

PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY



2001

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CALL TO ORDER

The Organizational Meeting for 2001 was called to order at 7:05 p.m. by Supervisor Van Kersen. The Pledge of Allegiance to the Flag was led by Supervisor DiMezza. Roll Call indicated that all Supervisors were present.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Keller, seconded by Supervisor Hisert, to amend the agenda to add Resolution No. 13, passed with Aye(1868). Motion by Supervisor Keller, seconded by Supervisor Hisert, to adopt the amended agenda, passed with Aye(1868).

Supervisor Van Kersen called for a Republican caucus at 7:06 p.m. The meeting was reconvened at 8:15 p.m.

____ _
SELECTION OF PERMANENT CHAIRMAN

**
RESOLUTION NO. 1 of 2001 DATED: January 2, 2001
RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF
SUPERVISORS FOR THE YEAR 2001

Resolution by Supervisor: Mead
Seconded by Supervisor: Hisert

RESOLVED, that Supervisor _____ hereby is elected Chairman of the Montgomery County Board of Supervisors for the year 2001, and

FURTHER RESOLVED, that the annual salary of said Chairman hereby is fixed in the amount of \$10,000, and

FURTHER RESOLVED, that said Chairman shall exercise the authority bestowed upon the office by applicable State Laws and Local Law No. 3 of 1983.

MOTION TO AMEND by Supervisor Mead, seconded by Supervisor Brodie, in the RESOLVED clause, insert "Ronald J. Barone, Sr."

MOTION TO AMEND by Supervisor Keller, seconded by Supervisor Hassan, in the RESOLVED clause, insert "Robert F. McMahon", failed with Aye(721). Supervisors McMahon, Hassan, Keller, Vesp, Paton, Hisert and Van Kersen voted aye.

MOTION TO AMEND (Mead/Brodie), passed with Aye(1868).

MOTION to have the Clerk of the Board cast one unanimous vote in favor of the Resolution, passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Personnel/Payroll

NEW BUSINESS

**

RESOLUTION NO. 2 of 2001 DATED: January 2, 2001
RESOLUTION APPOINTING VICE-CHAIRMAN OF BOARD OF SUPERVISORS FOR 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: Van Kersen

RESOLVED, that Supervisor _____ hereby is appointed
Vice-Chairman of the Montgomery County Board of Supervisors for the year 2001,
and

FURTHER RESOLVED, that the annual salary of said Vice-Chairman hereby is
fixed in the amount of \$7,000, and

FURTHER RESOLVED, that said Vice-Chairman shall exercise the authority
granted to the Chairman of the Board, in the Chairman's absence.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Mancini, in the
RESOLVED clause, insert "James G. Cuzzo".

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Hassan, in the
RESOLVED clause, insert "Ronald J. Mead", failed with Aye(493).
Supervisors Brodie, Hasan, Paton, Hisert and Van Kersen voted aye.

MOTION TO AMEND by Supervisor Keller, seconded by Supervisor Van Kersen, in the
RESOLVED clause, insert "Robert F. McMahon", failed with Aye(423).
Supervisors Hassan, Keller, Paton, Hisert and Van Kersen voted aye.

MOTION TO AMEND (Dybas/Mancini), passed with Aye(1545). Supervisors Keller,
Paton and Hisert abstained.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Personnel/Payroll

**

RESOLUTION NO. 3 of 2001 DATED: January 2, 2001
RESOLUTION ADOPTING RULES OF PROCEDURE OF THE BOARD OF SUPERVISORS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahon

RESOLVED, that the Rules of Procedure, attached hereto, hereby are adopted
by the Board of Supervisors for 2001, or until amended by Resolution.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 4 of 2001 DATED: January 2, 2001
RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE
COUNTY TREASURER DURING 2001 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE
KEPT ON DEPOSIT THEREIN AT ANY ONE TIME

Resolution by Supervisor: Dybas
Seconded by Supervisor: DiMezza

WHEREAS, according to section 212 of the County Law, a Board of Supervisors shall designate the banks, bankers or banking associates for deposit of all County funds received by the County Treasurer heretofore according to law, and

WHEREAS, a Board of Supervisors, in accordance with said section, shall likewise specify the name of each so designated and the maximum amount which may be kept on deposit therein at any one time in the name of the County Treasurer,

RESOLVED, that pursuant to Section 212 of the County Law, the following banks are hereby designated by the Montgomery County Board of Supervisors as depositories for the deposit of all County funds by the County Treasurer of this County and deposited in the name of said County Treasurer for the year 2001 namely:

