

2012

SEVENTH ANNUAL SESSION

DECEMBER 14, 2012

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 Clerk, Mrs. Laura A. Abrams, called the roll with the following Supervisors answering:

Arietta	ABSENT
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, Assemblyman Marc Butler, Naomi Baker, Nancy Welch, Tracy Eldridge and Pete Klein, Press

A motion was made to accept the minutes of November 7, 2012, November 9, 2012 and November 14, 2012 by Mr. Edwards, seconded by Mr. McGovern. Carried.

Public Comment: No one present.

Report of Standings/Special Committees:

John: As we all know this was a hard budget to put out to the residents, but he feels this is the budget that we needed to have. We need to look at some more mandate relief and are looking to Assemblyman Butler for some help in securing that.

The Chairman stated the next item on the agenda is Naomi Baker who volunteers with the IRS Tax Assistants.

Ms. Baker introduced herself and reported that she is part of the Greater Capital Region CASH Coalition. This is a five county coalition led by the United Way. She is the chair of the Saratoga Chapter and she has some property in the Town of Wells. Three years ago the IRS mentioned that this is the most underserved county in the IRS territory. The program that she helps facilitate is doing volunteer income tax preparation/assistance. In 2009 they served people in Hamilton County through the Cooperative Extension Office, last year it was at the Lake Pleasant Library. The first year she helped do 1 or 2 tax returns, the second year she did 25 and the third year she did 40. She stated that they also do other programs, such as financial services and financial outreach which is connecting residents to the resources that are available. Ms. Baker continued to review other programs. She would like to get local people interested in volunteering to help with

tax returns. Her goal is to get a coalition created here and be able to qualify for the CASH Coalition that will help stream some United Way funding to be used for mileage etc. The IRS also offers a mini grant that each of the five counties can apply for and they are very interested in helping this county to get the services going. If we get the county on file we can apply for the grant.

Mr. McGovern asked what the responsibilities of the volunteers would be. Ms. Baker stated it depends on the role they choose, Ms. Baker is looking for tax preparers. They need to be certified through an IRS grading program.

Ms. Baker handed out information to all the Board members to review and left at this time.

The Chairman then introduced Assemblyman Marc Butler.

Assemblyman Butler thanked the Board for giving him a few minutes to address them. He stated that his boundaries have been dramatically altered and there are some areas that he represented in the past such as Hamilton County. Marc stated he is not here from Albany to tell them how it's going to be, he is here to listen to them and take that back to Albany.

Assemblyman Butler has spoken with many of the other counties in his current and new district and you all share some of the same issues regarding budgets. They will start sessions on January 9<sup>th</sup> and within a few weeks of that they will receive the budget proposal and that should give them a pretty clear idea of the Governor's concerns and if there is any mandate relief or any adjustments that may help you. They had a group of school superintendents in Albany about a week ago and their message was pretty clear. This is going to be the make it or break it year for many schools. They have gone through their fund balances and if something isn't done we are going to be facing some serious situations. From what he has been hearing some of the counties are not far behind.

Assemblyman Butler stated that he had to be frank with the Board that the Governor is in a pretty strong position right now and without his support any kind of cash in their direction is going to be very difficult. We want to be optimistic but he feels they are headed for a difficult year in Albany. They are still getting the results of Hurricane Sandy and the impact that is going to have. Some estimates will make a billion dollar gap in their budget for next year. When they try to fill some of the gap certainly that will trickle down to the counties. What people don't take into account beside the cleanup and damage is this will also have an impact on commerce and businesses. Assemblyman Butler stated that the reports show that tax revenues are falling below predictions while spending is slightly above. The good news is that they received these reports in time so they could make some adjustments before the end of the fiscal year, but the trends are not optimistic right now.

When we get into talking about mandate relief, you're talking about some real issues that affect people's pensions, retirements, health care benefits etc. When you start going after those; that is a political hand grenade and he doesn't know if there is a will in Albany to take those kinds of things on. Governor Pataki tried that once and it didn't work out very well. Assemblyman Butler stated that they understand what the counties are looking for and what they need, but it's going to take some real political will in Albany to attack some of those things.

