

2017

SECOND ANNUAL SESSION

NOVEMBER 7, 2017

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	Brian Wells
Inlet	John Frey
Lake Pleasant	Daniel Wilt
Long Lake	ABSENT
Morehouse	William G. Farber
Wells	Brian E. Towers

Also present: Budget Officer Frank Mezzano

Public Comment: No one present

Reports of Standing/Special Committees:

Mr. R. Wilt: Stated that the construction is going well for the communication towers. East Mountain is the next one to get done. The Chairman spoke with Tracy Eldridge, Highway Superintendent, he said that the road has held up amazingly well on East Mountain considering all the rain.

Mr. Edwards: Stated that they had a meeting that morning with ROOST and discussed the possibility of a bed tax. The Chairman stated that the Board is going to continue to look into it.

Mr. R Wilt stepped out.

RESOLUTIONS:

RESOLUTION NO. 322-17

RESOLUTION TO SET DATE OF ORGANIZATION MEETING

DATED: NOVEMBER 7, 2017

BY MR. D. WILT:

RESOLVED, that the Organization Meeting of the Board of Supervisors will be held on Thursday, January 4, 2018 at 2:00 P.M.

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

AYES: SNYDER, EDWARDS, WELLS, FREY, D. WILT, FARBER AND TOWERS

NAYS: NONE

ABSENT: R. WILT AND SEAMAN

RESOLUTION NO. 323-17

AUTHORIZING TWO YEAR LEASE AGREEMENT WITH LISA BURGESS

DATED: NOVEMBER 7, 2017

BY MR. EDWARDS:

WHEREAS, the Hamilton County Board of Supervisors wishes to renew its lease with Lisa Burgess, and

WHEREAS, this Board has determined it to be in the best interest of the County to extend this relationship, now, therefore, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to enter into a two year lease with Lisa Burgess for January 1, 2018 through December 31, 2019, with the approval of the County Attorney, and be it also

RESOLVED, that the monthly rent is hereby set at \$400.00 per month for 2018-2019.

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

AYES: SNYDER, EDWARDS, FREY, D. WILT, FARBER AND TOWERS

NAYS: NONE

ABSENT: R. WILT AND SEAMAN

ABSTAIN: WELLS

After the following resolution was placed on the floor; Mr. Towers asked how many people we anticipate are interested in taking this course. The Chairman stated that he wasn't sure how to figure that out. Employees have shown interest by taking the courses that were already given.

There is also an online option available. Ms. Byrne wanted to make sure she had the authority to take advantage of this and that the Board was agreeable.

RESOLUTION NO. 324-17

**AUTHORIZING PERSONNEL OFFICER TO OFFER IN-HOUSE EVENING
DEFENSIVE DRIVING CLASS TO COUNTY EMPLOYEES**

DATED: NOVEMBER 7, 2017

BY MR. TOWERS:

WHEREAS, the Personnel Officer was instructed to work with Rose & Kiernan to establish an In-House Defensive Driving Class for Hamilton County employees, and

WHEREAS, the Town of Morehouse has scheduled an In-House Evening Defensive Driving class for their employees and has extended the offering to Hamilton County Employees wanting to attend the training, and

WHEREAS, Wayne Wilson of Rose & Kiernan and the Town of Morehouse have collaborated to include Hamilton County employees in their In-House Defensive Driving Class Program who were unable to attend our own In-House day trainings or were not interested in taking the on-line trainings being offered, a Defensive Driving Class program which will begin on November 9, 2017 or on a subsequent date if rescheduling becomes necessary, and

WHEREAS, Wayne Wilson requires \$30.00 per attendee for after business hours classes for which the Town of Morehouse will pay in the first instance and will bill Hamilton County for participants thereafter, therefore, be it

RESOLVED, the Personnel Officer be authorized to offer this class to county employees, and be it further

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

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

AYES: SNYDER, EDWARDS, WELLS, FREY, D. WILT, FARBER AND TOWERS

NAYS: NONE

ABSENT: R. WILT AND SEAMAN

RESOLUTION NO. 325-17

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH MEDICAL DIRECTOR
FOR HAMILTON COUNTY PUBLIC HEALTH NURSING SERVICE**

DATED: NOVEMBER 7, 2017

BY MR. EDWARDS:

WHEREAS, Dr. David G. Welch has filed for retirement benefits with the NYS Retirement System, therefore he is required to sever his employment with the County as of December 22, 2017 and he would like to enter into a contract as Hamilton County Public Health Nursing Service's Medical Director as of January 1, 2018 to continue his previous decades of service, and

WHEREAS, Dr. Welch's compensation will be \$12,833.00 as noted in the 2018 wage scale, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to enter into a contract with Dr. David Welch, 158 John Brown Rd, Lake Placid, NY 12946, as Medical Director for Hamilton County Public Health Nursing Service, upon approval of the County Attorney and the County Treasurer and Clerk of the Board be so notified.

