

CONDENSED MINUTES  
MONTHLY BOARD MEETING  
SEPTEMBER 18, 2009

Fort Edward, New York, Friday, September 18, 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: 17 Henke, Trinkle, Banks, Rymph, G. Hall, Suprenant, Hurley, Wilbur, Sady, N. Hall, Campbell, Brown, Lindsay, LaPointe, Alexander, Shay, Scribner

CHAIRMAN WILBUR opened the public hearing on Local Law B of 2009 - Occupancy Tax Law at 10:07 AM. There were not comments from the public. CHAIRMAN WILBUR closed the public hearing at 10:08 AM.

CHAIRMAN WILBUR introduced Elaine Gibb who distributed information about breast cancer and announced the breast cancer walk will be October 4, 2009 in Salem.

The condensed minutes of the August 21, 2009 meeting were approved as mailed.

The Clerk read the communications.

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

Introductory Local Law "C" of 2009, a local law establishing waste/recyclable material hauler licensing, vehicle identification, and hauler reporting requirements, was introduced.

CHAIRMAN WILBUR asked if any Supervisor had anyone who requests Supervisors' Privilege of the Floor. There were no requests.

CHAIRMAN WILBUR asked that the resolutions be introduced. A motion to set aside the rules to present Resolution No. 251, 252, 254, 255, 256, moved by Mr. LaPointe, seconded by Mr. Campbell. CHAIRMAN WILBUR asked for discussion. A motion to exclude Resolutions No. 255 and 256 from the motion, moved by Mr. Rymph, seconded

by Mr. Brown and defeated. A motion to set aside the rules to present Resolution No. 251, 252, 254, 255, 256, moved by Mr. LaPointe, seconded by Mr. Campbell and adopted. Supervisors Rymph, Brown, Scribner opposed.

Resolution No. 230 September 18, 2009 By Supervisor Campbell - TITLE: To Adopt Introductory Local Law "B" of 2009.

Resolution No. 231 September 18, 2009 By Supervisors Brown, Scribner, Shay, Banks, Suprenant, Hurley - TITLE: To Set Public Hearing on Introductory Local Law "C" of 2009.

Resolution No. 232 September 18, 2009 By Supervisors Lindsay, Suprenant, Scribner, Banks, Henke - TITLE: To Authorize Intermunicipal Agreements for Emergency Code Enforcement Services.

Resolution No. 233 September 18, 2009 By Supervisor Brown - TITLE: To Support Extended Producer Responsibility Legislation Regarding Manufactured Goods and Packaging.

Resolution No. 234 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: To Cancel Taxes.

Resolution No. 235 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: Amend Budget - Department of Social Services for Intensive Case Services.

Resolution No. 236 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: Amend Budget - Department of Social Services for Additional Adoption Assistance Funding.

Resolution No. 237 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: Amend Budget - Department of Social Services for HEAP Funding.

Resolution No. 238 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Lindsay, Hurley - TITLE: Amend Budget - Department of Social Services for Back to School Supplemental Funding.

Resolution No. 239 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: Amend Budget - Unemployment Expense.

Resolution No. 240 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: Amend Budget - Pleasant Valley to Hire Agency Nursing.

Resolution No. 241 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: Amend Budget - Sewer District No. 2 to Purchase Manhole Monitoring Device.

Resolution No. 242 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Shay, Lindsay, Henke, Hurley - TITLE: To Authorize Participation in Needs Analysis and Assessment for Broadband Access in Washington County.

Resolution No. 243 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: Resolution Urging New York State to Stop Pillaging 9-1-1 Funds.

Resolution No. 244 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: To Accept Payment of Returned Village Taxes.

Resolution No. 245 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: To Accept Payment of Returned School Taxes.

Resolution No. 246 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: To Designate Washington County as a Recovery Zone Pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA).

Resolution No. 247 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: To Advance Washington County Tourism Association \$29,491 and Sign Loan Agreement with Washington County Tourism Association.

Resolution No. 248 September 18, 2009 By Supervisors Brown, Scribner, Shay, Banks, Suprenant, Hurley - TITLE: To Commend James Fischbeck, Director of Washington County Sewer District No. 2 for His Service to Washington County.

Resolution No. 249 September 18, 2009 By Supervisors Brown, Scribner, Shay, Banks, Suprenant, Hurley - TITLE: To Request Consistency from the Department of Environmental Conservation Concerning the Use of Municipal Sewer Treatment Plants for Disposal of Various Effluent.

Resolution No. 250 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: To Authorize Participation in Pro Act New York Based Discount Drug Program.