Assemblyman Butler stated that he, as well as the county, will have a full plate next year and his main reason for being here is he tries to be hands on. He has gotten a larger staff due to the size of his district. He stated that the Board will probably work specifically with one of his staff members.

Assemblyman Butler wanted to commend Teresa Sayward and Betty Little; he knows that Teresa has done a wonderful job representing this county and the work she has done with Township 40, etc.

Assemblyman Butler asked if anyone had anything that they wanted to discuss.

Mr. Frey asked if there was any push on increased sales tax. Assemblyman Butler stated that it seems that you are being penalized for being responsible in keeping your sale tax rates at a reasonable level. He doesn't think it's fair, as you know it's been the Governor's policy that they are not approving any new taxes or any increases in taxes because they feel it would be a way around the property tax cap.

The Chairman asked why you would be able to get around the property tax cap. If you set the threshold at exactly the same levels so that you authorized everyone at 4% and if you were below 4% and was going to increase it you need to go through the same local laws etc.

Assemblyman Butler stated if it's on the levy, if you have an increase in sales tax, increase in mortgage fees etc., you are simply raising that revenue in another way instead of through the proper channels.

Assemblyman Butler and the Chairman continued to discuss.

Mr. McGovern stated in the Adirondacks one of our biggest problems is the way we get it from both ends. We're very happy to continue to protect this wild area that was set aside by the State so that there are not things that somehow spoil the visitors view, such as box stores, strip malls etc. Because of that two things happen, our own residents leave our county in order to make purchases of any kind. Second the visitors are the ones who pay the disproportion amount of increase in sales tax, not the residents. We are not like a lot of tourist areas, this is one of the main stays of the economy, so the people who are coming through if they paid another percent that would be a great help to us and no direct impact on real estate taxes.

Mr. Frey stated the majority of them that come from outside the area are already paying 8% or more in sales tax. He feels it's a fair way to do it. He would like it stated "one size does not fit all" on one side of the equation, but if we need to use that as the bench mark then "one size does need to fit all".

The Chairman stated that Mr. McGovern made an excellent point that the challenge for our residents is they are now paying the higher property tax and they are paying other people's sale tax. Discussion continued.

Assemblyman Butler thanked everyone and welcomed the input. He will be taking it back to Albany with him.

The Chairman introduced Nancy Welch from Cornell Cooperative Extension. She is here today because she would like to know how we notify realtors about the Right to Farm Law.

Nancy handed out information and stated that if they agreed on this letter it would go out with a cover letter explaining the new law. Nancy feels it is really important that the word gets out. Nancy stated that each member would be responsible to let their town boards know. She would also like to know who would be receiving any complaints.

Nancy stated the last thing is that they need to form a Mediation Board. The Chairman stated that was setup in the Local Law, it is the Local Supervisor, yourself and the Chairman of the Economic Development Committee.

The Board agreed to have Nancy distribute the information.

RESOLUTIONS:

### **REPORT OF TAX COMMITTEE**

Your Tax Committee has examined the several tax rolls of the County of Hamilton and finds that the taxes as set forth therein have been properly and accurately extended and it, therefore, recommends that the amounts as set forth as the taxes in said rolls be levied, assessed and fixed and determined as the taxes due from such persons, corporations and parcels of land set forth in the tax rolls. Your committee has also examined the tax warrants of each of the tax districts, as attached to said tax rolls and finds that the forms of said tax rolls are in accord with the provisions of the Real Property Tax Law, Sections 900 and 904, and that the amounts set forth in said Warrants be examined by the Clerk and Chairman of the Board, the County Seal affixed thereto and said rolls be delivered to the collectors of the several tax districts of the County.

Dated: December 14, 2012

### **RESOLUTION NO. 345-12**

### **RESOLUTION ACCEPTING REPORT OF TAX COMMITTEE**

**DATED: DECEMBER 14, 2012**

**BY MR. FREY:**

RESOLVED, that the Report of Tax Committee dated December 14, 2012 be accepted and that the several recommendations therein contained be adopted as the act and determination of this Board, that the Chairman and the Clerk be authorized to sign and seal said warrants for collections of said taxes on or before the first date of April 2013.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 346-12**

**LEVYING 2013 COUNTY AND TOWN TAXES AND ASSESSMENTS, APPROVING  
THE COMPLETED TAX ROLLS, AND DIRECTING THE EXECUTION AND  
DELIVERY OF THE TAX WARRANTS**

