

2014

FOURTH ANNUAL SESSION

NOVEMBER 21, 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 C. Edwards
Indian Lake	ABSENT
Inlet	John Frey
Lake Pleasant	Neil P. McGovern
Long Lake	ABSENT
Morehouse	William G. Farber
Wells	Brian E. Towers

Also present: Frank Mezzano, Tracy Eldridge and Pete Klein

A motion was made to accept the minutes of November 6, 2014 by Mr. McGovern, seconded by Mr. Wilt. Carried.

Public Comment: No one present

Reports of Standings/Special Committees:

Mr. Towers: Mr. Wells and he attended the Open Space Committee Meeting Wednesday in Ray Brook. The majority of the meeting was groups discussing their wish list for the plan. No official action was taken. The Committee has less and less representation from local governments.

Yesterday, Mr. Snyder and he attended Inter-County in Warren County. They passed the same resolution that is on today's agenda regarding changes to the SLMP. One of the other discussion items was State surplus, the \$500,000 for aid to counties toward developing plans to stay within the tax cap.

NYSAC does not expect the Legislature to come back in session before the end of the year.

NYSAC has a new credit card for counties which offers a 1% savings using this card.

Herkimer County will host Inter-County next year and there has been discussion that they would like to go to a by-monthly meeting schedule. There is concern this could be the beginning of the end.

The Chairman stated he feels it should stay the way it is.

Mr. Frey: Thanked Budget Officer Mezzano and the Department Heads for all their work on the budget.

Mr. Wilt: Mr. Mark Hoppe of Blue Wing was here yesterday and did a road tour. The next step is to confirm with the microwave company on a questionable property and its property lines. We will possibly be dealing with two property owners once the site is chosen and we will need to address that.

The Chairman stated what they are doing under the Communication Grant will require an APA permit so we will have to have a resolution at the next meeting to authorized the County Attorney to interview outside legal counsel so that we can bring someone on board to do the work for the permit. It will be a grant reimbursable cost.

Mr. McGovern: The local Snowmobile Clubs received grants for groomers and they have not received the money yet to purchase them.

The Chairman asked what they have done to follow up, Mr. McGovern stated a great deal. The Chairman stated it has been going on a long time now and if someone could get him the information on all the follow-ups he will look into it.

The Chairman reported that it isn't quite time to open up the Public Hearing on the budget so he will start with the resolutions and then at 11:00 AM he will stop to open the Public Hearing.

RESOLUTIONS:

After the following resolution was placed on the floor; Mr. McGovern stated he feels it was well thought out.

The Chairman stated that the Public Hearing was postponed until this coming Monday night in Old Forge from 4 PM to 6 PM. This is a great opportunity, so please make sure that people attend to tell their stories about the issues we have been talking about for years. It can be on snowmobiling, float planes, or loss of road access etc. All of these things are critically important.

RESOLUTION NO. 308-14

SUPPORTING ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD RECOMMENDATIONS TO AMEND THE ADIRONDACK STATE LAND MASTER PLAN

DATED: NOVEMBER 21, 2014

BY MR. TOWERS:

WHEREAS, the Adirondack Association of Towns & Villages and the Adirondack Park Local Government Review Board have long advocated for a comprehensive review of the Adirondack Park State Land Master Plan (SLMP) – the document that governs the use of all 2,614,000 acres of state-owned land in the Adirondacks, and

WHEREAS, the Adirondack Park Agency is currently initiating a process to review and amend the SLMP – which has not had a major review in a quarter century – and is in need of significant revisions to reflect the realities of today’s Adirondacks and the needs of the people who seek to make their homes and earn their livings here, and

WHEREAS, upon passage of the Adirondack Park Agency Act by the New York State legislature, the Act required the Adirondack Park Agency (APA) to draft the Adirondack State Land Master Plan for approval by the Governor, and

WHEREAS, Governor Rockefeller’s Memorandum in Support of the Act, and the Press Release he issued when he signed the SLMP in 1972 make it evidently clear that both he and the state legislature intended that the state interest in the protection and preservation of the natural resources of the Adirondacks be balanced with the needs of the residents for a strong economy and healthy communities, and

