

2011

SIXTH DAY OF ANNUAL SESSION

DECEMBER 16, 2011

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 Abrams, called the roll with the following Supervisors answering:

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

Also present: Pete Klein

A motion was made to accept the minutes of October 24, 2011 and November 3, 2011 by Mr. McGovern, seconded by Ms. Pincombe. Carried.

Public Comment: No one present

Reports of Standings/Special Committees:

John: Reported that Ann Melious will be out on a medical leave.

Rick: Reported that there was a Building Committee meeting this morning. The Committee decided to go with the fixed price for the heating fuel bid. The Committee also discussed the Senior Custodian positions in the Building Department.

Resolutions:

After the following resolution was placed on the floor; the Chairman explained that there was a late chargeback received for the Town of Indian Lake, which caused the need for the amendment.

RESOLUTION NO. 340-11

**AMENDING RESOLUTION NO. 314-11 AUTHORIZING THE LEVY OF
CHARGEBACKS**

DATED: DECEMBER 16, 2011

BY MR. MCGOVERN:

WHEREAS, Resolution No. 314-11 authorized and directed the chargeback schedule set forth below:

Town	Drug and Alcohol Testing	Assessment Roll/ Bill Printing	Election Expenses	Refund of Overpayments Court Orders/ Clerical Errors
Arietta	503.50	1630.89	2865.78	0
Benson	273.16	680.28	3941.76	0
Hope	273.16	764.81	2972.05	0
Indian Lake	449.14	2868.06	6626.64	3927.58
Inlet	1045.71	1964.05	3870.72	0
Lake Pleasant	761.01	2039.60	3727.83	6396.85
Long Lake	698.37	2911.12	6663.28	10432.98
Morehouse	365.30	1350.35	3350.65	0
Wells	427.95	1320.02	5663.20	0
Totals	\$4,797.30	\$15,529.18	\$39,681.91	20,757.41

and

WHEREAS, an additional chargeback to the Town of Indian Lake was received, in the amount of \$4,625.08 related to the EBC Church refund, and

WHEREAS, the Director of Real Property and the County Treasurer recommend that this chargeback be levied with the 2012 Tax Levy, now, therefore, be it

RESOLVED, that the schedule set forth in Resolution No. 314-11 of December 1, 2011 and above is hereby rescinded, and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to levy, from towns as accumulated charge backs accrued, consisting of chargebacks from corrections to the tax bills and for tax refunds, as well as any other incidental charges to the towns of Hamilton County as follows:

Town	Drug and Alcohol Testing	Assessment Roll/ Bill Printing	Election Expenses	Refund of Overpayments Court Orders/ Clerical Errors
Arietta	503.50	1630.89	2865.78	0
Benson	273.16	680.28	3941.76	0
Hope	273.16	764.81	2972.05	0
Indian Lake	449.14	2868.06	6626.64	8552.66
Inlet	1045.71	1964.05	3870.72	0
Lake Pleasant	761.01	2039.60	3727.83	6396.85
Long Lake	698.37	2911.12	6663.28	10432.98
Morehouse	365.30	1350.35	3350.65	0
Wells	427.95	1320.02	5663.20	0
Totals	\$4,797.30	\$15,529.18	\$39,681.91	25,382.49

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

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 16, 2011

RESOLUTION NO. 341-11

RESOLUTION ACCEPTING REPORT OF TAX COMMITTEE

DATED: DECEMBER 16, 2011

BY MR. EDWARDS:

RESOLVED, that the Report of Tax Committee dated December 16, 2011 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 2012.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 342-11

**LEVYING 2012 COUNTY AND TOWN TAXES AND ASSESSMENTS, APPROVING
THE COMPLETED TAX ROLLS, AND DIRECTING THE EXECUTION AND
DELIVERY OF THE TAX WARRANTS**

DATED: DECEMBER 16, 2011

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, 2012, and

WHEREAS, the Hamilton County Board of Supervisors has duly adopted its annual budget for the fiscal year 2012 on November 18, 2011, which budget provides for appropriation of funds in the total amount of \$16,567,612.00 and for a total tax levy of \$6,531,838.00, 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 2012 County budget to be raised by tax, amounting to \$6,531,838.00 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 Ms. Pincombe and adopted by the following vote:

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 343-11

**AUTHORIZING THE RELEVY OF UNPAID SCHOOL TAXES AND VILLAGE OF
SPECULATOR TAXES ON THE 2012 TAX ROLLS**

DATED: DECEMBER 16, 2011

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 2011-2012 School Taxes remaining unpaid as of December 1, 2011 be re-levied upon the 2012 tax roll, and that any payments which are mailed and contain a postmark as of December 1, 2011 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 2011-2012 Village of Speculator Taxes remaining unpaid as of November 1, 2011 be re-levied upon the 2012 tax roll, and that any payments which are mailed and contain a postmark as of November 1, 2011 shall be deemed to have been actually received by the County Treasurer on said date.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 344-11

TRANSFER OF FUNDS-EMPLOYEE BENEFITS

DATED: DECEMBER 16, 2011

BY MR. SEAMAN:

WHEREAS, there are shortages in the General Fund, County Road Fund, and the Machinery Fund Retirement Accounts, and

WHEREAS, the County has opted to pay the Annual NYS Retirement Invoice in December 2011, and

WHEREAS, there are surplus budget balances remaining in some of the 2011 Employee Benefits Budget Line Items, and

WHEREAS, there is a need to transfer Ten Thousand Nine Hundred Sixty-five Dollars (\$10,965.00) from the Machinery Unappropriated Fund Balance to pay the Machinery Fund's portion, therefore, be it

RESOLVED, that the following transfers be approved to allow payment of the Annual NYS Retirement Bill:

FROM:	TO:	
A9040.801	A9010.801	\$6,460.00
D9060.801	D9010.801	\$7,321.53
DM 9060.801	DM9010.801	\$7,227.00

and be it further

RESOLVED, that \$10,965.00 be transferred from the Unappropriated Machinery Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. DM9010.801 and the County Treasurer be so authorized.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 345-11

ADOPTION OF STATEMENT NO. 54 REQUIREMENTS FOR HAMILTON COUNTY

DATED: DECEMBER 16, 2011

BY MR. FREY:

WHEREAS, The Governmental Accounting Standards Board (GASB) has issued Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions (GASB 54) which will be required to be incorporated into the County's financial statements for the year ending December 31, 2011. This Statement requires the fund balance to be properly reported.

WHEREAS, The Government Finance Officers Association (GFOA) recommends that governments establish a policy on the level of unrestricted fund balance that should be maintained in the General Fund. It is in accordance with GASB Statement No. 54, that the County adopts the following Classification of Fund Balances to impose constraints on the use of Hamilton County resources:

Classification of Hamilton County Fund Balances:

Non-Spendable-Amount of assets that cannot be spent in the current period because of their form or because they must be maintained intact. As of December 31, 2010, the County had \$0.00 of prepaid expenses that were classified as non-spendable funds. The formal action required to be taken to establish, modify, or rescind non-spendable funds would be by formal resolution authorized by the County Board of Supervisors.

Spendable: (see Breakdown Below)

Restricted-Amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. The formal action required to be taken to establish, modify, or rescind restricted funds would be by formal resolution authorized by the County Board of Supervisors.

As of December 31, 2010, the County had the following restricted funds and hereby formally recognizes these County Funds as being classified as restricted:

Capital Building Reserve Fund (A).....	\$ 56,591
Solid Waste Reserve Fund (A)	\$ 36,447
Machinery Reserve Fund (DM)	\$10,260
Total Restricted Fund Balance	\$ 103,298

Committed-Amounts that are subject to a purpose constraint imposed by a formal action of the County’s highest level of decision-making authority (before the end of the fiscal year), or by their designated body or official. As of December 31, 2010, the Hamilton County Board of Supervisors had \$0.00 of committed fund balance. The formal action required to be taken to establish, modify, or rescind fund balance commitment would be by formal resolution authorized by the County Board of Supervisors.

