

AGENDA
SEVENTH SESSION
JULY 3, 2013

10:30 AM Call to Order
Pledge to Flag
Opening Prayer
Roll Call

Accepting Minutes of June 6, 2013

Public Comment Period

Reports of Standing/Special Committees

10:45 AM Frank Ruggiero – Director of Veterans’ Services

RESOLUTIONS:

- No. 1 Resolution Urging Governor Cuomo and State Legislators to Exempt Firearm Permit Records from FOIL Disclosure
- No. 2 Approval of Bids on Tax Parcels
- No. 3 Authorizing Chair to File Certificate Designating the Secretary of State as the Agent for Service of Notices of Claim
- No. 4 Authorizing the Part-Time Interim Appointment of William Osborne to Planning, Tourism and Community Development
- No. 5 Authorizing Chairman to Execute Renewal Agreement with New York State Unified Court System for Security Services – April 1, 2013-March 31, 2014
- No. 6 Transfer of Funds – Court Security
- No. 7 Approval of and Authorizing Chairman to Sign Resource Allocation Plan
- No. 8 Authorization to Enter into Contracts with Berkshire Farms and Parsons Child and Family Services for Certified Foster Care Homes
- No. 9 Approval of Expenditures for Backup Generator Hookup for Indian Lake Professional Buildings

CORRESPONDANCE:

Essex County – Res. No. 170 Resolution In Support Of Joining The Upper Hudson Recreational Hub In Its Opposition To Any Land Use And Classification With Respect To New York State’s Acquisition Of 69,000 Acres Of The Former Finch Pruyn And Other Nature Conservancy Lands That Does Not Provide For Maximum Access To The

Ponds, Lakes, Rivers, Streams And Trails By All Citizens, Including But Not Limited To, The Elderly, Handicapped, Disabled And Physically Challenged

Yates County – Res. No. 213-13 Resolution Supporting The Prevention Of Introduction And Movement Of Aquatic Invasive Species And Urging The State To Adopt Laws That Support Local Governments In Preventing Introduction And Movement Of Aquatic Invasive Species

Fulton County – Res. No. 188 Resolution Urging Governor Cuomo And State Legislators To Exempt Firearm Permit Records From FOIL Disclosure

Robert Stegemann, NYSDEC Reg. 5 Director– In Receipt Of Res. No. 155-13 Resolution In Support Of The Towns Of Indian Lake, Long Lake, Newcomb, Minerva, And North Hudson, Known As The Upper Hudson Recreational Hub And Their Request For Maximum Access/Economic Benefit Through The Classification Of The Former TNC Lands

Robert Davies, NYSDEC Division of Lands & Forests Director – In Receipt Of Res. No. 155-13 Resolution In Support Of The Towns Of Indian Lake, Long Lake, Newcomb, Minerva, And North Hudson, Known As The Upper Hudson Recreational Hub And Their Request For Maximum Access/Economic Benefit Through The Classification Of The Former TNC Lands

Assemblyman Daniel G. Stec - In Receipt Of Res. No. 155-13 Resolution In Support Of The Towns Of Indian Lake, Long Lake, Newcomb, Minerva, And North Hudson, Known As The Upper Hudson Recreational Hub And Their Request For Maximum Access/Economic Benefit Through The Classification Of The Former TNC Lands

RESOLUTION NO.

**RESOLUTION URGING GOVERNOR CUOMO AND STATE LEGISLATORS TO
EXEMPT FIREARM PERMIT RECORDS FROM FOIL DISCLOSURE**

DATED: JULY 3, 2013

BY

WHEREAS, recent gun control legislation, known as the “NY SAFE Act”, enacted into law by the State Legislature and signed by the Governor in January 2013, created serious implications that restrict the Second Amendment rights of citizens in New York, and

WHEREAS, a provision of the law allows citizens that hold firearms permits the option to have their names and permit information withheld from public disclosure, and

WHEREAS, public disclosure of the personal information of firearm permit holders has the impact of endangering the safety of citizens in New York State, and

WHEREAS, the existing provision has created confusion and new costs for state agencies, County Clerks and Sheriff’s Departments statewide, and

WHEREAS, a better approach would be to amend the pertinent sections of state law to exempt all personal information of firearm permit holders from Freedom of Information Law disclosure, now, therefore, be it

RESOLVED, that the Board of Supervisors hereby urges Governor Cuomo and State Legislators to enact legislation to exempt firearm permit records from FOIL disclosure, and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Attorney, Governor Cuomo, Senator Farley, Assemblyman Butler, NYSAC, and any other recipients deemed appropriate.

Seconded by

RESOLUTION NO.