**DATED: DECEMBER 14, 2012**

**BY MR. FREY:**

WHEREAS, there has been presented to this Board of Supervisors a duly certified copy of the annual budget for each of the nine towns of Hamilton County for the fiscal year commencing January 1, 2013, and

WHEREAS, the Hamilton County Board of Supervisors has duly adopted its annual budget for the fiscal year 2013 on November 29, 2012, which budget provides for appropriation of funds in the total amount of \$17,362,297.00 and for a total tax levy of \$7,415,679.00, therefore, be it

RESOLVED, that pursuant to Town Law §115, the amounts specified in the annual town budgets, as adopted by the respective Town Boards, to be raised by tax or assessment shall be levied, assessed, raised and collected against, from, and upon the real property of the respective towns liable therefore at the time and in the manner provided by law for the levy of county taxes, and be it further

RESOLVED, that pursuant to County Law §360, the amounts specified in the 2013 County budget to be raised by tax, amounting to \$7,415,679.00 be levied, assessed, raised and collected against, from, and upon the real property of the County liable therefore at the time and in the manner provided by law, and be it further

RESOLVED, that the Town and County taxes be extended against each parcel on said rolls, with such taxes as extended being hereby determined to be the taxes due on each such parcel as set forth thereon, and be it further

RESOLVED, that there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk of the Board, as provided by Real Property Tax Law §904, that such warrants should be in the respective amounts heretofore authorized to be levied upon said rolls, that under the seal of Hamilton County Board of Supervisors the said rolls with said warrants are to be forthwith collected within and from the several tax districts of the County, and be it further

RESOLVED, that such taxes and assessments, when collected, shall be paid to the Supervisor of the respective town and to the Hamilton County Treasurer in the amounts as shown on the Contents of Collectors Warrants for distribution by them in the manner provided by law.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 347-12**

**AUTHORIZING THE RELEVY OF UNPAID SCHOOL TAXES AND VILLAGE OF  
SPECULATOR TAXES ON THE 2013 TAX ROLLS**

**DATED: DECEMBER 14, 2012**

**BY MR. MCGOVERN:**

WHEREAS, the School Districts within Hamilton County have transmitted to the Hamilton County Treasurer the amounts of unpaid school taxes duly verified and certified as provided by Real Property Law §§1330, and

WHEREAS, the unpaid school taxes, together with an additional 7% thereon, are subject to re-levy and collection pursuant to Real Property Tax Law §§1330, and

WHEREAS, the Village of Speculator has transmitted to the Hamilton County Treasurer the amounts of unpaid school taxes duly verified and certified as provided by Real Property Law §§1442, and

WHEREAS, the unpaid Village of Speculator taxes, together with an additional 7% thereon, are subject to re-levy and collection pursuant to Real Property Tax Law §§1442, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes and directs that the amounts of 2012-2013 School Taxes remaining unpaid as of December 1, 2012 be re-levied upon the 2013 tax roll, and that any payments which are mailed and contain a postmark as of December 1, 2012 shall be deemed to have been actually received by the County Treasurer on said date, and be it further

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes and directs that the amounts of 2012-2013 Village of Speculator Taxes remaining unpaid as of November 1, 2012 be re-levied upon the 2013 tax roll, and that any payments which are mailed and contain a postmark as of November 1, 2012 shall be deemed to have been actually received by the County Treasurer on said date.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 348-12**

**FIXING ANNUAL SALARIES OF THE DISTRICT ATTORNEY, COUNTY  
TREASURER, REAL PROPERTY DIRECTOR, COUNTY CLERK, PERSONNEL  
OFFICER, SHERIFF, COMMISSIONER OF SOCIAL SERVICES, HIGHWAY  
SUPERINTENDENT, COUNTY ATTORNEY AND COMMISSIONERS OF THE BOARD  
OF ELECTIONS**

