

2013

FOURTH SESSION

APRIL 4, 2013

The Board convened at 10:30 A.M. in the Supervisors' Chambers at the Court House, Lake Pleasant, New York, with the Chairman, William G. Farber presiding. Mr. Farber led the members of the Board of Supervisors in the Pledge of Allegiance to the Flag, and an opening prayer.

The Deputy Clerk, Mrs. Cheryl Paestella, called the roll with the following Supervisors answering:

| | |
|---------------|-------------------|
| Arietta | Richard A. Wilt |
| Benson | ABSENT |
| Hope | Robert Edwards |
| Indian Lake | Brian Wells |
| Inlet | John Frey |
| Lake Pleasant | Neil P. McGovern |
| Long Lake | Clark J. Seaman |
| Morehouse | William G. Farber |
| Wells | Brian Towers |

Also present: County Attorney, David Pincombe, Amy Taylor, Ann Melious and Pete Klein

A motion was made to accept the minutes of March 7, 2013 by Mr. McGovern, seconded by Mr. Edwards. Carried.

Public Comment: No one present.

Report of Standing/Special Committees:

Brian T.: Intercounty Legislative Committee met on March 21st in Saratoga. NYSAC gave an overview of where they thought the budget was going to be.

Region 5 Open Space Committee met on March 22nd in Saratoga to work on the Open Space Plan for Region 5.

Local Government Review Board met on March 27th in Chestertown. They passed a resolution in support of the Adirondack Powder Skiers Association. They also adopted the budget, which is flat for the coming year. There was also a presentation by Jim Martin in regards to land banks.

Bob: Asked for support of the merit pay resolution.

The Chairman introduced Amy Taylor, Probation Director.

Ms. Taylor handed out information and gave the Board an update on the Probation Department. Ms. Taylor reviewed the caseload, Victim Impact Panels, and upcoming trainings and meetings. She further reported that the 2013-2014 Annual Probation Plan and Application needs to be submitted to DCJS by May 6, 2013. Ms. Taylor left after her report

The Chairman stated that the District Attorney is next on the agenda, but is not present. The Chairman introduced Ann Melious, Executive Director of the Hamilton County Industrial Development Agency.

Ms. Melious handed out information and explained how the IDA was created in 1986. Ms. Melious further explained that the IDA is invested with particular powers to provide incentives that are supposed to sustain and encourage economic development. Ms. Melious reviewed the 2012-2013 Microenterprise Grant Program. Ms. Melious also reviewed the IDA's Small Business Loans, since 2002 they have loaned out \$1.1 million to 26 small businesses. Ms. Melious continued to discuss the IDA. Ms. Melious left after her report.

RESOLUTIONS:

After the following resolution was placed on the floor, the Chairman clarified that this change to the local law authorizes the Board of Ethics to provide the waiver. The Board of Ethics' minutes reflect that they do not feel they are making the decision. This amendment to the local law gives them the ability to make the waiver. It is for that window of activities that exist between what our Code of Ethics restricts people from doing and what the state statute is. Our Code is more restrictive. We have identified issues with, for example, a physical therapist that had worked for the County, left the County's employ to do work externally, but didn't want to be precluded from working within Hamilton County as a contractor. That was an area where our Code of Ethics would have to be waived to allow it. There is nothing in the state statute that would have prevented her working as a contractor. This change would allow our Ethics Board to deliberate over, look at the fact pattern associated with it and make the determination whether a waiver was warranted in the best interest of Hamilton County.

RESOLUTION NO. 92-13

AUTHORIZING A PUBLIC HEARING TO CONSIDER PROPOSED LOCAL LAW NO. 12 OF 2013 AMENDMENT TO LOCAL LAW NO. 10 OF THE YEAR 1995 ENTITLED "CODE OF ETHICS OF HAMILTON COUNTY"

DATED: APRIL 4, 2013

BY MR. FREY:

RESOLVED, that Proposed Local Law No. 12 Of 2013 Titled "AMENDMENT TO LOCAL LAW NO. 10 OF THE YEAR 1995 ENTITLED "CODE OF ETHICS OF HAMILTON COUNTY", 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 2nd day of May, 2013, at 11:00 a.m., on the matter of the adoption of said proposed Local Law No. 12 of 2013, entitled "AMENDMENT TO LOCAL LAW NO. 10 OF THE YEAR 1995 ENTITLED "CODE OF ETHICS OF HAMILTON COUNTY", 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 Mr. McGovern and adopted by the following vote:

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

COUNTY OF HAMILTON

PROPOSED LOCAL LAW NO. 12 OF 2013

AMENDMENT TO LOCAL LAW NO. 10 OF THE YEAR 1995 ENTITLED “CODE OF ETHICS OF HAMILTON COUNTY”

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

Section I – Legislative Intent

The Code of Ethics duly adopted by the Board of Supervisors in 1995 is more restrictive than Article 18 of the General Municipal Law, whereby at times creating an undue hardship. The Intent of this amendment is to provide the Board of Ethics the ability to grant waivers from those restrictions which are in excess of Article 18 of the General Municipal Law.

