

2010

**SIXTH DAY OF ANNUAL SESSION**

**DECEMBER 17, 2010**

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	Barry J. Hutchins
Inlet	John Frey
Lake Pleasant	Neil P. McGovern
Long Lake	Clark J. Seaman
Morehouse	William G. Farber
Wells	Brian Towers

Also Present: Herbert Schmid and Pete Klein.

Motion to accept the minutes of November 8, 2010 by Ms. Pincombe, seconded by Mr. Edwards. Carried.

Public Comment: No one present.

Reports of Standing/Special Committees: Nothing to report.

The Chairman introduced Herb Schmid, Director of Weights and Measures.

Herb stated that he became Director in May of 2000. Weights and Measures is one of the oldest Government Agencies that there is. It includes Federal, State and County employees and almost every person in this Country is affected by Weights and Measures in one way or another. You buy gas, buy meat, you buy sugar, propane and you want to make sure you get what you are paying for and that is where Weights & Measures comes in.

Herb explained that he goes around the County and checks the gas pumps, he also handles complaints. For example this fall he received a complaint from a gentleman in Lake Pleasant that had a five gallon plastic gas can and he filled it to the line on the gas can that said five gallons and it wasn't five gallons. Herb went to the gentleman's home and measured the gas can and the gentleman's gas can was not marked correctly.

Herb stated that his budget has pretty much stayed the same, except for payroll.

Mr. Towers asked if he visits every merchant in the County and Herb stated yes he does and that includes marinas that sell gas. He goes to the grocery stores and checks their scales and hardware stores that also have scales.

Mr. Hutchins asked what about Farmer's Markets that are seasonal. Herb stated that if they sell produce by weight, they must be using a certified scale. If he does not know where they are, it is hard from him to catch them.

Mr. Towers asked if the scale has to be certified in Hamilton County, Herb stated not necessarily and explained.

Everyone thanked Herb for coming in.

RESOLUTIONS:

**RESOLUTION NO. 319-10**

**SELECTION OF 2011 COUNTY INSURANCE PACKAGE**

**DATED: DECEMBER 17, 2010**

**BY MR. EDWARDS:**

WHEREAS, price quotes for the County Insurance package were solicited, and

WHEREAS, the Finance Committee has reviewed the proposals, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby selects Rose & Kiernan, Inc. and Selective Insurance to provide the County Insurance package for 2011.

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

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

NAYS: NONE

**RESOLUTION NO. 320-10**

**SELECTION OF 2011 COUNTY WORKERS COMPENSATION INSURANCE**

**DATED: DECEMBER 17, 2010**

**BY MR. MCGOVERN:**

WHEREAS, price quotes for the County Workers Compensation Insurance were solicited, and

WHEREAS, the Finance Committee has reviewed the proposals, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby selects PERMA to provide the County Workers Compensation Insurance for 2011.

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

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

NAYS: NONE

**RESOLUTION NO. 321-10**

**APPROVAL OF CONTRACT AND AUTHORIZATION FOR CHAIRMAN TO SIGN  
FUEL OIL CONTRACT FOR HAMILTON COUNTY BUILDINGS LOCATED AT  
LAKE PLEASANT AND INDIAN LAKE, AND HIGHWAY GARAGE LOCATED AT  
LONG LAKE, NEW YORK FOR THE YEAR 2011**

**DATED: DECEMBER 17, 2010**

**BY MR. HUTCHINS:**

WHEREAS, a fluctuating fuel oil bid, as placed on file with the Clerk of the Board of Supervisors, was submitted by G.A. Bove & Sons, Inc. for furnishing No. 2 fuel oil in accordance with the specifications on file with the Clerk of the Board of Supervisors to be delivered to the County Buildings at Lake Pleasant and Indian Lake, New York and the County Highway Garage at Long Lake, New York in an amount not to exceed twenty-two thousand (22,000) gallons, ten thousand (10,000) gallons and five thousand (5,000) gallons, respectively during the year 2011, and

