

2012

FIFTH SESSION

MAY 3, 2012

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

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

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

Also present: County Attorney, Pete Klein-Press

Public Comment: No one present.

Report of Standings/Special Committees:

Ermina: Bob and she attended the OFA Meeting that was held at the Johnsburg meal site. They have a new President who is from the Wells meal site. There is concern about the cost of the meals and they don't want to raise the amount that is suggested as a donation for each meal.

Bob stated the next OFA Meeting will be held at the Wells meal site and he encourages the Supervisors to attend. It will be July 25th at 11:00 AM. Let Ermina or Bob know if you will be attending and they will sign you up for the meal at the cost of \$5.00.

Ermina asked if people could donate to them. The Chairman stated nothing would preclude someone from making a donation.

Brian: April 19th Bob and he attended Inter-County. They toured a bowling pin factory that has 100 employees.

NYSAC did a presentation on Mandate Relief; there is a resolution in your packet for today.

There was also a small discussion on MEGA.

As for Highway, they toured county roads and transfer stations in the northern part of the County yesterday. There was discussion on getting a recycling grant. Tracy will find out what the deadline is for the grant and have the towns put together an inventory list of what they already have.

John: Recycling grants are usually 50/50. John suggested 50% Grant, County 25% and Town 25%.

Bob: Attended a presentation from MEGA April 12th and 13th in Cooperstown. Barbara Blanchard has been Executive Director for the past few years and she is now giving that up and taking on customer relations. She will be at AATV.

Neil: Urged support for Ann Melious' resolution for the North County grant.

The Chairman reported they had to delay honoring the seniors; we will do it at the rescheduled Committee Day.

RESOLUTIONS:

After the following resolution was placed on the floor; Ms. Pincombe stated that she thinks we all do a good job, especially the seniors.

RESOLUTION NO. 147-12

PROCLAMATION - OLDER AMERICANS MONTH

DATED: MAY 3, 2012

BY MS. PINCOMBE:

WHEREAS, the older citizens of Hamilton County are representative of an unprecedented trend in the nation's workforce as many continue to work in a variety of jobs, from teachers, to engineers, to business owners and entrepreneurs, and in doing so, bring invaluable experience and leadership skills to our community, and

WHEREAS, because of the substantial contributions made by our Older Americans, it is important that we recognize our senior citizens as one of our most vital and significant human resources, and encourage them to continue their independent lives with dignity and free from the fears, myths and misconceptions about aging, and

WHEREAS, this year's observance of Older American's Month, "Aging Well, Living Well," recognizes the important contributions of older Americans as they work on our behalf, and the efforts of our community to fulfill its obligation to older Americans by providing them with good health care and other services to enhance their lives, and

WHEREAS, it is traditional in Hamilton County, and throughout the Nation, to set aside a special month to honor and recognize the contributions of our Older Americans, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors, on behalf of the residents of Hamilton County, do hereby proclaim the month of May as

OLDER AMERICANS MONTH

in Hamilton County, and reaffirm our commitment to older Americans.

Seconded by All and adopted by the following vote:

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

NAYS: NONE

After the following resolution was placed on the floor; Mr. Towers stated we have been down this road for a long time and we need to continue to push it.

The Chairman agreed those of us in this room and the general population wants to know how we get this issue taken seriously. A lengthy discussion followed.

RESOLUTION NO. 148-12

**RESOLUTION DECLARING MAY 3, 2012 TO BE “MAYDAY FOR MANDATE RELIEF”
AND URGING THE MANDATE RELIEF COUNCIL TO TAKE SWIFT ACTION IN
SUBMITTING A PACKAGE OF MANDATE RELIEF PROPOSALS TO GOVERNOR
CUOMO AND THE STATE LEGISLATURE TO BE VOTED ON THIS SESSION**

DATED: MAY 3, 2012

BY MR. MCGOVERN:

WHEREAS, the State of New York mandates (requires) the delivery of State programs using local resources, causing some counties to dedicate more than 80 percent of their entire budget toward the funding of State mandated programs and fixed costs, and

WHEREAS, the New York State Association of Counties has identified just 9 state mandates that equal 90 percent of all county property taxes levied in 2010 (outside of New York City), consuming \$4 billion of \$4.4 billion in county property taxes levied. These mandates include: Medicaid, TANF/Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions, and

WHEREAS, these State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services, and