Resolution No. 251 September 18, 2009 By Supervisor Lindsay - TITLE: To Appoint Public Defender.

Resolution No. 252 September 18, 2009 By Supervisor Campbell - TITLE: Encouraging Immediate Relief for Dairy Farmers and Supporting Changes at the Federal Level Establishing the Price of Fluid Milk at the Farm Gate.

Resolution No. 253 September 18, 2009 By Supervisors G. Hall, LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Henke, Hurley - TITLE: Amend Budget - Public Defender.

Resolution No. 254 September 18, 2009 By Supervisor G. Hall - TITLE: To Authorize the Chairman to Sign Agreement with Benetech to Be Our Responsible Reporting Entity for Reporting Claims Paid for Worker's Compensation to the Center of Medicare/Medicaid Services.

Resolution No. 255 September 18, 2009 By Supervisor Campbell - TITLE: To Retain the Services of Ghostwriters Communications, Inc. as Tourism Consultant to Washington County and Terminate Contract with Washington County Tourism Association.

Resolution No. 256 September 18, 2009 By Supervisor Brown - TITLE: To Retain the Services of Christine Hoffer as Tourism Consultant to Washington County and Terminate Contract with Washington County Tourism Association.

The Board went on to consider the resolutions.

Resolution No. 230, moved by Mr. Campbell, seconded by Supervisors G. Hall, Hurley, Sady, Brown, Scribner and adopted by the following roll call vote:

AYES: 16 Henke, Trinkle, Banks, G. Hall, Suprenant, Hurley, Wilbur, Sady, N. Hall, Campbell, Brown, Lindsay, LaPointe, Alexander, Shay, Scribner

NOES: 1 Rymph

AYES: 3,965 NOES: 167

Resolution No. 231, moved by Mr. Brown, seconded by Supervisors Scribner, Shay, Banks, Suprenant, Hurley, Sady, Campbell and adopted.

Resolution No. 232, moved by Mr. Lindsay, seconded by Supervisors Suprenant, Scribner, Henke. CHAIRMAN WILBUR asked for discussion. Mrs. N. Hall stated she was told that due to the cuts in the Code Enforcement office, the Code Enforcement officers are not getting out to the towns in a timely manner. CHAIRMAN WILBUR suggested that she speak to Bill McCarty. Resolution No. 232, moved by Mr. Lindsay, seconded by Supervisors Suprenant, Scribner, Henke and adopted. Mrs. N. Hall opposed.

Resolution No. 233, moved by Mr. Brown, seconded by Supervisors Hurley, Campbell and adopted.

Resolution No. 234, moved by Mrs. G. Hall, seconded by Supervisors Scribner,

Shay, Lindsay, Henke and adopted.

Resolution No. 235, moved by Mrs. G. Hall, seconded by Supervisors Trinkle, Scribner, Rymph, Banks, Shay, Lindsay, Henke and adopted.

Resolution No. 236, moved by Mrs. G. Hall, seconded by Supervisors Trinkle, Rymph, Shay, Lindsay, Banks, Henke, Sady, Campbell. CHAIRMAN WILBUR asked for discussion. Mr. Henke commented that none of these stimulus budget amendments are going to stimulate the economy. Resolution No. 236, moved by Mrs. G. Hall, seconded by Supervisors Trinkle, Rymph, Shay, Lindsay, Banks, Henke, Sady, Campbell and adopted.

Resolution No. 237, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Scribner, Rymph, Shay, Lindsay, Banks, Henke, Campbell, Alexander and adopted.

Resolution No. 238, moved by Mrs. G. Hall, seconded by Supervisors Lindsay, Banks, Campbell and adopted. Supervisors Henke, Rymph, Scribner, Brown opposed.

Resolution No. 239, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Scribner, Shay, Banks, Campbell and adopted. Mr. Henke opposed.

Resolution No. 240, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Scribner, Rymph, Shay, Banks, Henke and adopted.

Resolution No. 241, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Scribner, Shay, Banks, Lindsay, Henke, Suprenant and adopted.

Resolution No. 242, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Shay, Lindsay, Banks, Henke, Sady, Campbell. CHAIRMAN WILBUR asked for discussion. Discussion ensued. Karen Pratt, IT Director addressed the Board. A motion for the question on the resolution, moved by Mr. LaPointe, seconded by Mr. Banks and adopted. Resolution No. 242, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Shay, Lindsay, Banks, Henke, Sady, Campbell and adopted. Supervisors Rymph, Brown opposed.

Resolution No. 243, moved by Mrs. G. Hall, seconded unanimously and adopted.