**DATED: DECEMBER 14, 2012**

**BY MR. FREY:**

BE IT RESOLVED, that proposed Local Laws No. 1-10 of the year 2013 entitled respectively, "A Local Law Fixing the Annual Salary of the Hamilton County District Attorney, A Local Law Fixing the Annual Salary of the Hamilton County Treasurer, A Local Law Fixing the Annual Salary of the Hamilton County Real Property Director, A Local Law Fixing the Annual Salary of the Hamilton County Clerk, A Local Law Fixing the Annual Salary of the Hamilton County Personnel Officer, A Local Law Fixing the Annual Salary of the Hamilton County Sheriff, A Local Law Fixing the Annual Salary of the Hamilton County Commissioner of Social Services, A Local Law Fixing the Annual Salary of the Hamilton County Highway Superintendent, A Local Law Fixing the Annual Salary of the Hamilton County Attorney, A Local Law Fixing the Annual Salary of the Hamilton County Commissioners of the Board of Elections" be and the same are hereby introduced to the Board of Supervisors, and be it further

RESOLVED, that the copies of the aforesaid proposed Local Laws be laid upon the desks of each member of the Hamilton County Board of Supervisors, and be it further

RESOLVED, that the Hamilton County Board of Supervisors shall hold a public hearing on each of the said proposed Local Laws at the County Office Complex, Route 8, Lake Pleasant, New York, on the 8<sup>th</sup> day of January, 2013, at 11:00 a.m., and be it further

RESOLVED, that the Chairman of the County Board of Supervisors publish or cause to be published a public notice in the official newspaper of the County of said public hearing at least five (5) days prior thereto.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 1 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY DISTRICT ATTORNEY**

Legislative Intent: The Hamilton County District Attorney's annual salary for the year 2012 was set by the Hamilton County Board of Supervisors at Eighty Thousand Dollars (\$80,000.00). That to bring the Hamilton County District Attorney's annual salary into conformity with the other appointed and elected officials, the annual salary for the Hamilton County District Attorney for the year 2013 will be Eighty-five Thousand Dollars (\$85,000.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the Hamilton County District Attorney's annual salary for the year 2013 at Eighty-five Thousand Dollars (\$85,000.00).
2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.
3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 2 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY TREASURER**

Legislative Intent: The Hamilton County Treasurer's annual salary for the year 2012 was set by the Hamilton County Board of Supervisors at Sixty-seven Thousand Twenty-seven Dollars (\$67,027.00). That to bring the Hamilton County Treasurer's annual salary into conformity with the other appointed and elected officials, the annual salary for the Hamilton County Treasurer for the year 2013 will be Sixty-nine Thousand Thirty-eight Dollars (\$69,038.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the Hamilton County Treasurer's annual salary for the year 2013 at Sixty-nine Thousand Thirty-eight Dollars (\$69,038.00).
2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.
3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 3 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY REAL PROPERTY TAX DIRECTOR**

Legislative Intent: The Hamilton County Real Property Tax Director's annual salary for the year 2012 was set by the Hamilton County Board of Supervisors at Sixty Thousand Dollars (\$60,000.00). That to bring the Hamilton County Real Property Tax Director's annual salary into conformity with the other appointed and elected officials, the annual salary for the Hamilton County Real Property Tax Director for the year 2013 will be Sixty-one Thousand Four Hundred Thirty-six Dollars (\$61,436.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the Hamilton County Real Property Tax Director's annual salary for the year 2013 at Sixty-one Thousand Four Hundred Thirty-six Dollars (\$61,436.00).
2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.
3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 4 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY CLERK**

Legislative Intent: The Hamilton County Clerk's annual salary for the year 2012 was set by the Hamilton County Board of Supervisors at Sixty-seven Thousand Twenty-eight Dollars (\$67,028.00). That to bring the Hamilton County Clerk's annual salary into conformity with the other appointed and elected officials, the annual salary for the Hamilton County Clerk for the year 2013 will be Sixty-nine Thousand Thirty-eight Dollars (\$69,038.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the Hamilton County Clerk's annual salary for the year 2013 at Sixty-nine Thousand Thirty-eight Dollars (\$69,038.00).
2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.

