

2013

THIRD ANNUAL SESSION

NOVEMBER 18, 2013

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	ABSENT
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: Frank Mezzano, Marsha Purdue, Bidder and Pete Klein

Public Comment: No one present.

Reports of Standing/Special Committees:

Neil: He continues to work on restructuring the Tourism Department.

Bid Openings:

Spec. 14-2013 Fuel Oil

1. G.A. Bove – No fixed price.
Fluctuating rate - .20 cents

A motion was made to accept the bid and refer it to Committee by Mr. Towers, seconded by Mr. McGovern. Carried.

Spec. 15-2013 One (1) 2008 or Newer Diesel Powered All Wheel Drive Motor Grader
With Less Than 3500 Hours

1. Nor Trax - 2008 John Deere 772D with 3307 hours on it for
\$213,900
\$ 50,000 Trade In
\$163,900

A motion was made to accept the bid and refer it to Committee by Mr. Towers, seconded by Mr. Edwards. Carried.

Tracy recommended accepting the fuel bid. He can prepare a resolution for Thursday's meeting.

Tracy also wanted to award the grader bid. The Board agreed on a resolution to award the grader bid for Thursday as well. Tracy left at this time.

The Chairman then introduced the District Attorney Marsha Purdue.

Marsha stated she wanted to discuss the District Attorney position being full-time. She stated that she has already spoken to the Board on why it should be a full-time position as well as hearing from the Captain from Troop B and the Hamilton County Judge. Everyone has the same feelings that this position should become full-time. Marsha again gave her view points on why this should happen in the near future.

Marsha reported that she spoke with Pete Klein regarding what he indicated in the newspaper that the salary amount is approximately \$160,000 and Marsha stated that is not correct. The salary next year is \$146,300, but there is \$66,304 of grant money available. For Hamilton County to receive this money she would need a letter from the Board of Supervisors stating that they will be changing the position to full-time.

Brian Towers asked from a legislative point of view, regarding the letter you are looking for, is there a way in which we could seek legislation to go full-time but with the recommendation that it might not be for two more years.

Marsha thought so.

The Chairman asked how the money flows because the counties are on a January –December fiscal year and the State on a March 31st fiscal year. The money that gets appropriated in their 2014-2015 budget is money that is dispersed to the counties for 2014 or 2015?

Marsha stated that she is not an expert in this area, so she really couldn't answer the question.

The Chairman asked perhaps she can find that out for the Board.

Marsha then reported her understanding of the funding.

The Chairman stated that they could put in a resolution for Thursday that explains where we are and what has been decided and where we are headed.

RESOLUTIONS:

RESOLUTION NO. 292-13

**FULTON COUNTY/HAMILTON COUNTY IT DEPARTMENT CONTRACT -
PROBATION**

DATED: NOVEMBER 18, 2013

BY MR. EDWARDS:

WHEREAS, the Hamilton County Probation Department has experienced significant computer failure with the Caseload Explorer Program and server, and

WHEREAS, the Hamilton County Probation Department was quoted a price of \$4,800 per year for Automon, LLC to host the server and another quote of \$2,400 per year for Fulton County IT Department to host the server, and

WHEREAS, the Hamilton County Probation Department felt it was financially beneficial to have Fulton County IT Department host the server, and

WHEREAS, the Fulton County IT Department contract would begin October 1, 2013 and end December 31, 2014 at a cost of \$3,000, as October, November and December 2013 are prorated (\$600.00 for 2013 & \$2,400.00 for 2014), and

WHEREAS, the funding for this contract is provided in the 2013 budget and has been requested for in the 2014 budget, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the contract between the Hamilton County Probation Department and the Fulton County IT Department to host the Caseload Explorer server, per the review of the County Attorney.