APPROVAL OF BIDS ON TAX PARCELS

DATED: JULY 3, 2013

BY

WHEREAS, Resolution No. 136-13 authorized the County of Hamilton to allow its parcels of real property acquired for non-payment of real property taxes to be sold at auction with Fulton County's properties by Haroff Auction & Realty, Inc. on June 19, 2013, at the Holiday Inn, Johnstown, New York, and

WHEREAS, attached hereto and made part hereof is Schedule "A" which contains the names of the high bidder, the tax parcel number, and the bid price for each parcel, and

WHEREAS, the Hamilton County Treasurer has reviewed the bids for each tax parcel and recommends that the Board of Supervisors approve the bids and sale of said parcels to the high bidders, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors, pursuant to Section 1166 of the Real Property Tax Law of the State of New York, does hereby approve the bid price for each map parcel shown on Schedule "A" and does hereby authorize the transfer of said property to the named high bidder subject to receipt of the entire bid amount along with associated transfer costs and the approval of the County Attorney, and be it further

RESOLVED, that the Hamilton County Board of Supervisors does hereby authorize the Chairman of the Hamilton County Board of Supervisors to execute Quit Claim Deeds for said tax map parcels to the high bidder and to execute all other necessary documents to transfer said tax map parcels to the high bidder.

Seconded by

SCHEDULE "A"

Town of Indian Lake:

Bidder:
Mark & Pamela Volk 65.010-2-15.200 Bid Price \$ 21,250.00 Auction Property #1

Town of Lake Pleasant:

Bidder:
Michael Luckert 113.006-1-5 Bid Price \$ 2,250.00 Auction Property #2

Town of Morehouse:

Bidder:
Steven Reininghaus 125.000-1-22 Bid Price \$ 2,000.00 Auction Property #3

Wayne Evans 125.018-1-12 Bid Price \$ 1,600.00 Auction Property #4

RESOLUTION NO.

AUTHORIZING CHAIR TO FILE CERTIFICATE DESIGNATING THE SECRETARY OF STATE AS THE AGENT FOR SERVICE OF NOTICES OF CLAIM

DATED: JULY 3, 2013

BY

WHEREAS, the State Legislature has enacted and Governor Cuomo has signed Chapter 24 of the Laws of 2013, which, *inter alia*, adds a new Section 53 to the General Municipal Law, effective June 15, 2013, and

WHEREAS, Chapter 24 of the Laws of 2013 permits claimants to serve notices of claim upon the Secretary of State rather than effecting personal service of such notices upon the municipality which is the subject of the claim, and

WHEREAS, the statute directs the Secretary of State to forward copies of notices of claim served in the above-referenced manner to the municipalities involved, and

WHEREAS, Section 53 of the General Municipal Law requires that municipalities, including Hamilton County, within thirty days after the effective date of the law, file a certificate in the office of the Secretary of State designating the Secretary of State as the agent for service of notices of claim and providing the name, post office address and electronic mail address of an officer, person or designee, nominee or other agent-in-fact for the transmittal of notices of claim served upon the secretary, now, therefore, be it

RESOLVED, that the Chairman be, and hereby is, authorized and directed to file not later than July 12, 2013 a certificate with the Secretary of State designating the Secretary of State as Hamilton County's agent for the service of notices of claim, and be it further

RESOLVED, that the County Clerk is hereby designated to receive such notices of claim served in the manner set forth herein, and be it further

RESOLVED, that the Chair in such certificate, and in amendments thereof as from time to time may be necessary, provide the Secretary of State with the name, post office address and electronic mail address of the County Clerk.

Seconded by

RESOLUTION NO.

AUTHORIZING THE PART-TIME INTERIM APPOINTMENT OF WILLIAM OSBORNE TO PLANNING, TOURISM AND COMMUNITY DEVELOPMENT

DATE: JULY 3, 2013

BY

WHEREAS, the present Director of Planning, Tourism and Community Development will be leaving Hamilton County employment effective July 23rd, 2013 and

WHEREAS, the present Director will be taking time off between now and July 15th, and

WHEREAS, a search for a new Director cannot be completed before July 23rd, and

WHEREAS, the transfer of extensive programmatic information needs to be made to enable continuing efficient operation of the department, and

WHEREAS, William Osborne, past Director of Planning, Tourism and Community Development, has agreed to fill in as a Deputy Director on a part-time, hourly basis as needed until a permanent Director is hired and has been provided the necessary departmental orientation, therefore, be it

RESOLVED, that Account No. A8020.104 Temporary is hereby created and funded by transferring \$2,500.00 from Account No. A8020.101 Director for the purpose of hiring a Deputy to the Director, and be it also

RESOLVED, that William Osborne is hereby hired to fill the vacancy caused by Ms. Melious' pending retirement at the rate of \$33.019 per hour for the period of need and the Personnel Officer and the County Treasurer be so notified.