Section II – A new Section 108-A is hereby added to the Hamilton County Code of Ethics and shall read as follows:

§108-A. Waivers.

1. Upon written application by a current or former County officer or employee and written approval with justification for the waiver by the applicable department head, the Board of Ethics may grant the applicant, or his or her private employer or business, a waiver of any of the provisions of the Code of Ethics [except: the provisions pertaining to gifts, appearances by the County official’s private employer or business, and transactional disclosure] where the Board of Ethics finds that waiving such provision would not be in conflict with the purposes and interest of the County, provided, however, that no such waiver shall permit any conduct or interest otherwise prohibited by Article 18 of the General Municipal Law.
2. Waivers granted by the Board of Ethics shall be in writing, shall state the grounds upon which they are granted, and shall be available for public inspection and copying.
3. All applications, decisions, and other records and proceedings relating to such waivers shall be indexed and maintained on file by the board.

Section III – this Local Law shall take effect immediately upon its adoption and being filed in the Secretary of State’s Office of the State of New York.

RESOLUTION NO. 93-13

**AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH THE NEW YORK
STATE DEPARTMENT OF HEALTH EARLY INTERVENTION PROGRAM
INCLUDING PAYMENTS TO ESCROW ACCOUNT**

DATED: APRIL 4, 2013

BY MR. EDWARDS:

WHEREAS, Amendment to the Public Health Law have restructured the process for the payment of Early Intervention claims, and

WHEREAS, said restructuring requires Hamilton County to enter in a Early Intervention Program agreement with New York State, and

WHEREAS, as part of said agreement, Hamilton County will be required to make payments to an Escrow Account within fifteen (15) days of receipt of bi-weekly bills, and

WHEREAS, the process and agreement also requires an initial payment to the Escrow Account based on a calculation formula, in Hamilton County's case the initial payment is Seven Hundred Fifty-Six Dollars and Twenty-Eight Cents (\$756.28). Now therefore be it

RESOLVED, that upon the approval of the County Attorney the Chairman of the Board of Supervisors is hereby authorized to sign the Early Intervention Program agreement on behalf of Hamilton County, and be it further

RESOLVED, that the Hamilton County Treasurer is hereby authorized to pay to the above referenced Escrow Account Seven Hundred Fifty-Six Dollars and Twenty-Eight Cents (\$756.28) from Account No. A4059.0401 and be is also

RESOLVED, that the County Treasurer is authorized to pay subsequent Early Intervention invoices to the Escrow Account from Account No. A4059.0401

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND
TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 94-13

**AUTHORIZING PAYMENT TO NYSDOH FOR MEDICAID RETROACTIVE RATE
ADJUSTMENT**

DATED: APRIL 4, 2013

BY MR. MCGOVERN:

WHEREAS, the Hamilton County Department of Public Health has been notified by the NYSDOH that their Medicaid Management Information System (MMIS) for Early Intervention Services has processed a negative retroactive rate adjustment in the amount of \$195.00, and

WHEREAS, NYSDOH is willing to reduce the County's future Medicaid checks by 15% until the liability has been repaid, and

WHEREAS, if the full amount owed is not paid by March 6, 2013, an interest rate will be applied to the remainder owed, and

WHEREAS, the Director of Public Health has determined that the full amount will not be paid by March 6, 2013, and

WHEREAS, not getting full payment for claims submitted, will make claims tracking difficult for the County Treasurer's Office, while reducing revenues and incurring an interest charge after March 6th, now, therefore, be it

RESOLVED, that Appropriations Account A4059.409 MMIS Retro Rate Adjustment is hereby created in the amount of \$195.00, to be totally offset by increasing Revenue Account A1621.0000 EI Fees by \$195.00 , and be it further

RESOLVED, that the Hamilton County Treasurer is hereby authorized to repay said \$195.00 from Account No. A4059.409 MMIS Retro Rate Adjustment.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 95-13

AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION BETWEEN GOVERNOR'S TRAFFIC SAFETY COMMITTEE AND PUBLIC HEALTH NURSING SERVICE

DATED: APRIL 4, 2013

BY MR. FREY:

WHEREAS, the Hamilton County Public Health Nursing Service (HCPHNS) administers the Governor's Traffic Safety Grant for Hamilton County, and

WHEREAS, the Hamilton County Sheriff's Office has agreed to help implement the grant with the objectives being to distribute and provide education for the proper installation and use of Child Safety Seats, and

WHEREAS, the Sheriff's Office has staff trained as a certified child safety seat technician through the Safe Kids program, and

WHEREAS, HCPHNS would like to apply for grant funding in the amount of \$2,400.00 to cover the purchase of Child Safety Seats and materials for the low income distribution program, for the period October 1, 2013 through September 31, 2014, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the grant application between HCPHNS and the Governor's Traffic Safety Committee, as well as all the necessary program documents for implementation and County Treasurer be so notified.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 96-13

**AUTHORIZING CHAIRMAN TO SIGN GRANT EXTENSION AGREEMENT
BETWEEN OFFICE FOR AGING AND PUBLIC HEALTH NURSING SERVICE -
TITLE III-D**

DATED: APRIL 4, 2013

BY MR. EDWARDS:

WHEREAS, Warren/Hamilton Counties Office for the Aging has grant monies available to provide disease prevention and health promotion under Title III-D to senior citizen groups throughout Hamilton County, and

WHEREAS, this agreement is for the period commencing January 1, 2013 – December 31, 2013, and

WHEREAS, the grant total is \$3,312.50, and

WHEREAS, this anticipated funding was appropriated in the 2013 Municipal budget as a part of the budget development process, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the grant extension agreement between the Office for the Aging and the Hamilton County Public Health Nursing Service upon approval of the County Attorney, and the County Treasurer be so notified.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 97-13

**AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR PROVIDER SERVICES
WITH UPPER HUDSON PRIMARY CARE CONSORTIUM ON BEHALF OF PUBLIC
HEALTH NURSING SERVICE**

DATED: APRIL 4, 2013

BY MR. WELLS:

WHEREAS, the Hamilton County Public Health Nursing Service is required to perform periodic full and updated Community Health Assessments (CHA) with the next CHA update due in 2013, and

WHEREAS, the Hamilton County Public Health Nursing Service supported and participated in development and implementation of a regional community health assessment, through grant funding obtained by the Adirondack Rural Health Network of the Upper Hudson Primary Care Consortium, for completion of the 2013 – 2017 CHA, and

WHEREAS, the cost share for the Hamilton County Public Health Nursing Service to remain a part of this valuable regional process is \$5,000.00, which has been proposed in the 2013 Municipal Budget and is reimbursable through the State Aid process at 100%, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into an agreement on behalf of the Public Health Nursing Service with the Upper Hudson Primary Care Consortium, not to exceed \$5,000.00, for the period January 1, 2013 through December 31, 2013 upon approval of the County Attorney and the County Treasurer be so notified.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND
TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 98-13

APPROVAL OF RATES FOR FOSTER BOARDING HOMES

DATED: APRIL 3, 2013

BY MR. MCGOVERN:

WHEREAS, Resolution No. 241-12, adopted September 6, 2012, established current monthly rates for Foster Care Payments to Foster Parents in Hamilton County, be it

RESOLVED, that the rates for Foster Care for Children, provided by the Hamilton County Department of Social Services, be increased to the following standards of payment, set by the State Department of Social Services:

0 to 5 years, from Four Hundred Eighty-Six Dollars (\$486.00) to Four Hundred Ninety-Nine Dollars (\$499.00) monthly.

6 to 11 years, from Five Hundred Eighty-Five Dollars (\$585.00) to Six Hundred Dollars (\$600.00) monthly.