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

AYES: SNYDER, EDWARDS, WELLS, FREY, D. WILT, FARBER AND TOWERS

NAYS: NONE

ABSENT: R. WILT AND SEAMAN

BUDGET REVIEW:

Budget Officer Frank Mezzano and Mr. Frey stated how valuable the Clerk of the Board's office is to have when it comes to putting something like this together.

Mr. Mezzano discussed using more of our tax surplus to reduce taxes. He further stated that sales tax is something that should be discussed. The Chairman stated that we have seen soft sales tax numbers in the first 3 quarters this year. We have tried to evaluate it. We have been talking with the community. Found that a lot of the lodging properties had cancellations over the summer so that causes some of the impact. What we see historically is that about 43% of our sales tax revenue comes in during the 4th quarter. Not seeing the numbers in 2017 which is why the estimated revenue for 2018 is \$200,000.00 less than what was estimated for 2017.

Mr. Towers asked why there is a decrease in revenue 1610 – Home Nursing Charges. The Chairman stated there is a decrease because we haven't over the last two or three years done a good job reducing the charges to reflect the fact that we are not providing as much service as before. So, between that and now going to a prospective payment system that looks at paying us based on the diagnosis. The old system was a fee for service and the cost report was just a vehicle that looked at the cost of providing the service and if your cost was high they reimbursed you a high rate. The changes that we have seen in the health care industry between Medicare and Medicaid have been to go to this diagnostic based payment system. The Chairman discussed some

issues with the Kantime billing system which could also be contributing to the decrease in revenue for this year.

Mr. Mezzano stated that Public Health appropriations have been decreased by \$20,000.00. The Chairman discussed that the decrease was in Contracts because we are now providing the service with staff.

Mr. R. Wilt entered the meeting.

The Chairman stated that Revenue 2615.0100 Automobile Grant for Stop DWI, \$22,500 is matched by a Sheriff Appropriation for a vehicle.

The Chairman stated that there are changes under State Aid for 3277.0000 - preschool special education because of increased costs in the transportation of a child from Inlet to Rome.

The Chairman stated that Revenue 3305.0000 – Civil Defense LEMP Grant will be reflected in another place. There was a change where the revenue comes in, it does not mean a loss of that grant.

Mr. Towers stated that 3315.0000 Navigation Law Enforcement is up \$16,400.00. The Chairman stated we will get more information on this.

The Chairman stated that there was a discussion on Committee Day and then a presentation from Dan Engel, Veterans Director, on all the additional programs he is doing along with an update. There was a discussion about the request for an increase of \$2,000.00. Mr. Towers stated that he was impressed by Mr. Engel's presentation. He is in favor of his request. Mr. Mezzano stated that the change will be made.

Mr. R. Wilt stated that Barry Baker, Real Property Director, talked about getting new equipment for his office. The Chairman stated that with a follow up email from Mr. Baker that his initial request could be reduced by \$4,000.00. Mr. Frey stated that 1355.401 Tax Map Maintenance departmental request can be changed from \$18,000.00 to \$14,000.00. The Chairman asked if the Board wanted to increase the \$6,000.00 in the tentative budget to \$14,000.00 in terms of how much we budget based on these new refined numbers. Mr. Frey asked if he had expended the \$6,000.00 already this year. Mr. Frey stated that it was a reasonable expense. Board agreed to change the tentative to \$14,000.00.

Mr. Towers stated that there had been some discussion regarding flex time in the County Clerk's Office and was wondering if that was already reflected in the appropriations. Mr. Mezzano stated that it was in County Clerk Jane Zarecki's written request but not in the numbers in front of them.

Mr. Mezzano stated that Kimberly Byrne, Personnel Director, talked with him regarding drug & alcohol testing cost going up. She made the request that her line 1430.408, Drug & Alcohol Testing, be increased to \$9,000.00.