WHEREAS, the Statement of Legislative Finding and Purposes of the APA Act (Section 801) states “...the complementary needs of all the people of the state for the preservation of the park’s resources and open space character and of the park’s permanent, seasonal and transient populations for growth and service areas, employment, and a strong economic base, as well. In support of the essential interdependence of these needs, the plan represents a sensibly balanced apportionment of land to each.” and

WHEREAS, for the past four decades, state land purchasing and management policy in the Adirondacks have been tipped decidedly against economic sustainability. During that time, many traditional uses have been severely restricted or prohibited, and 320,000 acres of productive private forest lands have been purchased and converted to “forever wild” state forest preserve lands, and

WHEREAS, today, as documented in the 2014 Adirondack Park Regional Assessment, Adirondack populations continue to dwindle, schools continue to lose students, and emergency services continue to struggle financially and lose volunteers, and

WHEREAS, in recognition of the Agency’s current willingness to review and amend the SLMP, it is incumbent on local government to take this once in a lifetime opportunity to support amendments to the SLMP that reflect the need for economic development sensibly balanced with the character of the Adirondacks, and

WHEREAS, the Adirondack Park Local Government Review Board (Review Board) and the Adirondack Association of Towns and Villages (AATV) have prepared the attached list of their recommendations for changes in the SLMP, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby states its support for the recommended amendments to the State Land Master Plan attached hereto, and encourages the AATV and the Review Board to pursue said recommendations with all do haste, and be it further

RESOLVED, that a copy of this resolution be forwarded to Deputy Director of Planning, Kathy Regan, Adirondack Park Agency, PO Box 99, Ray Brook, NY 12977 and via email to SLP_Comments@apa.ny.gov, and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Senator Elizabeth Little, Senator Hugh Farley, Senator James L. Seward, Senator Joseph A. Griffo, Senator Patty Ritchie, Senator Kathy Marchione, Assemblyman Dan Stec, Assemblywoman Janet L. Duprey, Assemblyman Marc Butler, Assemblyman Ken Blankenbush, DEC Commissioner Joe Martens, Adirondack Park Agency Chair Lani Ulrich, DEC Region 5 Director Bob Stegemann, DEC Region 6 Director Judy Drabicki, the Twelve Counties of the Adirondacks, Adirondack Association of Towns and Villages and the Adirondack Park Local Government Review Board.

Seconded by All and adopted by the following vote:

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

NAYS: NONE

ABSENT: WELLS AND SEAMAN

Amending New York's State Land Master Plan:

Return Balance to the Plan: The introduction to the Plan contends that “the protection and preservation of the natural resources of the state lands within the Adirondacks must be paramount.” However, when the APA was created, and the SLMP was developed, the guiding information from the state legislature and governor made it clear that the **complementary needs of the environment and the economy *should be balanced*** on state lands. For the past four decades, state land purchasing and management policy in the Adirondacks have been tipped decidedly against economic sustainability. During that time, many traditional uses have been severely restricted or prohibited, and 320,000 acres of productive private forest lands have been purchased and converted to state forest preserve lands. Today, as documented in the 2014 Adirondack Park Regional Assessment, Adirondack populations continue to dwindle, schools continue to lose students, and emergency services continue to struggle financially and lose volunteers. The time is here to amend the SLMP to reflect the need for economic development that is complementary with the character of the Adirondacks.

Maintain Scenic Vistas: The writers of the SLMP were visionary in creating roadside pull-offs where visitors and local residents alike could enjoy a multitude of scenic vistas. Currently, however, there is no provision in the Plan to allow the trimming or removal of vegetative growth that blocks these views. We propose a provision be added to restore and maintain these vistas through trimming or cutting.

Expand Mountain Bike Uses: Modern visitors bring bikes to explore the Adirondacks, but cannot see some of our most majestic areas. Currently, mountain bikes are not allowed in areas designated as Wilderness, Primitive or Canoe. The Plan should be updated to allow bicycles to use existing roads and state truck trails in those areas – corridors that would be designated for such uses if the road infrastructure exists to support it. Bikers, like hikers, hunters and those who fish, bring money into our communities and return regularly to use state land.