Assigned-Amounts that are subject to a purpose constraint that represents an intended use established by the County’s Board of Supervisor’s, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the general fund, and in funds other than the general fund, assigned fund balance represents the residual amount of fund balance. The formal action required to be taken to establish, modify, or rescind assigned fund balance would be by formal resolution authorized by the County Board of Supervisors. As of December 31, 2010, the following balances were considered to be assigned, and the County Board of Supervisors formally recognizes them as being classified as assigned funds:

	General Fund	Capital Projects Fund	Road Fund	Machine Fund	Total
DWI Reserve	\$39,969				\$39,969
Encumbrances	\$ 26,157				\$26,157
Appropriated for subsequent Year’s expenditures	\$1,400,000	\$0	\$310,000	\$135,000	\$1,845,000
Total Assigned to Each Fund	\$1,466,126	\$0	\$310,000	\$135,000	\$1,911,126

Unassigned-Represents the residual classification of the government's General Fund, and could report a surplus or deficit. As of December 31, 2010, the unassigned surplus fund balance in the General Fund was \$1,089,015.

Order of Fund Balance Spending Policy-The County's policy does not address the order of spending fund balances. The default would expend fund balances in the following order: non-spendable fund balance, restricted fund balance, committed fund balance, assigned fund balance, and unassigned fund balance at the end of the fiscal year by adjusting journal entries.

Minimum Fund Balance-It is the intention of the Board of Supervisors to maintain adequate reserves in the general fund unassigned fund balance. If the general fund balance should fall above or below the adequate level determined by the Board, the Board of Supervisors shall recommend increasing or decreasing the use of fund balance appropriated in the following year's budget, such that the fund balance will be again within the level determined by the Board of Supervisors.

and

WHEREAS, it is in accordance with GASB Statement No. 54, that a county must designate an official authorized to assign amounts to a specific purpose and that this policy must be established by the Government body pursuant to which that authorization is given, to manage and maintain the County's Encumbrances and DWI Reserve Funds, which are within the assigned fund balance category, be it

RESOLVED, that it would be in the County's best interest to designate Laura Abrams, Clerk of the Board of Supervisors, the official person authorized to assign amounts to the County's Encumbrances, and to be in charge of managing and maintaining these Encumbrances, and be it further

RESOLVED, that it would be in the County's best interest to designate William Farber, Chairman of the Board of Supervisors, the official person authorized to assign amounts to the County's DWI Reserve, and to continue to manage and maintain the DWI Reserve, and be it further

RESOLVED, that this formal adoption of the above policies brings Hamilton County into compliance with the GASB Statement No. 54 requirements.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 346-11

**AUTHORIZING A PHOTO DOCUMENT FEE FOR THE HAMILTON COUNTY
CLERK'S OFFICE**

DATED: DECEMBER 16, 2011

BY MR. FREY:

WHEREAS, on January 1, 2011, the Hamilton County Clerk's Office implemented a new records management system that has more features than we were able to previously offer, and

WHEREAS, as an example, this system will issue a plastic card type license that is more durable than the paper licenses for the pistol licenses than what is currently issued, and

WHEREAS, the fees for pistol licenses are set by statute under Penal Law Section 400.00 (14), so individual license fees cannot change, and

WHEREAS, neighboring counties utilizing this system have implemented a plastic card license charge of an additional \$10.00 photo fee on all originals, duplicates, and transfers to help offset expenses of the card stock, and

WHEREAS, Hamilton County license holders have been asking for this type of service to be implemented for years, therefore, be it

RESOLVED, that the Hamilton County Clerk is hereby authorized to charge a \$10.00 photo/plastic card stock fee for all such licenses including originals, duplicates, and transfers and the County Treasurer be so notified.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 347-11

AWARD OF BID FOR HEATING FUEL FOR THE YEAR 2012

DATED: DECEMBER 16, 2011

BY MR. WILT:

WHEREAS, Hamilton County Building Department heretofore solicited bids for the County's purchase of Heating Fuel Oil for all owned County Buildings and Facilities pursuant to invitation to bidders and in accordance with Specification No. 14-2011,

WHEREAS, three (3) bids were received in response to the said invitation to bidders, as follows:

1. Pyrofax Energy
PO Box 747, Knapp Hill Road
Chestertown, NY 12817

Bid: Fixed price of \$3.489 per gallon or

Fluctuating price of \$0.275 per gallon over Journal of Commerce (JOC) which equates to \$3.529 per gallon per JOC on 11/22/2011

2. G.A. Bove & Sons, Inc.
State Route 30
Wells, NY 12190

Bid: Fluctuating price of \$0.20 per gallon over Journal of Commerce (JOC) which equates to \$3.454 per gallon per JOC on 11/22/2011

3. Shepard Oil Co, Inc.
PO Box 298
Johnstown, NY 12095

Bid: Fluctuating price of \$0.50 per gallon over Journal of Commerce (JOC) which equates to \$3.754 per gallon per JOC on 11/22/2011

and

WHEREAS, the County Buildings Superintendent feels with the volatility of the oil market that a fixed price per gallon for a twelve month period makes good fiscal sense for the county, and

WHEREAS, upon referral and recommendation by the County Building Committee and Building Superintendent, Pyrofax Energy does meet specifications for the above mentioned invitation to bidders, be it

RESOLVED, the award of bid for heating fuel for the county owned buildings and facilities for the year 2012 is awarded to Pyrofax Energy of Chestertown, NY per the fixed price bid of \$3.489 per gallon, be it further

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to enter into a purchase agreement with Pyrofax Energy for one (1) year beginning on January 1, 2012 and ending December 31, 2012 for the fixed price of \$3.489 per gallon of heating fuel with the approval of the County Attorney and the County Treasurer, Building Superintendent and Clerk of the Board be so notified.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 348-11

APPOINTMENTS TO BOARD OF DIRECTORS OF THE HAMILTON COUNTY SOIL AND WATER CONSERVATION DISTRICT

DATED: DECEMBER 16, 2011

BY MR. MCGOVERN:

WHEREAS, the Supervisors' Representatives to the Board of Directors of the Hamilton County Soil and Water Conservation District will terminate December 31, 2011, and

WHEREAS, it is necessary to appoint two (2) Supervisors as representatives to the Board of Directors of the Hamilton County Soil and Water Conservation District, and

WHEREAS, the Hamilton County Board of Supervisors has received from the Hamilton County Soil and Water Conservation District a recommendation to appoint Brian Wells and Richard Wilt as Supervisors' Representatives for a term of one-year commencing January 1, 2012 terminating December 31, 2012, be it

RESOLVED, that Brian Wells and Richard Wilt be appointed as Supervisors' Representatives for a term of one-year commencing January 1, 2012 and terminating December 31, 2012.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 349-11

**APPOINTMENT OF DIRECTOR-AT-LARGE – BOARD OF DIRECTORS OF THE
HAMILTON COUNTY SOIL AND WATER CONSERVATION DISTRICT**

DATED: DECEMBER 16, 2011

BY MR. MCGOVERN:

WHEREAS, the term of office of Edward Winchell as Director-at-Large of the Hamilton County Soil and Water Conservation District will terminate December 31, 2011, and

WHEREAS, the Hamilton County Board of Supervisors has received from the Hamilton County Soil and Water Conservation District a recommendation that Edward Winchell succeed himself as Director-at-Large to the Board of Directors of the Hamilton County Soil and Water Conservation District, be it

RESOLVED, that Edward Winchell be appointed as Director-at-Large for a term of three years commencing January 1, 2012 terminating December 31, 2014.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 350-11

**APPOINTMENT OF DIRECTOR-AT-LARGE ON HAMILTON COUNTY SOIL &
WATER CONSERVATION DISTRICT BOARD OF DIRECTORS**

DATED: DECEMBER 16, 2011

BY MR. WILT:

WHEREAS, the term of office of Robert L. Morrison as Director-at-Large of the Hamilton County Soil and Water Conservation District will terminate December 31, 2011, and

WHEREAS, the Hamilton County Board of Supervisors has received from the Hamilton County Soil and Water Conservation District a recommendation that Robert L. Morrison succeed himself as Director-at-Large to the Board of Directors of the Hamilton County Soil and Water Conservation District, be it

