

2011

FOURTH DAY OF ANNUAL SESSION

NOVEMBER 18, 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: Brian Wells and Pete Klein

Public Comment: No one present

Reports of Standings/Special Committees:

Barry: Internal Management Committee met this morning and there will be a resolution for the December 1st meeting.

The Chairman explained today's Internal Management Meeting replaces the need for a meeting on the 21st. So we are not meeting on Monday/Committee Day.

Brian: Inter-County met yesterday, they had a presentation on Asian Clams that are infesting some of our waters. He hopes that our Soil & Water is being pro-active about this. Inter-County passed two resolutions, the first was Urging Takeover of Local Share Medicaid and the other was a 911 Surcharge. There was a lot of discussion on County Budgets yesterday. Saratoga's request for a Sales Tax increase is dead in the water. The Chairman discussed how this means different things to different Counties.

Brian reported the last discussion they had at the meeting was the \$350 million dollar gap in State revenues. The Chairman discussed further.

Rick: The last highway heating oil tank was removed.

Brian: The AATV General Membership Meeting will be December 4th and 5th. You can register on the website. The Chairman stated there will be a Adirondack Partnership Meeting following the AATV Meeting.

The Regional Council's broadband money is included in the \$40 million dollars of high priority projects for Hamilton County. That money includes Nickelville and Frontier to upgrade some of their facilities. The Chairman continued to explain.

11:00 A.M. A motion was made to open the Public Hearing on the 2012 Tentative Budget by Mr. Frey, seconded by Mr. Edwards. Carried.

No one present.

The Chairman reviewed the changes to the Tentative Budget.

11:30 A.M. A motion was made to Open the Public Hearing for Local Law No. 9 of 2011 Overriding the Tax Levy Limit for Hamilton County for the 2012 and Authorizing the Adoption by Hamilton County of a Budget for 2012 that may require a Tax Levy that is Greater than the Tax Levy Limit for the 2012 Fiscal Year by Mr. McGovern, seconded by Ms. Pincombe. Carried.

No one present.

The Chairman stated once he realized where the budget was going to come in he toyed with the idea of recommending they pass the Local Law just to remind everyone that it really wasn't the Tax Cap Legislation that prompted this County to be frugal. Discussion continued among the Board members.

The Chairman reported that he received notice from Ann Melious that the Matching Funds are going to be going down, from \$79,000 to \$65,000.

Pete Klein reported that he has sent emails to Assemblywoman Sayward and Senator Little, asking them for support of the 1% increase and asked that the State increase the income tax.

11:50 A.M. A motion to close the Public Hearing of Local Law No. 9 of 2011 by Mr. McGovern and seconded by Ms. Pincombe. Carried.

The Board discussed changing the language in the local law to state in title "That May Require a Tax Levy" and in Section 3 "that may require a tax levy increase". Mr. McGovern and Ms. Pincombe moved and seconded with the changed language.

Motion by Mr. McGovern
Seconded by Ms. Pincombe

LOCAL LAW NO. 9 OF 2011
State of New York
County of Hamilton

A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR
2012 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET
FOR 2012 THAT MAY REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX
LEVY LIMIT FOR THE 2012 FISCAL YEAR

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

Section 1. **Title:** This Local Law shall be known as “Hamilton County Responsible Budgeting Law of 2011”.

Section 2. **Declaration of intent:** The intention of this local law is to comply with the requirements of General Municipal Law Section 3-c (5) prior to adopting the 2012 Hamilton County Budget. The slow recovery of the national, state and local economies from the most recent recession and the continued financial obligations imposed on the County by the State in the form of mandated government activities not fully funded by the State are conditions beyond the control of County government. Notwithstanding these circumstances the County will need to provide services in 2012, in addition to those mandated by the State, which are important to our citizens. After serious and sustained efforts to minimize the amount of the tax levy, and to project the tax levy limit for Hamilton County for 2012, it is clear that a responsible budget for 2012 will require a tax levy that will be greater than the tax levy limit calculated pursuant to applicable State Law.

Section 3. **Budget Authorization:** The Board of Supervisors hereby overrides the tax levy limit for Hamilton County for 2012 and authorizes Hamilton County, after completing all required procedures for the adoption of a budget, to adopt a budget for 2012 that may require a tax levy increase that is greater than the tax levy limit calculated for 2012 pursuant to Section 3-c of the General Municipal Law.

