

CONDENSED MINUTES
MONTHLY BOARD MEETING
AUGUST 21, 2009

Fort Edward, New York, Friday, August 21, 2009.

The Board of Supervisors convened in regular session at 10:00 A.M. at the County Office Building, Fort Edward, New York pursuant to Rule 1 of Rules of said Board.

CHAIRMAN WILBUR called the meeting to order and presided.

Mr. Shay offered the prayer.

Mr. Banks led the Pledge of Allegiance and read the Fire Safety Notice.

The Clerk called the roll:

PRESENT: 15 Henke, Trinkle, Banks, Rymph, G. Hall, Suprenant, Hurley, Wilbur, Campbell, Brown, Lindsay, LaPointe, Alexander, Shay, Scribner

ABSENT: 2 Sady, N. Hall

CHAIRMAN WILBUR opened the public hearing on the Adirondack Community College budget for the fiscal year September 1, 2009 - August 31, 2010 at 10:06 AM. There were not comments from the public. CHAIRMAN WILBUR closed the public hearing at 10:07 AM.

Joe Driscoll of Washington County Soil & Water gave a presentation on various Soil & Water projects.

The condensed minutes of the July 17, 2009 meeting were approved as mailed.

The Clerk read the communications.

A motion to adopt the August Audit Report, was moved by Mr. Rymph, seconded by Supervisors Henke, Suprenant, Shay, Alexander and adopted.

Introductory Local Law "B" of 2009, a local law to enact an occupancy tax as authorized by act of the New York State Legislature, was introduced.

CHAIRMAN WILBUR asked if any Supervisor had anyone who requests Supervisors' Privilege of the Floor. Mr. Scribner introduced Marge Mohn, Tourism Director, who showed a video presentation of recently produced Washington County tourism ads.

CHAIRMAN WILBUR asked that the resolutions be introduced. A motion to set aside the rules to present Resolution No. 222, 228, 229, moved by Mr. Brown, seconded

by Mr. Campbell and adopted.

Resolution No. 207 August 21, 2009 By Supervisors Scribner, G. Hall, N. Hall, LaPointe - TITLE: To Exercise Option Year for Public Health Transportation Services.

Resolution No. 208 August 21, 2009 By Supervisors Campbell, Rymph, Lindsay, N. Hall, Hurley - TITLE: To Set Public Hearing on Introductory Local Law "B" of 2009 Entitled A Local Law to Enact an Occupancy Tax as Authorized by Act of the New York State Legislature (Chapter 102 of the Laws of 2009).

Resolution No. 209 August 21, 2009 By Supervisors Lindsay, Suprenant, Scribner, Banks, Alexander, Henke, Sady - TITLE: To Oppose A00801/S1598A Entitled An Act to Amend the Penal Law, in Relation to Providing for the Expiration and Renewal of Certain Firearms Licenses Outside the City of New York.

Resolution No. 210 August 21, 2009 By Supervisors Wilbur, Henke, Scribner - TITLE: To Create Title of Medical Secretary (Public Health) and Place on Grade Schedule.

Resolution No. 211 August 21, 2009 By Supervisors Wilbur, Henke, Scribner - TITLE: To Amend Grade Schedule for Title of Supervisor of Cleaning and Laundry (PV).

Resolution No. 212 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: To Adopt Adirondack Community College Budget.

Resolution No. 213 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: Amend Budget - DSS for HEAP Funding.

Resolution No. 214 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: Amend Budget - Department of Social Services for Additional Foster Care and Adoption Assistance Funding.

Resolution No. 215 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: Amend Budget - WIC - Transfer Funds Between Line Items.

Resolution No. 216 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: To Authorize I Love New York Funding and Change Status of Tourism Promotion Agency to be Performed by County Personnel.

Resolution No. 217 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: To Create Title of Supervising Nurse (Jail) and Place on Grade Schedule.

