

DATED: FEBRUARY 25, 2019

BY MR. SEAMAN:

WHEREAS, the Hamilton County Public Health Nursing Service is required to provide for special education and related services for children aged 3 – 5 who reside in Hamilton County and have a developmental delay as defined through a comprehensive evaluation through the Committee on Pre-School Special Education (CPSE) process, and

WHEREAS, the following organizations are approved providers of special education and related services through the New York State Department of Education:

Lexington Center
127 E. State St.
Gloversville, NY 12078

Whispering Pines Preschool
2841 Thousand Acre Rd.
Delanson, NY 12053

Community Health Center of St. Mary's and Nathan Littauer Hospital
2-8 West Main St.
Johnstown, NY 12095

and

WHEREAS, the frequency and duration of services for each child is based on the findings of the comprehensive evaluation and rules applying to section 4410 of the New York State Education Law, as determined by the CPSE committee in preparing an Individualized Education Plan (IEP), and

WHEREAS, the compensation for special education and related services are set at rates in conjunction with the Rate Setting Unit of the NYS Department of Education, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to enter into contracts with these providers to provide the aforesaid services for the period of January 1, 2019 through December 31, 2019 pursuant to an aforesaid IEP for each eligible child, with compensation for each eligible child, with compensation for services rendered at the current approved rates set forth for Hamilton County by the Rate Setting Unit of the NYS Education Department, upon approval of the County Attorney and the County Treasurer be so notified.

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

AYES: R. WILT, STORTECKY, WELLS, FREY, SEAMAN AND FARBER

NAYS: NONE

ABSENT: TOMLINSON, D. WILT AND BEACH

RESOLUTION NO. 80-19

**AUTHORIZING TRANSFER OF FUNDS TO COVER THE 2019 COUNTY
INSURANCE PACKAGE**

DATED: FEBRUARY 25, 2019

BY MR. FREY:

WHEREAS, the 2019 Budget lacks sufficient funds to cover the 2019 expenditure for the Fire and Liability Insurance Package due Rose & Kiernan, Account No. A1910.401, Unallocated Insurance, and

WHEREAS, it appears that additional vehicles to our policy may have led to the increase after budget adoption, be it

RESOLVED, that \$1,579.00 be transferred from Account No. A1990.401, Contingent to Account No. A1910.401 Unallocated Insurance and the Treasurer be so authorized and the Clerk of the Board be so notified.

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

AYES: R. WILT, STORTECKY, WELLS, FREY, SEAMAN AND FARBER

NAYS: NONE

ABSENT: TOMLINSON, D. WILT AND BEACH

RESOLUTION NO. 81-19

**AUTHORIZING PAYMENT OF FEE TO NYS JOINT COMMISSION ON PUBLIC
ETHICS**

DATED: FEBRUARY 25, 2019

BY MR. FREY:

WHEREAS, Hamilton County retained Strategic Development, LLC, and

WHEREAS, Strategic Development, LLC as an advocate for county grants falls under the rules for lobbying, and

WHEREAS, as such the County needs to file the July-December 2018 Semi-Annual Lobbying Report on same with Joint Commission on Public Ethics (JCOPE), and

WHEREAS, said report requires a \$50.00 filing fee, now, therefore, be it

RESOLVED, that the Hamilton County Treasurer is hereby authorized to write a check in the amount of \$50.00 from Account No. A1010.0407 Misc. to the NYS Joint Commission on Public Ethics for submission with said report.

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

AYES: R. WILT, STORTECKY, WELLS, FREY, SEAMAN AND FARBER

NAYS: NONE

ABSENT: TOMLINSON, D. WILT AND BEACH

RESOLUTION NO. 82-19

**AUTHORIZING APPROPRIATION OF FUNDS FOR HVAC SYSTEM
REPLACEMENT FOR COUNTY JAIL AND DISPATCH CENTER - 2019**

DATED: FEBRUARY 25, 2019

BY MR. WELLS:

WHEREAS, Resolution No. 255-18 and Resolution No. 349-18 authorized the appropriation of funds for the HVAC project for the County Jail and Dispatch Center, and

WHEREAS, Resolution No. 57-19 authorized a change order for the piping enclosures for the radiators and piping in the cell block in the amount of \$18,000.00, and

WHEREAS, the HVAC System has not been completed and there was a balance of \$58,966.96 in Account No. A1620.203 HVAC System at the end of 2018 that needs to be appropriated for 2019, be it

RESOLVED, the County Board of Supervisors does hereby authorize the County Treasurer to transfer \$76,966.96 from the Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. A1620.203 HVAC System and the DPW Superintendent and Clerk of the Board be so advised.