Section 4. **Severability:** If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 5. **Effective Date:** This local law shall take effect upon the date on which a certified copy of this local law is filed in the office of the Secretary of State pursuant to section 27 of the Municipal Home Rule 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

RESOLUTIONS:

RESOLUTION NO. 302-11

AUTHORIZING FUNDING FOR SMART GROWTH GRANT AND JACK DRURY

DATED: NOVEMBER 18, 2011

BY MR. TOWERS:

WHEREAS, Resolution No. 225-11 authorized contracting with Jack Drury to organize and facilitate the September 8, 2011 Adirondack Partnership meeting in the amount of \$1,000.00, and

WHEREAS, funding was not set up for said contract, and

WHEREAS, Resolution No. 224-11 authorized the Chairman to sign the funding agreement for a \$123,000.00 Smart Growth Grant, and

WHEREAS, funding was not set up for said grant, be it

RESOLVED, that Revenue Account No. A2070.1 Smart Growth ACT be increased by \$1,000.00 to be totally offset by increasing Appropriation Account No. A8020.413 Smart Growth Application by \$1,000.00, and be it further

RESOLVED, that Revenue Account No. A3789.1 Smart Growth Grant be hereby created and funded at \$123,000.00 to be totally offset by creating and funding Appropriation Account No. A8020.415 Smart Growth Grant in the amount of \$123,000.00 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. 303-11

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

DATED: NOVEMBER 18, 2011

BY MR. MCGOVERN:

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

RESOLVED, that the District Attorney, Sheriff and Commissioner of Social Services are hereby authorized to enter into an Abandoned Infant Protection Act Agreement for a term of November 18, 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. 304-11

TRANSFER OF FUNDS - SOCIAL SERVICES

DATED: NOVEMBER 18, 2011

BY MR. HUTCHINS:

WHEREAS, the funds will be exhausted in the Hamilton County Department of Social Services Appropriation Account No. A6102.401, MMIS, by the end of December, be it

RESOLVED, that the following transfer be made:

From: A6119.401 Foster Care	\$ 21,602.00
To: A6102.401 MMIS	\$ 21,602.00

and the County Treasurer be so authorized.

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. 305-11

ARRA IMMUNIZATION BILLING GRANT FUNDING

DATED: NOVEMBER 18, 2011

BY MR. SEAMAN:

WHEREAS, the New York State Department of Health has funds from the ARRA Immunization Billing Grant, to offer Hamilton County in the amount of \$2,900.00, via a T-Contract, for the purchase of a laptop computer, a medical card scanner and associated software for use in immunization and other clinics for the purpose of effectively collecting and using third-party billing information to obtain reimbursement, and

WHEREAS, this funding is not available for any other purchase, be it

RESOLVED, that 2011 Revenue Account A4489.401 ARRA be increased in the amount of \$2,900.00 to be totally offset by increasing the following 2011 appropriation account A4052.407 ARRA supplies in the amount of \$2,900.00, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the T-Contract with the NYS Department of Health, 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

After the following resolution was placed on the floor; Mr. Towers asked what the total tonnage we generate in a year is. The Chairman stated approximately 7,000.

RESOLUTION NO. 306-11

**AUTHORIZING TRANSFER OF FUNDS FOR PURCHASE OF SOLID WASTE
BACKHOE**

DATED: NOVEMBER 18, 2011

BY MR. HUTCHINS:

WHEREAS, Resolution No. 222-11 duly adopted by the Hamilton County Board of Supervisors on September 1, 2011 authorized the purchase of a backhoe for the Solid Waste Department in the amount of \$98,971.00, and

WHEREAS, the funds are to be taken out of the Solid Waste Equipment Reserve fund, and

WHEREAS, the Solid Waste Department bills \$9.00 per ton for each ton billed to each of the nine towns and one village to help fund equipment replacement, and

WHEREAS, the current balance of the Solid Waste Equipment Reserve fund is \$35,352.36 without including the tipping fee revenues for 2011, and

WHEREAS, the Solid Waste Coordinator recommends that \$63,618.64 be transferred into the Solid Waste Equipment Reserve fund to cover the purchase of the backhoe, be it

RESOLVED, that \$63,618.64 be transferred from the Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to the Solid Waste Equipment Reserve fund and at the end of fiscal year 2011 any revenues from Revenue Account No. A2376.1000 Solid Waste Equipment Replacement be transferred into the General Fund Balance to offset amount needed to fund the said backhoe, and be it further

RESOLVED, the County Treasurer be so authorized to make the said transfer and the Solid Waste Coordinator and Clerk of the Board 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

A motion was made to Close the Public Hearing on the 2012 Tentative Budget by Ms. Pincomb, seconded by Mr. Edwards. Carried.

Recess for lunch 12:00 noon.

Reconvened 1:00 PM.

The Chairman explained that he and Beth completed the filing on-line with the Comptroller's Office.

Barry thanked everyone as did other Supervisors for all the work that was done on the budget.

