. Bain and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 326-24

TRANSFER OF FUNDS DEPUTY TREASURER

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

WHEREAS, the Deputy Treasurer's 2024 step was inadvertently missed in the 2024 budget, and

WHEREAS, due to the account not being budgeted for the step, Account No. A.1325.0102, Deputy Treasurer, will be short at year-end of 2024, be it

RESOLVED, that the following transfer be made:

FROM: A.1990.0401 Contingent	\$475.00
TO: A.1325.0102 Deputy Treasurer	\$475.00

and the County Treasurer, Budget Officer, and Personnel Officer be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 327-24

**AMENDING RESOLUTION NO. 192-24 – STANDARD WORK DAY AND REPORTING
FOR ELECTED AND APPOINTED OFFICIALS**

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

WHEREAS, Resolution No. 192-24 adopted June 6, 2024 established the standard work days for elected and appointed officials that are reported to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted to the Clerk of the Board, and

WHEREAS, Resolution No. 192-24 included hours for the District Attorney, and

WHEREAS, Hamilton County has been contacted by the Office of the New York State and Local Employees' Retirement System and notified that the District Attorney is already a pensioner of said retirement system, therefore, be it

RESOLVED, that Resolution No. 192-24 is hereby amended to remove Marsha King Purdue.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

After the following resolution was placed on the floor; the Chairman thanked Carole for all her work on this.

RESOLUTION NO. 328-24

ADOPTION OF UPDATES TO HAMILTON COUNTY EMPLOYEE HANDBOOK

DATED: NOVEMBER 7, 2024

BY MS. HUNT:

WHEREAS, there was a need to update and add to the Hamilton County Employee Handbook, and

WHEREAS, after reviewing the handbook, the Personnel Officer has recommended the adoption of said updates and additions to the handbook, and

WHEREAS, the following additions, changes and deletions, be created in the employee handbook:

- Addition – Section 501 – Departmental Hours for Correction Officers, Deputy Sheriffs, County Highway and Night Shifts, page 5-19
- Change – Section 506 – Expense Reimbursement; page 5-22
- Change – Section 604 – Leave for Cancer Screening; page 6-36
- Change – Section 609 – Unpaid Leave of Absence; page 6-43
- Change – Section 701 – Wage and Salary; page 7-44
- Deletion – Section 801 – Holidays – Weekend Correction Officer Eligibility; page 8-47
- Addition – Section 8012 – Vision Plan, page 8-61
- Change – Section 903 – Sexual Harassment in the Workplace, page 9-66, 9-68, 9-69
- Addition – Section 904 – Violence in the Workplace – XI. Complaint and Investigation of Workplace Violence, page 9-75

be it

RESOLVED, that the provisions and policies contained in the Employee Handbook are intended to supersede any and all prior manuals, guidelines or related policies issued by Hamilton County, and be it further

RESOLVED, that unless specified, this Employee Handbook supersedes and replaces any previous personnel policies issued by the County concerning all policies contained in the Employee Handbook, and be it further

RESOLVED, that the Personnel Officer will provide all employees with a copy of updated employee handbook with said changes highlighted for their convenience.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 329-24

AUTHORIZING COUNTY HISTORIAN TO SUSPEND SCHEDULED OFFICE HOURS

DATED: NOVEMBER 7, 2024

BY MR. SNYDER:

WHEREAS, the County Historian has requested to suspend scheduled office hours due to a personal issue, and

WHEREAS, the County Historian will continue to be available to meet in person by appointment, be it

RESOLVED, that the County Historian is hereby authorized to suspend scheduled office hours for the period of November 1, 2024 to January 31, 2025.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 330-24

TRANSFER OF FUNDS – PUBLIC DEFENDER

DATED: NOVEMBER 7, 2024

BY MR. SNYDER:

WHEREAS, there is a shortage of funds in the Public Defender Account No. A1170.0401 Public Defender Defense, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$15,000 from Contingent Account No. A1990.0401 to Account No. A1170.0401 Public Defender Defense.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

After the following resolution was placed on the floor; the Chairman thanked the Sheriff for all his work on this.

