

2012

NINTH SESSION

SEPTEMBER 6, 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	ABSENT
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: Pete Klein, Press

A motion was made to accept the minutes of August 2, 2012 by Mr. McGovern, seconded by Mr. Frey. Carried.

Public Comment: No one present

Report of Standings/Special Committees:

John: Reported he has been scheduling budget meetings with Department Heads; they start next Thursday.

Brian Towers: Asked what we are doing with the 2013 salaries; the Chairman stated a 2% increase per our Committee meeting.

John: Thanked Bill and Brian Towers for going to the ground breaking ceremony for the new sewer project in Inlet.

Neil: Stated we need entities larger than ourselves such as the State and the Park Agency to recognize that we shouldn't be making our sewer district lines in some crazy configuration trying to find the right mix of residents who won't skew the economic income surveys, but rather protect our lake shores and help offset the losses that come from that. It has to be done with more logic and thought towards the environmental and economic development and less about how we get to the grantable status.

The Chairman stated that we need the ability for communities that have existing waste water systems to look at size and scale. It's not solely about capital money that built them in the first place. You end up with these small systems that were built based on 1960 dollars and what was affordable at that time to operate the system. Now there are systems that are not sustaining

themselves. We need to be looking at density and work with the APA for the possibility of working with density rights around communities.

Ermina entered while the Chairman was discussing.

The Chairman wanted to discuss under reports the Right to Farm Local Law. Ermina spoke with him after the Committee meeting to voice some concerns in terms of wanting to make sure if this Board was going to enact something that it wouldn't put us in a position where we are trumping the Department of Health rules that are put in place to protect home owners. He did have the County Attorney look into this but the County Attorney couldn't be here today and that is why it is not on the agenda. He would like the County Attorney available to answer any questions.

In general what this Local Law at the County level would do is somewhat already covered under Section 333c of the Real Property Tax Law. We would be simply adding that to this level. There is also the ability currently under section 308 and 308a of the Agriculture and Markets Law for the Commissioner to get involved when there are disputes between agriculture businesses and property owners. This Local Law would localize that function and create a three member board at the local community level that would usually include the Town Supervisor of that community.

RESOLUTIONS:

The Chairman stated the first resolution is a tabled resolution that he believes at this point it is most appropriate to either withdraw or vote down. The Sheriff and he were to meet with the State regarding the Court system to work through this. The Sheriff could not attend the scheduled meeting but the Chairman met with them.

The plan is to put the improvements that were proposed on hold, with the respect to the \$25,000 for capital money. This was a door to be placed at the top of the stairs to prevent access to the second floor of the Court House, which would have taken out the decorative rail that is around the top and replace it with a higher rail.

One solution they came up with was to increase the Court Security contract to \$50,000. A \$10,500 increase which should adequately cover security as well as some increases such as having two security officers when the Court is dealing with IDV matters.

Mr. Towers stated he would be in favor of withdrawing the resolution. Mr. McGovern agreed.

WITHDRAWN

TABLED

RESOLUTION NO.

**INCREASING 2012 APPROPRIATION AND REVENUE FOR BUILDING'S COURT
PROJECTS**

DATED: AUGUST 2, 2012

BY MR. TOWERS:

WHEREAS, the budget appropriation amount for Account No. 1620.4180A Buildings Court Projects for 2012 was set and duly adopted for \$7,500.00 for court projects and improvements, and

WHEREAS, the Office of Court Administration (OCA) have approved a budget of \$25,000.00 for possible projects for Hamilton County court facilities and this funding is 100% reimbursable, be it

RESOLVED, that the 2012 budget appropriation for Account No. 1620.4180A Buildings Court Projects be increased by \$25,000.00 to be totally offset by increasing Revenue Account No. 3021.0000A Court Facilities by \$25,000.00 and the County Treasurer be so authorized to make the said adjustments and the Clerk of the Board and Buildings Superintendent be so notified.

Seconded by Mr. McGovern.