Resolution No. 218 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: To Sign Agreement with ATT/Cingular for Lease of Tower Property on Presbytery Hill.

Resolution No. 219 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: To Authorize Settlement Group for Average Wholesale Price Litigation.

Resolution No. 220 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: To Authorize and Ratify Settlement of Average Wholesale Price Litigation Concerning Amgen, Dey and Ethex.

Resolution No. 221 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: To Cancel or Reduce Interest, Penalties and Other Charges on Real Property Pursuant to Real Property Tax Law §1182; Town of Whitehall.

Resolution No. 222 August 21, 2009 By Supervisor Brown -TITLE: To Award Bid for Replacement of Saunders/Division Street and Clinton Avenue Bridges Over the D&H PIN 1755.15.

Resolution No. 223 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: Amend Employee Handbook - Personal Time.

Resolution No. 224 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: Amend Employee Handbook - Sick Time.

Resolution No. 225 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: Amend Employee Handbook - Holidays.

Resolution No. 226 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: Amend Employee Handbook - Vacation Time.

Resolution No. 227 August 21, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley, Campbell - TITLE: Amend Employee Handbook to Revise Health Insurance Coverage for Retirees That Start Employment on or After October 1, 2009.

Resolution No. 228 August 21, 2009 By Supervisor G. Hall - TITLE: Amend Budget - Planning for Quadricentennial Grant of \$45,000 and Authorize the Chairman to Sign Agreement with Washington County Tourism Association.

Resolution No. 229 August 21, 2009 By Supervisor Wilbur - TITLE: To Create Title of Senior Cleaner (PV) and Place on Grade Schedule.

The Board went on to consider the resolutions.

Resolution No. 207, moved by Mr. Scribner, seconded by Supervisors G. Hall, Campbell and adopted.

Resolution No. 208, moved by Mr. Campbell, seconded by Supervisors Lindsay, Hurley. CHAIRMAN WILBUR asked for discussion. A motion to amend Local Law "B" in Section 4 - Imposition of Tax to change date to December 1, 2009, moved by Mrs. G. Hall, seconded by Supervisors Brown, Hurley and adopted. Resolution No. 208, moved by Mr. Campbell, seconded by Supervisors Lindsay, Hurley and adopted.

Resolution No. 209, moved by Mr. Lindsay, seconded unanimously and adopted.

Resolution No. 210, moved by Chairman Wilbur, seconded by Supervisors Henke, Scribner, Banks, Lindsay, Shay and adopted by the following roll call vote:

AYES: 15 Henke, Trinkle, Banks, Rymph, G. Hall, Suprenant, Hurley, Wilbur, Campbell, Brown, Lindsay, LaPointe, Alexander, Shay, Scribner

ABSENT: 2 Sady, N. Hall

AYES: 3,900 ABSENT: 232

Chairman Wilbur withdrew Resolution No. 211. Supervisors Henke and Scribner concurred with withdrawing. This resolution will be replaced by Resolution No. 229.

Resolution No. 212, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Banks, Alexander, Campbell and adopted by the following roll call vote:

AYES: 14 Henke, Trinkle, Banks, Rymph, G. Hall, Suprenant, Hurley, Wilbur, Campbell, Lindsay, LaPointe, Alexander, Shay, Scribner

NOES: 1 Brown

ABSENT: 2 Sady, N. Hall

AYES: 3,774 NOES: 126 ABSENT: 232

Resolution No. 213, moved by Mrs. G. Hall, seconded by Supervisors Scribner, Shay, Lindsay, Banks, Hurley, Campbell and adopted.

Resolution No. 214, moved by Mrs. G. Hall, seconded by Supervisors Scribner,

Shay, Lindsay, Banks, Hurley, Campbell and adopted.

Resolution No. 215, moved by Mrs. G. Hall, seconded by Supervisors Scribner, Shay, Lindsay, Banks, Campbell and adopted.

