

**2015**

**TENTH SESSION**

**OCTOBER 1, 2015**

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	ABSENT
Inlet	John Frey
Lake Pleasant	Neil P. McGovern
Long Lake	Clark J. Seaman
Morehouse	William G. Farber
Wells	ABSENT

Also present: County Attorney, Elizabeth Mangle Director of Hamilton County Soil & Water Conservation District and Tom Bielli, Lenny Croote, Tracy Eldridge and Pete Klein

Public Comment: No one present.

Reports of Standings/Special Committees:

Mr. Snyder: Reported the new Northville Lake Placid Trail is now officially open.

Mr. Frey: There will be a Finance Committee meeting this afternoon to review some of the departments budgets.

Mr. Wilt: Regarding the towers, Mr. Farber along with The Chasen Group met with the Morehouse Lake Club. There are concerns on visual impacts, the road impact and just the whole process but they seem to be making progress.

The jail rehab; the electrician was here and discovered that there are two services running to the jail and that will need to be corrected for an additional fee. Demolition is going well, and asked Superintendent Eldridge to discuss the electrical panel.

Superintendent Eldridge reported the two panels are not up to code which will need to be updated. Blueline Electrical gave him an estimate of \$2,600.00 for changing the panels and he ok'd them to go ahead.

Mr. Wilt reported they are working with DEC on moving the antennas over on Blue Mountain but DEC has requested a tower study before moving them.

Mr. Edwards: Asked everyone to support the Merit resolution that is on today's agenda. He will be leaving as soon as the resolutions are passed today to go to a MEGA meeting.

The Chairman introduced Elizabeth Mangle, Director of Hamilton County Soil and Water Conservation District.

Director Mangle reviewed a grant program that could help landowners. The landowners that are eligible can get funding for high tunnels, wildlife habitat improvements and existing forest management plans.

Director Mangle introduced Mr. Tom Bielli to explain more in detail of the three programs that she just mentioned.

Mr. Bielli stated he works for the Natural Resources Conservation Service as a District Conservationist, an agency within the USDA. He explained a little more in-depth regarding the three programs with possible funding.

RESOLUTIONS:

**RESOLUTION NO. 259-15**

**SETTING ANNUAL SESSION DATES**

**DATED: OCTOBER 1, 2015**

**BY MR. MCGOVERN:**

RESOLVED, the following dates have been designated as the annual session for 2015:

November 5	10:30 A.M.
November 10	10:30 A.M.
November 17	10:30 A.M.
November 20	10:30 A.M.
<b>PUBLIC HEARING</b>	<b>11:00 A.M.</b>
December 3 AUDIT	10:30 A.M.
December 18 AUDIT	10:30 A.M.

and be it further

RESOLVED, that any necessary changes will be subsequently arranged.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

After the following resolution was placed on the floor; Mr. Frey asked if the towns with the 93.00 equalization rate were a five or three year plan.

The Chairman stated he doesn't have information on that.

**RESOLUTION NO. 260-15**

**SETTING EQUALIZATION RATES**

**DATED: OCTOBER 1, 2015**

**BY MR. WILT:**

RESOLVED, that the assessment rolls with proposed rates as set up by the Equalization Committee be adopted for the year 2015 as follows:

Arietta.....	100.00
Benson.....	93.00
Hope.....	93.00
Indian Lake.....	100.00
Inlet.....	100.00
Lake Pleasant.....	100.00
Long Lake.....	100.00
Morehouse.....	100.00
Wells.....	93.00

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 261-15**

**AMENDMENT TO RESOLUTION NO. 91-15 APPOINTMENTS TO CONTINUING QUALITY IMPROVEMENT COMMITTEE**

**DATED: OCTOBER 1, 2015**

**BY MR. MCGOVERN:**

WHEREAS, the Public Health Nursing Service/Certified Home Health Agency's certification requires Hamilton County Board of Supervisors to appoint members to the Continuous Quality Improvement Committee (CQIC), and

WHEREAS, there have been members who have retired and/or no longer wish to serve on this committee, and

WHEREAS, appointees maintain a two year term which will expire on December 31, 2016, and

WHEREAS, the Public Health Nursing Service/Home Health Agency's Professional Advisory Committee Chairman has named the following new members for appointment:

Leila Lewis, RN  
P.O. Box 367  
Indian Lake, NY 12842

Charles Taylor  
P.O. Box 686  
Long Lake, NY 12847

be it

RESOLVED, that annual terms will include: (1) Chairman of the Health Committee of the Hamilton County Board of Supervisors, and be it further

RESOLVED, that the Medical Director, Director of Public Health, Director of Patient Services, and the Supervising Community Health Nurse will serve during tenure of their employment to Hamilton County Public Health Nursing Service.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 262-15**

**AMENDMENT TO RESOLUTION NO. 325-14 APPOINTMENTS TO PROFESSIONAL  
ADVISORY COMMITTEE**

**DATED: OCTOBER 1, 2015**

**BY MR. SNYDER:**

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, there have been members who have retired and/or no longer wish to serve on this committee, and

WHEREAS, appointees maintain a two year term which will expire on December 31, 2016, and

WHEREAS, the Public Health Nursing Service/Home Health Agency's Professional Advisory Committee Chairman has named the following new members for appointment:

Nancy Berkowitz  
P.O. Box 104  
Blue Mountain Lake, NY 12812

Leila Lewis, RN  
P.O. Box 367  
Indian Lake, NY 12842

Kristen Sayers  
41 Bernard Street  
Saranac Lake, NY 12983

Charles Taylor  
P.O. Box 686  
Long Lake, NY 12847

be it

RESOLVED, that annual terms will include: (1) Chairman of the Health and Human Services Committee of the Hamilton County Board of Supervisors, and be it further

RESOLVED, that the Medical Director, Director of Public Health, Director of Patient Services, and the Supervising Community Health Nurse will serve during tenure of their employment to Hamilton County Public Health Nursing Service.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 263-15**

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

**DATED: OCTOBER 1, 2015**

**BY MR. SEAMAN:**

WHEREAS, the Commissioner of the Hamilton County DSS 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, be it

RESOLVED, the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign an agreement of behalf of 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. Edwards and adopted by the following vote:

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 264-15**

**RESOLUTION TO AMEND 2015 CONTRACT TO FUND HAMILTON FULTON  
MONTGOMERY PREVENTION COUNCIL'S (HFM PREVENTION COUNCIL)  
SERVICES IN HAMILTON COUNTY**

**DATED: OCTOBER 1, 2015**

**BY MR. FREY:**

WHEREAS, The New York State Office of Alcohol and Substance Abuse Services (NYS OASAS) has increased the Hamilton Fulton Montgomery Prevention Council's (HFM Prevention

Council) budget for 2015 by \$475.00 so as to include a NYS OASAS funded cost of living adjustment (COLA) for professional staff effective April 1, 2015, and

WHEREAS, NYS OASAS has determined that it will provide this funding to the HFM Prevention Council through Hamilton County's OASAS funding, be it

RESOLVED, that the Hamilton County 2015 budget be amended to add the \$475.00 to Item 4488 Federal Aid, OASAS Prevention, which would increase the budgeted revenue amount from \$143,382 to \$143,857, and be it

RESOLVED, that the Hamilton County 2015 budget be amended to add \$475.00 to expenditure line A4310.425 Mental Health HFM Prevention Council to increase the annual pass through of \$71,175.00 to \$71,650.00, and be it

RESOLVED, that the contract with the Hamilton Fulton Montgomery Prevention Council be amended to reflect the increase from an annual pass through of \$71,175.00 to \$71,650.00

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 265-15**

**AMENDMENT TO RESOLUTION NO. 283-14 – CONTRACT FOR PSYCHIATRIC SERVICES AT COMMUNITY SERVICES – ELLEN EHRENBERG, MD**

**DATED: OCTOBER 1, 2015**

**BY MR. MCGOVERN:**

WHEREAS, Dr. Eileen Ehrenberg provides psychiatric services under contract with Hamilton County Community Services, and

WHEREAS, Dr. Ehrenberg will be exceeding the annual contracted amount of \$36,000 due to additional time necessary for a physician to complete the initial transition to electronic prescriptions as required by New York State, be it

RESOLVED, that Dr. Ehrenberg's contract be amended to raise the annual limit from \$36,000 to \$37,500 and be it further

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

FROM: A4310.117 Clinical Supervisor \$1,500.00  
TO: A4310.423 Pre-Screening \$1,500.00

and the County Treasurer and Community Service Director be so advised.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 266-15**