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

RESOLUTION NO. 231-12

PROCLAMATION IN RECOGNITION OF SHERIFFS WEEK

DATED: SEPTEMBER 6, 2012

BY MS. PINCOMBE:

WHEREAS, the Office of Sheriff has been an integral part of the criminal justice system in New York State and in Hamilton County throughout our history, having been established in the State's first constitution in 1777 and having been continued in every succeeding constitution, and having been one of the original constitutional offices of our County, and

WHEREAS, despite changes in its function, status and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community, and

WHEREAS, the Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police officers, using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field, and

WHEREAS, the Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of "Keeper of the Peace," and extend into many facets of public service, including maintaining the county jail, providing security in our courts, dispatching emergency services, and serving and executing civil process for our courts, and

WHEREAS, as a constitutionally empowered entity directly responsible to the People, the ancient Office of Sheriff remains, even today, responsive and accountable to the public it serves, and

WHEREAS, it is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that the Sheriffs play in our modern criminal justice system, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors does hereby proclaim September 16th –22nd, 2012 as Sheriffs Week in Hamilton County.

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

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

NAYS: NONE

ABSENT: WILT

After the following resolution was placed on the floor; Mr. Frey stated that we need to do this for proper relief and fair sales tax, this is an option we need to make sure is there.

The Chairman stated he thinks Mr. Frey has a very hard task in front of him in terms of the realistic expectations that he can bring the budget in under the 2% tax cap.

Mr. Frey stated that it has been said before that we feel we are being punished for being fiscally prudent in the past.

Mr. McGovern asked if we know the percentage of counties who opted for this release valve; my reading is that it is going to be more.

The Chairman feels that is accurate, he thinks they are going to see a higher percentage on two levels. One level is more counties are putting in place in advance the relief valve, same as what we are doing now. The other is you will see at budget adoption time less counties that are able to stay within the tax cap. The Home Rule Legislation for all the counties that are over 3% for Sales Tax are up this next Legislative session. Many counties are at 4.5% - 4.65%; which is very high. It will be interesting to see what kind of bold steps the Senate will be taking with these counties.

Mr. McGovern stated that having adopted ours under the 2% last year; we still have not seen a whole lot come of the mandate relief and here we are at budget time again. He feels the sales tax could stay at 7% and have the State take less, 3% instead of 4%.

Mr. Towers stated if we are going to assume larger portions of responsibilities then we ought to be able to assume the larger portion of the sales tax.

Discussion continued.

RESOLUTION NO. 232-12

**AUTHORIZING A PUBLIC HEARING TO CONSIDER
PROPOSED LOCAL LAW NO. 1 OF 2012 A LOCAL LAW OVERRIDING THE TAX
LEVY LIMIT FOR HAMILTON COUNTY FOR 2013 AND AUTHORIZING THE
ADOPTION BY HAMILTON COUNTY OF A BUDGET FOR 2013 THAT MAY**

**REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR
THE 2013 FISCAL YEAR**

DATED: SEPTEMBER 6, 2012

BY MR. EDWARDS:

RESOLVED, that proposed Local Law No. 1 of 2012 titled “ A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR 2013 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET FOR 2013 THAT MAY REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE 2013 FISCAL YEAR”, attached hereto and made a part hereof, be, and the same hereby is introduced before the Hamilton County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors’ Rooms in the Hamilton County Municipal Building on the 4th day of October, 2012, at 11:00 a.m., on the matter of the adoption of said proposed Local Law No. 1 of 2012, entitled “A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR 2013 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET FOR 2013 THAT MAY REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE 2013 FISCAL YEAR”, and it be further

RESOLVED, that the Clerk of the Board of Supervisors be, and she hereby is authorized and directed to give notice of such public hearing in the manner provided by law.

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

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

NAYS: NONE

ABSENT: WILT

PROPOSED LOCAL LAW NO. 1 OF 2012
State of New York
County of Hamilton

**A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR
2013 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET
FOR 2013 THAT MAY REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX
LEVY LIMIT FOR THE 2013 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 2012”.

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 2013 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 2013, 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 2013, it is clear that a responsible budget for 2013 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 2013 and authorizes Hamilton County, after completing all required procedures for the adoption of a budget, to adopt a budget for 2013 that may require a tax levy increase that is greater than the tax levy limit calculated for 2013 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.

After the following resolution was placed on the floor; the Chairman stated that the prior resolution had set a not to exceed threshold that has not been increased since 2000.

