

2011

**THIRD SESSION**

**MARCH 3, 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	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: County Attorney, Jamie Strader and Stewart Remick of the Adirondack Lake Center for the Arts, Decentralization Grant Recipients and Pete Klein, Press

A motion was made to accept the minutes of January 6, 2011 and February 3, 2011 by Mr. Hutchins, seconded by Mr. McGovern. Carried.

Public Comment: No one present.

Bid Openings:

Spec. No. 1-2011 Solid Waste – Open Top Aluminum Ejector Transfer Trailer

1. Spector Manufacturing

\$61,870.00

2. Steco Trailers

\$68,775.00

A motion to accept the bids and refer them to committee by Mr. Towers, seconded by Mr. Edwards. Carried.

Spec. No. 2-2011 – Superstructure, Rolled Beams & Related Items

1. Town & Country

\$83,227.00

2. Chemung Supply  
\$110,994.00

A motion to accept the bids and refer them to committee by Mr. Frey, seconded by Mr. Hutchins. Carried.

Spec. No. 3-2011 – Laminated Timber Deck & Related Items

1. Unadilla  
\$27,604.00
2. Laminated Concepts  
\$23,352.00

A motion to accept the bids and refer them to committee by Mr. Frey, seconded by Mr. Edwards. Carried.

The Chairman announced that the Adirondack Lakes Center for the Arts would be presenting the Decentralization Grant winners.

Mr. Stewart Remick explained the qualifications that organizations need to meet to be eligible for the Decentralization Grant and how important these grants are. Stewart announced the winners as follows:

Town of Hope & Town of Benson - Sacandaga Valley Arts Network (SVAN)

Town of Indian Lake – Indian Lake Theater, Indian Lake Library, Parker Benton Post, Cabin Fever Players

Town of Inlet – Syracuse Symphony, Sunsets by the Lake Concert Series

Town of Lake Pleasant – Lake Pleasant Library, Pretty Good Band

Town of Long Lake – Calvary United Methodist Church, E-Lumination, Babik Jazz Concert

Town of Arietta – Arietta Library

Town of Raquette Lake – Raquette Lake Library, St. Williams on Long Point

Town of Wells – Wells Library

Rebecca Guarino and Dorean Page entered during the awarding of the Decentralization Grants.

Stewart congratulated all the organizations that are receiving funds for 2011 and thanked everyone in the room for their continued support of the Arts Center.

The Chairman thanked everyone.

Report of Standing/Special Committees:

John: Tourism met this morning and there are a couple of resolutions in today's packets.

Ann is settling into the job very well.

Rick: LDC met last week and they are looking at re-organizing to make it more viable.

Bob: Hopes everyone will support Resolution No. 13 in today's packet.

Neil: Is preparing to go to Washington DC for NACo.

The Chairman then introduced Rebecca Guarino, Director of Project Action Tobacco Free Coalition. She spoke about secondhand smoke exposure. Dorean Page handed out information.

After the Project Action Tobacco Free Coalition presentation the Chairman called for a 5 minute recess at 11:25.

Jim Thatcher of Avalon entered at this time.

Reconvened at 11:30.

A motion was made to open the Public Hearing for the 2011 HOME Application by Mr. Hutchins, seconded by Mr. Wilt. Carried.

Mr. Hutchins stated it continues to be managed very well and it is helping a lot of people. Mr. Edwards agreed and reported that Mike Korpon has done great work.

Ms. Pincombe asked why some of the amounts on the handout are in bold.

Mr. Thatcher stated that the 2008 money is basically completed and we are half way through the 2009 money. The bold are projects that are closed out with the State.

RESOLUTIONS:

**RESOLUTION NO. 64-11**

**2010 TRANSFER OF FUNDS TO UNEMPLOYMENT ACCOUNT**

**DATED: MARCH 3, 2011**

**BY MR. WILT:**

WHEREAS, there are insufficient funds in the Unemployment Account No. A9050.8010 at the end of 2010, be it

RESOLVED, that \$1,923.07 be transferred from the 2010 Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to the following account:

A9050.8010 Employment Benefits, Unemployment                      \$1,923.07

and the County Treasurer be so authorized.

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. 65-11**

**AUTHORIZATION TO ATTEND 2011 NEW YORK/NORTH COUNTRY DAY IN  
WASHINGTON, DC**

**DATED: MARCH 3, 2011**

**BY MR. MCGOVERN:**

WHEREAS, the North Country Chamber is conducting their annual advocacy trip from April 5-6, 2011 in Washington, DC, and

WHEREAS, Gary Douglas of the North Country Chamber has asked the Chairman of the Board to participate, and

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

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

RESOLVED, that the actual and reasonable expenses incurred 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. Wilt and adopted by the following vote:

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

NAYS: NONE

For Resolution No. 3 on the agenda the Chairman stated that we are contacting the other Counties to see who they are using. He recommended not moving this resolution and getting more information then having a Finance Committee meeting. The Chairman explained GASB 45 and how the numbers are used.