WHEREAS, the bid opening was held at 11:00 A.M., December 2, 2010 and it was recommended to accept the fluctuating bid submitted by G.A. Bove & Sons, Inc. at \$2.9557 per gallon for delivery to County Buildings in Lake Pleasant, Indian Lake and Long Lake, and

WHEREAS, a fluctuating fuel oil bid, as placed on file with the Clerk of the Board of Supervisors, was submitted by Pyrofax Energy for furnishing No. 2 fuel oil in accordance with the specifications on file with the Clerk of the Board of Supervisors to be delivered to the County Buildings at Lake Pleasant and Indian Lake, New York and the County Highway Garage at Long Lake, New York in an amount not to exceed twenty-two thousand (22,000) gallons, ten thousand (10,000) gallons and five thousand (5,000) gallons, respectively during the year 2011, and

WHEREAS, the bid opening was held at 11:00 A.M., December 2, 2010 and it was recommended to accept the fluctuating bid submitted by Pyrofax Energy at \$2.87575 per gallon for delivery to County Buildings in Lake Pleasant, Indian Lake and Long Lake,

NOW, THEREFORE, BE IT

RESOLVED, that the fuel oil contract for 2011 be awarded to Pyrofax Energy at a fluctuating bid price of \$2.87575 per gallon for delivery to County Buildings in Lake Pleasant, Indian Lake and Long Lake which price will be revised in accordance with the bid specifications and that a contract be signed by Pyrofax Energy, and be it further

RESOLVED, that all deliveries will be made by trucks equipped with meters to accurately measure the quantities of oil delivered. The supplier will furnish to the Clerk of the Board of Supervisors a delivery ticket showing date of delivery, brand, grade and number of gallons delivered, and price as published in the "Journal of Commerce", and be it further

RESOLVED, that the Chairman of the Board of Supervisors be authorized to execute a contract for the purchase of No. 2 fuel oil for all County Buildings with said Pyrofax Energy and the County Treasurer be so advised.

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

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

NAYS: NONE

### **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 17, 2010

### **RESOLUTION NO. 322-10**

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

**DATED: DECEMBER 17, 2010**

**BY MR. FREY:**

RESOLVED, that the Report of Tax Committee dated December 17, 2010 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 2011.

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

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

NAYS: NONE

**RESOLUTION NO. 323-10**

**LEVYING 2011 COUNTY AND TOWN TAXES AND ASSESSMENTS, APPROVING  
THE COMPLETED TAX ROLLS, AND DIRECTING THE EXECUTION AND  
DELIVERY OF THE TAX WARRANTS**

**DATED: DECEMBER 17, 2010**

**BY MR. HUTCHINS:**

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, 2011, and

WHEREAS, the Hamilton County Board of Supervisors has duly adopted its annual budget for the fiscal year 2011 on November 22, 2010, which budget provides for appropriation of funds in the total amount of \$16,508,183.00 and for a total tax levy of \$6,408,954.00, 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 2011 County budget to be raised by tax, amounting to \$6,408,954.00 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. Seaman and adopted by the following vote:

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

NAYS: NONE

After the following resolution was placed on the floor; Mr. Towers asked how the Black River District affects the taxes.

The Chairman reported that Hudson River Black River Regulating did not pay their school tax. Fulton County made a decision not to pay the unpaid taxes to the school districts. Fulton County and the school districts are going to join the litigation against Hudson River Black River Regulating; Saratoga County at this point has not yet made a decision.

Our County Attorney recommended we follow Saratoga County's model; we have until March to make the school districts whole. Our Attorney recommended that we sit tight with Saratoga County.

Ms. Pincombe asked if they don't pay their taxes for three years can the people they are cheating take the property.

The Chairman stated we would have to get the Attorney's opinion. Discussion continued.