Address Invasive Species: As is all too apparent from the challenge now confronting Lake George, in the southeastern Adirondacks, we need to protect our lakes from the threat posed by invasive species – something that was not envisioned when the Plan was created. We propose adding a provision in the Plan that calls on the state DEC to create boat inspection and washing stations in Intensive Use areas on major water bodies and/or major Adirondack entry points to help block invasive species.

Improve Snowmobile Trails: The current Plan calls for snowmobile trails in the Adirondacks to be "essentially the same character as a foot trail." While that might have made sense with the snowmobiles being ridden in 1972 – due to the use of approved mechanical groomers and rider safety - it does not make sense in 2014. Snowmobile trails can certainly exist and be maintained over some existing hiking trails, as the Plan suggests, but in order to be safe today's modern snowmobiles need wider paths, deeper snow pack and wider turns than what would be expected of a foot trail. We propose changing the language to ensure that snowmobile trails are not required to be of the same character as foot trails.

Allow For More Grooming of Cross Country Ski Trails: The current Plan allows cross-country ski trails to be groomed only on Intensive Use areas. We propose that grooming also be allowed in Wild Forest areas to open up more state land to be used by the passive recreational skier. Grooming is currently not permitted in Wild Forest areas, though the current guidelines call on the state to “provide the types of outdoor recreation that will afford public enjoyment without impairing the Wild Forest atmosphere.”

Powder Skiing: We support the call by the Adirondack Powder Skier Association to create a provision in the Plan that would allow low-impact ski touring trails to be created in certain Wilderness and Wild Forest areas. Once again, it would bring a low-impact wintertime activity to certain areas of the Adirondacks that would help local and regional economies.

Improve Float Plane Access: When Lows Lake in St. Lawrence County was closed to float planes, the DEC promised to designate areas in the Adirondacks where float planes would be allowed to land, leave visitors and take off again. That designation has not yet happened and we call on the APA to study alternative lakes for landings and to make good on that DEC promise!

Natural Materials/Bridges: New and existing bridges are currently required to be constructed of natural materials. Suspension bridges, such as the existing bridge at Whitehouse on the Northville-Placid Trail, are scheduled for removal because steel cables were used in the original construction. Likewise, a new bridge proposed over the Cedar River in the Essex Chain Lakes, would have a lower profile, if permitted to be constructed of “man-made” materials, such as steel. The plan needs

to take a common sense approach to new bridge construction and maintaining existing infrastructure.

Amend the Signage Policies: Many small businesses are located off the main highways on side roads where the travelling public are not aware of their existence due to current sign restrictions. Small business is the largest segment of our economy and promoting such with appropriate signage may be the difference to their survival. Additionally, there are few signs alerting tourists to our major attractions, such as the Adirondack Museum and the Wild Center. Exit 29 on the Northway is a prime example where tourists could exit for these attractions, yet there are no signs on the Northway or at the exits when they get off. We propose amending the SLMP to allow standardized signs on the Northway, other main highways and state right of ways directing visitors to lodging, gas, food, local businesses, and tourist destinations.

11:00 AM – A motion was made to open the Public Hearing for the 2015 Tentative Budget and Proposed Local Law No. 10 of 2014 by Mr. Frey, seconded by Mr. Edwards. Carried.

No public present.

The Chairman explained that chargebacks are up.

The Chairman gave the floor to Budget Officer Mezzano to review changes to the budget.

Budget Officer Mezzano reviewed the changes as follows:

Under revenues -

2310.100 – NY Connects add \$11,000.00.

Under expenditures –

They added a new line under Buildings - 1620.109– PT Cleaner #2 – in the amount of \$4,696.00.

1620.405 – Office Supplies/Phone – subtract a \$100.00 for a total of \$2,400.00.

New category called Central Communications System – line item 1650.401 – \$100.00.

4310.110 – Mental Health Case Manager - \$12,501.00. The Chairman explained that Director Kleppang has an employee who is retiring with the idea that this position won't be filled but doesn't have an exact date of the retirement. This is to cover it.

8161.401 – Tipping Fees – decreasing \$10,000.00 for a total amount of \$270,000.00. The Chairman explained this is due to the decrease in tonnage.

9060.801 – Emp. Benefits – Health Insurance – decrease \$45,000.00 for a total of \$1,230,881.00. This decrease is due to fewer employees.