12 years and over, Six Hundred Seventy-Seven Dollars (\$677.00) to Six Hundred Ninety-Five Dollars (\$695.00) monthly, and be it further

RESOLVED, that in the case of a child requiring special care, either because of medical problems or severe emotional problems, that the Hamilton County Department of Social Services be authorized to pay a monthly rate of up to One Thousand One Hundred Ninety-Nine Dollars (\$1,199.00) increased from One Thousand One Hundred Sixty-Nine Dollars (\$1,169.00), and a monthly rate of up to One Thousand Eight Hundred Eighteen Dollars (\$1,818.00) increased from One Thousand Seven Hundred Seventy-Two Dollars (\$1,772.00), for exceptional children, and be it further

RESOLVED, that these rates be effective July 1, 2012 through June 30, 2013, and the County Treasurer be so advised.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 99-13

APPROVAL OF YEARLY CLOTHING ALLOWANCE FOR FOSTER CARE CHILDREN

DATED: APRIL 4, 2013

BY MR. EDWARDS:

WHEREAS, the State Department of Social Services has established new maximum foster care reimbursement rates for local agencies, and

WHEREAS, the current rates for the yearly clothing allowance were established by the Hamilton County Board of Supervisors in Resolution No. 242-12, adopted September 6, 2012 be it

RESOLVED, that the yearly reimbursement allowance for replacement of clothing be increased to the following standards of payment:

0 - 5 years – from Three Hundred Sixty-Eight Dollars (\$368.00) to Three hundred Seventy-Eight Dollars (\$378.00) yearly

6 - 11 years – from Five Hundred Fourteen Dollars (\$514.00) to Five Hundred Twenty-Eight Dollars (\$528.00) yearly

12 - 15 years – from Seven Hundred Ninety-Eight Dollars (\$798.00) to Eight Hundred Eighteen Dollars (\$818.00) yearly

16 years and over – from Nine Hundred Seventy-Six Dollars (\$976.00) to One Thousand One Dollars (\$1,001.00) yearly

0 - 3 years – A diaper allowance increase from Fifty-Six Dollars (\$56.00) to Fifty-Seven Dollars (\$57.00) monthly, and be it further

RESOLVED, that these rates be effective July 1, 2012 through June 30, 2013 and the County Treasurer be so advised.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 100-13

AUTHORIZING CHAIRMAN TO SIGN EISEP CONTRACT AGREEMENT BETWEEN WARREN COUNTY OFFICE FOR THE AGING AND HAMILTON COUNTY DEPARTMENT OF SOCIAL SERVICES

DATED: APRIL 4, 2013

BY MR. EDWARDS:

WHEREAS, the Hamilton County Department of Social Services maintains an agreement between Warren/Hamilton Office for the Aging, and

WHEREAS, Hamilton County Department of Social Services is to provide services for Hamilton County residents under an EISEP Contract code A.6789 10 470, and

WHEREAS, this contract has been submitted for renewal for the period April 1, 2013 – March 31, 2014 in an amount not to exceed \$25,000.00, be it

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

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 101-13

ADIRONDACK REGIONAL TOURISM COUNCIL – 2013 MATCHING FUNDS

DATED: APRIL 4, 2013

BY MR. MCGOVERN:

WHEREAS, Hamilton County applied for and received Tourism Matching Funds through I Love New York and

WHEREAS, that application included funds to be given to the regional tourism promotion agency, the Adirondack Regional Tourism Council (ARTC), and

WHEREAS, ARTC undertakes summer, fall, fishing, snowmobiling and birding promotions, therefore be it

RESOLVED, that Hamilton County appropriate \$143,990 from Publicity budget line A6410.4010 to pay the Adirondack Regional Tourism Council, c/o Meister Accounting Services LLC, 1992 Saranac Ave., Suite 3, Lake Placid NY 12946

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO: 102-13

**TO ADMINISTER EMPIRE STATE DEVELOPMENT'S NORTH COUNTRY
REGIONAL ECONOMIC DEVELOPMENT COUNCIL GRANT
FOR THE HAMILTON COUNTY BROADBAND PROJECT, PHASE II**

DATED: APRIL 4, 2013

BY MR. SEAMAN:

WHEREAS Hamilton County has been awarded a \$1.7 million grant from Empire State Development (ESD) for the Hamilton County Broadband Project, Phase II and

WHEREAS Hamilton County will be receiving a project contract within the next 30 to 120 days, and

WHEREAS Hamilton County is the designated administrator of the grant and shall serve as project manager to collect documentation of the equity contribution by the project partner, Frontier Communications, Inc. , therefore be it

RESOLVED that the Chairman of the Board of Supervisors be authorized to sign the contract, and be it

FURTHER RESOLVED that grant administration responsibilities be undertaken by the Department of Planning, Tourism and Community Development and the Office of the County Treasurer in accordance with all ESD requirements.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 103-13

ADOPTION OF RULES AND REGULATIONS FOR COUNTY SOLID WASTE TRANSFER STATIONS

DATED: APRIL 4, 2013

BY MR. EDWARDS:

WHEREAS, Hamilton County Local Law No. 11 of 2013 requires that Hamilton County adopt Rules and Regulations for the County Transfer Stations that provides guidance for users of the transfer stations, be it

RESOLVED, the Hamilton County Board of Supervisors hereby adopts the Rules and Regulations for the County owned Transfer Stations that are placed on the Board of Supervisors' desks and on file in the Clerk of the Board's Office, be it further

RESOLVED, the Rules and Regulations be available on Hamilton County's website and also available at the transfer stations and the Office of the Solid Waste Coordinator.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 104-13

AWARD OF BID FOR RECYCLING SHED MATERIALS

DATED: APRIL 4, 2013

BY MR. TOWERS:

WHEREAS, Hamilton County Solid Waste Department heretofore solicited bids for the County's purchase of materials for the construction of a Recycling Shed pursuant to invitation to bidders and in accordance with Specification No. 6-2013,

WHEREAS, four (4) bids were received in response to the said invitation to bidders, as follows:

1. Curtis Lumber Co.
185 River Street
Warrensburg, NY 12885

Lump Sum Bid for Specified Materials Delivered: \$16,909.00

2. Stephenson Lumber Co.
137 Pelon Road
Indian Lake, NY 12842

Lump Sum Bid for Specified Materials Delivered: \$16,953.13

3. T. C. Murphy Lumber Co., Inc.
3911 State Route 8
Wevertown, NY 12886

Lump Sum Bid for Specified Materials Delivered: \$17,759.01

4. Kingsboro Lumber Co., Inc.
PO Box 108
Gloversville, NY 12078

Lump Sum Bid for Specified Materials Delivered: \$18,428.56

and,

WHEREAS, the County Solid Waste Coordinator has reviewed all bids to confirm that bid specifications were met and are satisfactory, and

WHEREAS, the County Solid Waste Coordinator recommends the award be made to the lowest bidder, be it

RESOLVED, the award of the bid for the Materials for a Recycling Shed per the lump sum bid for the said materials delivered of \$16,909.00 from Curtis Lumber Co. of Warrensburg, NY and the County Treasurer, Solid Waste Coordinator and Clerk of the Board be so notified.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

After the following resolution was placed on the floor, the Chairman explained that at the time Board of Elections was doing their budget there was going to be a requirement to upgrade. The upgrade of software was in the budget, the upgrade of the computer was not. Mr. Morgan came in and reviewed with EMS what was required. We are authorizing the payment to Mr. Morgan for when he receives the equipment on his site so that he can begin prep of it. Board of Elections has worked it out within their budget; they will put off the purchase of a new copier.

RESOLUTION NO. 105-13

RESOLUTION AUTHORIZING BOARD OF ELECTIONS COMPUTER UPGRADE AND PAYMENT TO PRISM TECHNOLOGY AND SUPPORT

DATED: APRIL 4, 2013

BY MR. FREY:

WHEREAS, computer upgrades are necessary to the Board of Elections, EMS voter software program, and

WHEREAS, Robert Morgan of Prism Technology and Support has worked with Dominion Software to determine the necessary upgrades, and

WHEREAS, Board of Elections has an estimate from Prism Technology and Support, for Two Thousand Four Hundred Ninety Dollars (\$2,490.00) to provide said upgrades, and

WHEREAS, the Election Commissioners recommend said upgrades, and

WHEREAS, while these upgrades were not planned for in the 2013 Board of Elections budget, sufficient funds are available, by holding off a copier update until 2014. Now therefore be it

RESOLVED, that the Hamilton County Board of Elections Office is hereby authorized to upgrade the necessary computer systems to accommodate the EMS updates, and be it further

RESOLVED, that the Hamilton County Treasurer is hereby authorized to pay Prism Technology and Support Two Thousand Dollars (\$2,000.00) for the special order computer equipment which will be delivered directly to Robert Morgan Prism Technology for set-up.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND
TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 106-13

**RESOLUTION AUTHORIZING CONTRACT WITH CATHEDRAL CORPORATION
FOR PRINTING SERVICES FOR THE 2013 PRODUCTION OF TAX AND
ASSESSMENT ROLLS AND TAX BILLS**

DATED: APRIL 4, 2013

BY MR. EDWARDS:

WHEREAS, Section 502 of the Real Property Tax Law prescribes the form and content of the Assessment Rolls, Section 904 of the Real Property Tax Law prescribes the form and content of the Tax Warrants and Tax Rolls, and Section 922 of the Real Property Tax Law prescribes the form and content of the Statement of Taxes Due (Tax Bills) to be mailed to each taxpayer, and

WHEREAS, Section 1532 of the Real Property Tax Law defines the powers and duties of the director of real property tax services to include the authorization of the director of real property tax services to supply cities and towns with assessment rolls or other forms for use in connection with the preparation of assessment rolls or the collection of property taxes, and such other related services pertaining to the assessment and taxation of real property as may be authorized by the legislative body of the county, and

WHEREAS, the Hamilton County Board of Supervisors, being the duly authorized legislative body of the county, has authorized the director of real property tax services by resolution to produce and provide the annual tax bills, tax collection rolls and assessment rolls for all of the taxing jurisdictions physically located inside the county, and

WHEREAS, Hamilton County Real Property Tax Services and tax collectors in the taxing jurisdictions it serves have observed a notable decline in the print production quality and the level of customer service from the vendor that supplied the contract printing services in recent tax cycles, and the contract with that vendor has expired, and

WHEREAS, the Director of Real Property Tax Services has solicited an alternative proposal for production from a capable vendor, performed due diligence, completed an on-site visit, reviewed statements of work, and has negotiated an annual print production cost which is less than previous annual cycle costs, and

WHEREAS, it is the opinion of the Real Property Tax Services Director that the alternative contact printing vendor offers advanced printing technologies, job specific and taxing jurisdiction specific customizations, enhanced sorting and handling flexibility, and the potential for additional project and USPS cost savings through economies of scale, Now therefore be it

RESOLVED, the Hamilton County Board of Supervisor hereby authorizes a one year agreement for contract print services with Cathedral Corporation of Rome, New York, for the 2013 production of tax bills, tax collection rolls and assessment rolls on behalf of the taxing jurisdiction in Hamilton County

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

After the following resolution was placed on the floor, Mr. Towers stated that he knows that they are not only doing this at the county but also at some of the municipalities around the county as well. Mr. Towers asked for some background on what they will be doing. The Chairman stated that if you want information on the health care exchange specifically you might want to contact someone associated with the federal or state government. Mr. McGovern stated that this is so complicated for people that this counseling is going to be worthwhile. Mr. McGovern further stated that this will be on his next town agenda.

RESOLUTION NO. 107-13

APPROVAL OF USE OF OFFICE SPACE FOR THE FAMILY COUNSELING CENTER OF FULTON COUNTY, INC.

DATED: APRIL 4, 2013

BY MR. MCGOVERN:

WHEREAS, The Family Counseling Center of Fulton County, Inc. has requested permission for use of office space in the Hamilton County Nursing Services office in Indian Lake, and

WHEREAS, the Director of Public Health supports and has a plan for accommodating this request, and

WHEREAS, said request is to facilitate The Family Counseling Center of Fulton County, Inc., enrolling eligible people as entities through the "In Person Assistors and Navigator Program" for the New York State Health Benefit Exchange, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby approves that The Family Counseling Center of Fulton County, Inc., be granted use of the said office space for a period running from August 1, 2013 through September 30, 2018, and be it

RESOLVED, that the County may terminate said agreement anytime with sixty (60) days written notice, and be it further

RESOLVED, that a written agreement be entered into with The Family Counseling Center of Fulton County, Inc., by the adoption of this resolution.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

After the following resolution was placed on the floor, Mr. McGovern asked what happens with the old van. The Chairman stated that it will become excess and we will either sell it to a town or auction it. Community Services will not be operating two vans.

RESOLUTION NO. 108-13

AUTHORIZING PAYMENT TO VAN BORTEL FORD FOR 2013 COMMUNITY SERVICES VAN

DATED: APRIL 4, 2013

BY MR. TOWERS:

WHEREAS, Resolution Number 354-12 duly adopted on December 14, 2012 authorizes the County Fleet Coordinator to purchase a 2013 Ford E-350 12 Passenger Van for use by the Community Services Department under New York State Contract, and

WHEREAS, the said vehicle was ordered on December 27, 2012 and was delivered on April 3, 2013 at the contract price of \$22,193.04 including delivery, and

WHEREAS, the County Fleet Coordinator has inspected said vehicle and confirms that it is accepted and meets specification and recommends payment of said vehicle, be it