3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 5 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY PERSONNEL DIRECTOR**

Legislative Intent: The Hamilton County Personnel Director's annual salary for the year 2012 was set by the Hamilton County Board of Supervisors at Forty-two Thousand Eight Hundred Fifty-nine Dollars (\$42,859.00). That to bring the Hamilton County Personnel Director's annual salary into conformity with the other appointed and elected officials, the annual salary for the Hamilton County Personnel Director for the year 2013 will be Forty-three Thousand Seven Hundred Sixteen Dollars (\$43,716.00)

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

1. That the Hamilton County Board of Supervisors hereby fixes the annual salary of the Hamilton County Personnel Director for the year 2013 at Forty-three Thousand Seven Hundred Sixteen Dollars (\$43,716.00).
2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.
3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 6 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY SHERIFF**

Legislative Intent: The Hamilton County Sheriff's annual salary for the year 2012 was set by the Hamilton County Board of Supervisors at Seventy-two Thousand Seven Hundred Seventy-nine Dollars (\$72,779.00). That to bring the Hamilton County Sheriff's annual salary into conformity with the other appointed and elected officials, the annual salary for the Hamilton County Sheriff for the year 2013 will be Seventy-four Thousand Nine Hundred Sixty-two Dollars (\$74,962.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the annual salary of the Hamilton County Sheriff for the year 2013 at Seventy-four Thousand Nine Hundred Sixty-two Dollars (\$74,962.00).

2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.
3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 7 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY COMMISSIONER OF SOCIAL SERVICES**

Legislative Intent: The Hamilton County Commissioner of Social Services' annual salary for the year 2012 was set by the Hamilton County Board of Supervisors at Seventy-two Thousand Five Hundred Dollars (\$72,500.00). That to bring the Hamilton County Commissioner of Social Services' annual salary into conformity with the other appointed and elected officials, the annual salary for the Hamilton County Commissioner of Social Services for the year 2013 will be Seventy-three Thousand Nine Hundred Fifty Dollars (\$73,950.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the annual salary of the Hamilton County Commissioner of Social Services for the year 2013 at Seventy-three Thousand Nine Hundred Fifty Dollars (\$73,950.00).
2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.
3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 8 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY HIGHWAY SUPERINTENDENT**

Legislative Intent: The Hamilton County Highway Superintendent's annual salary for the year 2012 was set by the Hamilton County Board of Supervisors at Seventy-five Thousand Two Hundred Eight-nine Dollars (\$75,289.00). That to bring the Hamilton County Highway Superintendent's annual salary into conformity with the other appointed and elected officials, the annual salary for the Hamilton County Highway Superintendent for the year 2013 will be Seventy-six Thousand Seven Hundred Ninety-five Dollars (\$76,795.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the annual salary of the Hamilton County Highway Superintendent for the year 2013 at Seventy-six Thousand Seven Hundred Ninety-five Dollars (\$76,795.00).
2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.
3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 9 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY ATTORNEY**

Legislative Intent: The Hamilton County Attorney's annual salary for the year 2012 was set by the Hamilton County Board of Supervisors at Sixty-six Thousand Six Hundred Two Dollars (\$66,602.00). That to bring the Hamilton County Attorney's annual salary into conformity with the other appointed and elected officials, the annual salary for the Hamilton County Attorney for the year 2013 will be Sixty-seven Thousand Nine Hundred Thirty-four Dollars (\$67,934.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the annual salary of the Hamilton County Attorney for the year 2013 at Sixty-seven Thousand Nine Hundred Thirty-four Dollars (\$67,934.00).
2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.
3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 10 OF THE YEAR 2013**

**A LOCAL LAW FIXING THE ANNUAL SALARIES OF THE  
HAMILTON COUNTY COMMISSIONERS OF THE BOARD OF ELECTIONS**

Legislative Intent: The Hamilton County Commissioners of the Board of Elections annual salaries for the year 2012 were set by the Hamilton County Board of Supervisors at Forty Thousand Five Hundred Eighty-seven Dollars (\$40,587.00). That to bring the Hamilton County Commissioners

of the Board of Elections annual salaries into conformity with the other appointed and elected officials, the annual salary for the Hamilton County Commissioners of the Board of Elections for the year 2013 will be Forty-one Thousand Three Hundred Ninety-nine Dollars (\$41,399.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the annual salary of the Hamilton County Commissioners of the Board of Elections for the year 2013 at Forty-one Thousand Three Hundred Ninety-nine Dollars (\$41,399.00).
2. Insofar as the provisions of this local law are inconsistent with the provisions of other local laws or acts, the provisions of this local law shall be controlling.
3. This local law is subject to a referendum on petition and shall take effect forty-five (45) days after its adoption unless a petition protesting against such local law is filed with the Clerk and signed by qualified electors as required by law.