RESOLUTION NO. 331-24

PROVIDING SECTIONS 89-p AND 603(l) (25-YEAR RETIREMENT PLAN FOR SHERIFFS, UNDERSHERIFFS, CORRECTION OFFICERS AND DEPUTY SHERIFFS WHOSE DUTIES INVOLVE AT LEAST 50% CRIMINAL LAW ENFORCEMENT)

DATED: NOVEMBER 7, 2024

BY MR. RHODES:

BE IT RESOLVED, that the Board of Supervisors of the County of Hamilton does hereby elect to provide the pension benefit of Sections 89-p and 603(l) of the Retirement and Social Security Law, as presently or hereafter amended, and be it further

RESOLVED, that the effective date of such shall be when certified copies of this resolution and the affidavit are filed with the Retirement System.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 332-24

**AUTHORIZING PURCHASE OF GIS MAINTENANCE – STATEWIDE
INTEROPERABLE COMMUNICATIONS GRANT - SI23-1055-E00**

DATED: NOVEMBER 7, 2024

BY MR. RHODES:

WHEREAS, Hamilton County has been awarded a NYS 2023 Statewide Interoperable Communications Grant in the amount of \$561,551.00, Grant SI23-1055-E00, and

WHEREAS, Hamilton County Public Safety Answering Point (PSAP) uses the Computer Aided Dispatch system to plot calls for service on different overlays of maps within Hamilton County, such as hiking trails, snowmobile trails and trailer park maps, and

WHEREAS, Hamilton County utilizes the GIS program from Environmental Systems Research Institute, ESRI, for the updating of maps for the PSAP, and

WHEREAS, Hamilton County has received an invoice from Environmental Systems Research Institute, for yearly maintenance and license under New York State Contract PM67345 in the amount of \$10,528.38, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to disburse \$10,528.38 to Esri, Inc. for Invoice #94813696 from Account No. A3645.0430 – SI23-1055-E00, and the Real Property Tax Service Director and Emergency Services Director be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 333-24

2024 – APPROPRIATING GTSC AWARDED FUNDING – STOP DWI

DATED: NOVEMBER 7, 2024

BY MR. RHODES:

WHEREAS, Hamilton County STOP DWI was awarded one-time Governor's Traffic Safety Committee (GTSC) Funding in the amount of \$16,500.00, and

WHEREAS, the funds were received in 2023 in the amount of \$16,500.00, therefore, be it

RESOLVED, that Account No. A3315.0412 - STOP DWI GTSC be hereby created and funded in the amount of \$16,500.00 from Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law and the County Treasurer be so authorized.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

After the following resolution was placed on the floor, Mr. Frey (via Zoom) requested that the resolution be tabled. Mr. Rhodes stated that they won't be tabling it. The Chairman stated that the routing would be a help to Inlet.

John Frey (via Zoom) left the meeting.

The County Attorney and Sheriff discussed the calls going to three different locations.

RESOLUTION NO. 334-24

ROUTING OF 911 CALLS TO HAMILTON COUNTY

DATED: NOVEMBER 7, 2024

BY MR. RHODES:

WHEREAS, the Board of Supervisors recognizes the paramount importance of health, safety and welfare of the citizens of the County and further recognizes that when the lives or property of its citizens are in imminent danger that appropriate assistance must be rendered as expeditiously as possible, and

WHEREAS, the Board of Supervisors recognizes further that the assistance is increasingly summoned by wireless communications including but not limited to cellular phones and that unintentional, though avoidable, delays in reaching appropriate emergency aid can, and do occur to the detriment and jeopardy of life and property when such wireless 911 calls from within Hamilton County are routed to anywhere other than directly to the single county-wide Hamilton County Public Safety Answering Point (PSAP), which is under the jurisdiction of the Hamilton County Sheriff, and

WHEREAS, the Board of Supervisors further finds that a major obstacle to the prompt response to emergent wireless requests for assistance in Hamilton County is the failure of one or more wireless telephone services suppliers to directly route such calls to the Hamilton County Public Safety Answering Point (PSAP), and

WHEREAS, the Board of Supervisors further finds the Hamilton County Public Safety Answering Point (PSAP) has the most accurate, current and extensive knowledge of Hamilton County's geography, roadway, landmarks, emergency service resources and similar information of critical importance in emergent situations and can immediately dispatch the number and type of emergency services the situation requires, and