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

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

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 293-13

RESOLUTION AUTHORIZING HAMILTON COUNTY TO ACT AS OWNER & CONSTRUCTION ADMINISTRATOR FOR THE HAMILTON COUNTY FUEL CONSOLIDATION PROJECT – PHASE II

DATED: NOVEMBER 18, 2013

BY MR. MCGOVERN:

WHEREAS, the Department of State has announced funding of \$600,000.00 for the Hamilton County Fuel Consolidation Project Phase II (FCP II), and

WHEREAS, the Department of State has not released or guaranteed the funds for the construction of improvements associated with the FCP II through any type of funding agreement, and

WHEREAS, the County routinely administers construction contracts and that this experience would benefit all parties involved in the FCP (i.e. Hamilton County, Town of Indian Lake and Town of Long Lake) if the County were to act as the Owner and Construction Manager for this project, and

WHEREAS, the design engineer, Laberge Group, was duly engaged for design and construction services for the FCP Phase I, and

WHEREAS, the County would benefit from the design engineer, Laberge Group, acting in support of the County as the designated Engineer and Owners Representative for the construction contract because of design and construction from the original FCP Phase I, and

WHEREAS, the County will own and maintain pumps and fuel management systems at both the County Site and Indian Lake site since this equipment is fundamental to the County's ability to efficiently track fuel storage levels for ordering, and

WHEREAS, Hamilton County has determined that the many improvements derived from implementation make this a benefit to the County and the Towns stated herein, and

WHEREAS, the County as Construction Administrator will be required to pay in the first instance construction costs related to the FCP Phase II at this point estimated to be \$600,000.00, and

WHEREAS, improvements at the County Site are considered a Type II Action per Article 8 of the Environmental Conservation Law, regulations 6 NYCRR Part 617.5 (c) (2) being a replacement, rehabilitation and reconstruction of a facility in kind on the same site including upgrades to meet building and fire codes, and does not require further State Environmental Quality Review Act (SEQRA) review, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes the County's participation and involvement in the Fuel Consolidation Project Phase II, and be it further

RESOLVED, that the Hamilton County Board of Supervisors is authorized to administer the construction contract(s), and be it further

RESOLVED, that the County's designated Engineer and Owners Representative for the FCP Phase II construction contract is Laberge Group, and be it further

RESOLVED, that Capital Project Account No. H5989.201 Fuel Consolidation Project Phase II be hereby created and funded by transferring \$600,000.00 from the Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law and the County Treasurer be so authorized.

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

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

NAYS: NONE

ABSENT: PINCOMBE

RESOLUTION NO. 294-13

AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH NYSDEC FOR ROAD MAINTENANCE IN MOOSE RIVER PLAINS RECREATIONAL AREA

DATED: NOVEMBER 18, 2013

BY MR. FREY:

WHEREAS, the County Highway Department provided road maintenance on 8.3 miles of gravel roadway located within the Moose River Plains Recreational Area for the New York State Department of Environmental Conservation (NYSDEC) during 2013, and

WHEREAS, the road maintenance consisted of in house personal services, in house equipment rental and outside equipment rental, and

WHEREAS, the Town of Inlet also incurred costs including in house personal services, in house equipment rental and diesel fuel, and

WHEREAS, the Town of Inlet has been reimbursed for the Town's services by internal billings through the County Highway Department, and

WHEREAS, in order for the County to get reimbursed for the said costs incurred for the road maintenance completed for the NYSDEC the County must enter into an agreement with the NYSDEC for the said road maintenance, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with the NYSDEC for the said road maintenance so the County will get reimbursement for the completed road maintenance and the County Treasurer, County Highway Superintendent and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: PINCOMBE

Budget Review:

John asked if they received an email from Mr. Osborne spelling out the changes that he requested in the Committee meeting and the member's replied yes.

Frank stated that those figures have been applied and they could start with them if they like.

Frank stated there will be a Finance Committee meeting later today to discuss salaries.

Board of Elections – 1450 – They were asked to split out the travel line and as of this morning he still has not received anything from that office and they are not there today.

Under Buildings – 1620 – there were a couple of errors, one was under Personnel it was an increase that was shown flat and the other was a transposed number. 1620.105 should be \$36,978.

1920.401 – NYSAC – Frank has not received a request as of yet. The Chairman stated that they should email them so that they can put an amount in.

Contingent – Earlier there was talk of possibly splitting this line. Is there any further discussion of this taking place?

The Chairman stated there was some discussion last year at budget time regarding the idea that there might be value in separating the merit out. Because one of the things we have seen is the actual amount of merit decreasing over the last couple of years and having that separated out so that we can see what is happening might be valuable. The Chairman stated that it doesn't matter to him one way or the other.