**RESOLUTION NO. 66-11**

**RESOLUTION TO ALLOW THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO SPEND UP TO \$36,000 TO DEVELOP A HAMILTON COUNTY TRAVEL MAP/GUIDE**

**DATED: MARCH 3, 2011**

**BY MR. HUTCHINS:**

WHEREAS, the County's travel lure piece was last printed two (2) years ago and supplies are depleted, and

WHEREAS, development of a travel map/guide is comprised of two component parts; design/production which is a professional service and print which will require bidding, and

WHEREAS, providing what travelers want to know when and where they need to know it is critical to successful attraction and retention of visitors, and

WHEREAS, the new guide will be less expensive to mail and distribute but will contain more useful information than its predecessor, therefore, be it

RESOLVED, the Director of Planning and Community Development is authorized to spend up to \$36,000 to develop a Hamilton County Travel Map/Guide; said costs are estimated at \$10,000 for design/production by Ad Workshop and \$26,000 for the printing of at least 100,000 copies, subject to the bid process, said costs are contained in the 2011 Publicity Budget.

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. 67-11**

**CONTINUATION OF TOURIST PROMOTION AGENCY FOR HAMILTON COUNTY AND AUTHORIZING SUBMISSION OF APPLICATION TO NEW YORK STATE**

**DEPARTMENT OF ECONOMIC DEVELOPMENT FOR MATCHING FUNDS FOR  
PROMOTION OF TOURISM**

**DATED: MARCH 3, 2011**

**BY MR. FREY:**

WHEREAS, the New York State Department of Economic Development is empowered to approve application from local governments for matching funds to be used for promoting tourism therein, and

WHEREAS, the Hamilton County Tourism Director has recommended that an application for such funds be submitted to the Department of Economic Development for matching funds up to the amount appropriated therefore within the New York State budget, now, therefore, be it

RESOLVED, that the Hamilton County Tourism Director be, and hereby is, authorized and directed to submit an application to the New York State Department of Economic Development, Tourism Matching Funds Program, NYS Division of Tourism, 30 South Pearl Street, Albany, New York 12245, Attn: Diane Kinnicutt, Director, for matching funds in an amount up to Four Hundred Thousand Dollars (\$400,000.00) to be used for the promotion of tourism in Hamilton County, and be it further

RESOLVED, that said Ann Melious, Tourism Director, is hereby named Project Director in relation thereto, and be it further

RESOLVED, that the Hamilton County Board of Supervisors hereby certifies to the New York State Department of Economic Development that both the County of Hamilton and the Tourism Department have been in existence for more than three (3) years, and be it further

RESOLVED, that in order to comply with Commerce Law, Article 5-A (New York State Tourism Promotion Act) that the Hamilton County Department of Planning, Tourism and Economic Development be the duly designated tourist promotion agency for the County of Hamilton for the fiscal year 2010/2011 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. 68-11**

**AUTHORIZING CHAIRMAN TO SIGN COMMUNITY SERVICES CONTRACT  
AGREEMENT BETWEEN WARREN COUNTY OFFICE FOR THE AGING AND  
HAMILTON COUNTY PUBLIC HEALTH NURSING SERVICE**

**DATED: MARCH 3, 2011**

**BY MR. EDWARDS:**

WHEREAS, the Hamilton County Public Health Nursing Service maintains an agreement between Warren/Hamilton Office for the Aging, and

WHEREAS, Hamilton County Public Health Nursing Service to provide services for Hamilton County residents under a Community Services Contract code A.6780 10 470, and

WHEREAS, this contract has been submitted for renewal for the period April 1, 2011 – March 31, 2012 in the full amount of \$2,500.00, be it

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

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. 69-11**

**AUTHORIZING 2011-2012 CONTRACT WITH SUNMOUNT DEVELOPMENTAL  
DISABILITIES SERVICES OFFICE**

**DATED: MARCH 3, 2011**

**BY MR. SEAMAN:**

WHEREAS, the NYS Office for People With Developmental Disabilities (NYS OPWDD) operates the Sunmount Developmental Disabilities Services Office (SDDSO) which provides services to individuals residing in NYS OPWDD certified residential facilities and/or Day Treatment programs, and

WHEREAS, individuals in these residential facilities and/or Day Treatment programs require psychiatric services, and

WHEREAS, Hamilton County Community Services (HCCS) has qualified staff to provide psychiatric services to the individuals residing in these facilities and/or programs, and

WHEREAS, SDDSO desires to contract with HCCS to provide these psychiatric services, be it

RESOLVED, that HCCS will provide psychiatric services to individuals identified as residing in SDDSO residential facilities in Hamilton County, and/or attending SDDSO Day Treatment programs within the county, and be it further

RESOLVED, that these services will be billed at a rate of \$165.00 per hour for a Licensed Psychiatrist and \$75.00 per hour for a Licensed Psychiatric Nurse Practitioner, and be it

RESOLVED, that The Hamilton County Board of Supervisors authorizes the Chairman for the Board of Supervisors to enter into a contract with a term of April 1, 2011 to March 31, 2012, with SDDSO to allow HCCS to provide these services as specified above.