WHEREAS, these State imposed mandates continue to contribute to New York’s highest in the nation local tax burden for residents and businesses, severely damaging New York’s ability to attract, create and maintain good paying jobs, as well as contributing to population losses to other states, and

WHEREAS, when the State enacted a property tax cap in 2011, a Mandate Relief Council was established to review specific mandates and advance legislative proposals to reduce the statutory and regulatory burden on municipalities,

NOW, THEREFORE, BE IT RESOLVED, that Hamilton County hereby declares May 3, 2012 to be “Mayday for Mandate Relief” to demonstrate that the decisions made in Albany have a direct impact on the property tax levy and local community services here in Hamilton County, and

BE IT FURTHER RESOLVED, that Hamilton County hereby calls on the Mandate Relief Council take swift action in submitting a package of Mandate Relief proposals to Governor Cuomo and the State Legislature to be voted on by our State Representatives during the 2012 State Legislative Session, and

BE IT FURTHER RESOLVED, that the Hamilton County Clerk of the Board shall forward copies of this resolution to Governor Andrew M. Cuomo and all those deemed necessary and proper.

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

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

NAYS: NONE

After the following resolution was placed on the floor; the Chairman stated the Town of Indian Lake is focusing on "work at home". They are spreading this throughout the region. Last year at Clarkson's University they had a wireless conference and showed what the State of Kentucky has been doing in connecting employers to employees by providing the training. They have a program that has been working for eighteen months and they have created 400 jobs working from home. The Chairman continued to discuss.

RESOLUTION NO. 149-12

**AUTHORIZATION TO ATTEND 2012 NEW YORK/NORTH COUNTRY DAY IN
WASHINGTON, DC**

DATED: MAY 3, 2012

BY MR. TOWERS:

WHEREAS, the North Country Chamber is conducting their annual advocacy trip from May 15-16, 2012 in Washington, DC, and

WHEREAS, Hamilton County is working to align partners, and assure the submission of a Northern Border Commission application, to further the County's Broadband efforts, specifically by aligning a comprehensive Work At Home employment network, and

WHEREAS, Garry 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, 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, WELLS, FREY, MCGOVERN, SEAMAN,
FARBER, AND TOWERS

NAYS: NONE

RESOLUTION NO. 150-12

RESCHEDULING MAY COMMITTEE DAY

DATED: MAY 3, 2012

BY MR. EDWARDS:

WHEREAS, the scheduled May Committee Day falls on a holiday, be it

RESOLVED, that Committee Day for the month of May will be held on May 29, 2012.

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

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

NAYS: NONE

After the following resolution was placed on the floor; the Chairman explained that there was a water settlement with regards to salt contamination that provided water to residents who had contaminated water. Department of Transportation is a payer of 2/3rds of the cost of the water system and they had to sign off on a simple agreement allowing this.

The County Attorney has drafted an agreement that ties this back to the settlement and the O'Connor's are aware of what is being approved and sets forth parameters on water use.

RESOLUTION NO. 151-12

AUTHORIZING AGREEMENT FOR WATER USE

DATED: MAY 3, 2012

BY MR. MCGOVERN:

WHEREAS, Michael P. O'Connor and Crystal O'Connor, residing at 142 South Shore Road, Lake Pleasant, New York, are in the process of building an automotive repair shop to be located at 2568 Route 8, Lake Pleasant, New York, and

WHEREAS, the O'Connors have requested permission to hook into and obtain water from the existing public water line along Route 8 in accordance with the provisions of the 2001 settlement of Buyce, et al. vs. Hamilton County, and

WHEREAS, upon review of the said 2001 settlement agreement and after consultation with the County Attorney, the O'Connor request, subject to limitation on further/additional water usage, is deemed to be in keeping with the spirit and intent of the said settlement, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a letter agreement to be drafted by the County Attorney with Michael P. O'Connor and Crystal O'Connor, granting permission to hook into and use the public water line along Route 8 in accordance with the said 2001 settlement agreement, subject to limitations on further/additional water usage, and subject to approval from the NYS Department of Transportation.

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

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

NAYS: NONE

RESOLUTION NO. 152-12

AUTHORIZING BACK COUNTRY STEWARD PROGRAM

DATED: MAY 3, 2012

BY MR. FREY:

WHEREAS, Adirondack Community Trust (ACT) is providing funding for the Back Country Steward Program, and

WHEREAS, the funding is already appropriated in the 2012 budget, be it

RESOLVED, that upon approval of the County Attorney, the Chairman of the Board of Supervisors is hereby authorized to sign the necessary funding agreement with ACT, and be it further

RESOLVED, that upon approval of the County Attorney, the Chairman of the Board of Supervisors is hereby authorized to contract with The Student Conservation Association, Inc. for the program.