RESOLUTION NO. 233-12

RESCINDING RESOLUTION NO. 259-00 OF DECEMBER 18, 2000 AND REAUTHORIZING ADVANCED PAYMENTS

DATED: SEPTEMBER 6, 2012

BY MR. FREY:

WHEREAS, Resolution No. 259-00 was adopted December 18, 2000, but now requires updating, and

WHEREAS, certain functions of the County's Department Heads may require 'advanced payments', in advance of a Board's audit, and

WHEREAS, other items, such as the reservation of booth space and other similar circumstances may require 'paying in advance', prior to full receipt of service, and

WHEREAS, certain 'payments in advance' may be required by a claimant to reserve a position, or other similar benefit to the County financial or otherwise, and

WHEREAS, the Board of Supervisors deems it appropriate to authorize advanced payments pursuant to Section 369 of the County Law,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 369 of the County Law, the Hamilton County Board of Supervisors does hereby authorize payment in advanced of an audit of claims for public utility services, postage, freight and express charges, conditioned upon the Department Head having a sufficient amount of money in his or her budget to make such payment and the payment has been approved by the Chairman of the Board in advanced of such payment, and be it further

RESOLVED, that all such claims shall be presented at the next regular meeting of the Board of Supervisors for audit and the claimant, the officer incurring or approving the same, shall be jointly and severally liable for any amount disallowed by the Board of Supervisors, and be it also

RESOLVED, that a Department Head is hereby authorized to make 'payments in advance' in order to reserve space at a tourism show, conference and other authorized functions, in an amount not to exceed One Thousand Five Hundred Dollars (\$1,500.00), conditioned upon the Department Head having a sufficient amount of money in his or her budget to make such payment and with the prior written approval of the Chairman of the Board, and be it further

RESOLVED, that in the instance of, 'payments in advance' the claimant and the officer incurring or approving the same shall be jointly and severally liable for any amount paid but not fully utilized, and be it also

RESOLVED, that the Hamilton County Treasurer be so authorized in accordance with the terms of this resolution.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 234-12

TRANSFER OF FUNDS – CORONER

DATED: SEPTEMBER 6, 2012

BY MR. TOWERS:

WHEREAS, there is a shortage of funds in Coroner Account No. A1185.403 Misc. & Autopsies and Account No. A1185.101 Personal Services, therefore, be it

RESOLVED, that the County Treasurer be hereby authorized to make the following transfer:

FROM:

A1990.401 Contingent \$5,700.00

TO:

A1185.403 Misc. & Autopsies \$4,500.00

A1185.101 Personal Services \$1,200.00

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 235-12

CHANGE THE PERSONNEL OFFICE'S CLERK WEEKLY HOURS FROM 21 TO 35 FOR A TOTAL OF THREE WEEKS IN THE PERSONNEL OFFICE

DATED: SEPTEMBER 6, 2012

BY MR. PINCOMBE:

WHEREAS, the Personnel Officer will be out of the office for a period of three weeks to attend the New York State Civil Service Institute 2012 training in Albany, and

WHEREAS, the Clerk's hours were decreased from 30 to 21 hours last year, and

WHEREAS, to ensure office coverage during the Personnel Officer's absence, the Clerk's weekly hours be increased from 21 to 35 hours for the following periods of September 17 - 21, October 22 - 26 and December 3 - 7, 2012, and be it

RESOLVED, that Account No. A1430.102 Clerk be used and funded by the following transfer:

FROM: Account A1990.401 - Contingent \$500.00

TO: Account A1430.102 - Clerk \$500.00

RESOLVED, that the Clerk's hours be increased from 21 to 35 per week for said three week period and the County Treasurer be so authorized and Personnel Officer be notified.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 236-12

**AUTHORIZATION TO PAY FOR BOOTH SPACE AT THE GARDEN STATE
OUTDOOR SPORTS SHOW, JANUARY 10 - 13, 2013**

DATED: SEPTEMBER 6, 2012

BY MR. EDWARDS:

WHEREAS, the Office of Planning, Tourism and Community Development attends consumer travel shows annually to promote the outdoor recreation opportunities that abound in Hamilton County, and

WHEREAS, these travel shows require payment in advance to reserve booth/display space, and

WHEREAS, the first deposit for the Garden State Outdoor Sports Show in Edison, NJ is now due in the amount of \$547.50, and

WHEREAS, the final payment for the sports show in the amount of \$547.50 is due November 1st, 2012, therefore, be it

RESOLVED, that registration at the Garden State Outdoor Sports Show in Edison, NJ is hereby authorized, and be it further

RESOLVED, that the Hamilton County Treasurer be authorized to pay \$1,095.00 to Outdoor Sports Group LLC, PO Box 2952, New York, NY 10163 with funds from Publicity budget line 6410.4030-A, Consumer Shows.