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. 70-11**

**AUTHORIZING OUT OF STATE TRAVEL FOR TRAINING – COMMUNITY SERVICES**

**DATED: MARCH 3, 2011**

**BY MR. HUTCHINS:**

WHEREAS, Hamilton County Community Services (HCCS) provides behavioral health services that include helping county residents through EMDR intervention to address trauma, and

WHEREAS, the EMDR Institute is providing an advanced training on EMDR at the University of Massachusetts, Amherst, MA, on April 2, 2011 at a cost of \$135.00, and

WHEREAS, the cost and travel time associated with this training at this site is less than at comparable trainings this year in New York State for the same number of continuing credits, and

WHEREAS, Carrie Cummins is a qualified mental health professional and staff member of Hamilton County Community Services, certified in EMDR for use with county residents, and this training would meet her need for continuing education credits for the coming year, therefore, be it

RESOLVED, that the Board of Supervisors authorizes HCCS to reimburse Ms. Cummins \$135.00 for the cost of this training, and be it further

RESOLVED, that the Board of Supervisors authorizes Carrie Cummins for out of state travel, including use of a county vehicle, to attend this conference.

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. 71-11**

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

**DATED: MARCH 3, 2011**

**BY MR. HUTCHINS**

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

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

WHEREAS, this contract has been submitted for renewal for the period April 1, 2011 – March 31, 2012 in an amount not to exceed \$25,000.00, be it

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

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

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

NAYS: NONE

**RESOLUTION NO. 72-11**

**AUTHORIZING COUNTY HIGHWAY SUPERINTENDENT TO PURCHASE A  
TANDEM AXLE DUMP TRUCK WITH PLOW EQUIPMENT**

**DATED: MARCH 3, 2011**

**BY MR. TOWERS:**

WHEREAS, the Highway Department is in need of replacing a tandem axle dump truck with plow equipment, and

WHEREAS, 2011 Heavy Duty Class 8 Trucks are available for purchase on State Contract with associated options including dump box, material spreader and plow equipment, and

WHEREAS, the County Highway Superintendent is recommending approval to purchase said Tandem Axle Dump Truck with plow equipment including dump box and material spreader under State Contract pricing, and

WHEREAS, the adopted 2011 Highway Budget has appropriated \$484,000.00 in Account No. D5112.2020 Permanent Improvements (CHIP's) to provide funds to purchase said truck, be it

RESOLVED, that hereby the County Highway Superintendent is authorized to order said tandem axle truck with associated options including dump box and plow equipment under New York State Contract pricing at a cost not to exceed \$215,000.00, be it further

RESOLVED, that payment for said truck be taken out of Account D5112.202 Permanent Projects when said truck is delivered and accepted by the County Highway Superintendent and the County Treasurer be so authorized and Clerk of the Board be so notified.

Seconded by Mr. Edwards 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; the Chairman explained that Hamilton County is going to be a sponsor for a Smart Growth Application to support the Adirondack Partnership and AATV and also doing the Economic Strategies Application. Essex County is going to be the sponsor for the Hamlets III piece.

**RESOLUTION NO. 73-11**

**AUTHORIZING SUBMISSION OF SMART GROWTH GRANT APPLICATION  
FOR DEVELOPMENT OF PARK-WIDE ECONOMIC DEVELOPMENT STRATEGY**

**DATED: MARCH 3, 2011**

**BY MR. MCGOVERN:**

WHEREAS, the Department of Environmental Conservation is soliciting applications for the Adirondack Park Community Smart Growth Program. This resolution authorizes the signing of a grant application and, upon approval of said request to enter into and execute a state assistance contract in connection with the Adirondack Community Smart Growth Program, and

WHEREAS: the towns and villages that comprise the Park have come together through AATV (Adirondack Association of Towns and Villages) along with other stakeholders through the Adirondack Partnership, to undertake and participate in the development of an economic development strategy that recognizes and improves the Special Conditions of the Adirondack Park through adherence to Smart Growth Principles as described in the program application, and

NOW, THEREFORE, BE IT RESOLVED, that the Hamilton County Board of Supervisors with approval of this resolution does formally support the development of a park-wide strategy for economic development and the submission of the application to the Adirondack Park Community Smart Growth Program, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that William G. Farber, as Chairman of the Board of Supervisors of the Hamilton County, is hereby authorized and directed to file an application for funds from the Adirondack Community Smart Growth Program of the New York State Department of Environmental Conservation (DEC), in an amount not to exceed \$190,000, with no grant match required; and upon approval of said request to enter into and execute a state assistance contract with DEC for such financial assistance to Hamilton County.

Seconded by Mr. Towers 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. Wilt stated that he wished that Arietta had done this. Towns need to push forward to make sure it doesn't happen to them what happened to Arietta.

Mr. Hutchins stated he feels its all in the timing.

The Chairman reported some of the communities supported this deal. When you talk to them they supported this for different reasons and explained further.

A motion was made by Mr. Hutchins to Table, seconded by Mr. Frey.