**AMENDMENT OF RESOLUTION NO. 150-15 CONSTRUCTION OF COUNTY ROAD  
FUND PROJECTS FOR 2015**

**DATED: OCTOBER 1, 2015**

**BY MR. FREY:**

WHEREAS, Resolution No. 150-15 authorizes the expenditure of \$550,000.00 for the construction of county road projects for 2015, and

WHEREAS, Project No. 1 and Project No. 5 are both on County Route 4, Big Brook Road in the Town of Indian Lake, and

WHEREAS, because of new requirements for the reimbursement of CHIP's it will be administratively difficult to split the documentation for reimbursement, and

WHEREAS, The Highway Superintendent recommends combining the projects into one project, be it

RESOLVED, that the following road project budgets be amended as follows:

COUNTY ROAD PROJECT NO. 1 Account No. 5112.2488, Town of Indian Lake  
Co Rd No. 4 – Big Brook Road, Improve drainage, recycle base and pave @ 20 ft.  
Approx. 1.0 miles..... \$125,000.00

COUNTY ROAD PROJECT NO. 5 Account No. 5112.2492, Town of Indian Lake  
Co. Rd No. 4 – Big Brook Road, Improve drainage and Hot Mix Overlay pave @ 20 ft.  
Approx. 0.5 miles..... Closed

Be it further,



RESOLVED, the Board of Supervisors of the County of Hamilton does approve and authorize the above changes to the capital projects for 2015 and the County Treasurer be so authorized and the Highway Superintendent, County Treasurer and Clerk of the Board be so advised.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

After the following resolution was placed on the floor; the Chairman stated this resolution and also the next one are extensions of the existing mortgage recording tax and sales tax. The process is once you make a home rule request the State Legislature then has to pass both of those requests and then it is signed in law by the Governor and then we can implement them. We will have a Special Meeting on Committee Day to adopt them.

**RESOLUTION NO. 267-15**

**AUTHORIZING A PUBLIC HEARING TO CONSIDER  
PROPOSED LOCAL LAW NO. 11 OF 2015 A LOCAL LAW TO EXTEND  
THE ADDITIONAL MORTGAGE RECORDING TAX WITHIN THE  
COUNTY OF HAMILTON**

**DATED: OCTOBER 1, 2015**

**BY MR. FREY:**

RESOLVED, that proposed Local Law No. 11 of 2015 titled "A LOCAL LAW TO EXTEND THE ADDITIONAL MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HAMILTON", 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 26<sup>th</sup> day of October, 2015, at 11 a.m., on the matter of the adoption of said proposed Local Law No. 11 of 2015, entitled "A LOCAL LAW TO EXTEND THE ADDITIONAL MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HAMILTON", 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: WILT, SNYDER, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER

NAYS: NONE

ABSENT: WELLS AND TOWERS

PROPOSED LOCAL LAW NO. 11 OF 2015  
State of New York  
County of Hamilton

A LOCAL LAW TO EXTEND THE ADDITIONAL  
MORTGAGE RECORDING TAX IN THE  
COUNTY OF HAMILTON

WHEREAS, Local Law No. 9 of 2006 duly enacted by the Board of Supervisors of the County of Hamilton authorized the imposition of a mortgage recording tax in accordance with Section 253 of the Tax Law of the State of New York, and

WHEREAS, Local Law No. 10 of 2009 duly enacted by the Board of Supervisors of the County of Hamilton authorized the extension of said mortgage recording tax in accordance with Section 253 of the Tax Law of the State of New York, and

WHEREAS, Local Law No. 8 of 2011 duly enacted by the Board of Supervisors of the County of Hamilton authorized the extension of said mortgage recording tax in accordance with Section 253 of the Tax Law of the State of New York, and

WHEREAS, the Board of Supervisors of the County of Hamilton desires to further extend such mortgage recording tax, now, therefore

BE IT ENACTED, By the Board of Supervisors of the County of Hamilton, State of New York, as follows:

Section 1: Title. This Local Law shall be titled “A Local Law Extending the Additional Mortgage Recording Tax in Hamilton County”.

Section 2: Purpose and Intent. The purpose of this law is to authorize Hamilton County, pursuant to the provisions of Section 253-j of the Tax Law of the State of New York, to impose an Additional Mortgage Recording Tax.