Under fund D – Less Appropriated Tax Surplus – add \$50,000.00 for a total of \$250,000.00.

5110.404 – Maintenance of Streets - Asphalt/Emulsions – decrease \$75,000.00 for a total of \$375,000.00.

A short discussion followed regarding where they fell under the tax cap and thanked everyone for all the hard work.

The Chairman announced Treasurer Ms. Beth Hunt has a presentation for the members.

Treasurer Hunt introduced Mr. Stephen Sams of Morgan Stanley.

Mr. Sams reported he is from Free Newport, RI. He is a Municipal Advisor as well as an Investment Advisor and continued to explain what the company's role is.

Mr. Sams explained that they would help us evaluate our cash flow, evaluate our equity needs across our variety of governmental funds to get an understanding of if we have the ability to invest cash over a somewhat longer period of time.

Mr. Sams explained that Morgan Stanley has relationships with over four hundred different FDIC's insurance banks across the U.S. That gives them access to products that work within our maturity time frames. Generally these are higher yields than we could get at our local bank. Mr. Sams continued to explain and then discussed interest rates.

Mr. Sams reported that it is fee free to the client. They do not charge any account fees, no wire transfer fees, because of the asset size all fees are waived. They work on a transactional basis. There is a markup within that transaction.

The Chairman suggested that Treasurer Hunt move forward and put together a proposal for the members to review and make a decision from there.

The Chairman thanked Mr. Sams for the presentation.

A motion was made to close the Public Hearing by Mr. Frey and seconded by Mr. Edwards.

The Chairman reported the Board should contact Department Heads that had requests of higher than 1.75% salary increases and explain to them what they did and why. This is the year they will look at salaries. The Chairman will call a Department Head meeting to explain how they are going to move forward with this.

Mr. Towers stated don't give the fake impression that 10-15% increases are going to happen.

The Chairman suggested holding a Finance Committee meeting to set some perimeters.

Mr. McGovern agrees with Mr. Towers that we can't send out the wrong message.

Carried.

RESOLUTIONS:

RESOLUTION NO. 309-14

AUTHORIZING ACCEPTANCE OF BACK TAXES

DATED: NOVEMBER 21, 2014

BY MR. SNYDER:

WHEREAS, the Board of Supervisors has been contacted by Priscilla Maguire, as part owner, concerning the 2011, 2012 and 2013 taxes owed on property located in Benson, with parcel ID #160.006-1-5, and

WHEREAS, they have 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 2011, 2012, and 2013 back taxes, be it

RESOLVED, that the Hamilton County Treasurer is hereby authorized to accept payment of the taxes owed in the amount of \$3,918.33 together with an administrative charge of \$1,000.00 for a total of \$4,918.33.

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

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

NAYS: NONE

ABSENT: WELLS AND SEAMAN

After the following resolution was placed on the floor; Mr. McGovern asked for an explanation.

The Chairman stated this is the office that Doreen Page uses. We have provided that office space to them for some time.

RESOLUTION NO. 310-14

APPROVAL TO EXTEND USE OF OFFICE SPACE TO THE ALCOHOLISM & SUBSTANCE ABUSE COUNCIL OF HAMILTON, FULTON AND MONTGOMERY COUNTIES

DATED: NOVEMBER 21, 2014

BY MR. TOWERS:

WHEREAS, the Alcoholism & Substance Abuse Council of Hamilton, Fulton and Montgomery Counties was granted permission for temporary use of office space in the Hamilton County Courthouse Complex, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors hereby approves that the Council be granted an extension for the period of January 1, 2015 through December 31, 2015, and be it further

RESOLVED, the County may terminate said agreement anytime with thirty (30) days written notice, and be it further

RESOLVED, that the written agreement with Alcoholism & Substance Abuse Council of Hamilton, Fulton and Montgomery Counties dated May 2, 1996 be extended by the adoption of this resolution.