Mr. Edwards asked how much time they have. The Chairman stated he will answer as long as it doesn't lead to a discussion. He explained that it will still be relevant.

**TABLED**

**RESOLUTION NO.**

**RESOLUTION IN OPPOSITION TO FEE PURCHASE OF FORMER FINCH AND FOLLENSBY POND LANDS**

**DATED: MARCH 3, 2011**

**BY MR. SEAMAN:**

WHEREAS, The Nature Conservancy (TNC) purchased 161,000 acres known as the Finch Pruyn (Finch) Timberlands several years ago with the intent of selling 89,000 acres in conservation easements and 65,000 acres (to be added to the state forest preserve) of said land in fee to State of New York (State), and

WHEREAS, the State and TNC have recently completed a deal on the 89,000 acre conservation easements that maintain productive forestry practices and enjoy the support of local governments that were directly impacted by providing said communities with several thousand acres in recreational enhancements, and

WHEREAS, the State of New York has indicated its desire to now purchase more than 60,000 acres of the former finch timberlands and an additional 15,000 acres of the Follensby and timberlands in fee from TNC, and

WHEREAS, those supportive communities now find themselves confronted with an unparalleled economic depression and whose constituents simply do not support the state buying more land at a time when people are facing job losses and all levels of government are cutting vital services, and

WHEREAS, while the Forest Preserve is constitutionally protected, there is no constitutional guarantee requiring New York State to pay local property taxes on state land to municipalities, and

WHEREAS, the Adirondack Park Agency (APA) is charged with the responsibility of determining state agency compliance with the Adirondack State Land Master Plan (SLMP) and to engage in a continuing planning process which recognizes matters of local concern, and

WHEREAS, the SLMP provides that: “due to the importance of the forest products industry to the economy of the Adirondack region, bulk acreage purchases in fee should not normally be made where highly productive forest land is involved, unless such land is threatened with development that would curtail its use for forestry purposes or its value for the preservation of open space or of wildlife habitat.”, and

WHEREAS, it is therefore clear that these acquisitions do not comply with the SLMP, and

WHEREAS, the proposed purchase of the Follensby lands will be partially funded by federal Forest Legacy program funds designed to purchase and protect working forests, and is not designed to fund fee acquisition lands where forestry would be prohibited, and

WHEREAS, the state currently faces unprecedented financial challenges that will require cutting five (5) billion dollars from state education and Medicaid programs this year alone, and with the loss of thousands of state jobs the state Department of Environmental Conservation (DEC) is unable to properly maintain and manage existing, no less any newly acquired, lands due to staff reductions, and

WHEREAS, the education of our children, taking care of the less fortunate and protection the environment by using Environmental Protection Funds to upgrade sewer and water projects must be priority one – not more land purchases – particularly when the State already owns millions of acres of Forest Preserve, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors opposes the fee acquisition by the state of the former Finch and Follensby Pond lands; urges the APA to insure compliance with the SLMP by opposing the proposed DEC fee purchase of highly productive timberland; and urges Governor Cuomo to directly intercede on behalf of the taxpayers of New York by directing his state agencies to reject the proposed purchase of the former Finch and Follensby lands, and be it further

RESOLVED, that the Hamilton County Board of Supervisors requests Governor Cuomo to order a study of the economic and social impacts of state land acquisitions in the Adirondacks before any additional purchases of state lands are authorized, and be it further

RESOLVED, that the Hamilton County Board of Supervisors requests Governor Cuomo consider using available EPF funds to adequately staff DEC to ensure proper stewardship of existing state land including the many campgrounds and state parks which are a vital asset to local economies, and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Senator Elizabeth Little, Senator Hugh Farley, Senator

James Seward, Senator Joseph Griffo, Senator Roy McDonald, Assembly Speaker Sheldon Silver, Assemblywoman Teresa Sayward, Assemblywoman Janet Dupre, Acting DEC Commissioner Joe Martens, DEC Region 5 Director Betsy Lowe, DEC Region 6 Director Judy Drabicki, the Twelve counties of the Adirondacks, the Adirondack Park Agency and the Adirondack Association of Towns & Villages.

Seconded by Mr. McGovern.

Motion to Table by Mr. Hutchins, seconded by Mr. Frey.

After the following resolution was placed on the floor; Mr. McGovern asked if this is out of the ordinary. The Chairman stated once the Treasurer gets past the statutory deadline, she can not accept payment without Board approval. This has been done in the past.

**RESOLUTION NO. 74-11**

**AUTHORIZING ACCEPTANCE OF BACK TAXES**

**DATED: MARCH 3, 2011**

**BY MR. EDWARDS:**

WHEREAS, the Board of Supervisors has been contacted by Beverly Sanders, the daughter of Celeste Morales, owner on record of property located in Morehouse, with parcel ID# 125.000-1-18 & 17 concerning the 2009 and 2010 back taxes owed, and

WHEREAS, Beverly Sanders has submitted a written explanation of the circumstance of why the taxes have not been paid to date 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 \$5,777.42 together with an administrative charge of \$500.00 for a total of \$6,277.42. Payment is due within 30 days from receipt of this acceptance Resolution.