Section 3: Imposition of Tax. For the period commencing December 1, 2015 and ending December 1, 2017, unless further extended by Local Law of the Board of Supervisors, there is hereby imposed, in the County of Hamilton a tax of twenty-five cents (\$0.25) for each one hundred dollars (\$100.00), and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Hamilton and recorded on or after December 1, 2015, and a tax of twenty-five cents (\$0.25) on such mortgage if the principal

debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00).

Section 4: Administration and Collection of Tax. The taxes imposed pursuant to this Local Law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 of the Tax Law and paragraph (b) of subdivision one of Section 255 of the Tax Law. Except as otherwise provided in Section 253-j of the Tax Law, all the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivision shall apply to the taxes imposed by this Local Law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in Section 253-j of the Tax Law, except to the extent that any provision is either inconsistent with a provision of Section 253-j of the Tax Law or not relevant to the tax authorized by Section 253-j of the Tax Law.

Section 5: Real Property located in more than one County or State. Where the real property covered by the mortgage subject to the tax imposed pursuant to this Local Law is situated in this state but within and without Hamilton County, the amount of such tax due and payable to Hamilton County shall be determined in a manner similar to that prescribed in the first undesignated paragraph of Section 260 of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within Hamilton County and without the state, the amount due and payable by Hamilton County shall be determined in the manner prescribed in the second undesignated paragraph of such Section 260 which concerns property situated within and without the State. Where real property is situated within and without Hamilton County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

Section 6: Additional Mortgage Recording Tax. The tax imposed pursuant to this Local Law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

Section 7: Disposition of Taxes. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Hamilton during each month upon account of the tax imposed pursuant to this Local Law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of Section 253-j of the Tax Law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of Hamilton County and, after the deduction by such treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the County of Hamilton. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, under which the provisions of Section 253-j of the Tax Law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the New York State Commissioner of Taxation and Finance.

Section 8: Payment of Taxes. The tax imposed pursuant to this Local Law shall be payable on the recording of each mortgage of real property subject to taxes there under. Such tax shall be paid to the recording officer of the county in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded shall collect the tax imposed by this Local Law. It shall be the duty of such recording officer to endorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt for such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

Section 9: Effective Date. This Local Law shall take effect December 1, 2015, provided that a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's Office in Albany at least 30 days prior to the date this Local Law shall take effect. Certified copies of this Local Law shall also be filed with the Hamilton County Clerk, the Secretary of State and the State Comptroller within five (5) days after the Local Law is duly enacted and this Local Law shall be deemed to be duly enacted upon its date of adoption by the Hamilton County Board of Supervisors.

**RESOLUTION NO. 268-15**

**AUTHORIZING A PUBLIC HEARING TO CONSIDER  
PROPOSED RESOLUTION TO EXTEND THE GENERAL SALES AND  
COMPENSATING USE TAXES TAX WITHIN THE COUNTY OF  
HAMILTON**

**DATED: OCTOBER 1, 2015**

**BY MR. FREY:**

RESOLVED, that proposed Resolution extending the general sales and compensating use taxes within the County of Hamilton, 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 26<sup>th</sup> day of October, 2015, at 11:15 a.m., on the matter of the adoption of said proposed Resolution extending the general sales and compensating use taxes within the County of Hamilton, 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. Edwards and adopted by the following vote:

**AYES: WILT, SNYDER, EDWARDS, FREY, MCGOVERN, SEAMAN AND FARBER**

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION OF THE BOARD OF SUPERVISORS OF HAMILTON COUNTY,  
EXTENDING THE GENERAL SALES AND COMPENSATING USE TAXES IMPOSED  
AT THE RATE OF FOUR PERCENT BY RESOLUTION NO. 210 OF 2013, ENACTED  
SEPTEMBER 5, 2013, FOR A PERIOD OF TWO YEARS, PURSUANT TO THE  
AUTHORITY OF SECTION 1210 OF ARTICLE 29 OF THE TAX LAW OF THE  
STATE OF NEW YORK**

WHEREAS, Resolution 210 of 2013 duly enacted by the Board of Supervisors of the County of Hamilton authorized imposition of general sales and compensating use taxes at the rate of Four percent (4%) in accordance with Section 1210 of Article 29 of the Tax Law of the State of New York, and

WHEREAS, the Board of Supervisors of the County of Hamilton desires to extend such general sales and compensating use taxes, NOW, THEREFORE

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

SECTION 1. Imposition of general sales and compensating use taxes. There are hereby imposed in this county and there shall be paid all of the sales and compensating use taxes described in Article Twenty-eight of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of the Tax Law, at the rate of three percent. In addition to those taxes imposed at the rate of three percent, there are hereby imposed in this county and there shall be paid such sales and compensating use taxes at the additional rate of one percent, for the period commencing December 1, 2015, and ending November 30, 2017.