**RESOLUTION NO. 324-10**

**AUTHORIZING THE RELEVY OF UNPAID SCHOOL TAXES ON THE 2011 TAX ROLLS**

**DATED: DECEMBER 17, 2010**

**BY MR. FREY:**

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, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes and directs that the amounts of 2010-2011 School Taxes remaining unpaid as of December 1, 2010 be re-levied upon the 2011 tax roll, and be it further

RESOLVED, that any payments which are mailed and contain a postmark as of December 1, 2010 shall be deemed to have been actually received by the County Treasurer on said date.

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

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

NAYS: NONE

**RESOLUTION NO. 325-10**

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

**DATED: DECEMBER 17, 2010**

**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, 2010, 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 Barry Hutchins and Richard Wilt as Supervisors' Representatives for a term of one-year commencing January 1, 2011 terminating December 31, 2011, be it

RESOLVED, that Barry Hutchins and Richard Wilt be appointed as Supervisors' Representatives for a term of one-year commencing January 1, 2011 and terminating December 31, 2011.

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

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

NAYS: NONE

**RESOLUTION NO. 326-10**

**AUTHORIZING ONE YEAR LEASE AGREEMENT WITH LISA BURGESS**

**DATED: DECEMBER 17, 2010**

**BY MR. FREY:**

WHEREAS, the Hamilton County Board of Supervisors wishes to renew its lease with Lisa Burgess, and

WHEREAS, this Board has determined it to be in the best interest of the County to extend this relationship, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to enter into a one year lease with Lisa Burgess for January 1, 2011 through December 31, 2011, with the approval of the County Attorney, and be it also

RESOLVED, that the monthly rent is hereby set at \$360.00 per month for 2011.

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

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

NAYS: NONE

**RESOLUTION NO. 327-10**

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT WITH THE  
ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD – 2011**

**DATED: DECEMBER 17, 2010**

**BY MR. TOWERS:**

BE IT RESOLVED, that the Chairman is hereby authorized to execute an Agreement with the Adirondack Park Local Government Review Board for the 2011 appropriation in the amount of Three Thousand 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. Hutchins and adopted by the following vote:

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

NAYS: NONE

After the following resolution was placed on the floor; Mr. Towers asked with all the new laws will the County get anything back. The Chairman stated this is the end of money being paid to the County.

Ms. Pincombe asked who should she talk to if her Town doesn't want to sell dog licenses, the Chairman recommended the Governor.

**RESOLUTION NO. 328-10**

**AUTHORIZING TREASURER'S OFFICE TO DISTRIBUTE REMAINING COUNTY  
DOG FEE BALANCE BACK TO THE TOWNS**

**DATED: DECEMBER 17, 2010**

**BY MR. SEAMAN:**

WHEREAS, New York State Department of Agriculture and Markets has discontinued County involvement in the licensing of dogs as of January 1, 2011, and after this date there will be no legal use of that money for the counties, and

WHEREAS, the County currently holds a small county dog fund balance for the months of January through November, 2010, and cannot use this money for another dog control purpose, and

WHEREAS, the Treasurer's Office has requested remitting the remaining county dog fund balance back to each Town Clerk for each representative Town, be it

RESOLVED, that the Treasurer's Office be authorized to remit the remaining county dog fund balance back to each of the towns for use in their respective dog control programs.

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

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

NAYS: NONE

A motion was made to open the Public Hearing on Local Laws 1-6 of 2010 by Ms. Pincombe, seconded by Mr. Frey. Carried.

Proposal Opening:  
HOME Grant Application and Administration:

1. Avalon Associates	\$4,500 and reimbursement to apply \$7,500 to administer the grant
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A motion was made to accept the proposal and move to Committee by Mr. Towers, seconded by Mr. McGovern. Carried.

RESOLUTIONS:

After the following resolution was placed on the floor; Ms. Pincombe asked if these are the people that think we should have a back-up. The Chairman stated that NTS does provide to the Board of Elections their thoughts and insights with respect to hardware as well as software. Discussion continued.