RESOLVED, that Robert L. Morrison be appointed as Director-at-Large for a term of three years commencing January 1, 2012 terminating December 31, 2014.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 351-11

AUTHORIZING ACCEPTANCE OF BACK TAXES

DATED: DECEMBER 16, 2011

BY MR. FREY:

WHEREAS, the Board of Supervisors has been contacted by Hugh Yeman, owner of record on property located in Raquette Lake, with parcel ID 51.017-1-1 concerning the 2008-2010 back taxes owed, and

WHEREAS, Hugh Yeman has submitted a written explanation of the circumstances of why the taxes have not been paid to date by him or his sister and a request to rectify the situation by paying the back taxes, be it

RESOLVED, that the Hamilton County Treasurer is hereby authorized to accept payment of the taxes owed in the amount of \$1,711.75 together with an administrative charge of \$1,000.00 for a total of \$2,711.75.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 352-11

AUTHORIZATION TO ATTEND 2012 NACO CONFERENCE

DATED: DECEMBER 16, 2011

BY MR. SEAMAN:

WHEREAS, the National Association of Counties is conducting their Legislative Conference from March 3-7, 2012 in Washington, DC, and

WHEREAS, the Hamilton County Board of Supervisors has determined it to be in the best interest of the County to participate, now, therefore, be it

RESOLVED, that the members of the Hamilton County Board of Supervisors are hereby authorized to attend said conference on behalf of the County, and be it further

RESOLVED, that the actual and reasonable expenses of the members attending shall be a County charge exempt from the per meal cap for receipted meals, and be audited by this Board in the same manner as other County charges.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 353-11

AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT WITH THE ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD – 2012

DATED: DECEMBER 16, 2011

BY MR. SEAMAN:

BE IT RESOLVED, that the Chairman is hereby authorized to execute an Agreement with the Adirondack Park Local Government Review Board for the 2012 appropriation in the amount of Three Thousand Five Hundred Dollars (\$3,500.00), charging Account No. A6326.403, and is hereby approved for payment and the County Treasurer be so advised.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 354-11

**AMENDING RESOLUTION 319-11 – AUTHORIZING CONTRACT WITH
VETERINARIAN FOR RABIES VACCINATION CLINICS**

DATED: DECEMBER 16, 2011

BY MR. EDWARDS:

WHEREAS, Resolution No. 319-11 agreed to reimburse Dr. Ackerman an amount not to exceed \$250.00 to maintain his membership in the American Veterinary Medical Association, making him eligible to maintain professional liability insurance at the required level, and

WHEREAS, the amount should have been not to exceed \$350.00 as it was for 2011, be it

RESOLVED, that Resolution No. 319-11 be amended to make the not to exceed amount reimbursable to Dr. Ackerman \$350.00, to maintain his membership in the American Veterinary Medical Association, making him eligible to maintain professional liability insurance at the required level.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 355-11

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH HEALTH RESEARCH,
INC. – BLOOD TESTING FOR YEAR 2012**

DATED: DECEMBER 16, 2011

BY MS. PINCOMBE:

WHEREAS, the New York State Lead Poisoning Act of 1992 and Part 67 of NYCRR requires article 28 facilities to assess and screen children between six months and six years for high dose exposure to lead, and

WHEREAS, Hamilton County Public Health Nursing Service as an Article 28 facility provides lead screening for children at age 1 and 2 years, and

WHEREAS, the law requires the use of a sliding fee scale and billing to Medicaid to maximize reimbursement for lead screening, and

WHEREAS, laboratories certified for toxicology – blood lead under Article 5 Title V of the Public Health law are eligible to fee bill the Medicaid program directly for blood lead testing, and

WHEREAS, Health Research, Inc. will provide lead testing and bill Medicaid for eligible children for lead samples submitted by Hamilton County Public Health Nursing Service, be it

RESOLVED, that the Chairman of the Board of Supervisors, on behalf of the Hamilton County Public Health Nursing Service, is authorized to sign a contract with Health Research, Inc. for blood lead testing for the period of January 1, 2012 – December 31, 2012 paid from Family Health Account No. A4035.404, Lead Testing, and the County Treasurer be so advised.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 356-11

TRANSFER OF FUNDS – PUBLIC HEALTH

DATED: DECEMBER 16, 2011

BY MR. FREY:

WHEREAS, the Public Health Nursing Service has a shortage of funds related to home health aide and physical therapy services, be it

RESOLVED, the transfer of funds takes place to cover the additional expenses incurred:

From:	A2960.401 Preschool Special Education	\$8,000.00
To:	A 4010.404 Contracts	\$8,000.00

and the County Treasurer be so authorized.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

After the following resolution was placed on the floor; the Chairman explained that this was discussed at budget time.