SECTION 2. Local options - Application of special provisions. Notwithstanding any contrary provision of this enactment or other law:

(a) Motor fuel and diesel motor fuel described in subdivision (m) of section eleven hundred eleven of the Tax Law shall not be taxed at a rate of cents per gallon.

(b) The clothing and footwear exemption described in paragraph thirty of subdivision (a) of section eleven hundred fifteen of the Tax Law shall apply to the taxes imposed by this enactment.

(c) The residential solar energy systems equipment and installation service exemptions described in subdivision (ee) of section eleven hundred fifteen of the Tax Law shall apply to the taxes imposed by this enactment.

(d) The commercial solar energy systems equipment and installation service exemptions described in subdivision (ii) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(e) The empire zone refund and credit described in clause six of subdivision (a) of section eleven hundred nineteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(f) The qualified empire zone enterprise refund and credit described in subdivision (d) of section eleven hundred nineteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(g) Residential energy sources and services described in paragraph three of subdivision (a) of section twelve hundred ten of the Tax Law shall be exempt from the taxes imposed by this enactment at the rate of three percent and also from the additional one percent rate of such taxes.

SECTION 3. Taxes in addition to others. The taxes imposed by this enactment are in addition to any and all other taxes authorized or imposed under any other provision of law.

SECTION 4. Administration of taxes. The taxes imposed by this enactment shall be administered and collected by the State Commissioner of Taxation and Finance as provided in Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 5. Applicability of state law to taxes imposed by this enactment. The provisions of Articles Twenty-eight and Twenty-nine of the Tax Law and any provision of the Tax Law or other law that applies to Article Twenty-eight or Twenty-nine, relating or applicable to the taxes imposed by this enactment, including the applicable definitions, transitional provisions, limitations, special provisions, exemptions, exclusions, refunds, credits, and administrative provisions, so far as those provisions can be made applicable to the taxes imposed by this enactment, shall apply to the taxes imposed by this enactment with the same force and effect as if those provisions had been incorporated in full into this enactment and had expressly referred to the taxes imposed by this enactment, except to the extent that any of those provisions is either inconsistent with or not relevant to the taxes imposed by this enactment.

SECTION 6. Allocation and distribution of net collections. Pursuant to section 1262 of the Tax Law:

(a) The county shall set aside for county purposes one hundred percent of the net collections from the taxes imposed by this enactment at the rate of four percent.

(b) The county shall set aside for educational purposes zero percent of the net collections from the taxes imposed by this enactment.

(c) The county shall allocate quarterly zero percent of the net collections from the taxes imposed by this enactment to the towns in the county.

(d) Because there are no cities in the county to preempt the county's taxes, the county shall not be subject to mandatory distribution under Tax Law section 1262(d).

SECTION 7. Deposit and use of revenues. Except as otherwise provided by law, net collections received by this county from the taxes imposed by this enactment shall be paid into the treasury of the county and shall be credited to and deposited in the general fund thereof and, unless restricted by local law, ordinance, or resolution to a specified purpose or purposes, shall be available for any county purpose of this county. Expenditures from the proceeds of such taxes shall not be considered as part of the cost of government within the meaning of any limitation on expenditures contained in any general, special, or local law applicable to this county.

SECTION 8. Severability. If any provision of this enactment or the application thereof, for any reason, shall be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this enactment, but shall be confined in its operation to the provision thereof directly involved in the controversy in which such judgment shall have been rendered and the application of that provision to other persons or circumstances shall not be affected by that judgment.

SECTION 9. Effective date. This enactment shall take effect December 1, 2015.