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

AYES: R. WILT, STORTECKY, WELLS, FREY, SEAMAN AND FARBER

NAYS: NONE

ABSENT: TOMLINSON, D. WILT AND BEACH

RESOLUTION NO. 83-19

AUTHORIZING PAYMENTS TO FULTON COUNTY FOR SOLID WASTE

DATED: FEBRUARY 25, 2019

BY MR. WELLS:

WHEREAS, the Hamilton County Board of Supervisors by Resolution No. 374-18 duly adopted on November 26, 2018, authorized the Chairman of the Board to enter into a contract with the Fulton County Landfill to accept all of the County of Hamilton's solid waste, and

WHEREAS, the contract provides in part that the Fulton County Landfill will invoice the County of Hamilton on a monthly basis for the solid waste delivered to its facility at Mud Road in Johnstown, New York, and

WHEREAS, the Fulton County Landfill is entitled to payment upon receipt of said invoice, and

WHEREAS, the County of Hamilton is obligated to pay said invoice within thirty (30) days upon receipt in accordance with the terms of said contract, and

WHEREAS, the Hamilton County Board of Supervisors desires to approve the payment of the invoices by the Hamilton County Treasurer prior to the Board of Supervisors auditing the invoices and vouchers at its regularly scheduled monthly meetings, be it

RESOLVED, that the Hamilton County Board of Supervisors does hereby authorize the Hamilton County Treasurer to pay in advance of the Board's audit up to one (1) invoice with the appropriate invoice by the Fulton County Landfill and approved by the Solid Waste Coordinator for the solid waste delivered to the facility at Mud Road in Johnstown, New York, and be it further

RESOLVED, that in the event the Board of Supervisors rejects any of the vouchers so paid on its audit, no further payments will be made by the Hamilton County Treasurer until the discrepancies have been resolved by the Chairman of the Board of Supervisors.

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

AYES: R. WILT, STORTECKY, WELLS, FREY, SEAMAN AND FARBER

NAYS: NONE

ABSENT: TOMLINSON, D. WILT AND BEACH

After the following the resolution was placed on the floor; the Chairman stated that this resolution was moved, seconded and carried over. He discussed holding the resolution to the next meeting based on the Rules of Order. He stated that it was okay if the Board wanted to move and second it again to carry over before deliberation. The Board decided to move and second. Mr. Stortecky asked what had changed. The Chairman stated that nothing had changed and explained that a resolution that is on the second agenda and gets a no vote is automatically held over to the next meeting. Mr. Frey stated he wanted to reiterate his no vote and that it would probably be no again. It is not reflective of all those on the list but it was the inability of one Department Head to fairly discuss and possibly negotiate a rate. The Chairman stated that he took no issue with his reasoning and wished there was a better process so there wasn't that dynamic. He feels it is one more reason to look at the overall overhaul of the system. Mr. Frey stated that the Board tried to negotiate twice with that Department Head with no willingness in return. Mr. Wells stated that he appreciated the Supervisor's no vote and his reasons, but being a Chair of one of the Committees he did receive a phone call from a different Department Head with someone also on that list. He received that Department Head's arguments and believes the blame is laid where it needs to be but those other employees deserve their merit. The Chairman stated that to reassure everyone, based on the anniversary dates and payroll sequences, no employee will have their merit withheld. This resolution will be in place before the next payroll. Mr. Seaman asked if there could be an amendment to that one employee's rate to address Mr. Frey's and possibly others concern. The Chairman stated that it would be bad policy at this point. Mr. Stortecky stated that with being in the initial meeting and listening to both sides, he believes both were right. The Chairman stated that he is willing to accept that there is a difference of opinion but rejects the idea that the system is broken to that degree; this Department Head did the wrong thing. Her evaluation of this employee under the current system was flawed. Mr. Frey stated that he will vote in the affirmative, but with reservations.

RESOLUTION NO. 84-19

APPROVAL OF AND TRANSFER OF FUNDS FOR 2019 MERIT PAY

DATED: FEBRUARY 25, 2019

BY MR. WELLS:

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

WHEREAS, the Personnel Officer reviewed all evaluations prior to Committee day on January 28, 2019 to determine which department heads were to meet to discuss the employee evaluations, be it

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

HIGHWAY

Robert Burgess

February 14, 2019 to February 14, 2020

\$1.65

Joseph Rathbun	February 21, 2019 to February 21, 2020	\$1.32
Jade Sherman	February 13, 2019 to February 13, 2020	\$1.21

REAL PROPERTY

Lori Abbott	February 22, 2019 to February 22, 2020	\$1.65
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NURSING

Avis Warner	February 28, 2019 to February 28, 2020	\$1.65
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SOCIAL SERVICES

Stephanie Hutchins	February 10, 2019 to February 10, 2020	\$1.32
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DISTRICT ATTORNEY

Crystal O'Brien	February 12, 2019 to February 12, 2020	\$1.54
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and be it further

RESOLVED, that the following transfers be made to cover the above 2019 merit pay:

FROM:	A1990.402	Contingent for Merit	\$19,549.53
TO:	D5110.101	Personal Services	\$3,445.20
	DM5130.101	Mechanics	\$2,756.16
	A1620.106	Cleaner	\$2,471.92
	A1355.102	Real Property Tax Service Aide	\$3,014.55
	A4050.104	Registered Professional Nurse	\$2,982.21
	A6010.111	Principal Account Clerk	\$2,389.31
	A1165.105	Account Clerk	\$2,490.18

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

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

AYES: R. WILT, STORTECKY, WELLS, FREY, SEAMAN AND FARBER

NAYS: NONE

ABSENT: TOMLINSON, D. WILT AND BEACH

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