WHEREAS, this Board of Supervisors further finds and declares that, by the enactment of the provisions of this resolution, it is the intent of the Board of Supervisors to fulfill its obligation to provide for the health, safety and welfare of the people of this County by mandating the direct routing of all 911 calls, including wireless calls, by the service suppliers directly to the Hamilton County Public Safety Answering Point so as to facilitate the rendering of emergency services as expeditiously and effectively as possible, therefore, be it

RESOLVED, the Board of Supervisors hereby authorizes having all 911 emergency calls, whether it is by landline, Voice over Internet Protocol (VoIP), cellphone, teletypewriter (TTY), Telecommunication Device for the Deaf (TDD), Text to 911 or any other form of communication, routed to the Hamilton County Public Safety Answering Point.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 335-24

AUTHORIZING RELOCATION OF COMMUNICATIONS SYSTEM

DATED: NOVEMBER 7, 2024

BY MR. RHODES:

WHEREAS, Resolution No. 218-21 authorized the purchase of two complete communications systems for the Wells Tower Site and Hope Tower site, and

WHEREAS, one of the communications systems has been installed at the Wells Tower Site and the other system remains in storage awaiting the construction of the tower in the Town of Hope, and

WHEREAS, Hamilton County has the option of relocating the system that was designated for the Hope Tower site to the Inlet Tower site, therefore, be it

RESOLVED, that the remaining communications system that was purchased from Resolution No. 218-21 is authorized to be relocated to the Inlet Tower site.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 336-24

2024 TRANSFER OF FUNDS

DATED: NOVEMBER 7, 2024

BY MS. BAIN:

WHEREAS, Cynthia Hansen has been extended as a temporary Medical Records clerk,
and

WHEREAS, Jeff Kaiser has been extended as part time RN, and

WHEREAS, both payroll lines need to be increased, and

WHEREAS, there are shortages in A4050.0108 Medical Records Clerk and A4010.0110
CHHA On-Call/Overtime, be it

RESOLVED, that the County Treasurer be authorized to make the following transfers:

FROM:

A1990.0401 Contingent Fund \$ 19,337.00

TO:

A4010.110 CHHA On-Call/Overtime \$ 5,000.00

A4050.108 Medical Records Clerk \$ 4,337.00

A4050.126 CHHA Temp RN \$ 5,000.00

A4050.132 Public Health Temporary Clerk #1 \$ 5,000.00

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 337-24

**AUTHORIZING REGIONAL MEETING – HAMILTON COUNTY COMMUNITY
SERVICES BOARD**

DATED: NOVEMBER 7, 2024

BY MS. BAIN:

WHEREAS, Hamilton County Community Services is the sole provider of behavioral health service in Hamilton County, and

WHEREAS, the Hamilton County Community Services Board (CSB) has identified the impact on Hamilton County of recent healthcare transformation initiatives by the State of New York as representing significant challenge to its ability to continue to provide adequate behavioral health services to all of its residents, and

WHEREAS, the Hamilton CSB has recommended that a regional meeting be held with other counties in the North Country that would include each counties Director of Community Services, CSB Chair and relevant CSB members to develop both regional and local strategies to ensure that behavioral health services can continued to be provided to all Hamilton County residents, and

WHEREAS, representatives of the NYS Office of Mental Health's Central Office, the NYS Office of Alcohol and Substance Abuse Services Central Office, the NYS Office of People with Developmental Disabilities, the NYS Office of Children and Family Services, the NYS Department of Health, representation from associated Regional Field Offices, and representatives of the regions state operated Psychiatric Hospitals would also participate in this meeting, and

WHEREAS, the Hamilton County CSB would support this meeting in Hamilton County,
be it

RESOLVED, that a meeting be held at the Minnowbrook Conference Center in Blue Mt. Lake, NY on the 14th and 15th of November, 2024, for the purpose stated above, and be it further

RESOLVED, that Hamilton County Community Services will cover the cost of Hamilton County participants at an amount not to exceed \$700.00 to be charged to Mental Health Account No. A4320.0407 Outreach.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

After the following resolution was placed on the floor; the Chairman stated that Indian Lake will also be passing a resolution and he encouraged all to do the same.