Rick stated contingent is generally an unknown, something that comes up. We know with merit what will be coming this year. The Chairman stated yes, we have an estimate of what that will be.

John asked if they split it out, where the appropriate place would be to put it and what should we call it. John suggested contingent merit.

The Chairman guessed it depends on what it is that they want to accomplish. If we are saying it doesn't belong in contingent because it is a predictable expense then that is probably the wrong place to put it. His prior thinking had been driven by the idea that people wanted the ability to split out an amount and/or track an amount separately.

3150.405 – The Sheriff requested \$10,000 and the Committee put it in at \$9,000. Frank stated that we are really closer to \$10,000 than \$9,000. He would like to get a confirmed number in here.

The Chairman stated the Sheriff's point is that it's not a budget line item that anyone has control over. We are required to provide medical/dental services to the inmates and his concern was that \$10,000 was a more accurate reflection of where he thought the number was going to be. He certainly recognizes that the Board has the ability to reduce it to \$9,000; he just wanted them to be aware that he may have to come back and ask for an increase.

It was discussed and was decided to put the requested amount back in for a total \$10,000.

In 2013 the Sheriff increased the number of boat patrol and put in a 2014 budget request based upon that. The budget recommendation takes it back down so Frank needs direction on whether or not the Board was dissatisfied with the extra patrol this year and wants to go back to the 2012 budget.

6410 – Publicity - Frank stated that 6410.402 Publicity Administration will be added to the budget with a budget line of \$25,000. Then 6410.404 Event Funding will also be an additional line with \$16,000 as the budget. 6410.401 will be budgeted at \$225,000.

8020 – Planning – 8020.101 Director Salary was reduced to \$29,387. Then line 8020.410 is also being reduced to \$25,000.

Brian Towers asked with all of those changes they basically offset each other and John and Frank answered yes.

The Chairman stated we need to understand where the savings are. These are hard costs with the same amount of service and on the actual cost of the employee benefit side we saved \$25,000.

Brian stated with that we also end up with a better product.

Frank reported that he received a request from the Treasurer's Office this morning to change the unemployment lines to better reflect our costs between general fund and highway. The request is to reduce general to \$9,000 from \$14,000 and highway be increased to \$19,000.

Under Real Property – Barry did a salary budget request from \$66,250 down to \$65,000. Then 1355.406 GIS Contract – requested \$7,500. Under 1355.407 SDG Data Contract – his request is \$6,250.

Frank asked if anyone had any concerns with what they covered today. None mentioned.

Frank stated that he would contact Dick Dinolfo regarding splitting the contingency line.

The Chairman stated he has been working on scheduling Assemblyman Butler and Senator Farley to attend one of our sessions.

Brian Towers questioned under 1450, the Board of Elections, they were developing new budget lines for the mechanics and travel, has that been done?

Frank stated they are splitting them but that will not change the bottom line. We just wanted more clarification regarding travel.

The Chairman stated when you look at Board of Elections travel it immediately looks like they are going from \$4,000 to \$5,000 from 2013 to 2014. What we were told is really reflective of what we anticipated; it is because of the additional primary in 2014. Our suggestion was, if that is the case, it should be simple enough to isolate the travel of the Election Commissioners from associated travel such as, rental of the u-haul, going to the polling places, etc. If we separated all of that it would be clearer that it is not just the Election Commissioners having more travel.

The Chairman stated ideally we will be in position for November 21st to have the Public Hearing on the Budget, review all the changes that morning and for the afternoon session adopt the budget.

Neil asked if they were going to draft a resolution in regards to the full-time District Attorney. He has some reservations regarding the wording of the resolution, not about the discussion that has to be had. Discussion continued.

The Chairman stated he would draft a resolution for November 21st. That will give the Board time to make the decision about whether or not the District Attorney should be full-time without creating an implementation date. Should that resolution pass on the 21st we will then attempt to structure for December 5th with something with more detail and an implementation time frame.

Rick stated Marsha brought in some key players and he would like to know if anyone knows how Karl feels about this.

The Chairman asked if they would like Karl to come in. Rick replied that isn't necessary.

Recessed until November 21, 2013 at 10:30 AM.