Resolution No. 244, moved by Mrs. G. Hall, seconded by Supervisors Trinkle, Scribner, Banks, Shay, Lindsay, Henke and adopted.

Resolution No. 245, moved by Mrs. G. Hall, seconded by Supervisors Trinkle, Scribner, Shay, Lindsay, Banks, Henke and adopted.

Resolution No. 246, moved by Mrs. G. Hall, seconded by Supervisors LaPointe, Trinkle, Scribner, Rymph, Shay, Lindsay, Banks, Sady, Henke, Hurley and adopted.

Resolution No. 247, moved by Mrs. G. Hall, seconded by Supervisors Scribner,

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

Resolution No. 248, moved by Mr. Brown, seconded unanimously and adopted.

Resolution No. 249, moved by Mr. Brown, seconded by Supervisors Scribner, Shay, Banks, Suprenant, Hurley, Henke and adopted.

Resolution No. 250, moved by Mrs. G. Hall, seconded by Supervisors Scribner, Rymph, Shay, Lindsay, Sady, Henke, Campbell and adopted.

Resolution No. 251, moved by Mr. Lindsay, seconded by Supervisors Henke, Trinkle, Banks, Rymph, G. Hall, Hurley, Wilbur, Sady, N. Hall, Campbell, Brown, LaPointe, Alexander, Shay, Scribner and adopted.

Resolution No. 252, moved by Mr. Campbell, seconded unanimously and adopted.

Resolution No. 253, moved by Mrs. G. Hall, seconded by Supervisors Trinkle, Scribner, Banks, Henke and adopted.

Resolution No. 254, moved by Mrs. G. Hall, seconded by Supervisors Banks, Lindsay, LaPointe, Shay and adopted.

Resolution No. 255, moved by Mr. Campbell, seconded by Supervisors G. Hall, LaPointe. CHAIRMAN WILBUR asked for discussion. A motion for executive session to discuss the medical, financial, credit or employment history of a particular person, moved by Mr. Campbell, seconded by Supervisors Brown, Lindsay and adopted. A motion to return to open session, moved by Mr. Campbell, seconded by Mr. LaPointe and adopted. Discussion ensued. A motion to amend Resolution No. 255 to add a resolved that 1) there are no extra costs above what was budgeted and 2) that it is subject to thorough review by the Board of Supervisors at the end of 2010 to determine if the goals set have been attained, moved by Mr. Hurley, seconded by Mr. Suprenant. Discussion ensued on the amendment. A motion to amend Resolution No. 255 to add a resolved that 1) there are no extra costs above what was budgeted and 2) that it is subject to thorough review by the Board of Supervisors at the end of 2010 to determine if the goals set have been attained, moved by Mr. Hurley, seconded by Mr. Suprenant and defeated by the following roll call vote:

AYES: 5 Suprenant, Hurley, Wilbur, Brown, Shay

NOES: 12 Henke, Trinkle, Banks, Rymph, G. Hall, Sady, N. Hall, Campbell, Lindsay, LaPointe, Alexander, Scribner

AYES: 1,606 NOES: 2,526

Resolution No. 255, moved by Mr. Campbell, seconded by Supervisors G. Hall, LaPointe and defeated by the following roll call vote:

AYES: 9 Banks, G. Hall, Suprenant, Hurley, Wilbur, Sady, N. Hall, Campbell, LaPointe

NOES: 7 Henke, Trinkle, Rymph, Brown, Lindsay, Shay, Scribner

ABSTAIN: 1 Alexander

AYES: 1,962 NOES: 1,973 ABSTAIN: 197

Resolution No. 256, moved by Mr. Brown, seconded by Mr. Rymph and defeated by the following roll call vote:

AYES: 6 Trinkle, Hurley, N. Hall, Campbell, Brown, Shay

NOES: 10 Henke, Banks, Rymph, G. Hall, Suprenant, Wilbur, Sady, Lindsay, LaPointe, Scribner

ABSTAIN: 1 Alexander

AYES: 1,287 NOES: 2,648 ABSTAIN: 197

CHAIRMAN WILBUR asked for Supervisors' comments. Mr. Lindsay would like the two candidates for Tourism Consultant interviewed again. CHAIRMAN WILBUR stated that the committee should meet very soon and he will call a special meeting if necessary. An Ag/Planning/Tourism/Community Development committee meeting was tentatively scheduled for Monday, October 5, 2009 at 9 AM to interview the two candidates for Tourism Consultant with a Special Meeting immediately following.

Mr. Suprenant moved to adjourn.

<http://www.co.washington.ny.us>