RESOLUTION NO. 338-24

**RESOLUTION CONCERNING THE IMPACTS OF EFFORTS TO ELECTRIFY
HIGHWAY DEPARTMENT VEHICLES BY ADOPTION OF THE ADVANCED CLEAN
TRUCK RULE**

DATED: NOVEMBER 7, 2024

BY MR. TOMLINSON:

WHEREAS, in 2019, the Climate Leadership and Community Protection Act (CLCPA) was signed into law to require New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels, and

WHEREAS, the CLCPA directs the development of performance-based standards for sources of greenhouse gas (GHG) emissions including for the transportation sector by reducing GHG emissions from motor vehicles, and

WHEREAS, New York State adopted California's Advanced Clean Trucks (ACT) Rule in December 2021 that requires applicable medium and heavy-duty (M/HD) vehicle manufacturers to sell a percentage of their total sales in New York as zero-emission vehicles (ZEVs) starting in model year 2025 with increasing ZEV sales through model year 2035, and

WHEREAS, the cost of transitioning the state and local highway departments' utility and construction vehicles, snowplows and equipment to run on battery power as mandated by ACT and other state strategies is at this juncture incalculable, but expected to exceed the ability to be

financed without substantial sources of new revenues directed strictly for the retrofit or procurement of such ZEVs and equipment, and

WHEREAS, as commercial production of M/HD large-scale electric construction vehicles is today a nascent industry, the ability of local highway departments to plan for this transition, with its concomitant mandates that fuel and electricity charging sources be carbon-free, is of tremendous concern considering that the transportation system at all levels of New York government is significantly underfunded, and

WHEREAS, while ACT regulations do not require M/HD fleets, owners, operators, or dealerships to purchase ZEVs, the sales mandates on vehicle manufacturers are expected to lead to shortages in supply of not only complying electric vehicles but of traditional gasoline and diesel vehicles as well, and

WHEREAS, alarmingly, some M/HD vehicle dealerships have notified highway departments that, due to manufacturers' need to plan for the sales mandates adopted by New York and some other states, many orders for trucks are being delayed or canceled, and

WHEREAS, notably, Maine, North Carolina and Connecticut among other states recently stepped back from adopting ACT regulations citing concerns over the availability of heavy-duty vehicle charging stations and the high cost of zero-emission trucks, and

WHEREAS, in July 2024, the New York State Comptroller released an audit on the State's progress in meeting Climate Act goals and noted several deficiencies including the need to increase communication with stakeholders and provide more accurate cost estimates. The audit goes on to add that the lack of cost estimates jeopardizes the chances of success in meeting climate goals. The comptroller urges the state to clarify for key stakeholders, especially energy ratepayers, the extent to which ratepayers will be responsible for Climate Act implementation costs, and

WHEREAS, New York's climate goals must be implemented in a way that is affordable while assuring adequate supplies of these specialized vehicles and functional highway construction equipment that meet state specifications, estimated to increase the cost of a new truck by about one-third, and

WHEREAS, the rush to introduce electric vehicles in New York can be counterproductive to the environment as the bulk of the power generation used to charge new vehicle batteries is produced by fossil fuels, and is a reason to move more slowly to sync with the pace of the transition to a zero-emission electric grid by 2040, and

WHEREAS, recognizing these potential impacts on the ability of local governments to continue to deliver necessary transportation services and facilities to the traveling public it is vital that state elected representatives and agencies assist county highway departments in developing

strategies, funding sources and realistic timelines for achieving these aggressive GHG emissions reduction goals in the face of market and fiscal barriers to the transition, and

WHEREAS, all levels of government need to work together throughout the regulatory process to assure strategies and mandates put in place to meet the CLCPA goals for the transportation sector are realistic and achievable and will benefit the environment, be it

RESOLVED, that Hamilton County of New York State calls on the Governor, the NYS Department of Transportation (NYSDOT) and NYS Department of Environmental Conservation (NYSDEC), NYSERDA, PSC, Commissioners and legislative leaders to commit to providing support for addressing these concerns in the regulatory and implementation process and to dedicate the funding necessary to fully cover the counties' costs of complying with the state mandates under the CLCPA, be it further

RESOLVED, that the Governor consider a pause or suspension of the implementation of ACT until there is strong evidence that the state has in place the necessary direct financial assistance and incentives and charging infrastructure necessary, and can definitively determine that vehicle manufacturers are prepared to effectively supply the New York market without disruption to the critical work needed to maintain the state's vast and aging infrastructure, be it further