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

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

NAYS: NONE

ABSENT: WILT

After the following resolution was placed on the floor; the Chairman reported that this is not for Court Security, this is for cleaning.

RESOLUTION NO. 237-12

**AUTHORIZING CHAIRMAN TO SIGN NECESSARY DOCUMENTS FOR THE
COURT CLEANING CONTRACT**

DATED: SEPTEMBER 6, 2012

BY MS. PINCOMBE:

WHEREAS, Hamilton County has received the Annual Renewal Letter and Budget for the Court Cleaning Contract #C-300177 authorized by Resolution No. 240-08 adopted October 2, 2008, and

WHEREAS, said Renewal Letter covers State Fiscal Year 2012-2013 with a budget of \$84,362.00, now, therefore, be it

RESOLVED, that the Letter of Renewal and Budget is hereby approved for State Fiscal Year 2012-2013, and the Chairman is authorized to sign the necessary documents and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 238-12

AUTHORIZING CHAIRMAN TO EXECUTE RENEWAL AGREEMENT WITH NEW YORK STATE UNIFIED COURT SYSTEM FOR SECURITY SERVICES – APRIL 1, 2012-MARCH 31, 2013

DATED: SEPTEMBER 6, 2012

BY MR. EDWARDS:

WHEREAS, Hamilton County has executed Contract No.C-200407 between the New York State Unified Court System and Hamilton County for security services to the courts of Hamilton for a period of April 1, 2009 through March 31, 2014, and

WHEREAS, the contract stated in pertinent part, “All subsequent periods of the contract, the maximum compensation and where necessary new staffing schedule for that period are to be established by mutual written agreement of the parties.”, and

WHEREAS, the State Unified Court System has provided a proposal wherein the subsequent period of the contract begins on April 1, 2012 and ends on March 31, 2013, the maximum compensation for the period is Fifty Thousand Dollars (\$50,000.00) and the Hamilton County Sheriff provides an attendant staffing schedule, and

WHEREAS, the Hamilton County Sheriff has provided an attendant staffing schedule to the State Court System,

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is authorized to execute an agreement with the New York State Unified Court System to provide Court Attendant Staffing by the Hamilton County Sheriff for the maximum compensation of

Fifty Thousand Dollars (\$50,000.00) for the period of time beginning on April 1, 2012 and ending on March 31, 2013.

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

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

NAYS: NONE

ABSENT: WILT

After the following resolution was placed on the floor; the Chairman stated this is a change you will see within this budget process. We have always had money in both Civil Defense and Sheriff's budget for this function. The Sheriff agreed to have Emergency Management manage this line in his budget.

RESOLUTION NO. 239-12

TRANSFER OF FUNDS – SHERIFF/CIVIL DEFENSE

DATED: SEPTEMBER 6, 2012

BY MR. FREY:

WHEREAS, there is a shortage of funds in Civil Defense Account No. A3640.401 Communication and Radio Repair, be it

RESOLVED, that \$5,500.00 be transferred from Sheriff Account No. A3110.204 Repeater – Blue Mountain to Civil Defense Account No. A3640.401 and the County Treasurer be so authorized.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 240-12

AUTHORIZING CHAIRMAN TO SIGN HEAP AGREEMENTS WITH WARREN/HAMILTON OFA AND COMMUNITY ACTION AGENCY

DATED: SEPTEMBER 6, 2012

BY MR. SEAMAN:

WHEREAS, the Department of Social Services requires a service agreement with a qualified provider to provide HEAP outreach and certification services to low-income residents, be it

RESOLVED, that upon the County Attorney's approval, the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with Warren/Hamilton Office for the Aging and Community Action Agency for HEAP services for a term of October 1, 2012-September 30, 2013.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 241-12