The Chairman stated that Board of Elections put a request in for 1450.109, Election Workers, of \$32,000.00 with the idea that next year there could be 2 primaries. There was also an increase for 1450.107, Mechanics, based on a combination of a raise and having 3 elections instead of 2 next year. The Mechanics have been paid \$750.00 per election since 2013 with their 10% increase for them it would change it to \$825.00 per election then multiplied by the 3 elections. Board agreed to the \$4,950.00. The same discussion was had for 1450.108, Programmers, agreeing on \$1,650.00.

Break for lunch and Finance Committee meetings.

Returned at 3:20 PM.

Mr. Frey stated that the Board has been asked by some department heads for salary increases, along with some other employees. The Board has a list of requests that they started to review.

Mr. Towers stated that if our District Attorney was fulltime it would bring in NYS money which could result in a County savings. The Chairman stated that to get cost savings from having a fulltime District Attorney we would have to get legislation changed. His recommendation would be that the County thinks very seriously as Albany is wrangling over assuring 50% reimbursement to counties. That we ask Mark and Jim on behalf of Hamilton County to change the way the language is currently written. The way it is currently written is that all counties with 50,000 people or more get half the money back. Step 1 would be to eliminate the 50,000 population threshold so all counties with a fulltime District Attorney would be eligible for the reimbursement. The start of this should be for next term. At the start of the next term does the position warrant a fulltime District Attorney? If we are going to start this then the Board should make the decision earlier rather than later so everyone knows the ground rules. Mr. Towers asked what the salary for a fulltime District Attorney is. The Chairman stated that the salary is \$180,000.00.

The Chairman stated that he was not compelled by the explanation for the increase in District Attorney Confidential Secretary, 1165.102. Mr. Frey suggested leaving the Assistant District Attorney the same with no increase.

For County Treasurer's salary, the Board agreed on the tentative budget. Deputy County Treasurer salary Board agreed on the tentative budget. Mr. Towers asked how Beth Hunt, County Treasurer, got to the request. The Chairman stated that with respect to her own salary she created equity between her salary and the County Clerk's stating that they were always equal before. Senior Account Clerk, 1325.103, salary in Treasurer's Office had some discussion. Board will be revisiting it.

There was some discussion regarding the Director of Real Properties salary and after the discussion the Board agreed on \$70,000.00.

The Chairman excused himself before the discussion regarding County Clerks' Office.

The County Clerk, Jane Zarecki, requested increases in salaries along with optional additional hours. The Budget Officer read through her requests again and after some Board discussion both

Mr. Wells and Mr. Frey agreed that something should be done for the staff. Mr. Towers' concern is that they are giving them more money but really the work load is the problem. He did agree with making a grade change to the Deputy Clerk pending exact amount and the flexibility of more hours for the rest of the staff.

The Chairman returned.

Discussion regarding the Personnel Officer, Kimberly Byrne, and her request of her hours back. She currently works 32 hours per week with Wednesday being her short day. After some discussion the Board decided to come back and revisit it.

The Board decided to stay with the tentative budget for the Election Commissioners.

The Board then discussed Sheriff Karl Abrams' request to change his Confidential Secretary from 35 hours per week to 40 hours per week. The Board agreed to change her to 40 hours per week.

The Board decided to stay with the tentative budget for Probation Director and Officer.

The Board had some discussion regarding Public Health Director of Patient Services and decided to stay with the tentative. Then some discussion regarding the Clerk/Computer Support Aide position, and changing the title to Senior Account Clerk. The Chairman stated that the problem is that the department went from 4 people doing the clerical work down to 2. There is an Administrative Assistant and a Clerk/Computer Support Aide, both are doing a lot of similar work. The Board agreed to change the title to Senior Account Clerk.

The Board discussed the Soil & Water budget request which Mr. R. Wilt would like to see them get. They did a great job helping with the East Mountain Tower project.

The Board then discussed Agriculture & Livestock budget. Mr. R. Wilt stated that it should be left at tentative. That there is a statute that Cooperative Extension has to be within the County. The Chairman stated that other counties have cut out the program. If the Board is thinking about cutting it out then the time is when you have a retirement and a transition. You don't wait until they recruit someone to come to Hamilton County and then a year in cut it out. The Director is retiring at the end of this year. Mr. Towers asked if there was someone already coming on board. The Chairman stated that he thought they were still interviewing. He would like to set up a meeting with the Executive Director and some of their Board members to discuss.