RESOLUTION NO. 307-11

AMENDMENTS TO AND ADOPTION OF THE 2012 COUNTY BUDGET

DATED: NOVEMBER 18, 2011

BY MR. EDWARDS:

WHEREAS, the tentative budget for the year 2012 has been duly presented to the Board by the Finance Committee and Budget Officer and duly advertised, and

WHEREAS, a Public Hearing was held on November 18, 2011 as required by Section 359 of the County Law, be it

RESOLVED, that the following increases and decreases be made in the 2012 Tentative Budget:

INCREASE:

A1325.102	Deputy County Treas.	\$1,302.00
A1325.103	Sr. Account Clerk	\$1,232.00
A1325.104	Account Clerk	\$1,075.00
A1330.401	LPCS Tax Collection	\$1,000.00
A1340.101	Budget Officer	\$6,000.00
A1430.409	Personnel Training	\$2,000.00
A1620.102	Senior Custodian	\$834.00
A1620.103	Laborer	\$126.00
A1620.105	Bldg. Maint. Mech	\$834.00
A1990.401	Contingent	\$5,000.00
A3110.101	Sheriff	\$279.00
A3110.102	Undersheriff	\$1,763.00
A3110.107	Confidential Secretary	\$132.00
A3110.110	Sheriff Deputy C	\$177.00
A3110.112	Sheriff Deputy A	\$165.00
A3140.102	Probation Director	\$200.00
A3150.101	Corrections Officer A	\$136.00
A3150.102	Corrections Officer B	\$1,268.00
A3150.103	Corrections Officer C	\$1,268.00
A3150.104	Corrections Officer D	\$106.00
A3150.105	Corrections Officer E	\$1,059.00
A3150.106	Corrections Officer F	\$110.00
A3150.109	Corrections Officer I	\$102.00

A4010.117	CHHA Secretary 2	\$906.00
A4050.101	Director of Public Health	\$2,800.00
A4050.104	Community Health Nurse	\$17,242.00
A4050.120	PH Account Clerk	\$934.00
A4050.125	PH Account Clerk/Typist	\$1,336.00
A4050.127	Reg. Prof. Nurse	\$4,027.00
A4050.410	Maintenance in Lieu of Rent	\$6,000.00
A4189.151	Bioterrorism Coord.	\$11,002.00
A4189.452	BT Supplies	\$1,700.00
A4189.454	BT Misc.	\$1,953.00
A4189.851	BT Fringe	\$4,951.00
A4310.114	CS Family Support Case Worker	\$586.00
A6010.101	Commissioner of DSS	\$299.00
A6010.107	Welfare Examiner A	\$9,804.00
A6610.101	Weights & Measures Director	\$1.00
A8720.402	Fish & Game Federation	\$4,500.00
D5010.102	Admin Assist to Hwy Supt.	\$4,621.00
D5112.203	Bridge Projects	\$25,000.00
D9010.801	Retirement Contribution	\$36,000.00

DECREASE:

A1165.101	District Attorney	\$3,416.00
A1165.106	Ass't District Attorney	\$5,000.00
A4010.103	Supv. Community Health Nurse	\$46,213.00
A4010.116	Reg. Prof. Nurse 1	\$3,260.00
A4010.410	Maint in Lieu of Rent	\$6,000.00
A4050.111	Family Health Svs. Coord.	\$1,187.00
A4189.451	BT Contractuals	\$50.00
A4310.102	Mental Hygiene Director	\$4,426.00
A4310.104	Mental Hygiene Clerk	\$1,334.00
A4310.110	Case Manager	\$4,067.00
A6010.105	DSS Data Coord.	\$1,186.00
A6410.401	Ham. Co. Promotion	\$10,000.00
A6410.404	Tourism Misc.	\$4,000.00
A8720.401	Fish Planting	\$1,800.00
DM9010.801	Retirement Contribution	\$36,000.00

and be it further

RESOLVED, that the Revenues be amended as follows:

INCREASE:

A1110	Sales and Use Tax	\$50,000.00
A3277	Preschool Special Ed 3-5	\$60,000.00
A3401	Public Health	\$20,000.00
A4401	Emergency Preparedness	\$37,106.00

DECREASED:

A1601	Public Health Charges-Vaccines	\$3,000.00
A2320	WIA	\$5,000.00
A3715	Tourism Promotion	\$14,000.00

and be it further

RESOLVED, that the following amendments be made:

INCREASE:

General Fund Cash Surplus	\$75,000.00
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DECREASE:

County Road Fund Cash Surplus	\$125,000.00
County Machinery Fund Cash Surplus	\$20,000.00

and be it further

RESOLVED, that upon the amendments, amounts as listed to be raised by tax, making a total 2012 Budget \$6,531,838.00 and pursuant to Section 360 of the County Law, the said tentative budget as amended be and hereby is adopted as the Budget for the year 2012.

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

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

NAYS: NONE

Other Reports:

Mr. McGovern: Asked about the County's burial policy. The Chairman stated that they will look into it the next couple of meetings. It hasn't been updated in quite some time and needs to be done.

Mr. McGovern wanted to thank Congressman Owens for support of HRH22, which is the right to carry portable pistol licenses. He also urges people to write to the US Senators to support it as well.

The Chairman thanked the Supervisors for participating in the budget process this year.

No Committee Meeting on Monday.

Recessed until December 1, 2011.