Resolution No. 216, moved by Mrs. G. Hall, seconded by Supervisors Shay, Lindsay, Hurley, Campbell and adopted. Mr. Rymph opposed.

Resolution No. 217, moved by Mrs. G. Hall, seconded by Supervisors Scribner, Shay, Lindsay, Henke, Banks, Suprenant. CHAIRMAN WILBUR asked for discussion. Mr. LaPointe asked why are we creating a 40 hour position when we are trying to cut positions back to 35. This was approved in the 2009 budget process but the resolution to institute this change wasn't done. Mr. Brown asked if a Supervising Nurse is required. CHAIRMAN WILBUR stated that it is not required. Kevin Hayes addressed the Board. Kevin stated that the position is a working Supervising Nurse who supervises the entire staff of nurses and is on call. Resolution No. 217, moved by Mrs. G. Hall, seconded by Supervisors Scribner, Shay, Lindsay, Henke, Banks, Suprenant and adopted by the following roll call vote:

AYES: 14 Henke, Trinkle, Banks, Rymph, G. Hall, Suprenant, Hurley, Wilbur, Campbell, Lindsay, LaPointe, Alexander, Shay, Scribner

NOES: 1 Brown

ABSENT: 2 Sady, N. Hall

AYES: 3,774 NOES: 126 ABSENT: 232

Resolution No. 218, moved by Mrs. G. Hall, seconded by Supervisors Scribner, Shay, Lindsay, Henke, Alexander, Banks, Suprenant. CHAIRMAN WILBUR asked for discussion. Mr. Campbell asked if we might be better off building our own tower and collecting 100% of the co-location rents. He was also concerned that the county not owning the tower could preclude us from stimulus and future grant money. CHAIRMAN WILBUR attended the broadband meeting hosted by Congressman Murphy and was told that the county not owning the tower would not affect us from receiving stimulus funding. Resolution No. 218, moved by Mrs. G. Hall, seconded by Supervisors Scribner, Shay, Lindsay, Henke, Alexander, Banks, Suprenant and adopted. Supervisors Campbell, Hurley, Brown opposed.

Resolution No. 219, moved by Mrs. G. Hall, seconded by Supervisors Scribner, Shay, Lindsay, Banks, Campbell and adopted.

Resolution No. 220, moved by Mrs. G. Hall, seconded by Supervisors Scribner, Shay, Lindsay, Henke, Banks, Campbell and adopted.

Resolution No. 221, moved by Mrs. G. Hall, seconded by Supervisors Shay,

Lindsay, Hurley, Campbell and adopted.

Resolution No. 222, moved by Mr. Brown, seconded by Supervisors Campbell, Lindsay, Scribner, Hurley and adopted.

Resolution No. 223, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Campbell and adopted.

Resolution No. 224, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Campbell and adopted.

Resolution No. 225, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Campbell and adopted.

Resolution No. 226, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Campbell and adopted.

Resolution No. 227, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Campbell and adopted.

Resolution No. 228, moved by Mrs. G. Hall, seconded by Supervisors Henke, Trinkle, Banks, Lindsay, Shay, Scribner and adopted.

Resolution No. 229, moved by Chairman Wilbur, seconded by Supervisors Henke, Banks, Hurley, Campbell, Lindsay, LaPointe, Scribner and adopted by the following roll call vote:

AYES: 15 Henke, Trinkle, Banks, Rymph, G. Hall, Suprenant, Hurley, Wilbur, Campbell, Brown, Lindsay, LaPointe, Alexander, Shay, Scribner

ABSENT: 2 Sady, N. Hall

AYES: 3,900 ABSENT: 232

CHAIRMAN WILBUR asked for Supervisors' comments. Mr. Rymph announced that next week is Washington County Fair Week.

CHAIRMAN WILBUR introduced Bob Hansen, NYSDOT Regional Planning and Program Manager who gave a power point presentation.

Mr. Suprenant moved to adjourn. Meeting adjourned at 12:20 PM.

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