Seconded by and adopted by the following vote:

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

NAYS: NONE

After the following resolution was placed on the floor; the Chairman wanted it noted that we received a second request which was a one line e-mail asking to pay the back taxes. The Chairman feels their past practices need a little updating for more of an explanation as to why they waited until after the deadline to come forth. Eventually deadlines will be meaningless unless we set some level of bar.

RESOLUTION NO. 153-12

AUTHORIZING ACCEPTANCE OF BACK TAXES

DATED: MAY 3, 2012

BY MR. FREY:

WHEREAS, the Board of Supervisors has been contacted by Debra Merchant for Marguerite Slater (deceased) /Jane Kelley, owner of record on property located in Morehouse, with parcel ID # 126.000-1-31.100 concerning the 2010 and 2011 back taxes owed, and

WHEREAS, Debra Merchant has submitted a written explanation of the circumstances of why the taxes have not been paid to date and a request to rectify the situation by paying the 2010 and 2011 back taxes, be it

RESOLVED, that the Hamilton County Treasurer is hereby authorized to accept payment of the taxes owed in the amount of \$3,989.42 together with an administrative charge of \$500.00 for a total of \$4,489.42.

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

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

NAYS: NONE

RESOLUTION NO. 154-12

MORTGAGE TAX DISTRIBUTION

DATED: MAY 3, 2012

BY MR. TOWERS:

WHEREAS, it appears from the reports of the County Clerk and the County Treasurer for the period October 1, 2011 through March 31, 2012, that there remains for distribution of moneys received by taxation on Mortgages pursuant to the provision of Article Eleven, Section 261 of the Tax Law, the sum of \$82,398.50, for the distribution among the Towns and Village of the County of Hamilton, now, therefore, be it

RESOLVED, by the Board of Supervisors of the County of Hamilton that the sum of \$82,398.50 be and the same hereby is apportioned as follows:

Arietta	\$8,255.00
Benson	\$2,618.50
Hope	\$1,560.00
Indian Lake	\$16,565.00
Inlet	\$9,522.00
Lake Pleasant	\$11,695.40
Long Lake	\$18,369.50
Morehouse	\$390.00
Wells	\$11,145.50
Village of Speculator	\$2,277.60

and be it further

RESOLVED, that the County Treasurer be authorized to pay the respective sums so appropriated to the Supervisors of said Towns.

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

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

NAYS: NONE

RESOLUTION NO. 155-12

**APPROVAL OF PUBLIC HEALTH NURSING SERVICE/HOME HEALTH AGENCY
2011 AGENCY PERFORMANCE REPORT**

DATED: MAY 3, 2012

BY MR. SEAMAN:

WHEREAS, the Professional Advisory Committee of the Hamilton County Public Health Nursing Service/Home Health Agency accepted the 2011 Agency Performance Report at the April 19, 2012 quarterly meeting, and

WHEREAS, the 2011 Agency Performance Report was presented to the Health and Human Services Committee of the Board of Supervisors on April 23, 2012, be it

RESOLVED, that the above mentioned 2011 Agency Performance Report be approved as presented by the Hamilton County Public Health Nursing Service to the Health and Human Services Committee of the Hamilton County Board of Supervisors.

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

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

NAYS: NONE

RESOLUTION NO. 156-12

AUTHORIZING CHAIRMAN TO SIGN CONTRACTS FOR NYS IMMUNIZATION PROGRAM

DATED: MAY 3, 2012

BY MR. SEAMAN:

WHEREAS, the New York State Department of Health Immunization, Bureau of Immunization has approved the renewal of contract #CO24184 with the Hamilton County Public Health Nursing Service to provide immunizations for residents, both adults and children, throughout the county, and

WHEREAS, the grant year overlaps the 2012 and 2013 budget fiscal years, and

WHEREAS, the total grant contract for the period April 1, 2012 – March 31, 2013 is \$30,000.00, and

WHEREAS, funds have been previously allocated within the 2012 Municipal Budget in anticipation of this funding, and

WHEREAS, the remainder of the funding will be allocated within the 2013 Municipal budget, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign contracts between the NYS Immunization Program on behalf of the Nursing Service upon approval of the County Attorney and the County Treasurer be so notified