RESOLVED, that the County Treasurer is hereby authorized to make payment to Van Bortel Ford, Inc., 71 Marsh Road, East Rochester, NY 14445 in the amount of \$22,193.04 and the funds to be taken out of Account No. 4310.201-A Automobile for Community Service and the Community Service Director and the Clerk of the Board be so notified.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 109-13

AUTHORIZING PAYMENT TO HOSELTON CHEVROLET FOR 2013 PUBLIC HEALTH VEHICLE

DATED: APRIL 4, 2013

BY MR. TOWERS:

WHEREAS, Resolution Number 27-13 duly adopted on January 8, 2013 authorizes the County Fleet Coordinator to purchase a two (2) 2013 Chevrolet Impalas for use by the Public Health Department under New York State Contract, and

WHEREAS, one of the vehicles ordered was delivered on April 2, 2013, and

WHEREAS, the County Fleet Coordinator has inspected said vehicle and confirms that it is accepted and meets specification and recommends payment of said vehicle, be it

RESOLVED, that the County Treasurer is hereby authorized to make payment to Hoselton Auto Mall, 909 Fairport Road, East Rochester, NY 14445 in the amount of \$17,785.77 and the funds to be taken out of Account No. 4050.2010-A Public Health for the Public Health Department and the Public Health Director and the Clerk of the Board be so notified.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

After the following resolution was placed on the floor, Mr. Towers stated that this was discussed on Committee Day.

RESOLUTION NO. 110-13

AUTHORIZING PAYMENT TO TRACEY ROAD EQUIPMENT FOR TWO USED DUMP TRAILERS

DATED: APRIL 4, 2013

BY MR. TOWERS:

WHEREAS, Resolution Number 74-13 duly adopted on March 7, 2013 awards the bid for used dump trailers and authorizes the purchase of two (2) Used Ti-Brook Dump Trailers, and

WHEREAS, the said trailers were delivered on April 3, 2013, and

WHEREAS, the County Highway Superintendent has inspected the said trailers and confirms they are accepted and meet specifications and recommends payment of said trailers, be it

RESOLVED, that the County Treasurer is hereby authorized to make payment to Tracey Road Equipment, Inc., 6803 Manlius Center Road, East Syracuse, NY 13057 in the amount of \$60,000.00 and the funds to be taken out of Account No. 5130.2010 –DM Road Equipment and the County Highway Superintendent and the Clerk of the Board be so notified.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 111-13

APPROVAL OF AND TRANSFER OF FUNDS FOR 2013 MERIT PAY

DATED: APRIL 4, 2013

BY MR. EDWARDS:

WHEREAS, the Hamilton County Board of Supervisors has instituted a merit system for county employees, and

WHEREAS, the Internal Management Committee met on March 25, 2013 to review merit evaluations, be it

RESOLVED, that the Internal Management Committee recommends the following hourly merit increments:

HIGHWAY

| | | |
|--------------|----------------------------------|--------|
| Kim Mitchell | April 6, 2013 to April 6, 2014 | \$1.54 |
| Mark Stuart | April 14, 2013 to April 14, 2014 | \$1.32 |

TOURISM

| | | |
|-------------|--------------------------------|--------|
| Dean Nervik | April 1, 2013 to April 1, 2014 | \$1.21 |
|-------------|--------------------------------|--------|

SHERIFF

| | | |
|-----------------|--------------------------------|--------|
| Stephen Jaquish | April 6, 2013 to April 6, 2014 | \$1.32 |
|-----------------|--------------------------------|--------|

NURSING

| | | |
|-------------|----------------------------------|--------|
| Tracey Hunt | April 25, 2013 to April 25, 2014 | \$1.54 |
|-------------|----------------------------------|--------|

DISTRICT ATTORNEY

| | | |
|-------------------|--------------------------------------|--------|
| Michelle Hutchins | January 25, 2013 to January 25, 2014 | \$.33 |
| Connie Mahoney | March 10, 2013 to March 10, 2014 | \$1.65 |

and be it further

RESOLVED, that the following transfers be made to cover the above 2012 merit pay:

| | | | |
|-------|-----------|----------------------------------|-------------|
| FROM: | A1990.401 | Contingent | \$17,381.65 |
| TO: | D5110.101 | Personal Services | \$3,215.52 |
| | A1620.105 | Senior Custodian | \$2,821.28 |
| | A8020.102 | Admin. Asst. to Director | \$2,259.95 |
| | A3150.105 | Correction Officer E | \$2,695.44 |
| | A4010.105 | Registered Professional Nurse #2 | \$2,813.58 |
| | A1165.102 | Confidential Secretary | \$561.33 |
| | A1165.105 | Account Clerk | \$3,014.55 |

and the County Treasurer be so authorized and Personnel Officer be notified.

