

2014

FIFTH SESSION

MAY 1, 2014

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	Phillip C. Snyder
Hope	Robert Edwards
Indian Lake	Brian Wells
Inlet	John Frey
Lake Pleasant	Neil P. McGovern
Long Lake	ABSENT
Morehouse	William G. Farber
Wells	Brian Towers

Also present: County Attorney, Adirondack Lakes Center for the Arts and Pete Klein

A motion was made to accept the minutes of March 6, 2014 and April 3, 2014 by Mr. Wilt, seconded by Mr. Edwards. Carried.

Public Comment: No one present.

Reports of Standings/Special Committees:

Mr. Towers: Attended the Inter-county meeting in Lewis County at the Adirondack International Speedway.

On Tuesday the Highway Committee toured the northern county roads.

Adirondack Day is on Monday at the Well in Albany. Exhibits are from 11:00 AM – 5:00 PM and from 5:00 PM to 6:30 PM there is a reception for Taste of the Adirondacks.

Mr. Wilt: Attended the Warren County Next Generation 911 class, some are on the 3rd Generation and there aren't any classes for the 1st Generation. There is a class in Buffalo in June that will be more of a basic class.

Mr. Edwards: Attended Inter-county. They had a Solar City rep attend and they were told that there is potential for towns to put in solar and reap some benefits from it. He is going to contact them for more information.

The Chairman stated that he and Mr. Towers discussed having them come here and do a presentation to see if there are any opportunities for here or in Indian Lake. The Board agreed that would be a good idea.

Mr. Edwards attended the MEGA meeting and was elected to their Board. He went to the Indian Lake meal site to meet with the Board and Christie from Office for the Aging. Mr. Edwards discussed the actual cost of the meal sites and what is being donated. The true cost for a meal at any Hamilton County meal site is \$11.00 and change and they ask for a \$3.00 donation.

Mr. Wilt stated this was discussed during last year's budget discussion.

Mr. McGovern stated this needs to be worked on.

The Chairman stated when Christie comes to honor the seniors we can discuss it then.

Mr. Edwards reported July 30th is the next meeting in Long Lake.

Mr. Wells: Attended the Local Government Review Board meeting, Fred and Gary gave a review of a meeting that they had with the environmental groups regarding making some revision to the State Master Plan.

He attended 5 Towns meeting yesterday afternoon to look at grant opportunities through the TNC.

Mr. McGovern: Regarding Community Action, we have a shared interest with Warren County. He attends once a month and this past meeting they received the semi-yearly report and it is worth noting that the Food Pantries need support due to visits being up.

The Chairman introduced Adirondack Lakes Center for the Arts to award the Decentralization Grants.

Ms. Danielle Melendez introduced herself as the Decentralization Grant Coordinator. Ms. Melendez explained the grant program and announced the winners as follows:

- Town of Arietta – Piseco Library – Coffee House Music Series - \$800.00
- Town of Indian Lake – Indian Lake Theater – Arts & Cultures Thursdays - \$2,941.00
 - Hamilton County Reads Beyond Books - \$1,908.00
- Town of Inlet – Town of Inlet – Sunsets by the Lake Concert Series – 925.00
- Town of Lake Pleasant – Pretty Good Band – Concert and Parade Series - \$405.00
 - Lake Pleasant Central School – Peter Pan Production - \$600.00
- Town of Long Lake – Town of Long Lake – Portraits of Wilderness - \$5,000.00
 - Friends of Music – Long Lake Friends of Music Concert Series - \$1,500.00
 - Long Lake Central School – Adirondack Culture Day - \$3,681.00
 - St. Williams at Long Point – Thursdays Evenings on the Lake - \$2,520.00
- Town of Wells – Friends of Wells Library – Keeping it Alive with Songs and Styles of the Past - \$1,677.00
- Fulton Chain of Lakes Performing Arts Council - Evening with the Symphony - \$4,150.00

The Adirondack Lake Center for the Arts and awardees left at this time.

RESOLUTIONS:

After the following resolution was placed on the floor; the Chairman reported that the seniors were not able to attend, we will try to schedule them to come in for the June 5th meeting.

RESOLUTION NO. 104-14

PROCLAMATION - OLDER AMERICANS MONTH

DATED: MAY 1, 2014

BY MR. MCGOVERN:

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 Mr. Wilt and adopted by the following vote:

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 105-14

AUTHORIZING CHAIRMAN TO SIGN STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT AND CREATING ACCOUNT

DATED: MAY 1, 2014

BY MR. EDWARDS:

WHEREAS, Hamilton County has been awarded a Statewide Interoperable Communications Grant (Contract No. C198376) through the NYS Division of Homeland Security and Emergency Services in the amount of \$2,530,385.00, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign all the necessary paperwork to execute said contract, and be it further

RESOLVED, that County Treasurer is hereby authorized to create Account No. A3645.406 Statewide Communications Grant in the amount of \$2,530,385.00 to be totally offset by creating Revenue Account No. A3389.300 in the amount of \$2,530,385.00.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 106-14

MORTGAGE TAX DISTRIBUTION

DATED: MAY 1, 2014

BY MR. FREY:

WHEREAS, it appears from the reports of the County Clerk and the County Treasurer for the period October 1, 2013 through March 31, 2014, 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 \$73,167.00, 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 \$73,167.00 be and the same hereby is apportioned as follows:

Arietta	\$3,550.00
Benson	\$481.50
Hope	\$3,807.00
Indian Lake	\$19,230.00
Inlet	\$9,692.50
Lake Pleasant	\$9,130.37
Long Lake	\$19,084.50
Morehouse	\$1,051.00
Wells	\$5,349.00
Village of Speculator	\$1,791.13

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 Mr. McGovern and adopted by the following vote:

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 107-14

APPOINTMENT TO HAMILTON COUNTY WORKFORCE INVESTMENT BOARD

DATED: MAY 1, 2014

BY: MR. WELLS:

WHEREAS, a recommendation has been received to add Danielle Shaw of Indian Lake, NY to the Hamilton County Workforce Investment Board as business representative, be it

RESOLVED, that the following person be added as a new business representative member of the Hamilton County Workforce Investment Board:

Danielle Shaw of Indian Lake, NY

and be it also

RESOLVED, that the Hamilton County Board of Supervisors hereby recommends Danielle Shaw to the Regional Workforce Investment Board for membership.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 108-14

**AGREEMENT WITH HAMILTON COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE HAMILTON COUNTY DISTRICT ATTORNEY**

DATED: MAY 1, 2014

BY MR. EDWARD:

WHEREAS, the Commissioner of the Hamilton County Department of Social Services recognizes it is the statutory responsibility of the District Attorney to prosecute crimes committed in Hamilton County, and

WHEREAS, the District Attorney recognizes the Commissioner maintains the responsibility to investigate allegations of Welfare Fraud in all programs within the Department of Social Services and to recover overpayments of assistance that occur as the result of fraudulent activity, and

WHEREAS, the District Attorney recognizes the Commissioner is required by the NYS Office of Temporary and Disability Assistance to make referrals to the District Attorney to prosecute these cases, therefore, be it

RESOLVED, the Chairman of the Hamilton County Board of Supervisors, Commissioner of the Department of Social Services and the District Attorney are hereby authorized to sign an agreement between the Hamilton County Department of Social Services and the Hamilton County District Attorney to investigate and prosecute cases of fraudulent activity against the Department of Social Services in Hamilton County.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 109-14

AUTHORIZING CONTRACT WITH LICENSED SOCIAL WORKER – MELISSA COOL

DATED: MAY 1, 2014

BY MR. WILT:

WHEREAS, the Hamilton County Public Health Nursing Service contracts with individual providers of medical social worker services for several programs, and

WHEREAS, Melissa Cool, LMSW, of 5810 State Highway 29, St Johnsville, NY, is a duly licensed master social worker by the NYS Department of Education, Office of Professions and wishes to contract with the Nursing Service, and

WHEREAS, the term of this contract shall be from May 1, 2014 through April 30, 2015 and compensated at a rate of \$70.00 per visit plus mileage at the current county rate, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a contract with Melissa Cool, LMSW to provide medical social work services to the residents of Hamilton County, for the period May 1, 2014 through April 30, 2015 at a rate of \$70.00 per visit plus mileage upon approval of the County Attorney and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 110-14

AUTHORIZING CONTRACT WITH LICENSED SOCIAL WORKER – REBECCA WEIDERMAN

DATED: MAY 1, 2014

BY MR. SNYDER:

WHEREAS, the Hamilton County Public Health Nursing Service contracts with individual providers of medical social worker services for several programs, and

WHEREAS, Rebecca Weiderman, LMSW, of 102 Prospect St, Johnstown, NY is a duly licensed master social worker by the NYS Department of Education, Office of Professions and wishes to contract with the Nursing Service, and

WHEREAS, the term of this contract shall be from May 1, 2014 through April 30, 2015 and compensated at a rate of \$70.00 per visit plus mileage at the current county rate, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a contract with Rebecca Weiderman, LMSW to provide medical social work services to the residents of Hamilton County, for the period May 1, 2014 through April 30, 2015 at a rate of \$70.00 per visit plus mileage upon approval of the County Attorney and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 111-14

MEDICAID AND MEDICARE COST REPORTS

DATED: MAY 1, 2014

BY MR. MCGOVERN:

WHEREAS, the Hamilton County Public Health Nursing Service is required to submit the following Cost Reports annually for all services provided by the Nursing Service:

Certified Home Health Agency Medicare Cost Report
Certified Home Health Agency Medicaid Cost Report
Diagnostic and Clinic Services Medicaid Cost Report

WHEREAS, the current contracted provider of accounting services for the Nursing service is McCarthy and Conlon, LLP, and

WHEREAS, Michael McCarthy, CPA will complete the reports within appropriate timeframes and review results with the Public Health Nursing Service, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the Medicaid and Medicare Cost Reports for Year 2013.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 112-14

AUTHORIZING SIGNATURE FOR AMENDMENT TO ANCILLARY PROVIDER AGREEMENT BETWEEN HAMILTON COUNTY PUBLIC HEALTH NURSING SERVICE AND CAPITAL DISTRICT PHYSICIANS' HEALTH PLAN, INC (CDPHP)

DATED: MAY 1, 2014

BY MR. FREY:

WHEREAS, CDPHP Universal Benefits, Inc. and Hamilton County Public Health Nursing Service (HCPHNS) have previously entered into a certain Unified Ancillary Provider Agreement which is currently in effect, and

WHEREAS , CDPHP and HCPHNS desire to amend and modify the Agreement to clarify the reimbursement terms for certain items and services, which reflects changes in the current health care industry, and

WHEREAS, CDPHP and HCPHNS have agreed to the following fee schedule as set forth in Schedule A Reimbursement for Commercial Programs of the Provider Agreement:

Skilled Nursing Visit	\$160.00
Physical Therapy Visit	\$120.00
Occupational Therapy Visit	\$102.00
Speech Therapy Visit	\$97.00
Social Worker Visit	\$97.00

WHEREAS, CDPHP and HCPHNS have agreed to the following fee schedule as set forth in Schedule B Medicare Advantage Fees of the Provider Agreement:

Skilled Nursing Visit	\$170.00
Physical Therapy Visit	\$140.00
Occupational Therapy Visit	\$102.00
Speech Therapy Visit	\$97.00
Social Worker Visit	\$97.00

WHEREAS, the remaining provisions of the Agreement are not affected by this Amendment and will continue to be binding, and