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

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

NAYS: NONE

RESOLUTION NO. 157-12

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

DATED: MAY 3, 2012

BY MR. MCGOVERN:

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

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

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

WHEREAS, HCPHNS would like to apply for grant funding in the amount of \$2,400.00 to cover the purchase of Child Safety Seats and materials for the low income distribution program, for the period October 1, 2012 through September 31, 2013, be it

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

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

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

NAYS: NONE

After the following resolution was placed on the floor; Mr. Towers asked if this was our share. The Chairman stated this is the money that comes to us under the Early Intervention Program. When you look at the pre-paid programs they tend to be one of the better examples of what happens when you administer programs on a one size fits all basis. Most of the programs are setup with the intent of having program participants and service providers in close proximity to one another. This doesn't work well for Hamilton County, discussion continued.

RESOLUTION NO. 158-12

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH THE NEW YORK STATE
DEPARTMENT OF HEALTH EARLY INTERVENTION PROGRAM**

DATED: MAY 3, 2012

BY MR. SEAMAN:

WHEREAS, the New York State Department of Health requests a contract with Hamilton County Public Health Nursing Service to provide Early Intervention Administration, Contract # C-027483 for the period October 1, 2011 through September 30, 2012, and

WHEREAS, the grant year overlaps the 2011 and 2012 budget fiscal years, and

WHEREAS, the total grant contract is for Twenty-six thousand five hundred forty-five dollars (26,545), and

WHEREAS, the 2012 portion of these funds were appropriated in the 2012 Hamilton County Budget, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the contract with Early Intervention Grant program of the New York State Department of Health, pending approval by the County Attorney and the County Treasurer be so advised.

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

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

NAYS: NONE

RESOLUTION NO. 159-12

**AUTHORIZATION FOR CHAIRMAN TO SIGN DATA EXCHANGE APPLICATION
AND AGREEMENT FOR HEALTH HOME PARTICIPATION**

DATED: MAY 3, 2012

BY MR. SEAMAN:

WHEREAS, the Hamilton County Community Services Board has recommended that the County's Community Services Department become a subcontractor for the Adirondack Health Institutes (AHI) Health Home so as to provide behavioral and medical health care coordination for Medicaid eligible resident in Hamilton County, and

WHEREAS, it has been determined that in order for the Hamilton County Community Services Department to provide behavioral and health care coordination it will require an agreement between Hamilton County, AHI and the New York State Department of Health for the purpose of accepting Medicaid related data, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign the Data Exchange Application and Agreement for Health Home Participation as presented to and approved by the Hamilton County Attorney.

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

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

NAYS: NONE

RESOLUTION NO. 160-12

AUTHORIZING DISPOSITION OF EXCESS VEHICLES/EQUIPMENT

DATED: MAY 3, 2012

BY MR. TOWERS:

WHEREAS, certain vehicles/equipment have become excess and no longer needed by certain County Agencies, and

WHEREAS, the County Fleet Coordinator has made the recommendations that the following vehicles and/or equipment be disposed from the County inventory:

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>	<u>Plate#</u>	<u>Dept</u>	<u>FN</u>
2006	CHEV/IMPALA	2G1WB58K169328719	L92395	HWY	740
2004	CHEV/IMPALA	2G1WF52E449396534	L64260	HWY	110
2006	CHEV/IMPALA	2G1WS551869415089	191ACD	SHER	603
2006	CHEV/IMPALA	2G1WS551369414710	192ACD	SHER	604
1984	FORD/L9000	1FDYK90W9EVA18783	L15153	SW	117
1984	FORD/L9000	1FDYK90W0EVA18784	N/A	SW	118

be it

RESOLVED, that the above vehicles/equipment be sold by auction on line by Auctions International and funds from the mentioned auction shall be a revenue credit to revenue DM2665 Sale of Equipment for Highway owned equip and A2665 for Sheriff Dept and Solid Waste vehicles/equipment, and be it further

RESOLVED, that the Fleet Coordinator see that proper inventory notes be recorded when the transactions are accomplished, and the Fleet Coordinator, Director of Fixed Assets, and the County Treasurer be so notified.