**RESOLUTION NO. 349-12**

**SETTING RATE FOR TRAVEL ALLOWANCE – 2013**

**DATED: DECEMBER 14, 2012**

**BY MR. MCGOVERN:**

RESOLVED, that Hamilton County will, effective January 1, 2013, compensate auto mileage incurred by employees on behalf of the County at the rate of \$.565 per mile and the County Treasurer be so authorized.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 350-12**

**RESOLUTION TO DESIGNATE OFFICIAL NEWSPAPER FOR THE YEAR 2013**

**DATED: DECEMBER 14, 2012**

**BY MR. TOWERS:**

RESOLVED, that pursuant to Section 214 Subdivision 1 of the County Law, the Hamilton County Express be designated as the official Newspaper for the year 2013 for the County of Hamilton for publishing of official publications and notices and that this designation be filed with

the Clerk of the Board of Supervisors and notice of the designation be forwarded to the Secretary of State before January 1, 2013.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 351-12**

**TRANSFER OF FUNDS – CONTINGENT**

**DATED: DECEMBER 14, 2012**

**BY MR. EDWARDS:**

WHEREAS, Resolution No. 319-12 transferred \$12,000.00 of funding into the Contingent Account for the remainder of 2012, it was found to be an insufficient amount, and

WHEREAS, due to the transfer of approximately \$25,000 for purposes other than the County Merit System the Contingent Account is exhausted, and

WHEREAS, the County Merit System transfers funding from the Contingent Account, therefore, be it

RESOLVED, that \$615.00 be transferred from Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. A1990.401 to cover Merit Pay Evaluations for Hamilton County Employees for the balance of 2012.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 352-12**

**AUTHORIZING CHAIRMAN TO SIGN PROVIDER AGREEMENT WITH MVP  
HEALTH CARE**

**DATED: DECEMBER 14, 2012**

**BY MR. SEAMAN**

WHEREAS, MVP Health Care has requested a Provider Agreement with Hamilton County Public Health Nursing Service for the provision of Home Health Care Services for their participants, and

WHEREAS, the Hamilton County Public Health Nursing Service and MVP Health Care have agreed to the following fee schedule as set forth in Schedule B of the Provider Agreement:

Skilled Nursing Visit	\$ 162.15
Physical Therapy Visit	\$110.00
Occupational Therapy Visit	\$110.00
Speech Therapy Visit	\$110.00
Medical Social Worker Visit	\$118.00
Home Health Aide	\$ 42.00 / hr

be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the Provider Agreement with MVP Health Care, commencing January 1, 2013 with approval of the County Attorney.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 353-12**

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH SCHOOL DISTRICT TO PROVIDE SPEECH THERAPY SERVICES FOR THE PRESCHOOL SPECIAL EDUCATION PROGRAM – WELLS CENTRAL SCHOOL**

**DATED: DECEMBER 14, 2012**

**BY MR. SEAMAN:**

WHEREAS, the Hamilton County Public Health Nursing service is required to provide for Speech Therapy Services for children aged 3-5, who reside within Hamilton County and have a developmental delay as defined through a comprehensive evaluation, through the Committee on Pre-School Special Education (CPSE) process, and

WHEREAS, Wells Central School District is an approved provider of speech therapy related services through the New York State Department of Education, and

WHEREAS, the frequency and duration of services for each child is based on the findings of the comprehensive evaluation and rules applying to section 4410 of the NYS Education Law, as determined by the CPSE committee in preparing an Individualized Education Plan (IEP), and

WHEREAS, the compensation for related services are set at rates in conjunction with the Rate Setting Unit of the NYS Department of Education, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is authorized to enter into a contract with said provider to provide the aforesaid services for the period of December 17, 2012 through August 31, 2013 pursuant to an aforesaid IEP for each eligible child, with compensation for services rendered at the current approved rates set forth for Hamilton County by the Rate Setting Unit of the NYS Education Department, upon approval of the County Attorney, and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

After the following resolution was placed on the floor; Mr. McGovern asked if we are still using vans. The Chairman stated we have senior vans and a van Community Service uses for prevention education programs. It is also used by other departments if multiple people are going somewhere.