RESOLVED, that the state recognize that highway construction, maintenance vehicles, and equipment are critical to governments' mission to maintain a safe and functional transportation system by designating these municipally owned vehicle and equipment as a category among "transit buses, motor coaches, and emergency vehicles," and thus exempt from ACT regulation, be it further

RESOLVED, that Hamilton County shall forward copies of this resolution to Governor Kathy Hochul, Senator Walczyk, Assemblyman Smullen and the Commissioners of NYSDOT, NYSDEC, NYSERDA, PSC and all others deemed necessary and proper.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 339-24

AUTHORIZING TRANSFER OF FUNDS - MACHINERY 2024

DATED: NOVEMBER 7, 2024

BY MR. TOMLINSON:

WHEREAS, due to major equipment and vehicle repairs and cost increases to parts and supplies, the County Machinery Fund Account No. DM5130.0401 Repairs is over expended and needs funding for the remainder of the fiscal year 2024, and

WHEREAS, the DPW Superintendent has met with the Public Works Committee to discuss the overage and DPW Superintendent recommends the transfer of \$100,000.00 from the Unappropriated Machinery Fund balance to fund the County Machinery Repairs for the remainder of 2024, be it

RESOLVED, that \$100,000.00 be transferred from Unappropriated Machinery Fund Balance in accordance with Section 366 Subdivision 1 of County Law to the County Machinery Account No. DM5130.0401 Repairs 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. Snyder and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 340-24

AUTHORIZING HIGHWAY EMPLOYEE PROMOTION – PUBLIC WORKS FOR 2024

DATED: NOVEMBER 7, 2024

BY MR. TOMLINSON:

WHEREAS, the DPW Superintendent has met with the Public Works Committee and Internal Management Committee to recommend the following promotion of a highway employee within the Public Works Department,

- David Rhinehart, MEO-Grade 11 to HEO-T-Grade 13 at a rate of \$22.50 per hour under Budget Line D5110.0101, and

WHEREAS, the Public Works and Internal Management Committees recommend this promotion, be it

RESOLVED, that hereby the Personnel Officer is authorized to adjust the employee as stated hereon effective October 27, 2024 and the DPW Superintendent, County Treasurer and Clerk of the Board be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 341-24

AUTHORIZING PAYMENT FOR VEHICLES - PUBLIC HEALTH

DATED: NOVEMBER 7, 2024

BY MR. TOMLINSON:

WHEREAS, Resolution No. 307-24 authorizes the County Fleet Coordinator to purchase two (2) Nissan Altima's for use by Public Health, and

WHEREAS, the vehicles ordered were delivered, and

WHEREAS, the County Fleet Coordinator has inspected the said vehicles and confirms they meet specifications and recommends payment of said vehicles, be it

RESOLVED, the County Treasurer is hereby authorized to make payment to Romeo Nissan, 140 Route 28, Kingston, NY 12401-7444 in the amount of \$61,260.04 and the funds to be taken out of Account No. A4189.4106 HRI PH Infrastructure Grant 7549-01 and the Public Health Director, Fleet Coordinator and the Clerk of the Board be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 342-24

**APPROVAL OF TRANSFER OF FUNDS - COUNTY ROUTE 4, BIG BROOK ROAD
CULVERT PROJECT**

DATED: NOVEMBER 7, 2024

BY MR. TOMLINSON:

WHEREAS, Resolution No. 170-24 authorizes a culvert rehab project on County Route 4, Big Brook Road, and

WHEREAS, the Superintendent budgeted \$80,000.00 in the first instance, and

WHEREAS, the project is now completed and to the total expenditures \$102,821.63 and a transfer of \$7,821.63 will be needed to pay the last invoice, and

WHEREAS, the above culvert is owned by Hamilton County, be it

RESOLVED, that \$7,821.63 be transferred from the Account No. D5112.0203 Bridge Projects to Account No. D5120.2002 Big Brook Road Culvert project as recommended by the County Highway Superintendent and the County Treasurer be so authorized to make the said transfer and Clerk of the Board and County Highway Superintendent be so advised.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 343-24