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

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

NAYS: NONE

RESOLUTION NO. 161-12

AUTHORIZING DISPOSITION OF VEHICLES WITHIN COUNTY AGENCIES

DATED: MAY 3, 2012

BY MR. TOWERS:

WHEREAS, certain vehicles have become excess to one County agency and can continue to be utilized by another County agency, and

WHEREAS, the Fleet Coordinator has made the following recommendation for transfer within County Agencies:

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>	<u>Plate</u>
FROM: Public Health – Car #743			
(1) 2007	Chevrolet Impala	2G1WB58NX79357468	M24514
	TO: Highway	Value:	\$2,275.00

FROM: Public Health – Car #744
(1) 2008 Chevrolet Impala 2G1WB58N881225857 M33069
TO: Probation Value: \$2,572.50

FROM: Probation – Car #740
(1) 2006 Chevrolet Impala 2G1WB58K169328719 L92395
To: Highway Value: \$1,942.50

and

WHEREAS, the above values represent the policy of Hamilton County to transfer vehicles from one County Agency to another at 35% of low book value, now, therefore, be it

RESOLVED, that vehicle dispositions be made as shown above, and be it further

RESOLVED, that the Fleet Coordinator ensure that the proper ownership is recorded and the appropriate paperwork for this transaction is accomplished, and be it further

RESOLVED, that the Director of Fixed Assets, Respective Department Heads, and the County Treasurer be so advised

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

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

NAYS: NONE

RESOLUTION NO. 162-12

**AMENDING AMOUNT OF 2012 BUDGET APPROPRIATION FOR CAPITAL ROAD
PROJECTS**

DATED: MAY 3, 2012

BY MR. TOWERS:

WHEREAS, the budget appropriation amount for capital road projects for 2012 was set and adopted for \$484,000.00 for Account No. 5112.202 Capital Projects, and

WHEREAS, that amount is estimated by the County Highway Superintendent in September of the previous year based on previous allocations of State Chips funding for highway projects and the actual amount is set after the State Budget is adopted, and

WHEREAS, the actual appropriation for Hamilton County from the State CHIPS fund for 2012 is set at \$486,297.80 for 2012, and

WHEREAS, the County Highway Superintendent recommends that the County Board amend the 2012 appropriation for capital projects from \$484,000.00 to \$486,297.80 to accomplish the County Highway Projects for 2012, be it

RESOLVED, that the 2012 budget appropriation for Capital Road Projects Account No. 5112.202 be amended from \$484,000.00 to \$486,297.80 and also increase Revenue Account No.D3501.0 Consolidated Highway Aid from \$484,000.00 to \$486,297.80 and the County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

After the following resolution was placed on the floor; the Chairman explained that they are trying to position themselves so they are ready to roll.

RESOLUTION NO. 163-12

**RESOLUTION TO ADMINISTER EMPIRE STATE DEVELOPMENT'S
NORTH COUNTRY REGIONAL ECONOMIC DEVELOPMENT COUNCIL
CAPITAL FUND PROGRAM GRANT FOR THE HAMILTON COUNTY BROADBAND
PROJECT**

DATED: MAY 3, 2012

BY MR. MCGOVERN:

WHEREAS, Hamilton County has been awarded a \$472,000 grant from Empire State Development (ESD) for the Hamilton County Broadband Project, and

WHEREAS, Hamilton County will be receiving a grant offer letter and a separate grant dispersal agreement within the next 30 to 60 days, and

WHEREAS, Hamilton County is the designated administrator of the grant and shall pay the contractor (Frontier Communications) for broadband upgrades as stipulated by the terms of the grant, and

WHEREAS, Hamilton County as grant administrator shall collect documentation of a 10 percent equity contribution to the project by the aforementioned contractor and submit same to ESD upon request, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the grant offer letter and grant dispersal agreement, and be it further

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

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

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

NAYS: NONE

After the following resolution was placed on the floor; the Chairman explained under some of the federally funded programs we are eligible to claim indirect costs and Tom prepares the plan for us.

RESOLUTION NO. 164-12

CONTRACT FOR INDIRECT COST REIMBURSEMENT PLAN 2011-2012

DATED: MAY 3, 2012

BY MR. FREY:

WHEREAS, Thomas J. Faughnan has prepared indirect cost allocation plans for the County of Hamilton for the years 1988 through 1995 as well as 1997 through 2010, and

WHEREAS, Thomas J. Faughnan has made a proposal to implement the indirect cost allocation program for the fiscal years 2011 and 2012 on the same terms and conditions, for Four Thousand Seven Hundred Fifty Dollars (\$4,750.00) for 2011 and Four Thousand Seven Hundred Fifty Dollars (\$4,750.00) for 2012, and