**RESOLUTION NO. 329-10**

**NTS DATA SERVICES, LLC – BOARD OF ELECTIONS**

**DATED: DECEMBER 17, 2010**

**BY MR. MCGOVERN:**

WHEREAS, Hamilton County entered into an agreement with NTS Data Services, Inc., for the furnishing of software known as Sign-IT and TEAM-2000 and for five (5) years of printing and binding of poll books for the primary and general elections which expires on December 31, 2010, and

WHEREAS, Hamilton County entered into an agreement with NTS Data Services Inc., for support and maintenance services related to IMS Interface Messaging System, Virtual Data Base Administration and System Administration which expires December 31, 2010, and

WHEREAS, NTS Data Services, LLC, has made a proposal for a new contract for the maintenance and support of Windows Sign-IT Signature Digitization, TEAM 2000, IMS

Interface Messaging System, Virtual Data Base Administration and System Administration and for the electronic printing of poll books, including the printing of poll books for the primary and general elections in the years 2011, 2012, 2013, 2014 and 2015, including the presidential primary in 2012, for a total of eleven (11) elections at the total contract price of Eighty-three Thousand Eight Hundred Twenty Dollars (\$83,820.00), and

WHEREAS, the majority of the associated cost is hereby determined to be a professional service, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors does hereby authorize the Chairman of the Board of Supervisors to enter into a contract with NTS Data Services, LLC, for said services for the years 2011 through the year 2015, including the presidential primary in 2012 at the total contract price of Eighty-three Thousand Eight Hundred Twenty Dollars (\$83,820.00).

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

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

NAYS: NONE

**RESOLUTION NO. 330-10**

**APPROVAL OF YEARLY CLOTHING ALLOWANCE FOR FOSTER CARE CHILDREN**

**DATED: DECEMBER 17, 2010**

**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. 169-10, adopted July 1, 2010, be it

RESOLVED, that the yearly reimbursement allowance for replacement of clothing remain at the following standards of payment:

- 0-5 years – Three Hundred Fifty-Nine Dollars (\$359.00) yearly
- 6-11 years – Five Hundred Two Dollars (\$502.00) yearly
- 12-15 years – Seven Hundred Seventy-Eight Dollars (\$778.00) yearly
- 16 years and over – Nine Hundred Fifty-Two Dollars (\$952.00) yearly
- 0-3 years – A diaper allowance, remain the same at Fifty-Three Dollars (\$55.00) monthly

and be it further

RESOLVED, that these rates be effective July 1, 2010 through March 31, 2011 and the County Treasurer be so advised.

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

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

NAYS: NONE

**RESOLUTION NO. 331-10**

**APPROVAL OF RATES FOR FOSTER BOARDING HOMES**

**DATED: DECEMBER 17, 2010**

**BY MR. HUTCHINS:**

WHEREAS, Resolution No. 170-10, adopted July 1, 2010, 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, remain at the following standards of payment, set by the State Department of Social Services:

0 to 5 years, Four Hundred Seventy-Four Dollars (\$474.00) monthly.  
6 to 11 years, Five Hundred Seventy-One Dollars (\$571.00) monthly.  
12 years and over, Six Hundred Sixty Dollars (\$660.00) 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 the same monthly rate of up to One Thousand One Hundred Forty Dollars (\$1,140.00), and the same monthly rate of up to One Thousand Seven Hundred Twenty-Nine Dollars (\$1,729.00), for exceptional children, and be it further

RESOLVED, that these rates be effective July 1, 2010 through March 31, 2011, and the County Treasurer be so advised.