WHEREAS, HCPHNS agrees that the current rates will remain in effect until the new rates become effective on May 1, 2014, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the amendment to the Ancillary Provider Agreement between the Hamilton County Public Health Nursing Service and CDPHP upon approval of the County Attorney.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 113-14

**AUTHORIZING PAYMENT TO TODAY'S OPTIONS FOR OVERPAYMENT
ADJUSTMENT**

DATED: MAY 1, 2014

BY MR. TOWERS:

WHEREAS, the Hamilton County Public Health Nursing Service has identified that Today's Options has overpaid for services rendered to a county resident with Patient Acct # 7056677666136417279 in October 2013 by \$391.91, and

WHEREAS, revenue for the above services were credited to the 2013 Revenue Account A1610.000, be it

RESOLVED, that the Hamilton County Treasurer is hereby authorized to repay said \$391.91 to Today's Options P.O. Box 505057 St. Louis, MO 63150-2127 from the 2014 Revenue Account A1610.000.

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

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

NAYS: NONE

ABSENT: SEAMAN

After the following resolution was placed on the floor; Mr. Towers stated this resolution was discussed on committee day.

RESOLUTION NO. 114-14

**ADOPTING REVISED DEPUTY COUNTY HIGHWAY SUPERINTENDENT JOB
DESCRIPTION**

DATED: MAY 1, 2014

BY MR. TOWERS:

WHEREAS, the County Highway Department currently has a Deputy Highway Superintendent job description, and

WHEREAS, the current Deputy County Highway Superintendent will be retiring at the end of 2014, and

WHEREAS, the County Highway Superintendent recommends changing the current job description because of some changes in the role of Deputy County Superintendent after the current Deputy retires, be it

RESOLVED, the Deputy County Highway Superintendent Job Description, as on file in the Personnel Office, replaces the previous Deputy Highway Superintendent Job Description, and be it further

RESOLVED, that the Personnel Officer will be submitting the new description to the New York State Department of Civil Service for a competitive class examination date to be announced at a later date and the County Personnel Officer, Highway Superintendent and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: SEAMAN

After the following resolution was placed on the floor; Mr. McGovern stated Mr. Eldridge continues to come up with innovative ways.

RESOLUTION NO. 115-14

AUTHORIZATION OF ADDITIONAL HOURS FOR COUNTY EMPLOYEE

DATED: MAY 1, 2014

BY MR. MCGOVERN:

WHEREAS, the Buildings Department in need of extra help for the efficient operations of the Lake Pleasant Court House and facilities, and

WHEREAS, there is a current employee, Diana Stuart, that is interested in fulfilling this need for the Buildings Department, and

WHEREAS, the said employee's current work schedule is thirty-five (35) hours per week within the Highway Office as an Account Clerk/Computer Support Aid, and

WHEREAS, the Buildings Superintendent recommends the work schedule of the Account Clerk/CSA be extended temporarily to work five (5) hours per week for the Buildings Department as a Cleaner beginning Monday May 5, 2014 until September 26, 2014, be it

RESOLVED, the Buildings Superintendent is hereby authorized to add five (5) hours per week to the work schedule of Diana Stuart, at Cleaner Step 5 Rate to include her current merit and the County Treasurer be so authorized and the Personnel Officer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: SEAMAN

After the following resolution was placed on the floor; Mr. Towers stated it was discussed on committee day that Fulton County was no longer interested in taking our tires and this is a good deal.

RESOLUTION NO. 116-14

AUTHORIZING SOLID WASTE COORDINATOR TO HAVE WORLD WIDE TIRE DISTRIBUTOR PICK UP WASTE TIRES FOR RECYCLING

DATED: MAY 1, 2014

BY MR. TOWERS:

WHEREAS, Hamilton County had recently contracted with Fulton County to accept the county's waste tires for recycling, and

WHEREAS, the contract was for a trial basis for a period of six (6) months, and

WHEREAS, the six months has passed and Fulton County has decided that they do not want to continue with the said contract, and

WHEREAS, the Solid Waste Coordinator has contacted World Wide Tire Distributor to take the county's waste tires to be recycled and they gave the following proposal to recycle and pick up the county's tires:

Passenger Tires -	\$1.50 each
Light Truck Tires -	\$2.00 each
Passenger Tires on Rims -	\$2.00 each
Light Truck Tires on Wheels -	\$2.00 each
Industrial and Small Medium Commercial -	\$6.00 each
Medium Commercial Tires -	\$8.00 each

and the said company is an approved DEC waste tire recycler, and

WHEREAS, the Solid Waste Coordinator recommends and requests approval to have World Wide Tire Distributor recycle Hamilton County's waste tire for 2014, be it

RESOLVED, the Solid Waste Coordinator is hereby authorized to utilize World Wide Tire Distributor for the year 2014 to dispose of Hamilton County's waste tires for the amounts stated herein and the County Treasurer, Clerk of the Board and Solid Waste Coordinator be so advised.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 117-14

AMENDING AMOUNT OF 2014 BUDGET APPROPRIATION FOR CAPITAL ROAD PROJECTS

DATED: MAY 1, 2014

BY MR. TOWERS:

WHEREAS, the budget appropriation amount for Capital Road Projects for 2014 was set and adopted for \$590,772.00 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 2014 is set at \$647,097.00, and

WHEREAS, the County Highway Superintendent recommends that the County Board amend the 2014 appropriation for Capital Projects from \$590,772.00 to \$647,097.00 to accomplish the County Highway Projects for 2014, be it

RESOLVED, that the 2014 budget appropriation for Capital Road Projects Account No. 5112.202 be amended from \$590,772.00 to \$647,097.00 and also increase Revenue Account No.D3501.0 Consolidated Highway Aid from \$590,772.00 to \$647,097.00 and the County Treasurer and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 118-14