CENTRAL NATIONAL BANK, FONDA BRANCH, Fonda, NY
FLEET BANK, AMSTERDAM BRANCH, Amsterdam, NY
KEY BANK, N.A., AMSTERDAM BRANCH, Amsterdam, NY
CHASE BANK, 12 Corporate Woods Blvd., Albany, NY
HSBC BANK USA, Amsterdam Branch, Amsterdam, NY

, and

FURTHER RESOLVED, that the maximum amount of County funds which may be kept on deposit in said depositories at any one time in the name of the County Treasurer be, and the same hereby is, fixed and determined as follows:

CENTRAL NATIONAL BANK, FONDA BRANCH, Fonda, NY	\$15,000,000.00
FLEET BANK, AMSTERDAM BRANCH, Amsterdam, NY	\$18,000,000.00
KEY BANK, N.A., AMSTERDAM BRANCH, Amsterdam, NY	\$10,000,000.00
CHASE BANK, 12 Corporate Woods Blvd., Albany, NY	\$15,000,000.00
HSBC BANK USA, Amsterdam Branch, Amsterdam, NY	\$10,000,000.00

, and

FURTHER RESOLVED, that each of said depositories shall give good and sufficient collateral as prescribed by law, as security for the amount so deposited in said depository, the amount thereof to be at least equal to the amount hereby authorized to be deposited by said banks on behalf of the County Treasurer shall also be approved as to the amount by the County Treasurer, and

FURTHER RESOLVED, that such designated depositories may execute their own undertaking and deposit on behalf of the County Treasurer outstanding unmatured bonds or other obligation of the United States of America, the State of New York, or of any County, Town, City, Village or School District in the State of New York, to the amount on deposit, less the amount certified by the depositories as covered by insurance under the Federal Depositor Insurance Act as pursuant to provisions of Section 212, Subdivision 6 of the County Law of the State of New York, subject to the approval of said County Attorney and said County Treasurer.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk

**

RESOLUTION NO. 5 of 2001 DATED: January 2, 2001
RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2001

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Section 214, Subdivision 2, of the County Law requires that the Board of Supervisors shall annually designate newspapers for the publication of all local laws, legal notices, advertisements for bids and other matters required by law to be published,

RESOLVED, that the Board of Supervisors of the County of Montgomery hereby designates the following newspapers, for the above purpose, for the year 2001:

The Recorder

Courier-Standard Enterprise

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department Heads/Agency Heads
Newspapers Named Within

**

RESOLUTION NO. 6 of 2001 DATED: January 2, 2001
RESOLUTION REAPPOINTING MEMBERS OF THE MONTGOMERY COUNTY SOIL AND WATER
CONSERVATION DISTRICT BOARD OF DIRECTORS

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

RESOLVED, that Ronald J. Mead and John Van Kersen hereby are reappointed members of the Board of Directors of the Montgomery County Soil and Water Conservation District, for one-year terms ending on December 31, 2001.

FURTHER RESOLVED, that Seth Bunker and Richard L. Kennedy hereby are reappointed Farm Bureau Member and Member-at-Large, respectively, for three-year terms ending on December 31, 2003.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees
Soil and Water Conservation District

**

RESOLUTION NO. 7 of 2001 DATED: January 2, 2001
RESOLUTION REAPPOINTING AGRICULTURAL AND FARMLAND PROTECTION BOARD
MEMBERS

Resolution by Supervisor: Hassan
Seconded by Supervisor: Van Kersen

RESOLVED, that the following persons hereby are reappointed members of the Agricultural and Farmland Protection Board for three-year terms expiring on December 31, 2003:

Name	Address	Classification
Roy Dykeman	286 Ingersoll Road Fultonville, NY	Active Farmer
Michael Cole	142 Hickory Grove Road Canajoharie, NY	Active Farmer

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Ag. and Farmland Protection Board
Appointees

**

RESOLUTION NO. 8 of 2001 DATED: January 2, 2001
RESOLUTION REAPPOINTING MEMBERS OF HOTEL/MOTEL OCCUPANCY TAX ADVISORY BOARD

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hisert

WHEREAS, vacancies exist on Montgomery County's Hotel/Motel Occupancy Tax Advisory Board,

RESOLVED, that the following persons hereby are reappointed members of the Montgomery County Hotel/Motel Occupancy Tax Advisory Board:

Name	Representing	Term
Norma Palmer	County Government	1/1/01-12/31/01
James Cuozzo	County Government	1/1/01-12/31/01
_____	County Government	1/1/01-12/31/01

MOTION TO TABLE by Supervisor Hisert, seconded by Supervisor Dybas, passed with Aye(1766). Supervisor Stagliano voted nay. (1/2/01)

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Appointee
Hotel/Motel Occ. Tax Advisory Board

**

RESOLUTION NO. 9 of 2001 DATED: January 2, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Paton

WHEREAS, the Montgomery County Youth Board of Directors has recommended 2001 Youth Initiatives Program and Youth Development/Delinquency Prevention Program agreements with various providers,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign

2001 Youth Initiatives Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Youth Recruitment)	\$ 2,700.00
Catholic Charities of Montgomery County (Better Your Own Body)	5,000.00
Community Youth Center (Youth Employment Service)	2,208.00
Mental Health Association (Project Guiding Adolescent Behavior)	2,500.00

, and

FURTHER RESOLVED, that said Chairman, following review and approval by said County Attorney, also is authorized and directed to sign 2001 Youth Development/Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sister of Montgomery County (Big Brothers/Big Sisters)	\$ 9,500.00
Catholic Charities of Montgomery County (Schools Aiding Family Environment)	9,885.00
Community Youth Center (Youth Center)	5,000.00
Hamilton, Fulton, Montgomery BOCES (JOBS Program)	3,000.00
St. Johnsville Youth Center (Youth Center)	6,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau Director

**

RESOLUTION NO. 10 of 2001 DATED: January 2, 2001
RESOLUTION AUTHORIZING FUNDING ALLOCATIONS - DELINQUENCY PREVENTION
PROGRAMS

Resolution by Supervisor: Hassan
Seconded by Supervisor: Keller

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of funds for the 2001 Special Delinquency Prevention Program and the 2001 Youth Development/Delinquency Prevention Program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorizes allocation of 2001 Special Delinquency Prevention Program funds, as follows:

Amsterdam Memorial Hospital (Student Action for Education Today's Youth)	\$ 5,678.00
Amsterdam YMCA (Family Night Program)	1,500.00
Big Brothers/Big Sisters of Montgomery County (Partners to Assist Youth)	2,400.00
Catholic Charities of Montgomery County (Begin Again)	7,627.00

Montgomery County Probation Department (Juvenile Field Project)	7,690.00
Montgomery County Sheriff's Department (Drug, Alcohol & Safety Training)	2,000.00
Montgomery County Youth Bureau (Administration)	3,003.00

, and

FURTHER RESOLVED, that said Board also authorized allocation of 2001 Youth Development/Delinquency Prevention Program funds for municipal programs, as follows:

City of Amsterdam (Juvenile Aid Bureau)	\$ 6,027.00
City of Amsterdam (Recreation Department)	9,199.00
Town of Amsterdam (Town Recreation)	1,240.00
Town of Canajoharie (Youth Center)	1,427.00
Town of Charleston (Town Recreation)	680.00
Town of Florida (Town Recreation)	2,305.00
Town of Glen (Summer Program)	700.00
Town of Mohawk (Summer Program)	1,100.00
Town of Mohawk (Tribes Hill Recreation)	800.00
Town of Palatine (Youth Center)	710.00
Town of Root (Youth Center)	1,200.00
Village of Canajoharie (Youth Center)	1,500.00
Village of Fonda (Summer Program)	500.00
Village of Fort Johnson (Village Recreation)	500.00
Village of Fort Plain (Village Recreation)	4,199.00
Village of Fultonville (Village Recreation)	500.00
Village of Hagaman (Village Recreation)	1,400.00
Village of Palatine Bridge (Village Recreation)	1,000.00
Village of St. Johnsville (Village Recreation)	2,829.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau Director

**

RESOLUTION NO. 11 of 2001 DATED: January 2, 2001
RESOLUTION CONFIRMING CONTINGENCY ALLOWANCE CHARGES - COLLEGE UNION/PE
BUILDING PROJECT (FMCC)

Resolution by Supervisor: Keller
Seconded by Supervisor: Mead

WHEREAS, the FMCC Foundation raised funds for the College Union/PE Building Renovation Project at Fulton-Montgomery Community College, and

WHEREAS, the Project Engineer, Architecture +, is authorized to charge work to contingency allowances,

RESOLVED, that the Montgomery County Board of Supervisors hereby acknowledges and confirms that the following contingency allowance charges were authorized by the Project Engineer for the College Union/Building Renovation Project at Fulton-Montgomery Community College:

General Contract (C): Bast Hatfield	
Revised Allowance	\$45,000.00
CA-GC7: Paint speakers	\$ 752.00
Parge areaway wall	3,187.00
Asbestos abatement	3,045.00

Paint cafeteria walls & base	1,264.00
Paint lounge walls & base	336.00

Previous CA's	\$18,010.00
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Balance	<u>\$18,406.00</u>
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Plumbing Contract (P): Lenz Hardware

Original Allowance	\$ 5,000.00
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CA-P5: Remove/reinstall gas line for kitchen hood (Union Bldg.)	\$ 153.00
Install tee and valves for water supply to boiler	26.35

Previous CA's	(+)\$ 306.27
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Balance	<u>\$ 5,126.92</u>
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Electrical contract (E): Harold R. Clune, Inc.

	\$10,000.00
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Original Allowance

CA-E5: Install outlet in Union lower level	\$ 214.04
Install line for microwave oven	131.50
Install switch, outlet, light in closet	140.45

Previous CA's	\$ 5,955.99
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Balance	<u>\$ 3,558.02</u>
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HVAC Contract (H): Mazzone Plumbing & Heating

Original Allowance	\$ 15,000.00
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CA-H2 Provide new radiator covers in Rooms N106 & N111	\$ 1,784.00
Provide condensate line and Pump to AHS in Union lower level	395.00

Previous CA's	(+) \$ 2,278.00
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Balance	<u>\$15,099.00</u>
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RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FC Board of Supervisors
FMCC

**

RESOLUTION NO. 12 of 2001 DATED: January 2, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - GAT
SUBSIDIZATION (MOSA)

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Dybas

WHEREAS, it has been recommended that the Board of Supervisors authorize a
per-ton subsidization of the Montgomery-Otsego-Schoharie Solid Waste Management

Authority (MOSA) tipping fee, and

WHEREAS, MOSA has established Montgomery County's 2001 GAT at 40,052 tons,
and

WHEREAS, MOSA has established its tipping fee at \$83.00 per ton,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a subsidization renewal agreement with the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

FURTHER RESOLVED, that said agreement shall be for the period commencing on January 1, 2001 and ending on December 31, 2001, and

FURTHER RESOLVED, that Montgomery County hereby establishes a subsidy, of \$23.00 per ton, for the six-month period commencing on January 1, 2001 and ending on June 30, 2001, and a subsidy of \$22.00 for the six-month period commencing on July 1, 2001 and ending on December 31, 2001, pursuant to the appropriation included in the 2001 operating budget to provide for payment of said subsidy.

RESOLUTION ADOPTED with Aye(1766). Supervisor Stagliano voted nay.

Duly adopted upon roll call, all members present (1766) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 13 of 2001 DATED: January 2, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 1
OF 2001

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Keller

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 1 of 2001, a Local Law establishing the 2001 Salaries of Various County Officials,

RESOLVED, that Introductory Local Law No. 1 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration, following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held on Tuesday, January 23, 2001 at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

OTHER

ADJOURNMENT

Motion by Supervisor Van Kersen, seconded by Supervisor Mancini, to adjourn the meeting passed with Aye(1868). Chairman Barone declared the meeting adjourned at 8:43 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for January 23, 2001, was called to order at 7:05 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Mead. Roll call indicated that that Supervisor Van Kersen was absent. All votes in these minutes reflect his absence.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Hisert, to amend the agenda to consider Resolutions No. 37, 38, 39, 40, 41 and 42, passed with Aye(1807). Supervisor Van Kersen was absent. Motion by Supervisor McMahon, seconded by Supervisor Hisert, to adopt the amended agenda, passed with Aye(1807). Supervisor Van Kersen was absent.

____ _
PRIVILEGE OF THE FLOOR

Norma Palmer, County Treasurer, discussed the County's bond rating.

Alice Knapik, Town of Glen, discussed motorized vehicles on the bike path and cellular E911 calls.