APPROVAL OF RATES FOR FOSTER BOARDING HOMES

DATED: SEPTEMBER 6, 2012

BY MS. PINCOMBE:

WHEREAS, Resolution No. 325-11, adopted December 1, 2011, established current monthly rates for Foster Care Payments to Foster Parents in Hamilton County, be it

RESOLVED, that the rates for Foster Care for Children, provided by the Hamilton County Department of Social Services, remain at the following standards of payment, set by the State Department of Social Services:

0 to 5 years - Four Hundred Eighty-Six Dollars (\$486.00) monthly

6 to 11 years - Five Hundred Eighty-Five Dollars (\$585.00) monthly

12 years and over - Six Hundred Seventy-Seven Dollars (\$677.00) monthly

and be it further

RESOLVED, that in the case of a child requiring special care, either because of medical problems or severe emotional problems, that the Hamilton County Department of Social Services be authorized to pay the same monthly rate of up to One Thousand One Hundred Sixty-Nine Dollars (\$1,169.00), and the same monthly rate of up to One Thousand Seven Hundred Seventy-Two Dollars (\$1,772.00), for exceptional children, and be it further

RESOLVED, that these rates be effective April 1, 2012 through June 30, 2012, and the County Treasurer be so advised.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 242-12

APPROVAL OF YEARLY CLOTHING ALLOWANCE FOR FOSTER CARE CHILDREN

DATED: SEPTEMBER 6, 2012

BY MR. EDWARDS:

WHEREAS, the State Department of Social Services has extended the current maximum foster care reimbursement rates for local agencies for the balance of the rate year, and

WHEREAS, the current rates for the yearly clothing allowance were established by the Hamilton County Board of Supervisors in Resolution No. 326-11, adopted December 1, 2011 be it

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

0-5 years – Three Hundred Sixty-Eight Dollars (\$368.00) yearly

6-11 years – Five Hundred Fourteen Dollars (\$514.00) yearly

12-15 years – Seven Hundred Ninety-Eight Dollars (\$798.00) yearly

16 years and over – Nine Hundred Seventy-Six Dollars (\$976.00) yearly

0-3 years – A diaper allowance, remain the same at Fifty-Six Dollars (\$56.00) monthly, and be it further

RESOLVED, that these rates be effective April 1, 2012 through June 30, 2012 and the County Treasurer be so advised.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 243-12

TRANSFER OF FUNDS - SOCIAL SERVICES

DATED: SEPTEMBER 6, 2012

BY MR. FREY:

WHEREAS, funds will be exhausted in the Hamilton County Department of Social Services Account No. A6109.401, Family Assistance, by the end of October 2012, therefore, be it

RESOLVED, that the following transfer be made:

FROM: A6119.401 Foster Care	\$ 10,000.00
TO: A6109.401 Family Assistance	\$ 10,000.00

and the County Treasurer be so authorized.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 244-12

APPOINTMENT TO PROFESSIONAL ADVISORY COMMITTEE AND CONTINUOUS QUALITY IMPROVEMENT COMMITTEE

DATED: SEPTEMBER 6, 2012

BY MR. SEAMAN:

WHEREAS, the Public Health Nursing Service/Certified Home Health Agency's certification requires Hamilton County Board of Supervisors to appoint members to the Professional Advisory Committee (PAC), and

WHEREAS, members from the Professional Advisory Committee can be appointed to serve on the Quality Improvement Committee, and

WHEREAS, there exists vacancies on both committees, and

WHEREAS, the Public Health Nursing Service/Home Health Agency's Professional Advisory Committee Chairman has named Beth Waldron, PO Box 128, Griffin Road, Wells, NY 12190 for appointment to both committees, be it

RESOLVED, said individual be appointed to the Professional Advisory Committee and Continuing Quality Improvement Committee for a two year period of 2012 thru 2013 and the County Treasurer be so advised.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 245-12

PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE GRANT

DATED: SEPTEMBER 6, 2012

BY MS. PINCOMBE:

WHEREAS, the New York State Department of Health through Health Research, Inc. (HRI) has offered renewal of the contract with Hamilton County Public Health Nursing Service for Public Health Emergency Preparedness and Response for the period July 1, 2012 through June 30, 2013 , and