APPROVAL OF EXPENDITURES FOR CONSTRUCTION OF COUNTY ROAD FUND PROJECTS FOR 2014

DATED: MAY 1, 2014

BY MR. MCGOVERN:

WHEREAS, there has been appropriated in the 2014 highway budget the sum of \$647,097.00 for the construction of County Road Fund Projects for 2014, and

WHEREAS, the Highway Committee and the County Highway Superintendent have recommended the expenditure of \$540,000.00 for the construction of the following projects:

COUNTY ROAD FUND PROJECT NO. 1 Town of Indian Lake
Co Rd No. 12 – Cedar River Road, Improve drainage, recycle base and pave @ 20 ft.
Approx. 2.0 miles.....\$185,000.00

COUNTY ROAD FUND PROJECT NO. 2 Town of Lake Pleasant
Co Rd No. 11 – South Shore Road, Improve drainage, recycle base and pave @ 20 ft.
Approx. 1.0 miles..... \$130,000.00

COUNTY ROAD FUND PROJECT NO. 3 Town of Benson
Co Rd No. 6 – Benson Road, Improve drainage, recycle base and pave @ 20 ft.
Approx. 0.5 miles..... \$75,000.00

COUNTY ROAD PROJECT NO. 4 Town of Arietta
Co. Rd No. 24 – Old Piseco Road, Hot Mix Asphalt Overlay @ 20 ft.
Approx. 1.0 miles..... \$100,000.00

COUNTY BRIDGE FUND PROJECT NO. 5 Town of Wells
Gilmantown Road, Replace superstructure and guide rails
Approx.\$50,000.00

and

WHEREAS, the above designated roads and bridge are on a completed system of the Hamilton County road map adopted by the Board of Supervisors of Hamilton County and approved by the Commissioner of Transportation, be it

RESOLVED, that the Board of Supervisors of the County of Hamilton does allot and appropriate from Account No. D5112.202 Capital Projects, the sum of \$540,000.00, for the construction of the above designated projects as recommended by the County Highway Superintendent and the County Treasurer and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 119-14

**ACCEPTANCE OF BIDS FOR EQUIPMENT RENTAL WITHOUT OPERATOR
FOR 2014**

DATED: MAY 1, 2014

BY MR. FREY:

WHEREAS, Hamilton County Highway Department heretofore solicited bids for Rental Of Equipment Without Operator pursuant to invitation to bidders and in accordance with Specification No. 2-2014, and

WHEREAS, seven (7) bids were received in response to the said invitation to bidders, as on file with the Clerk of the Board, and

WHEREAS, the intention of the bid proposal dated April 22, 2014, Spec. No. 2-2014, is to secure a tabulated list of Equipment Rental Rates Without Operator to be used by the Hamilton County Highway Department as necessary, be it

RESOLVED, that all bids be and hereby are listed and accepted and are to be tabulated and used as needed and as available in order of rate beginning with the lowest in each category, and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 120-14

AWARD OF BIDS FOR STONE, SAND AND GRAVEL ITEMS FOR 2014

DATED: MAY 1, 2014

BY MR. TOWERS:

WHEREAS, Hamilton County Highway Department solicited bids for purchase of Stone, Sand and Gravel Items for 2014, pursuant to invitation to bidders and in accordance with Specification No. 3-2014, dated April 22, 2014 and

WHEREAS, eleven (11) bids were received in response to the said invitation to bidders, as on file with the Clerk of the Board, be it

RESOLVED, that all bids for Stone, Sand and Gravel Items For 2014 be accepted and awards made wherever hauling and loading expense and quality of product is most advantageous to the Hamilton County Highway Department as determined by the County Highway Superintendent and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 121-14

ACCEPTANCE OF BID FOR READY MIX CONCRETE DELIVERED AND APPLIED AT VARIOUS LOCATIONS WITHIN HAMILTON COUNTY FOR 2014

DATED: MAY 1, 2014

BY MR. TOWERS:

WHEREAS, Hamilton County Highway Department heretofore solicited bids for the county's purchase of Ready Mix concrete delivered and applied, pursuant to invitation to bidders and in accordance with Specification No. 4-2014, Dated April 22, 2014, and

WHEREAS, three (3) bids were received in response to the said invitation to bidders, follows:

- (1) Miller's Ready Mix Concrete and Block
PO Box 291
Mayfield, NY 12117

Item No. 1 – New York State Standard Class “A” Mix Concrete

Total delivered price per cubic yard to the following towns:

Arietta	\$ 140.00	Lake Pleasant	\$ 124.00
Benson	\$ 110.00	Long Lake	\$ N/A
Hope	\$ 110.00	Morehouse	\$ 140.00
Indian Lake	\$ 142.00	Wells	\$ 113.25
Inlet	\$ N/A		

Item No. 2 – 4000 LBS Ready Mix Concrete (Non-DOT)

Total delivered price per cubic yard to the following towns:

Arietta	\$ 134.00	Lake Pleasant	\$ 123.25
Benson	\$ 110.00	Long Lake	\$ N/A
Hope	\$ 110.00	Morehouse	\$ 134.00
Indian Lake	\$ 140.00	Wells	\$ 112.75
Inlet	\$ N/A		

- (2) Cranesville Block Co.
1250 Riverfront Center
Amsterdam, NY 12010

Item No. 1 – New York State Standard Class “A” Mix Concrete

Total delivered price per cubic yard to the following towns:

Arietta	\$ N/A	Lake Pleasant	\$ 126.00
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Benson	\$ 115.45	Long Lake	\$ N/A
Hope	\$ 115.45	Morehouse	\$ N/A
Indian Lake	\$ 142.00	Wells	\$ 116.45
Inlet	\$ 137.00		

Item No. 2 – 4000 LBS Ready Mix Concrete (Non-DOT)