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

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

NAYS: NONE

**RESOLUTION NO. 332-10**

**AGREEMENT WITH BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH**

**DATED: DECEMBER 17, 2010**

**BY MS. PINCOMBE:**

WHEREAS, the County of Hamilton, on occasion is required to place juveniles in a non-secured detention facility, and

WHEREAS, Berkshire Farm Center and Services for Youth operates two (2) non-secured detention facilities for juveniles placed with the Department of Social Services, and

WHEREAS, Berkshire Farm Center and Services for Youth requires an agreement in order to place juveniles in their facility,

NOW, THEREFORE, BE IT

RESOLVED, that upon approval of the County Attorney, the Chairman of the Hamilton County Board of Supervisors is hereby authorized to enter into an unreserved usage agreement with Berkshire Farm Center and Services for Youth for the purposes of placing appropriate juveniles with a per diem rate for an unreserved bed of \$265.05 and will be effective from January 1, 2011 through December 31, 2011.

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

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

NAYS: NONE

**RESOLUTION NO. 333-10**

**TRANSFER FUNDS- PUBLIC HEALTH NURSING SERVICE CERTIFIED HOME HEALTH AGENCY**

**DATED: DECEMBER 17, 2010**

**BY MR. SEAMAN:**

WHEREAS, the Public Health Nursing Service has incurred additional health aide costs, be it

RESOLVED, that the following transfer of funds takes place to cover the additional expenses incurred by the Nursing Service:

From: A4040.403	Chronic Disease	\$1,000.00
A4040.406	STD	\$500.00
A4040.414	Rabies Contractual	\$5,000.00
A4040.416	Communicable Disease	\$1,000.00
To: A4010.404	CHHA Contracts	\$7,500.00

and the County Treasurer be so advised.

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

AYES: WILT, PINCOMBE, EDWARDS, HUTCHINS, FREY, MCGOVERN, SEAMAN,

FARBER, AND TOWERS

NAYS: NONE

**RESOLUTION NO. 334-10**

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH HEALTH RESEARCH,  
INC. – BLOOD TESTING FOR YEAR 2011**

**DATED: DECEMBER 17, 2010**

**BY MR. HUTCHINS:**

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, 2011 – December 31, 2011 paid from Family Health Account No. A4035.404, Lead Testing, and the County Treasurer be so advised.

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

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

NAYS: NONE

**RESOLUTION NO. 335-10**

**APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS**

**DATED: DECEMBER 17, 2010**

**BY MR. TOWERS:**

RESOLVED, that the bills in the Machinery Fund amounting to \$56,306.51 and bills in the County Road Fund amounting to \$9,116.13 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. Seaman and adopted by the following vote:

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

NAYS: NONE

**RESOLUTION NO. 336-10**

**APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND AND CAPITAL  
PROJECT 2010-1 FUEL CONSOLIDATION PROJECT**

**DATED: DECEMBER 17, 2010**

**BY MR. WILT:**

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$132,020.56 by the following committees:

Building Committee .....	\$4,798.79
Solid Waste Committee .....	15,572.69
Finance Committee .....	44,434.35
Health & Human Services Committee.....	47,830.60
Central Government Committee .....	14,303.58
Publicity, Tourism, Economic Development & Planning Committee.....	609.98
Internal Management Committee .....	4,470.57

and be it further

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

Fuel Consolidation Project.....\$2,720.00

are hereby approved.

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

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

NAYS: NONE

**RESOLUTION NO. 337-10**

**AUTHORIZING TEMPORARY POSITION – TOURISM DEPARTMENT**

**DATED: DECEMBER 17, 2010**

**BY MR. MCGOVERN**

WHEREAS, Ann Melious will become the Director of Planning, Tourism & Community Development effective January 6, 2011, and

WHEREAS, the Board of Supervisors is desirous of creating overlap for the end of 2010 and the beginning of 2011 for training purposes, now, therefore, be it

RESOLVED, that Account No. A8020.104 Temporary is hereby created and funded by transferring \$280.00 from Account No. A1990.401 Contingent for the purpose of said training and, and be it also

RESOLVED, that William Osborne is hereby authorized to hire Ann Melious at the rate of \$20.00 per hour for said training period and Personnel Officer and the County Treasurer be so notified.