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. 75-11**

**APPOINTMENT TO THE FISH AND WILDLIFE MANAGEMENT BOARD -  
SPORTSMAN REP. ALTERNATE**

**DATED: MARCH 3, 2011**

**BY MR. HUTCHINS:**

WHEREAS, Resolution No. 51-11 of February 3, 2011 made Hamilton County appointments to the Fish & Wildlife Management Board, and

WHEREAS, said Resolution left vacant the Alt. Sportsman Rep., now, therefore, be it

RESOLVED, that John Casey is hereby appointed as the Alt. Sportsman Rep. and the NYSDEC be so notified.

Seconded by Mr. McGovern 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; the Chairman stated we have rules with these promotions. State Civil Service is telling us that due to staff shortages they will not be able to give the test until October of 2012.

**RESOLUTION NO. 76-11**

**AUTHORIZING PROVISIONAL PROMOTION – REAL PROPERTY**

**DATED: MARCH 3, 2011**

**BY MR. EDWARDS:**

WHEREAS, the transition in the Hamilton County Real Property Tax Office has placed additional responsibilities on Gail Doherty, Tax Map Technician, and

WHEREAS, by Resolution No. 62-11 the Board of Supervisors increased this position from 35 hours to 40 hours while additional staff was being hired, and

WHEREAS, full staffing is now in place, and

WHEREAS, even with full staff in place, Gail Doherty's extensive experience has meant additional responsibilities, now, therefore, be it

RESOLVED, that effective March 7, 2011 Gail Doherty is hereby provisionally promoted to Senior Tax Map Technician, at Grade 10 Step 11, and returned to a 35 hour work week, and the County Treasurer and Personnel Officer be so authorized.

Seconded by Mr. Frey 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. Frey stated that we need to get people to the website.

**RESOLUTION NO. 77-11**

**RESOLUTION TO ALLOW THE DIRECTOR OF PLANNING, TOURISM AND  
COMMUNITY DEVELOPMENT TO HIRE SEARCH ENGINE OPTIMIZATION  
SERVICES FOR WWW.ADIRONDACKEXPERIENCE.COM**

**DATED: MARCH 3, 2011**

**BY MR. FREY:**

WHEREAS, websites are now the primary source of information for travel planning while the number and quality of websites continuously increases and improves, and

WHEREAS, competitive travel websites need to be organically optimized to appear near the top of subject searches in search engines such as Google and Yahoo to capture market share, and

WHEREAS, Hamilton County, the Adirondack Wild, should compete more effectively in outdoor recreation search categories such as Adirondack camping, Adirondack snowmobiling and Adirondack fishing than it does at present, and

WHEREAS, the travel market is critical to the generation of sales tax revenues and jobs in Hamilton County, and

WHEREAS, Search Engine Optimization expertise is specialized and ever-changing, and

WHEREAS, written proposals were solicited from regional SEO firms, now, therefore, be it

RESOLVED, that the Director of Planning, Tourism and Community Development be authorized to hire Site Optimized of Kingston, NY to provide Search Engine Optimization Services for a period of six months at \$880 per month for a total of \$5,280 to be paid from Tourism Account No. A6410.401 Ham. Co. Promotion and the County Treasurer be so notified.

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. 78-11**

**FUNDING ACCOUNT FOR EMERGENCY MANAGEMENT'S OFFICE OF  
HOMELAND SECURITY GRANT – 2011 BUDGET**

**DATED: MARCH 3, 2011**

**BY MR. MCGOVERN:**

WHEREAS, Resolution No. 238-07 adopted on October 4, 2007 authorized the submission of a grant application by the Hamilton County Emergency Management Office, and

WHEREAS, Grant WM2007 SHSP has been awarded by Contract No. T839770 CFDA #97.067, and

WHEREAS, funding was appropriated in the 2009 and 2010 budget, but not entirely spent, be it

RESOLVED, that Account No. A3640.413 EM OHS Grant be funded at \$813.33 to be totally offset by increasing Revenue Account No. A4389.200 EM OHS Grant by \$813.33 and the County Treasurer be so authorized.

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. 79-11**

**FUNDING ACCOUNT FOR EMERGENCY MANAGEMENT'S OFFICE OF  
HOMELAND SECURITY GRANT – 2011 BUDGET**

**DATED: MARCH 3, 2011**

**BY MR. HUTCHINS:**

WHEREAS, Resolution No. 98-10 adopted April 1, 2010 allocated Account No. A3640.415 OHS Grant 1<sup>st</sup> Respond. Training in the amount of \$8,056.00 for Contract No. T839790, and

WHEREAS, Resolution No. 238-10 adopted October 7, 2010 transferred the money to Account No. A3640.201 Equipment, and

WHEREAS, funding was not entirely spent, be it

RESOLVED, that Account No. A3640.201 Equipment be funded at \$2,788.68 to be totally offset by increasing Revenue Account No. A4389.5 Mobile Command Vehicle/Training by \$2,788.68 and the County Treasurer be so authorized.