WHEREAS, the County Treasurer recommends the County contract with Thomas J. Faughnan for the professional service,

NOW, THEREFORE, BE IT

RESOLVED, that the County of Hamilton contract with Thomas J. Faughnan to prepare the 2011 and the 2012 indirect cost allocation program for the County of Hamilton for the fiscal years 2011 and 2012 on the same terms and conditions as the proceeding years. The County shall pay and Thomas J. Faughnan agrees to accept the sum of Four Thousand Seven Hundred Fifty Dollars (\$4,750.00) for the preparation of the program for the year 2011 and Four Thousand Seven Hundred Fifty Dollars (\$4,750.00) for the year 2012, and be it further

RESOLVED, that the Chairman be authorized to sign the necessary contract on behalf of the County.

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

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

NAYS: NONE

RESOLUTION NO. 165-12

APPROVAL OF AND TRANSFER OF FUNDS FOR 2012 MERIT PAY

DATED: MAY 3, 2012

BY MR. EDWARDS:

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

WHEREAS, the Internal Management Committee met on April 23, 2012 to review merit evaluations, be it

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

CLERK OF THE BOARD

Ashley Montesano May 30, 2012 to May 30, 2013 \$1.54

COMMUNITY SERVICES

Carolyn Morrill-Cummins May 22, 2012 to May 22, 2013 \$1.43

COUNTY CLERK

Linda Kennedy May 19, 2012 to May 19, 2013 \$1.43

HIGHWAY

Paul Brown May 5, 2012 to May 5, 2013 \$1.32

John McArdle May 20, 2012 to May 20, 2013 \$.88

John Walker May 9, 2012 to May 9, 2013 \$1.21

William Weaver May 9, 2012 to May 9, 2013 \$1.32

Paul Wolf May 10, 2012 to May 10, 2013 \$1.43

NURSING

Patricia Yates May 11, 2012 to May 11, 2013 \$.77

SOCIAL SERVICES

Patricia Monthony May 7, 2012 to May 7, 2013 \$.55

and be it further

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

FROM:	A1990.401	Contingent	\$23,127.50
TO:	A1040.105	Asst. Deputy Clerk of the Board	\$2,731.19
	A4310.101	Clinical Social Worker A	\$2,239.38
	A1410.107	Motor Vehicle Clerk	\$2,458.61
	D5110.101	Personal Services	\$2,597.76
	D5110.101	Personal Services	\$1,485.44
	D5110.101	Personal Services	\$2,850.32
	A8161.103	Transfer Station Technician	\$2,756.16
	D5110.101	Personal Services	\$2,904.00

A4010.123	Account Clerk/Typist	\$1,406.79
A6010.107	Social Welfare Examiner A	\$1,697.85

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

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

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

NAYS: NONE

RESOLUTION NO. 166-12

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: MAY 3, 2012

BY MR. TOWERS:

RESOLVED, that the bills in the Machinery Fund amounting to \$82,303.10 and bills in the County Road Fund amounting to \$65,112.06 presented by the County Superintendent of Highways and audited this day by the County Public Works Committee, be, and the same hereby are approved and audited.

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

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

NAYS: NONE

After the following resolution was placed on the floor; Mr. McGovern stated it is important to acknowledge the good work that has been done by the County.

RESOLUTION NO. 167-12

**APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND AND CAPITAL
PROJECT 2007-2 FOURTH LAKE BRIDGE**

DATED: MAY 3, 2012

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$151,043.31 by the following committees:

Building Committee	\$19,518.11
Solid Waste Committee	26,901.88
Finance Committee	22,033.99
Health & Human Services Committee.....	48,548.90

Central Government Committee	25,979.28
Publicity, Tourism, Economic Development & Planning Committee.....	3,647.32
Internal Management Committee	4,413.83

and be it further

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

Fourth Lake Bridge.....\$3,900.00

are hereby approved.