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

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

NAYS: NONE

**RESOLUTION NO. 338-10**

**AUTHORIZING CHAIRMAN TO ENTER INTO A CONTRACT WITH INTEGRYS  
ENERGY SERVICES OF NEW YORK, INC.**

**DATED: DECEMBER 17, 2010**

**BY MS. PINCOMBE:**

WHEREAS, it has been determined that since the authorization of Power of Choice, the purchase of electricity is subject to procurement procedures, and

WHEREAS, based on this change, NYSAC in cooperation with a group of counties called the Municipal Electric and Gas Alliance (MEGA) structured a baulk bid for electricity, and

WHEREAS, Section 408-a of the County Law authorizes the County to be included in any purchase contract awarded to the lowest responsible bidder authorization permitting all political subdivisions and districts in the State to participate, and

WHEREAS, this has been done and Integrys Energy Services of New York, Inc. has been determined to be the lowest responsible bidder, and

WHEREAS, the County has determined that there are several other purchasing consortiums, which should be considered down the road, however with the Building Department changes there has not been time to accomplish this for 2011, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to enter into a contract with Integrys Energy Services of New York, Inc. for a fluctuating price for one (1) year, subject to the approval of the County Attorney.

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

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

NAYS: NONE

The Chairman mentioned that there are two requests on everyone's desks. One is from Kim pertaining to the replacement of a Case Worker that is leaving; this will fill that vacancy.

Highway has two up coming retirements and there is a request from Tracy to hire a Temporary as a permanent employee and he wants the ability for that permanent employee to go from Laborer to MEO upon getting a CDL. The other is he plans on promoting to HEOT and making the HEO position a MEO.

We received 2 resumes for Director of Public Health/Director of Patient Services by the deadline and received 2 after the deadline. One we received after the deadline did not qualify but the other one did. It was the Chairman's recommendation that they interview all three. Interviews will be on December 23<sup>rd</sup>.

Real Property Tax Service will have a Tax Map Technician vacancy and with all the changes the position looks to be a Tax Map Aide possibly. The test will probably not be until May so we will be hiring provisionally.

The Organizational Meeting will be January 6<sup>th</sup> at 2:00PM. There is also an Internal Management Committee Meeting scheduled for December 27<sup>th</sup> at 1:30PM for Employee Evaluations.

A motion was made to close the Public Hearing on the Local Laws 1-6 of 2010 by Ms. Pincombe, seconded by Mr. Hutchins. Carried.

Motion by Mr. Edwards:

Seconded by Mr. Frey:

## **COUNTY OF HAMILTON**

### **PROPOSED LOCAL LAW NO. 1 OF THE YEAR 2010 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 2010 was set by the Hamilton County Board of Supervisors at Forty-six Thousand One Hundred Eighty-five Dollars (\$46,185.00.00). 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 2011 will be Forty-six Thousand Six Hundred Ninety-eight Dollars (\$46,698.00).

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 2011 at Forty-six Thousand Six Hundred Ninety-eight Dollars (\$46,698.00).
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.

AYES: ARIETTA (293), BENSON (201), HOPE (392), INDIAN LAKE (1471), INLET (406), LAKE PLEASANT (876), LONG LAKE (852), MOREHOUSE (151), AND WELLS (737) = 5379

NAYS: NONE

Motion by Mr. Edwards:

Seconded by Mr. Frey:

## **COUNTY OF HAMILTON**

### **PROPOSED LOCAL LAW NO. 2 OF THE YEAR 2010 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 2010 was set by the Hamilton County Board of Supervisors at Seventy-six Thousand Seven Hundred Ninety-one Dollars (\$76,791.00). 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 2011 will be Seventy-seven Thousand Six Hundred Forty-three Dollars (\$77,643.00).

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 2011 at Seventy-seven Thousand Six Hundred Forty-three Dollars (\$77,643.00) .
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.