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. 80-11**

**FUNDING ACCOUNT FOR SHERIFF'S OHS GRANT – 2011 BUDGET**

**DATED: MARCH 3, 2011**

**BY MR. EDWARDS:**

WHEREAS, Resolution No. 98-10 adopted on April 1, 2010 funded Grant Contract No. T839792 CFDA #97.067 in the 2010 budget, and

WHEREAS, funding was but not entirely spent, be it

RESOLVED, that Account No. A3110.205 Mobile Command Vehicle be funded at \$304.18 to be totally offset by increasing Revenue Account No. A4389.500 Mobile Command Vehicle/Training by \$304.18, and be it further

RESOLVED, that Account No. A3110.410 OHS Grant Law Enforc. Training be funded at \$1,215.68 to be totally offset by increasing Revenue Account No. A4389.500 Mobile Command Vehicle/Training by \$1,215.68 and the County Treasurer be so authorized.

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. 81-11**

**FUNDING ACCOUNT FOR SHERIFF'S OHS GRANT FOR  
SONAR/COMMUNICATIONS- 2011 BUDGET**

**DATED: MARCH 3, 2011**

**BY MR. HUTCHINS:**

WHEREAS, Resolution No. 157-09 adopted on May 7, 2009 authorized NYS Office of Homeland Security Grant WM2007 LETPP Contract No. T839772 CFDA #97.067, and

WHEREAS, funding was appropriated in the 2009 and 2010 budget, but not entirely spent, be it

RESOLVED, that Account No. A3110.413 Sonar/Communications Grant be funded at \$2,197.05 to be totally offset by increasing Revenue Account No. A4389.400 Sonar/Communications Grant by \$2,197.05 and the County Treasurer be so authorized.

Seconded by Ms. Pincombe 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. Hutchins stated Beth is working real hard and meeting the needs of the Department. Mr. McGovern stated that this is a very special case.

**RESOLUTION NO. 82-11**

**AUTHORIZING ADDITIONAL COMP TIME AND WAIVING VACATION TIME  
DONATION RESTRAINTS – PUBLIC HEALTH DIRECTOR**

**DATED: MARCH 3, 2011**

**BY MR. MCGOVERN:**

WHEREAS, due to significant staff shortages in the Hamilton County Nursing Service the Director has accrued significant comp time, and

WHEREAS, employees are only authorized to accrue comp time up to an accumulated total of 40 hours without the approval of the Chairman of the Board of Supervisors or a Board Resolution, and

WHEREAS, the Board of Supervisors has determined that it is necessary to allow the Public Health Director to accrue comp time up to a total of 120 hours during this isolated period, now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to accrue up to 120 hours of accumulated comp time, and be it also

RESOLVED, that in an effort to allow the Director to use the additional comp time accumulated, the Board of Supervisors hereby waives the condition in Section 803 of the Employee Handbook (Vacation Donation) which requires the donor of vacation time to retain a balance of 35 hours of vacation time, and be it further

RESOLVED, that the Personnel Officer be so notified.

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 stated that everyone feels this was the most logical step, not to exceed the \$12,500, so we can add items if needed.

**RESOLUTION NO. 83-11**

**AUTHORIZING COUNTY SOLID WASTE COORDINATOR TO HIRE CONSULTING  
FIRM FOR SOLID WASTE MANAGEMENT PLAN**

**DATED: MARCH 3, 2011**

**BY MR. TOWERS:**

WHEREAS, the Solid Waste Coordinator and Solid Waste Committee advertised for proposals to update Hamilton County's Solid Waste Management Plan, and

WHEREAS, the Solid Waste Coordinator received (4) four proposals from the following firms,

1. Laberge Group of Latham, NY
2. Spectra Engineering of Latham, NY
3. SCS Engineers of Valley Cottage, NY

4. Barton & Loguidice, P.C. of Syracuse, NY

and

WHEREAS, the Solid Waste Coordinator and Solid Waste Committee conducted interviews of the said firms regarding their proposals, and

WHEREAS, the said firms all had very good but different approaches to update the County plan, and

WHEREAS, the Solid Waste Coordinator recommends selecting Barton & Loguidice, P.C. of Syracuse, NY to update the said Solid Waste Management Plan because of their familiarity of Hamilton County's current system and the significant financial savings to the County, be it

RESOLVED, the Chairman of the Board is hereby authorized to enter into an agreement subject to County Attorney approval with Barton & Loguidice, P.C. of Syracuse, NY to update Hamilton County's Solid Waste Management Plan that will include plan submittal to the NYSDEC for approval not to exceed \$12,500.00 and the County Treasurer, Solid Waste Coordinator and Clerk of the Board be so notified.