**RESOLUTION NO. 269-15**

**APPROVING 2016 HOLIDAY SCHEDULE**

**DATED: OCTOBER 1, 2015**

**BY MR. FREY:**

WHEREAS, the Hamilton County Board of Supervisors has received a recommendation from the Internal Management Committee to approve the 2016 Holiday Schedule, and

WHEREAS, the Internal Management Committee has reviewed the 2016 Holiday Schedule proposed by the County Personnel Office, and

WHEREAS, said proposal recommends no additions or adjustments to the County's standard holidays, now, therefore be it

RESOLVED, that this Board of Supervisors authorizes the Hamilton County Holiday Schedule for 2016 as attached and recommended by the Personnel Officer, and be it further

RESOLVED, that the Personnel Officer is hereby authorized to disseminate the 2016 Hamilton County Holiday Schedule as appropriate and that a certified copy of this resolution be provided to the Hamilton County Personnel Officer.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**COUNTY HOLIDAYS**  
**2016**

New Year's Day

Friday, January 1

Martin Luther King, Jr. Birthday	Monday, January 18
President's Day	Monday, February 15
Good Friday	Friday, March 25
Memorial Day	Monday, May 30
Independence Day	Monday, July 4
Labor Day	Monday, September 5
Columbus Day	Monday, October 10
Veterans Day	Friday, November 11
Thanksgiving	Thursday, November 24
	Friday, November 25
Christmas	Monday, December 25

**RESOLUTION NO. 270-15**

**APPROVAL OF APPLICATION SOFTWARE AND SUPPORT SERVICES PROVIDED BY SYSTEMS EAST, INC. FOR THE TREASURER'S OFFICE TAX COLLECTION**

**DATED: OCTOBER 1, 2015**

**BY MR. FREY:**

WHEREAS, the proposal to provide application software and support services to the Hamilton County Treasurer's Office, as well as the towns and school districts, for their tax collection has been submitted by Systems East, Inc., and

WHEREAS, the Treasurer's Office is satisfied with the services and support received from Systems East in the past, and

WHEREAS, an increase of \$68.00 over last year's agreement has been proposed for a total contract price of \$11,405.00 to cover the period of January 1, 2016 through December 31, 2016, and

WHEREAS, a portion of this contract price will be charged back to the towns and schools at the same level as last year (\$200.00 each), be it

RESOLVED, that the Chairman of the Board be authorized to sign the agreement as proposed and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS



**RESOLUTION NO. 271-15**

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

**DATED: OCTOBER 1, 2015**

**BY MR. MCGOVERN:**

WHEREAS, Hamilton County has received the Annual Renewal Letter and Budget for the Court Cleaning Contract #C-300292 authorized by Resolution No. 229-14 adopted September 4, 2014, and

WHEREAS, said Renewal Letter covers State Fiscal Year 2015-2016 with a budget of \$101,939.00, now, therefore, be it

RESOLVED, that the Letter of Renewal and Budget is hereby approved for State Fiscal Year 2015-2016, and the Chairman is authorized to sign the necessary documents and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 272-15**

**AUTHORIZING REIMBURSEMENT OF TUITION COSTS – PENNY WARRINGTON**

**DATED: OCTOBER 1, 2015**

**BY MR. SEAMAN:**

WHEREAS, the Hamilton County Board of Supervisors has received a request from the Director of Public Health to reimburse tuition costs for Penny Warrington, and

WHEREAS, the Director of Public Health and the Health Committee have agreed that it is necessary for Penny Warrington to get this additional education, and

WHEREAS, this request for reimbursement complies with Section 817 of the Employee Handbook, and fits into Category 2 of the Board's determined guidelines, and

WHEREAS, said education was completed on the employee's own time, therefore, be it

RESOLVED, that funds from Account No. A4010.0404 CHHA Contracts be transferred to Account No. A4050.0411 Public Health Continuing Education, be it also

RESOLVED, that the County Treasurer is hereby authorized to reimburse Penny Warrington \$3,542.40 for Summer 2015 tuition, upon receipt of a signed voucher which includes documentation of the expenses as well as copies of the agreement or repay such reimbursement should Ms. Warrington fail to complete three years as Director of Patient Services, as set forth in Section 817 of the Employee Handbook, being filed with the Public Health Director and the Personnel Officer.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 273-15**

**AUTHORIZING TRANSFER OF VEHICLE WITHIN COUNTY AGENCIES**

**DATED: OCTOBER 1, 2015**

**BY MR. FREY:**

WHEREAS, Resolution No. 201-15 authorized vehicle transfers within county agencies, and

WHEREAS, one of the said vehicles will be utilized as pool vehicle for different county departments, and

WHEREAS, the Fleet Coordinator recommends the following vehicle transfer to utilize the vehicle for a pool vehicle:

FROM: Community Services – Car #749

(1) 2010 Chevrolet Impala VIN: 2G1WA5EN8A1198155 Plate: AB6846 Value: \$1,575.00

TO: DPW for pool vehicle

and

WHEREAS, the above value represents the policy of Hamilton County to transfer vehicles from one County Agency to another at 35% of low book value, now, therefore, be it

RESOLVED, that vehicle transfer be made as shown above, and be it further

RESOLVED, that the Fleet Coordinator ensure that the proper ownership is recorded and the appropriate paperwork for this transaction is accomplished, and be it further

RESOLVED, that the Director of Fixed Assets, Respective Department Heads, and the County Treasurer be so advised

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 274-15**

**AUTHORIZING DEPOSITION OF EXCESS VEHICLES/EQUIPMENT**

**DATED: OCTOBER 1, 2015**

**BY MR. SEAMAN:**

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>
2006	Chevrolet Impala	2G1WB58K369335669	AB7098	HWY	804
2007	Chevrolet Tahoe	1GNFK13017J366891	AB4922	HWY	601
2007	Ford F150 Pickup	1FTRF14W67KD53559	AB3263	HWY	112

be it

RESOLVED, the above vehicles/equipment be sold 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. Snyder and adopted by the following vote:

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 275-15**

**AUTHORIZING SALE OF SURPLUS VEHICLES TO THE TOWNS OF INLET,  
INDIAN LAKE AND MOREHOUSE**

**DATED: OCTOBER 1, 2015**

**BY MR. MCGOVERN:**

WHEREAS, the County has surplus vehicles that can be disposed of, and

WHEREAS, the County typically inquires with all towns of Hamilton County to see if there is any interest in purchasing any of the surplus vehicles and three towns are interested in purchasing the following vehicles:

1. Town of Indian Lake – 2007 Chevrolet Impala VIN #2G1WB58NX79357468 \$1,500.00
2. Town of Inlet – 1994 Ford L9000 VIN #1FDYK90L0RVA11202 \$3,500.00
3. Town of Morehouse – 2004 Chevrolet Pickup VIN #1GCHK24U34E379591 \$2,500.00

be it

RESOLVED, that the Fleet Coordinator be authorized to sell the mentioned vehicles to the Town of Indian Lake for \$1,500.00, Town of Inlet for \$3,500.00, and the Town of Morehouse for \$2,500.00 for the said vehicles and the revenue be deposited into Account No.DM2665.0000 Sale of Equipment and the County Treasurer be so notified.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 276-15**

**AUTHORIZING PAYMENT TO TRACEY ROAD EQUIPMENT FOR 2015 ROGERS  
LOW BOY TRAILER**

**DATED: OCTOBER 1, 2015**

**BY MR. EDWARDS:**

WHEREAS, Resolution Number 125-15 duly adopted on April 2, 2015 authorizes the County Fleet Coordinator to purchase a one (1) 2015 Rogers Low Boy Trailer Model SP50GR98, and

WHEREAS, the said trailer ordered was delivered on Thursday, September 24, 2015, and

WHEREAS, the County Fleet Coordinator has inspected said trailer and confirms that it is accepted and meets specification and recommends payment of said trailer, be it

RESOLVED, that the County Treasurer is hereby authorized to make payment to:

Tracey Road Equipment  
6803 Manlius Center Road  
East Syracuse, NY 13057

in the amount of \$85,483.00 and the funds to be taken out of Account No. DM5130.201- Road Equipment and the Highway Superintendent and the Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 277-15**

**AUTHORIZING PAYMENT TO PECKHAM MATERIALS CORP.**

**DATED: OCTOBER 1, 2015**

**BY MR. SNYDER:**

WHEREAS, the County Highway Superintendent was authorized for Road Construction Projects for 2015, and

WHEREAS, the Project No. 3, Account No. D5112.2490 County Route 2, Raquette Lake Road has been paved, and

WHEREAS, the Hot Mix Asphalt was purchased from Peckham Material Corp. and 280.74 tons were used at a cost of \$16,726.49, be it

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

Peckham Material Corp.  
PO Box 1055  
Albany, NY 122201-1055

in the amount of \$16,726.49 and the funds be taken out of Account No.D5112.2490 and the Highway Superintendent and Clerk of the Board be so notified.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 278-15**