Total delivered price per cubic yard to the following towns:

Arietta	\$ N/A	Lake Pleasant	\$ 124.00
Benson	\$ 115.45	Long Lake	\$ N/A
Hope	\$ 115.45	Morehouse	\$ N/A
Indian Lake	\$ 140.00	Wells	\$116.45
Inlet	\$ 142.45		

- (3) V.S. Virkler & Son Inc.
7513 East State St.
Lowville, NY 13367

Item No. 1 – New York State Standard Class “A” Mix Concrete

Total delivered price per cubic yard to the following towns:

Arietta	\$ 112.00	Lake Pleasant	\$ 114.00
Benson	\$ N/A	Long Lake	\$ N/A
Hope	\$ N/A	Morehouse	\$ 110.00
Indian Lake	\$ N/A	Wells	\$ N/A
Inlet	\$ 116.00		

Item No. 2 – 4000 LBS Ready Mix Concrete (Non-DOT)

Total delivered price per cubic yard to the following towns:

Arietta	\$ 105.50	Lake Pleasant	\$ 107.50
Benson	\$ N/A	Long Lake	\$ N/A
Hope	\$ N/A	Morehouse	\$ 103.50
Indian Lake	\$ N/A	Wells	\$ N/A
Inlet	\$ 104.50		

RESOLVED, that all bids be and hereby are listed and accepted and are to be tabulated and used as needed and as the Highway Superintendent sees most advantageous to Hamilton County and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 122-14

ACCEPTANCE OF BIDS FOR COLD IN-PLACE RECLAMATION FOR 2014

DATED: MAY 1, 2014

BY MR. MCGOVERN:

WHEREAS, two (2) bids were received for COLD IN-PLACE ASPHALT RECLAMATION FOR 2014, in accordance with Specification No. 5-2014, dated April 22, 2014, 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 III COLD IN-PLACE RECLAMATION

	Recycle Price/ <i>square yard</i>	Recycle, Shape, Compact/ <i>square yard</i>
0-4 inches	\$.629	\$1.219
4-7 inches	\$.64	\$1.25
7-10 inches	\$.66	\$1.35
10-13 inches	\$.71	\$1.45

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

TYPE III: COLD IN-PLACE RECLAMATION

	Recycle Price/ <i>square yard</i>	Recycle, Shape, Compact/ <i>square yard</i>
0-4 inches	\$.729	\$1.279
4-7 inches	\$.749	\$1.319
7-10 inches	\$.749	\$1.399
10-13 inches	\$.799	\$1.469

and

WHEREAS, the County Highway Superintendent recommends the award be made to the low bidder for Type III Cold In-Place Reclamation, be it

RESOLVED, that award be made for COLD IN-PLACE ASPHALT RECLAMATION FOR 2014 as follows:

Type III – Gorman Bros. Inc., 200 Church St., Albany, NY 12202

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 123-14

AWARD OF BID FOR BAGGED, BULK, AND LIQUID CALCIUM CHLORIDE AND EMULSIFIED ASPHALT DUST CONTROL MATERIALS FOR 2014

DATED: MAY 1, 2014

BY MR. TOWERS:

WHEREAS, two (2) bids were received for BAGGED, BULK, AND LIQUID CALCIUM CHLORIDE AND EMULSIFIED ASPHALT DUST CONTROL MATERIALS FOR 2014 in accordance with SPECIFICATION NO. 6-2014, dated APRIL 22, 2014, as advertised by the County Highway Superintendent, and

WHEREAS, the following bids were received:

1. Gorman Brothers, Inc.
Att: Edward House, Vice President Supply & Distribution
200 Church Street
Albany , N.Y. 12202

BAGGED CaCl₂ -- Price per Ton
(100# bags) \$650.00 per Ton

LIQUID CaCl₂ -- Price per Gallon
35% Bulk Liquid Delivered \$.90 per Gallon
35% Bulk Liquid Applied \$.95 per Gallon
32% Corrosion Inhibited Delivered \$1.25 per Gallon
32% Corrosion Inhibited Applied \$1.35per Gallon

EMULSIFIED ASPHALT -- Price per Gallon - NO BID

2. Peckham Materials Corp.
Jerry Castimore, Assistant Secretary
2 Union St. Ext.
Athens, NY 12015

BAGGED CaCl₂ -- Price per Ton
(100# bags) Delivered \$ No Bid per Ton

LIQUID CaCl₂ -- Price per Gallon
35% Bulk Liquid Delivered \$.98per Gallon
35% Bulk Liquid Applied \$.98per Gallon
32% Corrosion Inhibited Delivered \$.98 per Gallon
32% Corrosion Inhibited Applied \$.98 per Gallon

EMULSIFIED ASPHALT -- Price per Gallon -

Dust control applied \$ No Bid
Concentrate Bulk (Coherex or equal) \$ No Bid
Dilution Rate:

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 2014 as follows:

Bagged CACL - Gorman Brothers, Inc. \$650.00 per ton

LIQUID CACL₂ -- Price per Gallon

35% Bulk Liquid Delivered	\$.90 per Gallon – Gorman Bros., Inc.
35% Bulk Liquid Applied	\$.95 per Gallon – Gorman Bros., Inc.
32% Corrosion Inhibited Delivered	\$.98 per Gallon – Peckham Materials Corp.
32% Corrosion Inhibited Applied	\$.98 per Gallon – Peckham Materials Corp.