AMENDING RESOLUTION NO. 284-24 – ROBBS CREEK BRIDGE

DATED: NOVEMBER 7, 2024

BY MR. TOMLINSON:

WHEREAS, Resolution No. 284-24 authorized the purchase of superstructure and decking for Robbs Creek Bridge Project, and

WHEREAS, the Resolution specified funding would be taken out of Account No. D5112.0203 Bridge Projects, and

WHEREAS, the DPW Superintendent mistakenly wrote that Account No. in Resolution No. 284-24 and instead the funding should be coming out Account No. D5120.2001 Robbs Creek Bridge Project, be it

RESOLVED, the Board of Supervisors approve amending Resolution No. 284-24 to show the funding for the bridge superstructure from Jeffords Steel and the decking coming for Laminated Concepts for Robbs Creek Bridge Project be taken out of Account No. D5120.2001 Robbs Creek Bridge Project and the County Treasurer, Highway Superintendent and Clerk of the Board be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 344-24

MORTGAGE TAX DISTRIBUTION

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

WHEREAS, it appears from the reports of the County Clerk and the County Treasurer for the period April 1, 2024 through September 30, 2024, that there remains for distribution of moneys received by taxation on Mortgages pursuant to the provision of Article Eleven, Section 261 of the Tax Law, the sum of \$100,480.33, for the distribution among the Towns and Village of the County of Hamilton, now, therefore, be it

RESOLVED, by the Board of Supervisors of the County of Hamilton that the sum of \$100,480.33 be and the same hereby is apportioned as follows:

Arietta	\$ 8,604.50
Benson	\$ 3,521.50
Hope	\$ 6,270.50
Indian Lake	\$16,400.50
Inlet	\$24,623.33

Lake Pleasant	\$15,142.68
Long Lake	\$17,301.00
Morehouse	\$ 675.00
Wells	\$ 5,057.00
Village of Speculator	\$ 2,884.32

and be it further

RESOLVED, that the County Treasurer be authorized to pay the respective sums so appropriated to the Supervisors of said Towns.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 345-24

**AUTHORIZING HAMILTON COUNTY TO JOIN INSULIN LITIGATION, GENERICS
LITIGATION, AND PFAS LITIGATION**

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

WHEREAS, the law firm of Napoli Shkolnik PLLC has made Hamilton County aware of additional litigation beyond the pending Opioid litigation, and

WHEREAS, these litigation matters pertain to insulin, generics, and PFAS, and

WHEREAS, Hamilton County participating in these litigation matters was discussed in Committee, be it

RESOLVED, Hamilton County is authorized to participate in litigation regarding insulin, generics and PFAS, and be it further

RESOLVED, that the Chairman of the Board of Supervisors, with the County Attorney's approval, is authorized to sign any necessary documents to join said litigation, and be it further

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors, upon approval by the County Attorney, to execute any

necessary litigation settlement agreements as recommended by Hamilton County litigation counsel, with the understanding that the Board of Supervisors be advised of any settlement agreement plan approval by the Chairman and County Attorney no later than the next regularly scheduled meeting of the Board of Supervisors.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 346-24

**AUTHORIZATION TO OFFER VOLUNTARY LIFE AND AD&D INSURANCE FOR
EMPLOYEES**

DATED: NOVEMBER 7, 2024

BY MS. BAIN:

WHEREAS, the Internal Management Committee has received and reviewed an employee funded Voluntary Life and AD&D Insurance policy from Burnham Financial Services through Lincoln Life & Annuity Company of New York, and

WHEREAS, the plan requires a minimum participation of 25%, and more than 25% of employees have expressed interest in obtaining Voluntary Life & AD&D Insurance, be it

RESOLVED, that Hamilton County will enroll with Lincoln Life & Annuity Company of New York effective January 1, 2025, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the agreement with Lincoln Life & Annuity Company of New York, and be it further

RESOLVED, that the Board of Supervisors authorizes the Hamilton County Personnel Officer to start meeting with employees to enroll them in a self-pay plan paid through payroll deduction, and the County Treasurer and Personnel Officer be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 347-24

**FUNDING NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS)
STATE'S LAW ENFORCEMENT TECHNOLOGY (LETECH) GRANT**

DATED: NOVEMBER 7, 2024

BY MR. RHODES:

WHEREAS, Hamilton County Sheriff's Office has been awarded a NYS DCJS grant for State's Law Enforcement Technology (LETECH) in the amount of \$25,000.00, therefore, be it

RESOLVED, that the County Treasurer be authorized to create and fund Account No. A3110.0419 – DCJS LETECH at \$25,000.00 to be totally offset by creating a funding Revenue Account No. A3389.0200 – DCJS LETECH at \$25,000.00 and the Sheriff be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 348-24

**AUTHORIZATION TO TRANSFER BALANCES FROM COMPLETED 2024
PERMANENT PROJECT ACCOUNTS**

DATED: NOVEMBER 7, 2024

BY MR. TOMLINSON:

WHEREAS, County Road Project Account No. D5112.2540 Big Brook Road and County Road Project Account No. D5112.2544 CR6A W. Stony Creek Road are completed for 2024, and

WHEREAS, these projects will have a balance remaining and that balance can be utilized for other County Road Projects, and

WHEREAS, the Superintendent recommends the following transfers be made:

FROM: Account D5112.2540 CR4 Big Brook Road \$45,468.31

Account D5112.2544 CR6A W. Stony Creek Road \$17,721.98
TO: Account D5112.202 Capital Projects \$63,190.29

be it

RESOLVED, the County Treasurer be so authorized to complete the said transfers hereon and the Clerk of the Board and the County DPW Superintendent be so notified.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 349-24

**AUTHORIZING TRANSFERS FOR COMPLETED 2024 PERMANENT PROJECT
ACCOUNTS**

DATED: NOVEMBER 7, 2024

BY MR. TOMLINSON:

WHEREAS, the following two (2) Capital Road Projects are completed and over-expended:

D5112.2542 CR8 Griffin Road 2024 \$(72,968.15)
D5112.2543 CR21 Maple Grove Road 2024 \$(16,626.01)

and

WHEREAS, the Superintendent recommends that funds be transferred from D5112.0202 Capital Projects (CHIP's) to cover said overages, be it

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

FROM: Account D5112.202 Capital Projects \$89,594.16
TO: Account D5112.2542 CR8 Griffin Road 2024 \$ 72,968.15
Account D5112.2543 CR21 Maple Grove Road 2024 \$ 16,626.01

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

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 350-24

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: NOVEMBER 7, 2024

BY MS. HUNT:

RESOLVED, that the bills in the Machinery Fund amounting to \$102,753.35 and bills in the County Road Fund amounting to \$609,800.17 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 Ms. Bain and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 351-24

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

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$281,503.11 the following committees:

Public Works (Buildings) Committee.....	\$ 31,509.42
Public Works (Solid Waste).....	39,230.34

Finance Committee	103,463.15
Health Committee.....	12,839.33
Human Services Committee.....	13,802.05
Central Government Committee	26,210.14
Emergency Prep./Emergency Response.....	53,830.57
Internal Management Committee	618.11

be it further

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

Big Brook Bridge.....	\$1,059.41
Elbow Creek Bridge.....	\$6,196.44

are hereby approved.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

Barry Baker, Budget Officer, handed out the tentative budget. He stated that he would be emailing a version of the budget with the budget adjustments included. He also handed out a summary sheet. Mr. Tomlinson asked what the salary increase was. Mr. Baker stated it is 3% except for those getting steps. Mr. Fernandez asked what inflation is. Mr. Arsenault asked where the County is financially. The Budget Officer responded 2.49% and Fund Balance is at \$1.7Million. He also stated that Fund Balance was at \$1.26Million for 2024 and \$1.5Million for 2023. Sales tax was at \$4.4Million for 2024 and \$4.5Million for 2025.

REPORT OF THE FINANCE COMMITTEE

NOVEMBER 7, 2024

Your Committee on the tentative budget of the fiscal year 2025 as filed by the Budget Officer with the Clerk of the Board of Supervisors, respectfully reports that in its opinion the amounts in the columns headed "Recommended Appropriations" will be necessary to meet the expenditures of the County for the ensuing year.

1. Contributions required by the law be made by tax upon this County for State Employees' Retirement Contributions and Conservation Fire Claims.
2. Salaries of Officers and Employees heretofore authorized by this Board and the amounts necessary to pay for the equipment, supplies and materials and other expenses for each department.