Seconded by

RESOLUTION NO.

AUTHORIZING CHAIRMAN TO EXECUTE RENEWAL AGREEMENT WITH NEW YORK STATE UNIFIED COURT SYSTEM FOR SECURITY SERVICES – APRIL 1, 2013-MARCH 31, 2014

DATED: JULY 3, 2013

BY

WHEREAS, Hamilton County has executed Contract No.C-200407 between the New York State Unified Court System and Hamilton County for security services to the courts of Hamilton for a period of April 1, 2009 through March 31, 2014, and

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

WHEREAS, the State Unified Court System has provided a proposal wherein the subsequent period of the contract begins on April 1, 2013 and ends on March 31, 2014, the maximum compensation for the period is Forty-five Thousand Dollars (\$45,000.00) and the Hamilton County Sheriff provides an attendant staffing schedule, and

WHEREAS, the Hamilton County Sheriff has provided an attendant staffing schedule to the State Court System,

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is authorized to execute an agreement with the New York State Unified Court System to provide Court Attendant Staffing by the Hamilton County Sheriff for the maximum compensation of Forty-five Thousand Dollars (\$45,000.00) for the period of time beginning on April 1, 2013 and ending on March 31, 2014.

Seconded by

RESOLUTION NO.

TRANSFER OF FUNDS – COURT SECURITY

DATED: JULY 3, 2013

BY

WHEREAS, there is a shortage of funds in Sheriff Account No. A3110.114 Court Officers, be it

RESOLVED, that \$17,000.00 be transferred from Jail Account No. A3150.109 Corrections Officer (I) and the County Treasurer be so authorized.

Seconded by

RESOLUTION NO.

**APPROVAL OF AND AUTHORIZING CHAIRMAN TO SIGN RESOURCE
ALLOCATION PLAN**

DATED: JULY 3, 2013

BY

WHEREAS, the County of Hamilton is in receipt of the Resource Allocation Plan for the County's Youth Board funding provided by the Office of Children and Family Services for 2013, and

WHEREAS, the plan identifies the program and project applications as part of the required components of the County's Comprehensive Youth Service Plan as approved by the Office of Children and Family Services, and

WHEREAS, this plan will qualify the County for State reimbursement for the program year, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby approves the 2013 Resource Allocation Plan and authorizes the Chairman to sign and the County Treasurer be so advised.

Seconded by

RESOLUTION NO.

**AUTHORIZATION TO ENTER INTO CONTRACTS WITH BERKSHIRE FARMS AND
PARSONS CHILD AND FAMILY SERVICES FOR CERTIFIED FOSTER CARE
HOMES**

DATED: JULY 3, 2013

BY

WHEREAS, children placed in the care and custody of the Commissioner of Social Services as a result of abuse, neglect, maltreatment or voluntary surrender require out-of-home placement in Certified Foster Family Boarding homes, and

WHEREAS, these foster homes are certified by the New York State Office of Children and Family Services (OCFS), and

WHEREAS, maximum state reimbursable rates are established by OCFS, be it

RESOLVED, the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to enter into agreements with said Foster Family Boarding Homes in an amount not to exceed \$107,000.00.

Seconded by

RESOLUTION NO.

**APPROVAL OF EXPENDITURES FOR BACKUP GENERATOR HOOKUP FOR
INDIAN LAKE PROFESSIONAL BUILDINGS**

DATED: JULY 3, 2013

BY

WHEREAS, the backup generator for the legal wing at the Indian Lake Professional Building is in need of replacement and not currently working, and

WHEREAS, the backup generator for the Department of Social Services is the same vintage as the legal wing generator and is insufficient backup during power outages, and

WHEREAS, it has been determined that the current backup generator for the Public Health Annex Building would be adequate to provide backup power for the legal wing and the DSS wing as well as continue to provide backup power for the Public health Building, and

WHEREAS, the Building Superintendent has received an estimate from Willemsen Electric of Indian Lake for the hookup of the current Public Health generator to both the legal and the DSS wings for backup power during power outages including transfer switches, wiring and other materials for \$6,098.00, be it

RESOLVED, that the Board of Supervisors of the County of Hamilton does approve the hookup connections be made to connect the current 50KW backup generator for the Public Health Department to the DSS and legal wings of the professional buildings as recommended by the County Building Superintendent by Willemsen Electric of Indian Lake for the estimated cost of 6,098.00 and the funds to be taken out of Account No. A1620.0413 Building Projects and the County Treasurer and Clerk of the Board be so advised.

Seconded by