Emulsified Asphalt –

Dust control applied	\$ No Bids
Concentrate Bulk (Coherex or equal)	\$ No Bids

Dilution Rate:

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 124-14

**SEQRA REVIEW & APPROVAL TO ADVERTISE FOR THE
PHASE II HAMILTON COUNTY FUEL CONSOLIDATION PROJECT**

DATED: MAY 1, 2014

BY MR. WELLS:

WHEREAS, the Department of State (DOS) has announced funding of \$600,000 for the Phase II Hamilton County Fuel Consolidation Project (FCP), and

WHEREAS, the funding contract between the DOS and County requires that the project meet the requirements of the State Environmental Review Act (SEQRA), and

WHEREAS, the Design Engineer, Laberge Group, has developed construction plans for the project which have been circulated to potentially interested State Agency's and local governments, and

WHEREAS, the Contract Documents call for removal of existing fuel tanks and dispensing systems that are located at the three sites known as the Town of Indian Lake Highway Garage Site and the County's Highway Garage Sites located in Indian Lake and Long Lake, and

WHEREAS, the Contract Documents call for installation of a new above ground fuel storage and dispensing system at the Town of Indian Lake Highway Garage Site and County Highway Garage Site in Long Lake, and

WHEREAS, the Adirondack Park Agency has made a determination that the proposed project is not subject to their jurisdiction nor does it require a permit, and

WHEREAS, the Town of Long Lake and Town of Indian Lake have determined that the proposed project is not subject to their jurisdiction nor does it require a permit, and

WHEREAS, plans have been modified to address comments received from the NYSDOS and NYSDEC as potential permitting agencies, and

WHEREAS, the Board has examined and reviewed the Environmental Assessment Form (EAF) prepared for this project, therefore, be it

RESOLVED, based on an examination of the EAF, the criteria contained in 6 NYCRR §617.7, and based further on the knowledge of the action and its environmental effects as the Board has deemed appropriate, the Board makes the following determinations pursuant to SEQRA:

- a. The Action to be undertaken is considered an Unlisted Action per Article 8 of the Environmental Conservation Law; and
- b. The Board declares itself Lead Agency with respect to uncoordinated review pursuant to SEQRA; and
- c. The Action will not have a significant effect on the environment, and the Board hereby issues a negative declaration pursuant to SEQRA EAF, attached as Exhibit A; and
- d. The Board authorizes the Chairman Farber to sign the EAF and provide two (2) original copies of this resolution and signed EAF to the Laberge Group for grant compliance documentation.

BE IT FURTHER RESOLVED, that the Hamilton County Highway Superintendent is authorized to advertize for construction bids for the FCP using the contract documents provided by the Laberge Group.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 125-14

AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH HAROFF AUCTION & REALTY, INC. FOR PROPERTY AUCTION

DATED: MAY 1, 2014

BY MR. FREY:

WHEREAS, the County of Hamilton had success in a property tax auction in 2013 with Haroff Auction & Realty, Inc., and

WHEREAS, Hamilton County now has two properties in the County's name and is responsible for the school taxes on these parcels, be it

RESOLVED, that the County of Hamilton contract with Haroff Auction & Realty, Inc. to hold a property auction on our behalf to be held in conjunction with Fulton County's tax property auction of June 18, 2014 to be held in Johnstown, NY, and be it further

RESOLVED, that the Chairman of the Board is so authorized to sign a contract with Haroff Auction & Realty, Inc. for the above purpose.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 126-14

CONTRACT FOR INDIRECT COST REIMBURSEMENT PLAN 2013-2014

DATED: MAY 1, 2014

BY MR. TOWERS:

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 2012, and

WHEREAS, Thomas J. Faughnan has made a proposal to implement the indirect cost allocation program for the fiscal years 2013 and 2014 on the same terms and conditions, for Four Thousand Nine Hundred Dollars (\$4,900.00) for 2013 and Four Thousand Nine Hundred Dollars (\$4,900.00) for 2014, 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 2013 and the 2014 indirect cost allocation program for the County of Hamilton for the fiscal years 2013 and 2014 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 Nine Hundred Dollars (\$4,900.00) for the preparation of the program for the year 2013 and Four Thousand Nine Hundred Dollars (\$4,900.00) for the year 2014, and be it further

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

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

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, FARBER AND

TOWERS

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 127-14

**APPROVAL OF PUBLIC HEALTH NURSING SERVICE/HOME HEALTH AGENCY
2013 AGENCY PERFORMANCE REPORT**

DATED: MAY 1, 2014

BY MR. MCGOVERN:

WHEREAS, the Professional Advisory Committee of the Hamilton County Public Health Nursing Service/Home Health Agency accepted the 2013 Agency Performance Report at the April 10, 2014 quarterly meeting, and

WHEREAS, the 2013 Agency Performance Report was presented to the Health Committee of the Board of Supervisors on May 1, 2014, be it

RESOLVED, that the above mentioned 2013 Agency Performance Report be approved as presented by the Hamilton County Public Health Nursing Service to the Health Committee of the Hamilton County Board of Supervisors.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 128-14

**AUTHORIZING PROVIDER AGREEMENT BETWEEN POMCO GROUP
INSURANCE AND HAMILTON COUNTY PUBLIC HEALTH NURSING SERVICE
FOR PROVISION OF CERTIFIED HOME HEALTH AGENCY SERVICES**

DATED: MAY 1, 2014

BY MR. MCGOVERN:

WHEREAS, POMCO Group Insurance has requested a Provider Agreement with the Hamilton County Public Health Nursing Service for the provision of Certified Home Health Agency Services for their participants, and

WHEREAS, the Hamilton County Public Health Nursing Service and POMCO Group have agreed to the following fee schedule as set forth in Exhibit A of the Provider Agreement:

Skilled Nursing Visit \$170.00

Physical Therapy Visit	\$145.00
Occupational Therapy Visit	\$145.00
Speech Therapy Visit	\$145.00
Medical Social Worker Visit	\$145.00
Dietician Visit	\$130.00
Home Health Aide Hourly Rate	\$70.00

be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a Provider Agreement with POMCO Group, for the term commencing May 1, 2014 upon approval of the County Attorney.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 129-14