3. Amount necessary to carry out the contract with the State of New York for Snow Removal on State Highways.
4. County Indebtedness maturing and interest payable as shown by the Budget Officer.
5. Appropriations for Public Relief and care and administration expenses.
6. Appropriations for the County Road Fund, Snow Removal on County Road and County Machinery Fund.
7. Appropriations for the Contingent Fund.
8. Appropriations for reserve for uncollected taxes and assessments, tax refunds and tax sales.
9. Appropriations for other specific purposes as stated in the tentative budget by the Budget Officer.

FINANCE COMMITTEE
Clay Arsenault, Chris Rhodes,
Phillip C. Snyder, Beth Hunt

RESOLUTION NO. 352-24

ACCEPTING REPORT OF THE FINANCE COMMITTEE

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

RESOLVED, that the Report of the Finance Committee is accepted as on file with the Clerk of the Board of Supervisors.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 353-24

**AUTHORIZATION FOR PRINTING OF AND NOTICE OF PUBLIC HEARING ON
TENTATIVE BUDGET**

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

BE IT RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to have the 2025 tentative budget printed or reproduced and to be available November 13, 2024, and be it further

RESOLVED, that the Clerk of the Board is hereby authorized to advertise a public hearing on the Tentative Budget to be held November 22, 2024 at 11:00 A.M. at the Court House, Lake Pleasant, New York, and the Clerk of the Board shall have notice of hearing published in the Hamilton County Express on November 13 and November 20, 2024.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

RESOLUTION NO. 354-24

AUTHORIZING A PUBLIC HEARING TO CONSIDER PROPOSED LOCAL LAW NO. 3 OF 2024 A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR 2025 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET FOR 2025 THAT WILL REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE 2025 FISCAL YEAR

DATED: NOVEMBER 7, 2024

BY MR. ARSENAULT:

RESOLVED, that proposed Local Law No. 3 of 2024 titled "A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR 2025 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET FOR 2025 THAT WILL REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE 2025 FISCAL YEAR" attached hereto and made a part hereof, be, and the same hereby is introduced before the Hamilton County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors' Rooms in the Hamilton County Municipal Building on the 22nd day of November, 2024, at 11:15 a.m., on the matter of the adoption of said proposed Local Law No. 3 of 2024, entitled "A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR 2025 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET FOR 2025 THAT WILL REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE 2025 FISCAL YEAR", and it be further

RESOLVED, that the Clerk of the Board of Supervisors be, and she hereby is authorized and directed to give notice of such public hearing in the manner provided by law.

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

AYES: RHODES, SNYDER, TOMLINSON, WELLS, BAIN, ARSENAULT, FERNANDEZ
AND HUNT

NAYS: NONE

ABSENT: FREY

PROPOSED LOCAL LAW NO. 3 OF 2024
State of New York
County of Hamilton

A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR
2025 AND AUTHORIZING THE ADOPTION OF A HAMILTON COUNTY THAT WILL
REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE
2025 FISCAL YEAR

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

- Section 1. Title: This Local Law shall be known as “Hamilton County Responsible Budgeting Law of 2024”.
- Section 2. Declaration of intent: The intention of this local law is to comply with the requirements of General Municipal Law Section 3-c (5) prior to adopting the 2025 Hamilton County Budget. The combined impact of persistent inflation, workforce and supply shortages have necessitated this increase. Notwithstanding current economic and fiscal conditions, the County will need to provide services in 2025, in addition to those mandated by the State, which are important to our citizens. After serious and sustained efforts to minimize the amount of the tax levy, it is clear that a responsible 2025 Hamilton County Budget will require a tax levy that will be greater than the tax levy limit calculated pursuant to applicable State Law.
- Section 3. Authorization: This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes the Hamilton County Board of Supervisors to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Board of Supervisors. This local law hereby authorizes adoption of a 2025 fiscal year budget for Hamilton County that requires a tax levy increase that is greater than the calculated tax levy limit.
- Section 4. Severability: If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity

of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 5. Effective Date: This local law shall take effect upon the date on which a certified copy of this local law is filed in the office of the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.

As there was no further business, the Chairman recessed the meeting until November 13, 2024 at 10:30 AM.