**RESOLUTION NO. 354-12**

**AUTHORIZING COUNTY FLEET COORDINATOR TO PURCHASE AUTOMOBILE FOR COMMUNITY SERVICE DEPARTMENT**

**DATED: DECEMBER 14, 2012**

**BY MR. TOWERS:**

WHEREAS, the Community Services Department's current 12 passenger van is in need of replacing and the County Fleet Coordinator does recommend the replacement of said vehicle, and

WHEREAS, 2013 Ford F350 Econoline 12 Passenger Vans are available on New York State Contract at a cost of \$22,217.89 each including delivery, and

WHEREAS, the vehicle that is to be replaced will be sold at auction when the County holds its fleet auction in 2013, and

WHEREAS, the Hamilton County Community Services Department recommends that the remaining unused portion in the amount of \$14,374.36 in Account No. 4310.110A Personal Services be used to cover the cost of the said vehicle along with \$7,843.53 from Account No.4310.415A Family Support, be it

RESOLVED, that Account No. A4310.201 Automobile be hereby created and funded by the following transfer:

FROM:

Account No. A4310.110 Personal Services \$14,374.36  
Account No. A4310.415 Family Support \$ 7,843.53

TO:  
Account No. A4310.201 Automobile \$22,217.89

and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the said transfer and the Fleet Coordinator is hereby authorized to order said vehicle under New York State Contract in the amount of \$22,217.89 delivered and the Clerk of the Board and Community Service Director be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 355-12**

**AGREEMENT BETWEEN THE COUNTY DISTRICT ATTORNEY, SHERIFF'S OFFICE AND THE DEPARTMENT OF SOCIAL SERVICES – ABANDONED INFANT PROTECTION ACT**

**DATED: DECEMBER 14, 2012**

**BY MR. SEAMAN:**

WHEREAS, it is necessary for the Hamilton County District Attorney, Sheriff's Office and the Department of Social Services to enter into an agreement for the Abandoned Infant Protection Act, therefore, be it

RESOLVED, that the District Attorney, Sheriff and Commissioner of Social Services are hereby authorized to enter into an Abandoned Infant Protection Act Agreement.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 356-12**

**AUTHORIZING PAYMENT FOR 2013 TANDEM TRUCK TRACTOR**

**DATED: DECEMBER 14, 2012**

**BY MR. TOWERS:**

WHEREAS, Resolution Number 217-12 duly adopted on August 2, 2012 awarded the bid of \$115,689.00 to Tracey Road Equipment for the purchase of Tandem Truck Tractor for use by the County Highway Department, and

WHEREAS, the said vehicle was delivered on December 12, 2012 and the County Highway Superintendent has inspected the said vehicle and confirms that it meets specification and recommends payment be made, and

WHEREAS, the County Highway Superintendent recommends that \$38,694.25 be transferred from the Unappropriated County Road Fund balance to Account No. DM5130.201 Road Equipment to fund the complete payment of the said vehicle, be it

RESOLVED, that \$38,694.25 be transferred from the Unappropriated County Road Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. DM5130.201 Road Equipment, be it further

RESOLVED, that the County Treasurer is hereby authorized to make the said transfer and to also make payment to:

Tracey Road Equipment  
6803 Manlius Center Road  
East Syracuse, NY 13057

in the amount of \$115,689.00 and the funds to be taken out of Account No. DM5130.201 Road Equipment and the Highway Superintendent and the Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 357-12**

**TRANSFER OF FUNDS – REPAIRS OF EQUIPMENT**

**DATED: DECEMBER 14, 2012**

**BY MR. TOWERS:**

WHEREAS, there is a shortage of funds in Account No. DM5130.401 Repairs of \$14,229.84, be it

RESOLVED, that \$25,000.00 be transferred from County Road Fund Account No. D5142.401 Equipment Rental to Account No. DM5130.401 Repairs to provide enough funding until the end of fiscal year 2012 and the County Treasurer be so authorized and the Clerk of the Board and Highway Superintendent be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 358-12**