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

DATED: MAY 1, 2014

BY MR. TOWERS:

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

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

WHEREAS, this contract has been submitted for renewal for the period April 1, 2014 – March 31, 2015 in the full amount of \$2,500.00, be it

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

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 130-14

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

DATED: MAY 1, 2014

BY MR. MCGOVERN:

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

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

WHEREAS, this contract has been submitted for renewal for the period April 1, 2014 – March 31, 2015 in an amount not to exceed \$25,000.00, be it

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

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 131-14

APPROVAL TO PAY WIA PROGRAM INVOICE

DATED: MAY 1, 2014

BY MR. FREY:

WHEREAS, the Hamilton County WIA Program, managed by the Hamilton County Department of Social Services, is purchasing gas only gift cards for WIA clients that are either currently participating in job training or job searches, and

WHEREAS, the WIA program currently has two clients in job training but the Department of Social Services did not receive the invoice until after the cutoff for bills for the regular audit to be paid on May 1, 2014, therefore, be it

RESOLVED, that the County Treasurer by authorized to pay the following vendor the amount of \$800.00 (Eight Hundred Dollars) for the gas cards from WIA Account No. A6290.405 WIA Tuition and Education Assistance:

Stewart's Shops Corp.
P.O. Box 435
Saratoga Springs, NY 12866

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 132-14

UNDERTAKING FOR THE BENEFIT OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION - IN CONNECTION WITH WORK AFFECTING STATE HIGHWAYS

DATED: MAY 1, 2014

BY MR. TOWERS:

WHEREAS, Hamilton County from time to time receives permits from the New York State Department of Transportation (NYSDOT) and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities, and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and /or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

1. **Permit Applications.** Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration.
2. **Applicable Rules, Regulations & Conditions.** Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and

operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.

3. **Site Restoration.** Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.
4. **Payment & Release of Liens.** Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way, and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.
5. **Indemnity.** In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations. This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of the Undertaking. Unless terminated for the purposes of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply,

BE IT RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign said Undertaking.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 133-14

**AUTHORIZING USE OF THE HAMILTON COUNTY CREDIT CARD
TO FUND AND AUTOMATICALLY REPLENISH E-Z PASS TRANSACTIONS**

DATED: MAY 1, 2014

BY MR. FREY:

WHEREAS, it is necessary to transport our recyclables out of the county to facilities in locations requiring the use of toll highways, and

WHEREAS, tolls incurred during these trips must be paid out-of-pocket by the driver and then reimbursed after receipts are turned in, and

WHEREAS, the Fleet Coordinator recommends using the E-ZPass system for the 4 (four) solid waste tractor-trailers in addition to one E-ZPass to be shared by the Board of Supervisor's Office for Hamilton County Fleet Car #905 and the Highway Department for Hamilton County Fleet Car #746, and

WHEREAS, the cost to fund 5 E-ZPass Tags is \$225 for pre-paid tolls and the monthly tag fee is \$1.50 (.50 per tag). The account will be replenished from the credit card to this balance when it falls below 25%. An account analysis will be performed 35 days from the first tag use and periodically thereafter. If monthly use is consistently above or below the prepaid amount, E-ZPass will adjust to approximate a month's level of use, and

WHEREAS, Hamilton County is able to terminate participation at any time and the unused balance (if any) will be credited once all tags have been returned, be it

RESOLVED, that the County Fleet Coordinator be authorized to enter into an agreement to obtain 5 E-ZPass Tags, and be it further

RESOLVED, that the Fleet Coordinator be authorized to use the Hamilton County Credit Card to set up the account and use it for replenishment of the prepaid tolls and the Clerk of the Board, Highway Superintendent and the County Solid Waste Coordinator be so advised.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 134-14

**AUTHORIZING PAYMENT TO DEPARTMENT OF LABOR FOR BOILER
INSPECTIONS**

DATED: MAY 1, 2014

BY MR. WELLS:

WHEREAS, the Highway Facilities located in Lake Pleasant and Long Lake were due for Boiler Inspections per the Department of Labor DOSH –Boiler Safety Bureau, and

WHEREAS, the said inspections were performed on April 22, 2014 and the Fee for the inspections is \$150.00 for both, and

WHEREAS, the County Highway Superintendent recommends payment be made for the said inspections, be it

RESOLVED, that the Hamilton County Board of Supervisors do hereby authorize payment for the said Boiler Inspections, and be it further

RESOLVED, that the County Treasurer is hereby authorized to make a check payable to:

Department of Labor
DOSHS-Boiler and Safety Bureau
State Campus Building #12
Albany, NY 12240

in the amount of \$150.00 and the funds be taken out of Account No. A1620.404 Repairs & Misc-Hwy and the Clerk of the Board and Buildings department be so notified.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 135-14

AUTHORIZING DEPOSITION OF EXCESS VEHICLES/EQUIPMENT

DATED: MAY 1, 2014

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>
2004	Chevrolet Silverado Pick-up	1GCHK24U44E381267	L62227	HWY	96
2004	Chevrolet Silverado Pick-up	1GCHK24U4E382326	L64274	HWY	92

be it

RESOLVED, the above vehicles/equipment be sold to any town within the county interested in purchasing any item or by auction on line by Auctions International and funds from the mentioned auction shall be a revenue credit to Revenue Account 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: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, FARBER AND TOWERS

NAYS: NONE

ABSENT: SEAMAN

After the following resolution was placed on the floor; the Chairman explained this resolution came about after having conversations with Mr. Eldridge. They have had formal and informal meetings regarding fuel consolidations with DOS and where the next opportunities are with our fuel consolidation plan and phase III. The CFA process this year opens today and closes in mid-June which is why this resolution is on the agenda today.