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

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

NAYS: NONE

**RESOLUTION NO. 84-11**

**APPROVAL OF AND TRANSFER OF FUNDS FOR 2011 MERIT PAY**

**DATED: MARCH 3, 2011**

**BY MR. HUTCHINS:**

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

WHEREAS, the Internal Management Committee met on February 15, 2011 to review merit evaluations, be it

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

HIGHWAY

George Hoffman	March 27, 2011 to March 27, 2012	\$1.32
Diana Stuart	March 10, 2011 to March 10, 2012	\$1.32

NURSING

April Beier	March 31, 2011 to March 31, 2012	\$ .55
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SHERIFF

James Luck	March 20, 2011 to March 20, 2012	\$ .77
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DISTRICT ATTORNEY

Connie Mahoney	March 10, 2011 to March 10, 2012	\$1.54
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and be it further

RESOLVED, that the following transfers be made to cover the above 2011 merit pay:

FROM:	A1990.401	Contingent	\$10,383.56
TO:	D5110.101	Personal Services	\$2,587.20
	D5010.103	Acct. Clerk/Computer Support Aide	\$2,439.36
	A4050.111	Family Health Services Coordinator	\$1,001.00
	A3110.117	Correction Officer F	\$1,553.20
	A1165.105	Account Clerk	\$2,802.80

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

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. 85-11**

**APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS**

**DATED: MARCH 3, 2011**

**BY MR. TOWERS:**

RESOLVED, that the bills in the Machinery Fund amounting to \$102,484.02 and bills in the County Road Fund amounting to \$153,037.50 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. Hutchins and adopted by the following vote:

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

NAYS: NONE

**RESOLUTION NO. 86-11**

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

**DATED: MARCH 3, 2011**

**BY MR. FREY:**

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$278,982.18 by the following committees:

Building Committee .....	\$32,996.54
Solid Waste Committee .....	10,499.68
Finance Committee .....	136,274.28
Health & Human Services Committee.....	67,091.05
Central Government Committee .....	21,543.41
Publicity, Tourism, Economic Development & Planning Committee.....	7,069.65
Internal Management Committee .....	3,507.57

are hereby approved.

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. 87-11**

**AWARD OF BID FOR OPEN TOP EJECTOR TRAILER**

**DATED: MARCH 3, 2011**

**BY MR. TOWERS:**

WHEREAS, two (2) bids were received for one New and Unused Open Top Ejector Aluminum Trailer in accordance with Specification No. 1-2011SW as advertised by the Solid Waste Coordinator and Solid Waste Committee, and

WHEREAS, the following bids were received:

1. Spector Manufacturing  
PO Box 158  
St. Clair, PA 17970 Bid - \$61,870.00
  
2. Steco – Division of Blue Tee Corp  
Box 3127  
Enid, OK 73702 Bid - \$68,775.00

and

WHEREAS, the Solid Waste Coordinator has determined that the low bid of \$61,870.00 by Spector Manufacturing does meet the bid specification, be it

RESOLVED, that the award be made to:

Spector Manufacturing  
PO Box 158  
St. Clair, PA 17970 Bid Price \$61,870.00

and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a purchase contract for (1) One New and Unused Open Top Aluminum Ejector Trailer with Spector Manufacturing of St. Clair, PA in the amount of \$61,870.00 subject to the approval of the County Attorney, and be it further

RESOLVED, that payment be made to Spector Manufacturing within 45 days of delivery of fully equipped and operational unit and acceptance by the Solid Waste Coordinator and that payment be made from Solid Waste Account No. A8189.401 in the amount of \$61,870.00 and the County Attorney, County Treasurer and Clerk of the Board 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. Hutchins asked if this is the same company that built the last bridge, Tracy stated no, but we have used them before.

Ms. Pincombe asked why Chemung is so high. Tracy stated that Chemung tends to be higher.

A motion was made to close the Public Hearing by Mr. Seaman, seconded by Mr. McGovern. Carried.

**RESOLUTION NO. 88-11**

**AWARD OF BID FOR SUPERSTRUCTURE AND RELATED ITEMS FOR SEVENTH LAKE BRIDGE PROJECT**

**DATED: MARCH 3, 2011**

**BY MR. FREY:**

WHEREAS, two (2) bids were received for Superstructure and Related Items for Seventh Lake Bridge Project in accordance with Specification No. 2-2011 as advertised by the County Highway Superintendent and Highway Committee, and

WHEREAS, the following bids were received:

1. Town & County Bridge and Rail, Inc.  
PO Box 16395  
Albany, NY 12212 Bid - \$83,227.00
2. Chemung Supply Corp.  
PO Box 527  
Elmira, NY 14902 Bid - \$110,994.00

and

WHEREAS, the County Highway Superintendent has determined that the low bid of \$83,227.00 by Town & County Bridge and Rail, Inc. does meet the bid specification, be it

RESOLVED, that the award be made to:

Town & County Bridge and Rail, Inc.  
PO Box 16395  
Albany, NY 12212 Bid Price \$83,227.00

and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a purchase contract for the Superstructure and Related Items for Seventh Lake Bridge Project with Town & County Bridge and Rail, Inc. of Albany, NY in the amount of \$83,227.00 subject to the approval of the County Attorney, and be it further

RESOLVED, that payment be made to Town & County Bridge and Rail, Inc. within 45 days of delivery of the said Superstructure and Related Items that have been accepted and

approved by the County Highway Superintendent and that payment be made from the County Road Fund Account No. D5112.2473 County Bridge Project No.1, 2011 in the amount of \$83,227.00 and the County Attorney, County Treasurer and Clerk of the Board be so advised.