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

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

NAYS: NONE

ABSENT: WELLS AND SEAMAN

RESOLUTION NO. 311-14

**AUTHORIZING COUNTY FLEET COORDINATOR TO PURCHASE AUTOMOBILE
FOR COMMUNITY SERVICE DEPARTMENT**

DATED: NOVEMBER 21, 2014

BY MR. TOWERS:

WHEREAS, the Community Services Department is in need of replacing a vehicle and the County Fleet Coordinator does recommend the replacement of the said vehicle, and

WHEREAS, a 2015 Chevrolet Impala Limited 4 Door Sedan is available on New York State Contract at a cost of \$18,172.40 including delivery from Emerling Chevrolet of Boston, NY, and

WHEREAS, the vehicle that is to be replaced will be turned down to another department to be utilized and the Fleet Coordinator will determine where the most need is and place the used vehicle there, be it

RESOLVED, the 2015 vehicle will be purchased under New York State Contract for a total of \$18,172.40 for one (1) automobile delivered, and be it further

RESOLVED, that \$18,172.40 be transferred from Account A4310.110 Case Manager Community Services to Account A4310.201 Automobile Community Services to cover the cost of the said vehicle and the Fleet Coordinator is hereby authorized to order said vehicle and the County Treasurer be so authorized to transfer the funds and the Fleet Coordinator, Clerk of the Board and Community Service Director be so notified.

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

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

NAYS: NONE

ABSENT: WELLS AND SEAMAN

The Chairman called for a fifteen minute recess to complete the amendments and adopt the 2015 County Budget.

Re-convened

Mr. Frey once again thanked the Department Heads, Ms. Abrams, staff, Budget Officer Mezzano and anyone else who had a hand in it.

The Chairman wanted to note that they passed the resolution to have the Public Hearing on the Local Law for the override but the good news is we do not need to deal with the adoption of Proposed Local Law No. 10 of 2014.

RESOLUTION NO. 312-14

AMENDMENTS TO AND ADOPTION OF THE 2015 COUNTY BUDGET

DATED: NOVEMBER 21, 2014

BY MR. FREY:

WHEREAS, the tentative budget for the year 2015 has been duly presented to the Board by the Finance Committee and Budget Officer and duly advertised, and

WHEREAS, a Public Hearing was held on November 21, 2014 as required by Section 359 of the County Law, be it

RESOLVED, that the following increases and decreases be made in the 2015 Tentative Budget:

INCREASE:

A1450.0108 Programmers	\$1,000
A1620.0104 PT Cleaner	\$15,718
A1620.0109 PT Cleaner #2	\$4,696
A1650.0401 Central Communications System	\$100
A3110.0105 Sheriff Deputy D	\$38,295
A6070.0404 STSJP Grant	\$8,822
A6326.0407 ANCA	\$500
A8020.0102 Admin. Asst to Director	\$1,120
A8020.0103 Econ. Dev. Clerk	\$1,169
A8730.0401 Soil & Water Conservation Dist.	\$2,500

DECREASE:

A1325.0409 Lien Searches	\$3,000
A1450.0409 Gen. Elect. Ballot Prog.	\$1,000
A1620.0405 Office Supplies/Phone	\$100
A3110.0111 Sheriff – Part Time	\$5,000
A3110.0113 Grand Jury	\$4,000
A3150.0110 Overtime & Holiday	\$6,500
A3150.0111 Temporary	\$8,000
A4310.0110 Case Manager	\$20,659
A7510.0101 County Historian	\$1,264
A8161.0401 Tipping Fees	\$10,000
A9060.0801 Health Insurance	\$45,000
D5110.0404 Asphalt & Emulsion	\$75,000

and be it further

RESOLVED, that the Revenues be amended as follows:

INCREASE:

A2310.0100 Warren/Hamilton NY Connects	\$11,000
A3820.0100 STSJP Grant	\$5,470
D2401.0000 Interest & Earnings	\$1,000

and be it further

RESOLVED, that the following amendments be made:

INCREASE:

County Road Fund Cash Surplus	\$50,000
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and be it further

RESOLVED, that upon the amendments, amounts as listed to be raised by tax, making a total 2015 Budget \$7,587,187 and pursuant to Section 360 of the County Law, the said tentative budget as amended be and hereby is adopted as the Budget for the year 2015.

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

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

NAYS: NONE

ABSENT: WELLS AND SEAMAN

Recessed until December 4, 2014.