RESOLUTION NO. 136-14

RESOLUTION AUTHORIZING CHAIRMAN WILLIAM G. FARBER TO ENTER INTO AN AGREEMENT WITH LABERGE GROUP TO PREPARE A CONSOLIDATED FUNDING APPLICATION SUBMISSION AND UPON AWARD OF GRANT FUNDING DELIVER IMPLEMENTATION SERVICES AS NECESSARY TO SUPPORT THE COUNTY SHARED SERVICE CONSOLIDATION STRATEGY

DATED: MAY 1, 2014

BY MR. FREY:

WHEREAS, Laberge Group was retained for grant writing, engineering, surveying and construction administration services for Phase 1 of the Hamilton County Fuel Management Consolidation Project constructed during 2010, and

WHEREAS, Laberge Group was retained by the County following local procurement policies to prepare a funding application under the 2012-2013 Local Government Efficiency Grant program and upon award of grant funding deliver implementation services per Authorization to Proceed dated February 5, 2013, and

WHEREAS, Laberge Group is currently working for Hamilton County to implement Phase II of the Hamilton County Fuel Management Consolidation Project, and

WHEREAS, the Board of Supervisors, after due consideration, has determined that it is desirable and in the public interest to prepare a Consolidated Funding Application submission to develop Phase III of the Hamilton County Fuel Management Consolidation Project as well as other initiatives consistent with the County's Comprehensive Efficiency Strategy, therefore, be it

RESOLVED, that Hamilton County Board of Supervisors authorizes and directs Hamilton County's Chairman, William G. Farber to enter into an agreement with Laberge Group to prepare an application for financial assistance under the Consolidation Funding Application for a fee not to exceed \$8,000.00 and upon award of grant funding deliver engineering, surveying, environmental permitting and construction observation/administration services as required for project implementation.

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 137-14

APPROVAL OF AND TRANSFER OF FUNDS FOR 2014 MERIT PAY

DATED: MAY 1, 2014

BY MR. WELLS:

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

WHEREAS, the Internal Management Committee met on April 22, 2014 to review merit evaluations, be it

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

CLERK OF THE BOARD

Ashley DeLong	May 30, 2014 to May 30, 2015	\$1.54
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COMMUNITY SERVICES

Carolyn Morrill-Cummins	May 22, 2014 to May 22, 2015	\$1.32
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COUNTY CLERK

Linda Kennedy	May 19, 2014 to May 19, 2015	\$1.43
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HIGHWAY

Paul Brown	May 5, 2014 to May 5, 2015	\$1.32
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John McArdle	May 20, 2014 to May 20, 2015	\$1.10
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John Walker	May 9, 2014 to May 9, 2015	\$1.43
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Paul Wolf	May 10, 2014 to May 10, 2015	\$1.43
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NURSING

Patricia Yates	May 11, 2014 to May 11, 2015	\$.77
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and be it further

RESOLVED, that the following transfers be made to cover the above 2014 merit pay:

FROM:	A1990.402	Contingent for Merit	\$20,104.70
TO:	A1040.105	Asst. Deputy Clerk of the Board	\$2,813.58
	A4310.101	Clinical Social Worker A	\$2,411.64
	A1410.107	Motor Vehicle Clerk	\$2,612.61
	D5110.101	Personal Services	\$2,678.72
	D5110.101	Personal Services	\$2,209.68
	D5110.101	Personal Services	\$2,985.84
	D5110.101	Personal Services	\$2,985.84
	A4010.123	Account Clerk/Typist	\$1,406.79

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

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

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

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 138-14

APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS

DATED: MAY 1, 2014

BY MR. TOWERS:

RESOLVED, that the bills in the Machinery Fund amounting to \$113,682.64 and bills in the County Road Fund amounting to \$32,575.63 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, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, FARBER AND
TOWERS

NAYS: NONE

ABSENT: SEAMAN

RESOLUTION NO. 139-14

APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND AND CAPITAL PROJECT 2013-1 FUEL CONSOLIDATION PHASE II

DATED: MAY 1, 2014

BY MR. FREY:

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$231,032.52 by the following committees:

Building Committee	\$24,459.78
Public Works (Solid Waste) Committee	13,664.76
Finance Committee	97,035.33
Health Committee.....	25,481.56
Human Services Committee.....	17,707.36
Central Government Committee	37,487.89
Emergency Prep./Emergency Response.....	13,173.96
Publicity, Tourism, Economic Development & Planning Committee.....	847.57
Internal Management Committee	1,174.31

and be it further

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

Fuel Consolidation Phase II.....	\$11,340.00
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are hereby approved.

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

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

NAYS: NONE

ABSENT: SEAMAN

Other Reports:

Mr. Snyder: The Northville-Lake Placid Trail will have a new starting point and there will be a ribbon cutting for it. Mr. Towers asked if they have done any work on the trail itself. Mr. Snyder stated that they have done some.

Mr. Towers: Asked if the Chairman had any information from the EMS Advisory meeting that was held last night. The Chairman stated it was fairly well attended, they continue to struggle to get all of the ambulance squads to attend. They adopted the by-laws and had some interest in officer positions. He encourages the Board members to interact with the Captains of the ambulance squads and encourage them to have an attendee at these meetings to bring back information.

Mr. Towers believes that the by-laws state there will be Board participation. Will we designate someone? The Chairman reported that would fall under the EM/EP Committee but we can have a meeting to discuss.

Mr. Frey: Announced Community Pride Day is next week. The Memorial Day Parade will be in Inlet on the 26th of May. The Board members are to meet at 1:30 PM at the Fire Hall for the 2:00 PM parade march.

The Chairman reported he was in Syracuse for the New York State School Budget Association for Towns and Mayors. The meeting was about how to budget with the property tax freeze. A short discussion took place on what this will mean for school districts budgeting.

As there was no further business, motion to adjourn by Mr. Towers, seconded by Mr. Wells. Carried.