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. 89-11**

**AWARD OF BID FOR LAMINATED TIMBER DECK AND RELATED ITEMS FOR  
SEVENTH LAKE BRIDGE PROJECT**

**DATED: MARCH 3, 2011**

**BY MR. TOWERS:**

WHEREAS, two (2) bids were received for Laminated Timber Deck and Related Items for Seventh Lake Bridge Project in accordance with Specification No. 3-2011 as advertised by the County Highway Superintendent and Highway Committee, and

WHEREAS, the following bids were received:

1. Unadilla Laminated Products  
18 Clifton St. PO Box K  
Unadilla, NY 13849 Bid - \$27,604.00
2. Laminated Concepts, Inc.  
PO Box 369  
Big Flats, NY 14814 Bid - \$23,352.00

and

WHEREAS, the County Highway Superintendent has determined that the low bid of \$23,352.00 by Laminated Concepts, Inc. does meet the bid specification, be it

RESOLVED, that the award be made to:

Laminated Concepts, Inc.  
PO Box 369  
Big Flats, NY 14814 Bid Price \$23,352.00

and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a purchase contract for the Laminated Timber Deck and Related Items for Seventh Lake Bridge Project with Laminated Concepts, Inc. of Big Flats, NY in the amount of \$23,352.00 subject to the approval of the County Attorney, and be it further

RESOLVED, that payment be made to Laminated Concepts, Inc. within 45 days of delivery of the said Laminated Timber Deck and Related Items that have been accepted and approved by the County Highway Superintendent and that payment be made from the County Road Fund Account No. D5112.2473 County Bridge Project No.1, 2011 in the amount of \$23,352.00 and the County Attorney, County Treasurer and Clerk of the Board 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. 90-11**

**AUTHORIZING SUBMISSION OF AN APPLICATION FOR 2011 HOME  
INVESTMENT PARTNERSHIPS FUNDING**

**DATED: MARCH 3, 2011**

**BY MR. MCGOVERN:**

WHEREAS, federal grant funding is available through the NYS Housing Trust Fund corporation to support local housing rehabilitation activities including the possible replacement of substandard mobile homes with appropriate new housing units, and

WHEREAS, Hamilton County is eligible to apply for such funding in the Fiscal Year 2011 competition administered by the NYS Division of Housing and community Renewal, and

WHEREAS, the Board of Supervisors has determined that such funding should be used to continue a county-wide housing rehabilitation program targeted to lower income home owners, and

WHEREAS, this proposal has been considered at a public hearing conducted by the Board of Supervisors on March 3, 2011, now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to sign and submit an application for HOME Investment Partnerships funding for consideration in the Fiscal Year 2011 funding competition, and be it further

RESOLVED, the Chairman of the Board of Supervisors is authorized to sign all agreements, certifications and other documents required to complete the application and to accept a grant and administer the program that is proposed for HOME funding.

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

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

NAYS: NONE

The Chairman read in Resolution No. 30.

**RESOLUTION NO. 91-11**

**SUPPORT OF HAMLETS III SMART GROWTH APPLICATION**

**DATED: MARCH 3, 2011**

**BY MR. HUTCHNS:**

WHEREAS, Essex County will be the sponsor municipality for a Smart Growth Grant Application to continue implementation of Hamlets III, and

WHEREAS, the success of this project is deemed as very important to our Towns, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby directed to take all necessary and reasonable steps to support said application, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Essex County and Dylan Walrath, NYS DEC.

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

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

NAYS: NONE

The Chairman stated there are two (2) resolutions on everyone's desk marked draft. One is the Village Tax. Barry and Beth sent out a spreadsheet showing values of property and back taxes. It gave the Board of Supervisors a sense of liability, if any, that would be incurred by the County. The only question the Chairman received was whether or not they should have a specific conversation with the Village regarding Peter's Oil property. The next step is for the Village to adopt a resolution and submit it to the Board of Supervisors. If we are going to do this for this year, we need to act before May 1<sup>st</sup>.

The second resolution is Installment Payments. The only way to do this for Seniors, would be for the County to become tax collector. This resolution would need not be an opt in or opt out. Barry believes that the towns have a home rule to do this without County approval. This is not as time sensitive; we may want another Finance Committee meeting for this.

Other Reports:

Brian: Local Government Days are March 22<sup>nd</sup> and 23<sup>rd</sup>.

Everyone will be receiving an AATV resolution in support of Long Lake Opposing Finch Land Purchase.

IDA meeting today at 2pm in Indian Lake.

Neil: Ann Melious reported that Lt. Governor Duffy did not have an answer on the matching funds at the forum but then three hours later Duffy stated the funds will be released shortly.

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