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

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

NAYS: NONE

RESOLUTION NO. 168-12

ACCEPTANCE OF BID FOR PRE-CAST CONCRETE RETAINING WALL UNITS

DATED: MAY 3, 2012

BY MR. WILT:

WHEREAS, Hamilton County Highway Department heretofore solicited bids for the County's purchase of Pre-Cast Concrete Retaining Wall Units pursuant to invitation to bidders and in accordance with Specification No. 7-2012, and

WHEREAS, one (1) bid was received in response to the said invitation to bidders, as follows:

(1) LHV Precast Inc.
Mr. Robert A. Willis, President
540 Ulster Landing Rd.
Kingston, NY 12401

Item # 1	\$588.00 ea
Item # 2	\$588.00 ea
Item # 3	\$175.00 ea
Item # 4	\$175.00 ea
Item # 5	\$220.00 ea
Item # 6	\$268.00 ea

and

WHEREAS, upon referral and recommendation by the County Highway Superintendent, LHV Precast Inc., of Kingston, NY does meet specifications for the above mentioned invitation to bidders, be it

RESOLVED, that hereby the County Highway Superintendent is authorized to purchase said pre-cast concrete retaining wall units for use on County Road Projects when needed from LHV Precast of Kingston, NY for 2012 and the County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

RESOLUTION NO. 169-12

**AWARD OF BID FOR BAGGED, BULK, AND LIQUID CALCIUM CHLORIDE AND
EMULSIFIED ASPHALT DUST CONTROL MATERIALS FOR 2012**

DATED: MAY 3, 2012

BY MR. FREY:

WHEREAS, one (1) bid was received for BAGGED, BULK, AND LIQUID CALCIUM CHLORIDE AND EMULSIFIED ASPHALT DUST CONTROL MATERIALS FOR 2012 in accordance with SPECIFICATION NO. 9-2012, dated May 3, 2012, as advertised by the County Highway Superintendent and the Highway Committee, and

WHEREAS, the following bid was received:

1. Gorman Brothers, Inc.
Att: Edward House, Vice President of Sales
200 Church Street
Albany , N.Y. 12202

BAGGED CACL -- Price per Ton
(100# bags) Delivered \$550.00 per Ton

LIQUID CACL -- Price per Gallon
35% Bulk Liquid Delivered \$1.02 per Gallon
35% Bulk Liquid Applied \$1.10 per Gallon
32% Corrosion Inhibited Del. \$1.25 per Gallon
32% Corrosion Inhibited Appl. \$1.35per Gallon

EMULSIFIED ASPHALT -- Price per Gallon - NO BID

WHEREAS, The County Highway Superintendent and the Highway Committee have recommended award be made to the low bidder for each item, now, therefore, be it

RESOLVED, that award be made for BAGGED, BULK, AND LIQUID CALCIUM CHLORIDE AND EMULSIFIED ASPHALT CUST CONTROL MATERIAL FOR 2012 as follows:

Gorman Brothers, Inc.-all bids

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

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

NAYS: NONE

After the following resolution was placed on the floor; the Chairman pointed out per Mr. Towers on the second page under number three, Type I – Cold In-Place Recycling Train the two bids when looking at price per square yard there was one bid higher than the other; then when you look at Setting Recycling Emulsion that needs to be part of that price. It becomes very difficult to determine which the better price is when we can buy off of State contract, so disregard that one and we will purchase off of State contract.

The Chairman stated we will have to reject those bids; there is no way to predict in advance who the low bidder is.

RESOLUTION NO. 170-12

ACCEPTANCE OF BIDS FOR COLD IN-PLACE RECLAMATION FOR 2012

DATED: MAY 3, 2012

BY MR. TOWERS:

WHEREAS, four (4) bids were received for COLD IN-PLACE ASPHALT RECLAMATION FOR 2012, in accordance with Specification No. 8-2012, dated May 3, 2012, as advertised by the Hamilton County Highway Superintendent, and

WHEREAS, the following bids were received:

1. Gorman Brothers, Inc., 200 Church St., Albany, New York 12202

TYPE 1: COLD IN-PLACE RECYCLING (RECYCLING TRAIN)

	<u>2in. depth</u>	<u>3 in. depth</u>	<u>4 in. depth</u>	<u>Ea. Added Inch</u>
Price/square yard 10,000 – 24,999	\$2.00/sy	\$ 2.39/sy	\$ 2.50/sy	\$.25/sy
Price/square yard 25,000 – 49,999	\$1.99/sy	\$ 2.35/sy	\$ 2.39/sy	\$.25/sy
Price/square yard over 50,000	\$1.85/sy	\$ 2.33/sy	\$ 2.28/sy	\$.25/sy
Medium Setting Recycling Emulsion				
MSRE-2	\$2.50	per gallon		
HFMS-2P	\$2.45	per gallon		
CRS-2PB	\$2.45	per gallon		
CSS-1	\$2.48	per gallon		
PORTLAND Cement Type 1 or II			\$185.00	per gallon