**TRANSFER OF FUNDS – COUNTY ROAD MAINTENANCE**

**DATED: DECEMBER 14, 2012**

**BY MR. TOWERS:**

WHEREAS, there is a shortage of funds in Account No. D5110.4020 Equipment Rental, Account No. D5110.4030 Stone and Gravel and Account No. D5110.405 Other Supplies, be it

RESOLVED, that the following transfers be made,

From: Account No. D5110.1010 Personal Services	\$6,000.00
To: Account No. D5110.4020 Equipment Rental	
From: Account No. D5110.1010 Personal Services	\$2,000.00
To: Account No. D5110.4030 Stone and Gravel	
From: Account No. D5110.1010 Personal Services	\$4,500.00
To: Account No. D5110.4050 Other Supplies,	

and the County Treasurer be so authorized and the Clerk of the Board and Highway Superintendent be so notified.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 359-12**

**APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS**

**DATED: DECEMBER 14, 2012**

**BY MR. TOWERS:**

RESOLVED, that the bills in the Machinery Fund amounting to \$36,278.84 and bills in the County Road Fund amounting to \$25,109.84 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: EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: WILT AND PINCOMBE

**RESOLUTION NO. 360-12**

**APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND**

**DATED: DECEMBER 14, 2012**

**BY MR. FREY:**

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$101,802.03 by the following committees:

Building Committee .....	\$10,218.85
Solid Waste Committee .....	9,539.12
Finance Committee .....	26,767.12
Health & Human Services Committee.....	35,028.24
Central Government Committee .....	10,652.57
Publicity, Tourism, Economic Development & Planning Committee.....	8,352.40
Internal Management Committee .....	1,243.73

are hereby approved.

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

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

NAYS: NONE

ABSENT: WILT AND PINCOMBE

Other Reports:

Mr. Towers: Stated that he would like to have a Highway Committee meeting. Tracy has a couple of jobs that need to be filled and a reclassification.

The Chairman stated that they will be meeting on December 27<sup>th</sup> for Internal Management to do employee evaluations. Mr. Towers stated that they only need ½ hour.

Tracy wanted to mention he will be attending a meeting on Thursday in Albany to discuss Map 21 Funding and Laws, there has been some confusion on this and he hopes to be able to clear it up.

Tracy further reported that he was hoping to have the Recycling Law on everyone's desk but he and the County Attorney are still working out a few things.

Mr. McGovern asked what has been the latest talk on shrinking the regions. Tracy stated that he hasn't heard anything lately, but suspects that when they meet for the State of the State in January they will be hearing something on it. Tracy continued to discuss highway issues.

Tracy mentioned that he had a conversation with Mr. Wells regarding purchasing through OGS for contract vehicles; right now there are a few vehicles available on State contract. We are now able to piggyback off other counties' bids.

Mr. Frey: There is a new trail going in from Inlet to Raquette Lake on the Sagamore Road and he would like to thank Mr. Seaman for attending the meeting last week on this. He would also like to thank our Chairman for all the work he did in Albany with Parks & Rec and DEC for moving the grooming ahead this year. The Chairman stated that DEC built 12 miles of trail from the Moose River Plains to Raquette Lake. This has been a huge construction project with two crews working in there for the past couple of months with plans on finishing up at the end of December. This will be a multi-user trail, summer and winter, because of the location to a couple of camp sites it will be a great hiking trail as well.

Mr. Frey thanked the Chairman for mentioning the hiking trail because there are a few environmental organizations that have tried to portray to DEC in a negative way and he would like to get the message out it couldn't be farther from the truth. He feels this is a positive move. Mr. Frey also wanted to mention, he feels it is disingenuous for them to be pushing for larger wilderness areas in some of the Finch Pruyn purchase areas to limit hunting, fishing access. A short discussion followed on classifications of the word "wilderness".

Mr. Edwards: The lawsuit regarding "Float Planes" was withdrawn because the gentleman could no longer afford to go forward.

Mr. Wells: The Town of Indian Lake entered into an agreement with TNC on the Gooley Club property to maintain the road as well as a gravel pit.

Mr. McGovern: With the new 12 mile trail and the Moose River Plains trail, they are using us as a poster child to encourage other places to join efforts.

As there was no further business, motion to adjourn by Mr. Towers, seconded by Mr. Edwards. Carried.