WHEREAS, the grant year overlaps the 2012 and 2013 County Budgeted fiscal year, and

WHEREAS, the total grant contract is for \$53,500.00, be it

RESOLVED, that 2012 Revenue Account A4401 Emergency Preparedness Grant be increased in the amount of \$12,000.00 to be totally offset by increasing the following 2012 appropriation accounts:

A4189.151 Bioterrorism Coordinator	\$ 7,500.00
A4189.452 Supplies	\$ 750.00
A4189.454 Misc	\$ 0.00
A4189.851 Fringe	<u>\$ 3,750.00</u>
TOTAL	\$12,000.00

and be it further

RESOLVED, that the remainder of the Emergency Response and Preparedness Grant funding has been allocated in the 2013 Municipal budget, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the Contract with the NYS Department of Health through Health Research Inc, pending approval by the County Attorney and the County Treasurer be so advised.

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

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

NAYS: NONE

ABSENT: WILT

After the following resolution was placed on the floor; Ms. Pincombe asked the Chairman to explain this to her.

The Chairman stated that they had spoken about the Bioterrorism Grant funding and the administrative responsibilities as Coordinator. As time went on during the budget cycle, we found out that there was an opportunity for the Nursing Service to hire Jill Barra as the Supervising Public Health Nurse; at that time Beth Ryan suggested to the Board that Jill could take on that responsibility as part of her supervision of the Public Health programs. At the same time Avis Warner was working in Public Health. Then the Board of Supervisors made the decision to reduce the staff on the Public Health side by one RN by moving Avis over. Avis would then be the Senior CHHA nurse. They have been advertising for a vacant RN position and to date they have not been successful in locating a qualified candidate for the position. With the shortage in Public Health, Ms. Barra does not have the time to cover the duties of the Bioterrorism Coordinator.

RESOLUTION NO. 246-12

CREATION OF PART-TIME BIOTERRORISM COORDINATOR POSITION

DATED: SEPTEMBER 6, 2012

BY MR. EDWARDS:

WHEREAS, the Hamilton County Public Health Nursing Department is continuing to work through a restructuring process, and

WHEREAS, the Certified Home Health Agency (CHHA) has a vacant RN position which is unable to be filled after several rounds of advertisement, and

WHEREAS, maximizing the use of the existing nurses assigned to public health programs can provide direct services to CHHA patients when caseload and acuity levels require, and

WHEREAS, this shift in responsibilities has diminished support to the Public Health Emergency Preparedness Program which could be reassigned to another individual, be it

RESOLVED, that a Part-time (3 days a week) position of Emergency Preparedness Bioterrorism Coordinator is hereby created, as a Grade 8/Step Hire at \$14.846 per hour to be paid from Emergency Preparedness Account No. A 4189.151 Bioterrorism Coordinator, and be it further

RESOLVED, that the County Treasurer and the Personnel Officer be so authorized.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 247-12

SNOW AND ICE CONTRACTS WITH TOWNS FOR THE 2012-2013 SEASON

DATED: SEPTEMBER 6, 2012

BY MR. EDWARDS:

WHEREAS, Article 6, Section 135a of the Highway Law provides that the County Highway Superintendent may contract with any town in the County for the removal of snow and ice from and the County roads and for sanding or otherwise treating said roads, therefore, be it

RESOLVED, that the County Highway Superintendent be authorized to contract with the various towns of the County, upon approval of the County Attorney, for said purposes for the period of:

November 1, 2012 – October 31, 2013

and the County Treasurer be so advised.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 248-12

STATE SNOW AND ICE CONTROL CONTRACT FOR THE 2013-2014 SEASON

DATED: SEPTEMBER 6, 2012

BY MR. TOWERS:

WHEREAS, the County Highway Superintendent has recommended that the Hamilton County Board of Supervisors approve the New York State Snow and Ice Control Contract and maps for the 2013-2014 season, now, therefore, be it

RESOLVED, that the Chairman of the Board be and hereby is empowered to sign the contracts, upon approval of the County Attorney, and be it further

RESOLVED, that the County Highway Superintendent be and hereby is empowered to approve said maps.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 249-12

AUTHORIZING DISPOSITION OF EXCESS EQUIPMENT

DATED: SEPTEMBER 6, 2012

BY MR. TOWERS:

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

WHEREAS, the County Fleet Coordinator has made the recommendations that the following vehicle 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>
1989	INT S2574	1HSGGADRXLH247323	L23056	HWY	136

be it

RESOLVED, that the above vehicle 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, 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. Wells and adopted by the following vote:

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 250-12

AUTHORIZING ACCEPTANCE OF BACK TAXES

DATED: SEPTEMBER 6, 2012

BY MR. FREY:

WHEREAS, the Board of Supervisors has been contacted by Larry Chaplinski, executor of the estate of Maureen & John Chaplinski on property owned by them located in Wells, with parcel ID #130.000-2-12.100 concerning the 2010 and 2011 back taxes owed, and

WHEREAS, Larry Chaplinski, as executor, 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 \$1,996.83 together with an administrative charge of \$500.00 for a total of \$2,496.83.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 251-12

AUTHORIZING CHAIRMAN TO SIGN VIA LOCAL AGREEMENTS AND MODIFICATIONS

DATE: SEPTEMBER 6, 2012

BY MR. MCGOVERN:

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign all the necessary agreements associated with the Workforce Investment Act for the 2012-2013 NCWIB budget and transition from Franklin County to Clinton County as the county administering the program funds.

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

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

NAYS: NONE

ABSENT: WILT

After the following resolution was placed on the floor; the Chairman reminded everyone that they had met on how to structure this.

Mr. Edwards stated the way this was handled was excellent and is happy with the way the Probation Department has turned around.

RESOLUTION NO. 252-12

APPROVAL OF LEAVE FOR PROBATION DIRECTOR

DATED: SEPTEMBER 6, 2012

BY MR. TOWERS:

WHEREAS, Amy Taylor has requested a leave, and

WHEREAS, Amy has worked with the County Judge as well as other stakeholders to develop a plan for this period, and

WHEREAS, Amy has also worked with John Adams to arrange for additional backup support, and

WHEREAS, this plan contemplates her being off from September 3, 2012 - October 31, 2012 and further contemplates her working up to 7 hours per week, November 1, 2012 to December 31, 2012, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby approves Amy Taylor's leave request as set forth above, and be it also

RESOLVED, that the County Treasurer and the Personnel Officer be so notified.

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

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

NAYS: NONE

ABSENT: WILT

After the following resolution was placed on the floor; Mr. Frey asked if this fits in with what they are doing with the Regional Economic Development Council. The Chairman stated yes; they have several things going on. There are two projects in Hamilton County that were funded last year. We pursued the Frontier application as a County last year, because they serve the biggest portion of the County. They supported Slic and Nicholville to build fiber from Tupper Lake to Long Lake. This will cover a gap in the lower part of the County.

Mr. Frey stated he is concerned with Frontier raising their rates once the broadband is in place. The Chairman then discussed services and rate issues.

RESOLUTION NO. 253-12

**AUTHORIZATION AND SUPPORT FOR APPLICATION
FOR CONNECT NEW YORK FUNDING FOR BROADBAND LINKAGE
WITH NEWPORT TELEPHONE COMPANY**

DATED: SEPTEMBER 6, 2012

BY MR. TOWERS:

WHEREAS, approximately 10 percent of Hamilton County is provided DSL and dial-up internet service by Newport Telephone Company, and

WHEREAS, Governor Andrew Cuomo has announced the funding of Connect NY at \$25 million for the expansion of broadband service throughout the state, and

WHEREAS, the County of Hamilton is currently the applicant (per Res. No. 187-12 of June 7, 2012) and grant recipient (per Res. No. 163-12 of May 3, 2012) in two broadband projects in partnership with Frontier Communications, leaving this as the only underserved portion of Hamilton County, and

WHEREAS, the Town of Morehouse is served by Newport Telephone, and has confirmed the critical need for this project, and

WHEREAS, the project also includes a portion of Herkimer County, and

WHEREAS, said project will include the upgrading of internet service to broadband speeds, with fiber optic line and switching equipment, and

WHEREAS, Newport Telephone Co. has also indicated a willingness to extend this project the additional distance necessary to create redundancy for the County Emergency Dispatch Center (Sheriff's Office) including all other County Offices in Lake Pleasant, by connecting to Frontier's equipment at Evergreen Lake, and