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 112-13

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: APRIL 4, 2013

BY MR. TOWERS:

RESOLVED, that the bills in the Machinery Fund amounting to \$120,809.79 and bills in the County Road Fund amounting to \$141,966.26 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. Frey and adopted by the following vote:

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 113-13

APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND

DATED: APRIL 4, 2013

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$246,089.78 by the following committees:

| | |
|---|-------------|
| Building Committee | \$24,167.47 |
| Solid Waste Committee | 11,154.61 |
| Finance Committee | 107,928.37 |
| Health & Human Services Committee..... | 64,001.71 |
| Central Government Committee | 33,075.14 |
| Publicity, Tourism, Economic Development & Planning Committee..... | 4,388.57 |
| Internal Management Committee | 1,373.91 |

are hereby approved.

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

**AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND
TOWERS**

NAYS: NONE

ABSENT: PINCOMBE

The Chairman handed out a resolution regarding an amendment to the River Street contract. The Chairman explained that we previously approved a contract with River Street to do the work under both the DEC and DOS grant. There has been a group under the Partnership; the Rec. Strategies Group, which has been meeting with the five TNC communities and have had conversations about how those five communities, might propose to the Partnership that the planning work for their five towns could be considered an implementation project under the grant. In working with DOS and River Street we have come up with a more direct route to make that a project, rather than having them have to jump through the hoops of having to submit their proposal of why they should be an implementation project to River Street and to the project advisory team. We have gotten DOS to allow us to move money around within the grant so that we can simply take that project; it is time sensitive because the CFA rounds are coming up again. The Chairman read the following resolution.

RESOLUTION NO. 114-13

**RESOLUTION AUTHORIZING THE AMENDMENT OF THE RIVER STREET
CONTRACT**

DATED: APRIL 4, 2013

BY MR. FREY:

WHEREAS, the Hamilton County Board of Supervisors approved a contract with River Street, to fulfill the obligations of Department of Environmental Conservation Smart Growth

Grant contract C304510 and Department of State Waterfront Contract C007130, for a total amount of \$303,000.00, and

WHEREAS, subsequent to said contract being approved additional details have become available, and

WHEREAS, said contract allowed for amendments to accommodate such changes, now therefore, be it

RESOLVED, that the remuneration for said agreements is hereby authorized to be modified to \$318,000.00 (\$123,000.00 Department of Environmental Conservation and \$195,000.00 Department of State) and be it further

RESOLVED, that the following individual component changes are also authorized:

Component - V / Task – W
Reduced from \$150,000.00 to \$130,000.00

Component – II / Task – L
Increased from \$5,000.00 to \$25,000.00

and be it also

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to execute the necessary documents to implement these changes, with the approval of the Hamilton County Attorney

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

AYES: WILT, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND
TOWERS

NAYS: NONE

ABSENT: PINCOMBE

Other Reports:

Brian T.: There will be an IDA meeting this afternoon in Indian Lake.

Neil: Asked regarding the Orleans County resolution regarding the early voting, could the Chairman give us an update on this and also where the fire fighters tax is. The Chairman stated that he does not have any details on either of those items. Mr. McGovern stated that in the scope of the budget it seems lost in the victory lap of Albany that celebrating an on time budget seems neither noteworthy or reason for praise. The misdirection that is being put to us about no new taxes, no new fees is good politics, he just doesn't feel it is good government. As long as the state approved press reports it that way, it is incumbent upon us to point out some of the particularly galling parts of this. The continuing blame that gets put upon school districts and local governments without any commensurate responsibility being taken by the state for mandate relief, he feels is reprehensible. Mr. McGovern continued to discuss.

County Attorney: Reported that regarding the Hudson River Black River Regulating District, the Attorney General's Office has signed off on the stipulation agreement.

David Pincombe informed the Board that his mother sends her regards and is so sorry she couldn't make it today. David also thanked the Board for the plant that was sent to her.

The Chairman reported that we will have a busy May meeting. The Decentralization Grants were not available to do sooner, so we will be doing them in May. We also honor the seniors in May.

Clark reported regarding the State Rt. 28N video, there is a small fleet of DOT vehicles at the corner of Route 28N & 30 this morning.

As there was no further business, motion to adjourn by Mr. McGovern, seconded by Mr. Seaman. Carried.