TYPE II COLD PLANING OR COLD MILLING **NO BID**

TYPE III COLD IN-PLACE RECLAMATION

	Recycle Price/	Recycle, Shape, Compact/
<i>Depth of cut</i>	<i>square yard</i>	<i>square yard</i>
0-4 inches	\$.69	\$1.25
4-7 inches	\$.69	\$1.29
7-10 inches	\$.74	\$1.39
10-13 inches	\$.82	\$1.45

2. Peckham Road Cop., 1557 State Route 9, Suite 3, Lake George, NY 12845

TYPE 1: COLD IN-PLACE RECYCLING (RECYCLING TRAIN) NO BID

TYPE II COLD PLANING OR COLD MILLING

<i>Depth of cut</i>	<i>square yard</i>
0-1 3/4 inches	\$.49
2-2 3/4 inches	\$.56
3-4 3/4 inches	\$.63
5-6 inches	\$.69

TYPE III: COLD IN-PLACE RECLAMATION NO BID

3. Reclamation LLC., PO Box 292, West Hurley, New York 12491

TYPE 1: COLD IN-PLACE RECYCLING (RECYCLING TRAIN)

	<u>2in. depth</u>	<u>3 in. depth</u>	<u>4 in. depth</u>	<u>Ea. Added Inch</u>
Price/square yard 10,000 – 24,999	\$1.78/sy	\$ 2.43/sy	\$ 2.47/sy	\$.20/sy
Price/square yard 25,000 – 49,999	\$1.73/sy	\$ 2.21/sy	\$ 2.25/sy	\$.20/sy
Price/square yard over 50,000	\$1.62/sy	\$ 2.12/sy	\$ 2.18/sy	\$.20/sy

Medium Setting Recycling Emulsion

MSRE-2	\$3.15 per gallon
HFMS-2P	\$3.25 per gallon
CRS-2PB	\$3.00 per gallon
CSS-1	\$3.25 per gallon

PORTLAND Cement Type 1 or II \$250.00 per gallon

Based on the May Asphalt Index of \$621.00

TYPE II COLD PLANING OR COLD MILLING - NO BID

TYPE III COLD IN-PLACE RECLAMATION

	Recycle Price/	Recycle, Shape, Compact/
<i>Depth of cut</i>	<i>square yard</i>	<i>square yard</i>
0-4 inches	\$.71	\$1.28
4-7 inches	\$.72	\$1.32
7-10 inches	\$.76	\$1.42
10-13 inches	\$.84	\$1.50

and

4. Killian Construction Inc., 210 Commerce Dr., Rochester, NY 14623

TYPE 1: COLD IN-PLACE RECYCLING (RECYCLING TRAIN) - NO BID

TYPE II COLD PLANING OR COLD MILLING

<i>Depth of cut</i>	<i>square yard</i>
0-1 3/4inches	\$.75
2-2 3/4 inches	\$.85
3-4 3/4 inches	\$.95
5-6 inches	\$1.05

Please note that there will be a minimum charge of \$5,600 00 the first day and a minimum of \$4,000.00 for each subsequent day.

TYPE III COLD IN-PLACE RECLAMATION - NO BID

WHEREAS, The County Highway Superintendent recommends the award be made to the low bidder for Type II and Type III items and reject the Type 1 item bids because of variables in gallons per square yard and no clear way of determining the low bidder, now, therefore, be it

RESOLVED, that award be made for COLD IN-PLACE ASPHALT RECLAMATION FOR 2012 as follows:

Type I –No Award
Type II – Peckham Road Corp.
Type III – Gorman Bros.

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

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

NAYS: NONE

Other Reports:

Ms. Pincombe wanted to know when they were going to discuss the training Kim would like to attend. The Chairman stated anytime or do it as part of a committee meeting. We may need to have a meeting to discuss coverage in the office with temp hours.

Ms. Pincombe asked what happened with the sale of Oak Mountain. The Chairman stated there is an IDA meeting today to make a decision. She also asked why Comptroller DiNapoli criticizes IDAs so much. The Chairman explained how our IDA is different from other IDAs in the State.

Mr. Towers: AATV's Annual meeting in June. There is also an invite for the 11th in Old Forge with Adirondack Landowners Assoc. to meet with the State Comptroller.

Mr. Frey: The Town of Inlet has just received the final funding for its 4.1 million dollar sewer district. He would like to thank the Governor and others.

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

DRAFT