**APPROVAL OF AND TRANSFER OF FUNDS FOR 2015 MERIT PAY**

**DATED: OCTOBER 1, 2015**

**BY MR. EDWARDS:**

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

WHEREAS, the Internal Management Committee met on September 18, 2015 to review merit evaluations, be it

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

HIGHWAY

Paul Hammer	October 20, 2015 to October 20, 2016	\$1.65
Jordan Monthony	October 1, 2015 to October 1, 2016	\$1.32

SOCIAL SERVICES

Beverly King	October 18, 2015 to October 18, 2016	\$1.54
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COMMUNITY SERVICES

Brandy Richards	October 10, 2015 to October 10, 2016	\$1.65
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NURSING

Gail Monthony-Ludin                      June 28, 2015 to June 28, 2016                      \$ .44

and be it further

RESOLVED, that the following transfers be made to cover the above 2015 merit pay:

FROM:	A1990.402	Contingent for Merit	\$12,452.55
TO:	A1620.103	Laborer	\$3,445.20
	D5110.101	Personal Services	\$2,241.36
	A6010.108	Social Welfare Examiner B	\$ 2,654.19
	A4310.111	CCSI Coordinator	\$3,014.55
	A4010.106	Registered Professional Nurse #3	\$1,097.25

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

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 279-15**

**APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS**

**DATED: OCTOER 1, 2015**

**BY MR. FREY:**

RESOLVED, that the bills in the Machinery Fund amounting to \$53,592.82 and bills in the County Road Fund amounting to \$54,670.00 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. Snyder and adopted by the following vote:

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**RESOLUTION NO. 280-15**

**APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND**

**DATED: OCTOBER 1, 2015**

**BY MR. FREY:**

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$257,103.96 by the following committees:

Building Committee .....	\$10,040.37
Public Works (Solid Waste) Committee .....	30,575.33
Finance Committee .....	92,023.98
Health Committee.....	12,755.22
Human Services Committee.....	36,152.73
Central Government Committee .....	19,178.33
Emergency Prep./Emergency Response.....	10,745.75
Publicity, Tourism, Economic Development & Planning Committee.....	44,725.74
Internal Management Committee .....	906.51

are hereby approved.

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

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

NAYS: NONE

ABSENT: WELLS AND TOWERS

**Other Reports:**

Mr. Snyder: Didn't have anything to report, but the Chairman reported that they need to focus on Lapland Lake and setup a meeting with them. Christy Wilt would be happy to set it up for us if he likes.

Mr. Frey: Thanked Superintendent Eldridge and his department for the work they did in Inlet.

Mr. Wilt: Asked Superintendent Eldridge if he had anything to add. Superintendent Eldridge asked for a couple of minutes after the reports to comment on the Fuel Consolidation project.

Mr. McGovern: Announced there was a good turn-out in Indian Lake for the Citizen's Preparedness Program which spurred some more table top work to be done. The Chairman reported Emergency Management Director Purdy did a good job and several people commented on that. His take away from this meeting was we certainly don't do enough teaching for citizens regarding local and county emergency management plans and how they work. He continued to discuss.



Superintendent Eldridge reported on the SEQR for the Fuel Consolidation Phase III; he is hoping they authorize the bid documents on Committee Day October 26<sup>th</sup> so that he can start advertising. With that he needs to close the above ground 6,000 gallon tank at the Indian Lake highway garage; even if he puts a padlock on it, it's still subject to DEC inspections etc. He is looking for approval to remove the tank and the Board members agreed.

The Chairman stated that a 10 day letter will be sent out to all the members for the hire of a full-time cleaner and would appreciate a response as soon as possible.

An employee had questions on the County Handbook regarding holiday pay; for a new employee the handbook is clear they have to wait 15 days but for someone who has been here the interpretation is not clear. He was told there is a county policy related to that and he has asked to see the policy. If there isn't a policy and the members feel we should do this, then we need to incorporate this into the handbook.

Mr. Edwards spoke with Personnel Officer Byrne this morning and he doesn't feel there is a written policy; that this has been past practice.

The Chairman reported that Mr. Seaman and he have been working with the Public Health Nursing Service and they expect a Health Committee meeting on Committee Day to discuss a retirement and a transition of moving up one of the employees that they have been planning on per this retirement. With this happening maybe now is the time for us to also add education/training to our handbook as well.

As there was no further business, a motion was made to adjourn by Mr. Frey, seconded by Mr. McGovern. Carried.