RESOLUTION NO. 357-11

APPOINTMENT OF SUPERVISING PUBLIC HEALTH NURSE

DATED: DECEMBER 16, 2011

BY MR. WILT:

WHEREAS, the Hamilton County Public Health Nursing Department is continuing to work through a restructuring process, which right sizes the agency, and

WHEREAS, during the last two budget cycles the Board of Supervisors have continued to eliminate positions which were no longer functionally necessary or appropriate, and

WHEREAS, the Board of Supervisors, now working with the Department Head has now determined that it is necessary to add a Supervising Public Health Nurse position to provide oversight of the many Public Health programs, and

WHEREAS, between the BT grant, Immunization grant, and the Public Health State aid there is sufficient money to cover 100% of the cost of this position, now, therefore, be it

RESOLVED, that Jill Barra is hereby appointed Supervising Public Health Nurse effective January 9, 2012 at an annual Salary of \$55,000.00, with the final budget amendments to be made at the January 5, 2012 Organization meeting, and be it further

RESOLVED, that the County Treasurer, the Personnel Officer, and the Director of Public Health be so authorized.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 358-11

AUTHORIZING CHAIRMAN TO EXECUTE HOSPICE REFERRAL EXTENSION AGREEMENT

DATED: DECEMBER 16, 2011

BY MR. SEAMAN:

WHEREAS, by Resolution No. 169 adopted August 6, 1992, the Chairman was authorized to sign referral agreements with High Peaks Hospice, and

WHEREAS, the Public Health Nursing Service and Department of Social Services is in receipt of an extension agreement with High Peaks Hospice and Palliative Care, Inc. for the period of November 1, 2011 through November 1, 2012, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the extension agreement with High Peaks Hospice and Palliative Care, Inc.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 359-11

AUTHORIZING PAYMENT FOR CLEANING CONTRACT

DATED: DECEMBER 16, 2011

BY MR. EDWARDS:

WHEREAS, the December payment for the Indian lake cleaning contract is due, and

WHEREAS, the total contract cost for the year 2011 is \$31,800 and the contractor payments are \$2,650.00 monthly, be it

RESOLVED, that the December payment of \$2,650.00 due for the cleaning contract in Indian Lake is hereby authorized, and be it further

RESOLVED, that the County Treasurer is hereby authorized to make a check payable to John Hall of Indian Lake in the amount of \$2,650.00 for the said monthly payment and the funds be taken out of Account No. A1620.410 Cleaning Contract and the Building Superintendent and Clerk of the Board be so notified.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 360-11

AUTHORIZING PAYMENT FOR FRONT END WHEEL LOADER

DATED: DECEMBER 16, 2011

BY MR. MCGOVERN:

WHEREAS, the County Highway Superintendent was authorized to purchase a 2012 John Deere Front End Loader by Resolution No. 257-11 duly adopted by the Board of Supervisors on October 6, 2011, and

WHEREAS, the said Loader has been delivered and it has been determined by the Highway Superintendent that it meets all specifications per the purchase order, and

WHEREAS, the Highway Superintendent recommends the payment of the said Loader, be it

RESOLVED, that the County Treasurer is hereby authorized to make a check payable to:
Nortrax, Inc.
60 Trade Road
Plattsburg, NY 12901

in the amount of \$74,132.44 and the funds be taken out of Account No.DM5130.201 Equipment, and the County Treasurer, Highway Superintendent and Clerk of the Board be so notified.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 361-11

CLOSE-OUT OF SCENIC VISTA CAPITAL PROJECT

DATED: DECEMBER 16, 2011

BY MR. SEAMAN:

WHEREAS, Resolution No. 114-05 authorized the agreement with the Town of Wells to create a capital project called Lake Algonquin Scenic Vista and Fishing Site for the Disabled on County Route #5, and said Resolution also authorized a transfer of \$83,000.00 from the General Fund to fund Account No. H5112.203 Capital Project 2005-1 Scenic Vista, and

WHEREAS, the NYS Project Identification #2753.91, the Federal Aid Project #Q220-2753-913, and the State-Local Agreement #D024556 were the identifying numbers for this project, and

WHEREAS, the project is now complete and the County has satisfied all requirements with New York State Department of Transportation on this federal aid project, be it

RESOLVED, that the remaining balance of \$83,000.00 (Eighty-Three Thousand Dollars) be transferred back to the General Fund along with the earned interest.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

After the following resolution was placed on the floor; Ms. Pincombe asked why so much money is left in the bridge project. The Chairman explained that reimbursement goes back to the capital project, then when the Board closes the project the money is moved back to where it was funded from.

RESOLUTION NO. 362-11

**AUTHORIZATION TO CLOSE ABANAKEE BRIDGE PROJECT AND TRANSFER
THE FUND BALANCE**

DATED: DECEMBER 16, 2011

BY MR. EDWARDS:

WHEREAS, the Abanakee Bridge Project, Account No. H5112.205 is complete and the County has received the final reimbursement payment leaving a remaining fund balance of \$770,000.00, and

WHEREAS, the said bridge project funds were appropriated from the Unappropriated County Road Fund Balance to pay for the project in the first instance, and

WHEREAS, the County Highway Superintendent recommends that the project be closed and the amount of \$770,000.00 be transferred back to the County Road Fund Balance account and any accrued interest from the bank account be transferred to the County General Fund Balance, be it

RESOLVED, that \$770,000.00 in the Abanakee Bridge Project Account No. H5112.205 be transferred into the County Road Fund Balance and any accrued interest from Account No. H5112.205 be transferred to the County General Fund Balance and the Abanakee Bridge Project H5112.205 is hereby closed and the County Treasurer be so authorized make the said transfers and the Highway Superintendent and Clerk of the Board be so notified.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 363-11

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: DECEMBER 16, 2011

BY MR. FREY:

RESOLVED, that the bills in the Machinery Fund amounting to \$43,069.78 and bills in the County Road Fund amounting to \$23,140.50 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. Wilt and adopted by the following vote:

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

RESOLUTION NO. 364-11

APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND

DATED: DECEMBER 16, 2011

BY MR. WILT:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$112,353.59 by the following committees:

Building Committee	\$18,170.25
Solid Waste Committee	10,002.85
Finance Committee	10,762.63
Health & Human Services Committee.....	47,490.08
Central Government Committee	17,661.83
Publicity, Tourism, Economic Development & Planning Committee.....	7,434.05
Internal Management Committee	831.90

are hereby approved.

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

AYES: WILT, PINCOMBE, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: HUTCHINS AND TOWERS

Other Reports:

Bob: Asked when the December Committee meetings will be held. The Chairman stated the 28th.

Neil: Stated that tonight is the County Christmas party and wished everyone a Merry Christmas.

Chairman: Reported that the HOME Grant was not funded.

The Chairman stated that there will be a 15 minutes recess.

Meeting re-convened at 11:45 AM.

The Chairman introduced the District Attorney Elect, Marsha Purdue. Mrs. Purdue explained that she has been meeting with Mr. Curry and attending court with him. She has also met with the Assistant District Attorney, Sterling Goodspeed. Mrs. Purdue reported the Mr. Goodspeed has agreed to stay on as ADA. Mrs. Purdue further reported that she has met with the Probation Director and the Sheriff. She has discussed a grant opportunity for video equipment with the Sheriff. Mrs. Purdue has also been looking at the District Attorney's budget; she feels she will be able to save about \$8,000 in law books.

The Chairman thanked the District Attorney Elect for coming and meeting with the Board today.

Motion to adjourn by Mr. McGovern, seconded by Mr. Seaman. Carried.