The Chairman stated that with WIA participants – summer youth account, 6290.103, we increase the revenue and appropriation once we know what that is. We don't know until the spring of the year and then it is put in as a budget adjustment.

Mr. Towers asked if after the presentation that the Office for the Aging did was the amount in the tentative budget fine. The Chairman stated that the number is a little light when you look at her presentation. I know she gave us more detail and broke out how the programs were going with the hope that we would have some conversations about whether or not there was a way for us to work with her and gain some efficiency in how the program worked. It would not be his inclination

to put in the full \$50,000.00 but it may require some money. It would be best if we met with her sooner rather than later to talk about some of the efficiency issues and how we gain better economy. Mr. Towers stating by her numbers it should be around \$290,000.00.

The Chairman stated that following today's Finance Committee meeting there are a couple more resolutions for consideration. They are on the Boards' desks.

RESOLUTION NO. 326-17

AUTHORIZING A PUBLIC HEARING TO CONSIDER PROPOSED LOCAL LAW NO. 12 OF 2017 A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR 2018 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET FOR 2018 THAT WILL REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE 2018 FISCAL YEAR

DATED: NOVEMBER 7, 2017

BY MR. TOWERS:

RESOLVED, that proposed Local Law No. 12 of 2017 titled "A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR 2018 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET FOR 2018 THAT MAY REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE 2018 FISCAL YEAR" attached hereto and made a part hereof, be, and the same hereby is introduced before the Hamilton County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors' Rooms in the Hamilton County Municipal Building on the 27th day of November, 2017, at 11:15 a.m., on the matter of the adoption of said proposed Local Law No. 12 of 2017, entitled "A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY FOR 2018 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A BUDGET FOR 2018 THAT MAY REQUIRE A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE 2018 FISCAL YEAR", and it be further

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

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, FARBER AND TOWERS

NAYS: NONE

ABSENT: SEAMAN

PROPOSED LOCAL LAW NO. 12 OF 2017

**State of New York
County of Hamilton**

**A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR HAMILTON COUNTY
FOR 2018 AND AUTHORIZING THE ADOPTION BY HAMILTON COUNTY OF A
BUDGET FOR 2018 THAT WILL REQUIRE A TAX LEVY THAT IS GREATER THAN
THE TAX LEVY LIMIT FOR THE 2018 FISCAL YEAR**

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

- Section 1. Title: This Local Law shall be known as “Hamilton County Responsible Budgeting Law of 2017”.
- Section 2. Declaration of intent: The intention of this local law is to comply with the requirements of General Municipal Law Section 3-c (5) prior to adopting the 2018 Hamilton County Budget. The slow recovery of the national, state and local economies from the most recent recession and the continued financial obligations imposed on the County by the State in the form of mandated government activities not fully funded by the State are conditions beyond the control of County government. Notwithstanding these circumstances the County will need to provide services in 2018, in addition to those mandated by the State, which are important to our citizens. After serious and sustained efforts to minimize the amount of the tax levy, and to project the tax levy limit for Hamilton County for 2018, it is clear that a responsible budget for 2018 will require a tax levy that will be greater than the tax levy limit calculated pursuant to applicable State Law.
- Section 3. Budget Authorization: The Board of Supervisors hereby overrides the tax levy limit for Hamilton County for 2018 and authorizes Hamilton County, after completing all required procedures for the adoption of a budget, to adopt a budget for 2018 that will require a tax levy increase that is greater than the tax levy limit calculated for 2018 pursuant to Section 3-c of the General Municipal Law.
- Section 4. Severability: If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.
- Section 5. Effective Date: This local law shall take effect upon the date on which a certified copy of this local law is filed in the office of the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.

RESOLUTION NO. 327-17

AMENDING RESOLUTION NO. 259-17 - ANNUAL SESSION DATES

DATED: NOVEMBER 7, 2017

BY MR. R. WILT:

WHEREAS, Resolution No. 259-17, adopted October 5, 2017 set the 2017 Annual Session Dates, and

WHEREAS, it has now been determined that there is a need to reschedule the November 14, 2017 Session, be it

RESOLVED, that Resolution No. 259-17 be amended by changing the November 14, 2017 Session date to November 13, 2017.

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

AYES: R. WILT, SNYDER, EDWARDS, WELLS, FREY, D. WILT, FARBER AND TOWERS

NAYS: NONE

ABSENT: SEAMAN

As there was no further business, meeting recessed until November 13, 2018.