WHEREAS, the deadline for a Connect NY grant application is October 5th 2012, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby authorizes application for Connect NY funding and that the Chairman of the Board of Supervisors be authorized to draft and sign a letter of support on behalf of the Board for the application, and be it also

RESOLVED, that the Hamilton County Sheriff and Hamilton County Emergency Management Director are also authorized to provide letters of support and pursue funding to meet Hamilton County's 20% match for the approximate 3 mile redundancy gap.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 254-12

**AUTHORIZING GOING OUT TO BID FOR RECYCLING EQUIPMENT – NYSDEC
RECYCLING GRANT**

DATED: SEPTEMBER 6, 2012

BY MR. TOWERS:

BE IT RESOLVED, that the Solid Waste Coordinator is hereby authorized to bid for recycling equipment for the NYSDEC Recycling Grant.

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 255-12

APPROVAL OF AND TRANSFER OF FUNDS FOR 2012 MERIT PAY

DATED: SEPTEMBER 6, 2012

BY MR. MCGOVERN:

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

WHEREAS, the Internal Management Committee met on August 27, 2012 to review merit evaluations, be it

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

SHERIFF

Donald Beach	September 8, 2012 to September 8, 2013	\$.77
Brian Bledsoe	September 15, 2012 to September 15, 2013	\$1.10
Corey Hutchins	September 12, 2012 to September 12, 2013	\$1.54
Alex Stuart	September 28, 2012 to June 28, 2013	\$.88

TREASURER

Jodie Small	September 4, 2012 to September 4, 2013	\$1.65
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and be it further

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

FROM:	A1990.401	Contingent	\$9,649.75
TO:	A3150.109	Correction Officer I	\$974.16
	A3150.104	Correction Officer D	\$2,134.00
	A3110.110	Sheriff Deputy C	\$3,055.36
	A3110.109	Sheriff Deputy B	\$471.68
	A1325.104	Senior Account Clerk	\$3,014.55

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

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

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

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 256-12

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: SEPTEMBER 6, 2012

BY MR. TOWERS:

RESOLVED, that the bills in the Machinery Fund amounting to \$101,915.16 and bills in the County Road Fund amounting to \$152,232.64 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: PINCOMBE, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER, AND TOWERS

NAYS: NONE

ABSENT: WILT

RESOLUTION NO. 257-12

APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND

DATED: SEPTEMBER 6, 2012

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$174,341.80 by the following committees:

Building Committee	\$16,041.63
Solid Waste Committee	38,119.32
Finance Committee	12,201.83
Health & Human Services Committee.....	57,454.27
Central Government Committee	32,756.65
Publicity, Tourism, Economic Development & Planning Committee.....	15,528.45
Internal Management Committee	2,239.65

are hereby approved.

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

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

NAYS: NONE

ABSENT: WILT

Other Reports:

Ms. Pincombe: Apologized for being late. The Chairman caught her up on the Central Government meeting they had this morning.

Mr. Towers: Announced an IDA meeting this afternoon.

Mr. Wells: The Rustic Fair is this weekend in Blue Mountain Lake.

Mr. McGovern: Reminded everyone that the Republican Picnic is this weekend. He thanked the Chairman, Mr. Herman and Mr. Mason for the beginning of truthful discussions regarding the Adirondack Future. He looks forward to his first NYSAC Conference.

The Chairman reported that Mr. Herman & Mr. Mason started doing interviews in a formalized way yesterday and are very excited; they feel they are getting some great information.

The Chairman stated it should be a pretty exciting project to see how the Adirondack Futures project intersects. Hopefully they will be able to feed organizations such as AATV and State Agencies from both directions which will be very helpful to decision makers.

The Chairman then asked for a brief Executive Session to discuss two employees that were discussed at Committee Day and one more that has come up.

A motion was made to enter Executive Session to discuss the performance of 3 employees by Mr. Towers, seconded by Mr. McGovern. Carried.

A motion was made to open session by Mr. Towers; seconded by Mr. McGovern.

The Chairman reported that while in Executive Session the Board discussed the performance of 3 employees. No action was taken.

As there was no further business, motion to adjourn by Mr. McGovern seconded by Ms. Pincombe. Carried.