AYES: ARIETTA (293), BENSON (201), HOPE (392), INDIAN LAKE (1471), INLET (406), LAKE PLEASANT (876), LONG LAKE (852), MOREHOUSE (151), AND WELLS (737) = 5379

NAYS: NONE

Motion by Mr. Edwards:

Seconded by Mr. Frey:

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 3 OF THE YEAR 2010  
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 2010 was set by the Hamilton County Board of Supervisors at Seventy Thousand Six Hundred Ninety-one Dollars (\$70,691.00). 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 2011 will be Seventy-five Thousand Dollars (\$75,000.00).

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

1. That the Hamilton County Board of Supervisors hereby fixes the annual salary of the Hamilton County Highway Superintendent for the year 2011 at Seventy-five Thousand Dollars (\$75,000.00).
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.

AYES: ARIETTA (293), BENSON (201), HOPE (392), INDIAN LAKE (1471), INLET (406), LAKE PLEASANT (876), LONG LAKE (852), MOREHOUSE (151), AND WELLS (737) = 5379

NAYS: NONE

Motion by Mr. Edwards:

Seconded by Mr. Frey:

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 4 OF THE YEAR 2010  
A LOCAL LAW FIXING THE ANNUAL SALARY OF THE  
HAMILTON COUNTY SHERIFF**

Legislative Intent: The Hamilton County Sheriff's annual salary for the year 2010 was set by the Hamilton County Board of Supervisors at Sixty-eight Thousand Five Hundred Twelve Dollars (\$68,512.00). 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 2011 will be Seventy-two Thousand Five Hundred Dollars (\$72,500.00).

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 2011 at Seventy-two Thousand Five Hundred Dollars (\$72,500.00).
1. 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.
2. 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.

AYES: ARIETTA (293), BENSON (201), HOPE (392), INDIAN LAKE (1471), INLET (406), LAKE PLEASANT (876), LONG LAKE (852), MOREHOUSE (151), AND WELLS (737) = 5379

NAYS: NONE

Motion by Mr. Edwards:

Seconded by Mr. Frey:

## COUNTY OF HAMILTON

### **PROPOSED LOCAL LAW NO. 5 OF THE YEAR 2010 A LOCAL LAW FIXING THE ANNUAL SALARY OF THE HAMILTON COUNTY ATTORNEY**

Legislative Intent: The Hamilton County Attorney's annual salary for the year 2010 was set by the Hamilton County Board of Supervisors at Sixty-five Thousand Six Hundred Nineteen Dollars (\$65,619.00). 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 2011 will be Sixty-six Thousand Three Hundred Ninety Dollars (\$66,390.00).

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 2011 at Sixty-six Thousand Three Hundred Ninety Dollars (\$66,390.00).
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.

AYES: ARIETTA (293), BENSON (201), HOPE (392), INDIAN LAKE (1471), INLET (406), LAKE PLEASANT (876), LONG LAKE (852), MOREHOUSE (151), AND WELLS (737) = 5379

NAYS: NONE

Motion by Mr. Edwards:

Seconded by Mr. Frey:

## COUNTY OF HAMILTON

### **PROPOSED LOCAL LAW NO. 6 OF THE YEAR 2010 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 2010 were set by the Hamilton County Board of Supervisors at Thirty-nine Thousand Nine Hundred Eighty-eight Dollars (\$39,988.00). 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 2011 will be Forty Thousand Four Hundred Thirty-one Dollars (\$40,431.00).

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 2011 at Forty Thousand Four Hundred Thirty-one Dollars (\$40,431.00).
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.

AYES: ARIETTA (293), BENSON (201), HOPE (392), INDIAN LAKE (1471), INLET (406), LAKE PLEASANT (876), LONG LAKE (852), MOREHOUSE (151), AND WELLS (737) = 5379

NAYS: NONE

Motion was made to adjourn by Ms. Pincombe, seconded by Mr. Hutchins. Carried.