Steve Helmin, Town of Glen resident discussed MOSA.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Special Meeting of December 12, 2000, the Public Hearing of December 19, 2000 and the Regular Meeting of December 19, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**
RESOLUTION NO. 8 of 2001 DATED: January 2, 2001
RESOLUTION REAPPOINTING MEMBERS OF HOTEL/MOTEL OCCUPANCY TAX ADVISORY
BOARD

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hisert

WHEREAS, vacancies exist on Montgomery County's Hotel/Motel Occupancy Tax Advisory Board,

RESOLVED, that the following persons hereby are reappointed members of the Montgomery County Hotel/Motel Occupancy Tax Advisory Board:

Name	Representing	Term
Norma Palmer	County Government	1/1/01-12/31/01
James Cuzzo	County Government	1/1/01-12/31/01
_____	County Government	1/1/01-12/31/01

MOTION TO TABLE by Supervisor Hisert, seconded by Supervisor Dybas, passed with Aye(1766). Supervisor Stagliano voted nay. (1/2/01)

MOTION TO REMOVE FROM TABLE by Supervisor Keller, seconded by Supervisor McMahon, passed with Aye(1807). Supervisor Van Kersen was absent. (1/23/01)

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Dybas, in the RESOLVED clause, insert "William Hisert", passed with Aye(1705). Supervisor Hisert abstained. Supervisor Van Kersen was absent.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor DiMezza, to add, "and FURTHER RESOLVED, that members of said Hotel/Motel Occupancy Tax Advisory Board shall also serve as members of the Tourism Advisory Committee", passed with Aye(1705). Supervisor Hisert abstained. Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon County Attorney Richard C. Healy Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Hotel/Motel Occ. Tax Advisory Board

NEW BUSINESS

**
RESOLUTION NO. 14 of 2001 DATED: January 23, 2001
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 2001

Resolution by Supervisor: Keller
Seconded by Supervisor: Stagliano

WHEREAS, on January 2, 2001, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Establishing the 2001 Salaries of Various County Officials," was presented to the Board of Supervisors for consideration, and

WHEREAS, on January 2, 2001, Resolution No. 13 of 2001 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 23rd of January, 2001, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 1 of 2001, entitled: "A Local Law Establishing the 2001 Salaries of Various County Officials," hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the office of the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
Department Heads

County of Montgomery

Introductory Local Law No. 1 of 2001

A Local Law Establishing the 2001
Salaries of Various County Officials

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

SECTION 1. The annual base salaries of the following County Officials are hereby fixed at the sums opposite the office and designation of such County Officials, to wit:

County Treasurer	\$52,704
Clerk of the Board	6,753
Fire Coordinator	6,359
Real Property Tax Director	40,170
County Clerk	44,290
County Attorney	43,451
Personnel Officer	50,470
Election Commissioner	7,763
Election Commissioner	7,763
Public Works Commissioner	55,958
Sheriff	53,539
Social Services Commissioner	53,560
County Historian	24,720
Planning Director	48,900
Public Defender	43,672
Head Coroner	6,453
Coroner	5,795
Econ. Oppor. & Dev. Director	48,925

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of qualified electors of the County of Montgomery, if, within 45 days after the date of which it was so adopted, there is filed with the Clerk of the Montgomery County Board of Supervisors a petition protesting against this Local Law, signed and authenticated as required by Section 24 of the Municipal Home Rule Law, by qualified electors of Montgomery County registered to vote therein at the last preceding general election, in number equal to at least ten per centum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

**

RESOLUTION NO. 15 of 2001
RESOLUTION AMENDING RESOLUTION NO. 3 OF 2001

DATED: January 23, 2001

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, Resolution No. 3 of 2001, adopted on January 2, 2001, established Standing Rules of Procedure of the Montgomery County Board of Supervisors, and

WHEREAS, the Chairman of the Board of Supervisors has recommended amending said Rules of Procedure, to accommodate proposed changes to the structure of Standing Committees,

RESOLVED, that Resolution No. 3 of 2001 hereby is amended, by providing for deletion of Rules 48.1 through 48.9, inclusive, and inserting, in their stead, the following:

48.1 SOCIAL SERVICES/HEALTH AND HUMAN SERVICES

within the jurisdiction of the Committee shall fall all issues arising out of the following departments (divisions):

Montgomery Meadows	Office for Aging
Public Health Service	Social Services
Veterans Services Agency	Youth Bureau
Youth Board	Mental Health
Office of Community Services	Private Industry Council
Workforce Development Board	

and all other related matters referred to the Committee.

48.2 GENERAL SERVICES/PUBLIC WORKS AND SOLID WASTE

within the jurisdiction of this Committee shall fall all issues arising out of the following departments (divisions):

Public Works	Buildings and Grounds
Reforestation	Roads and Bridges
Central Printing and Supply	Purchasing Department
Data Processing	MOSA

as well as the Telephone System Operations, County-owned or leased Buildings and Property and all other related matters referred to the Committee.

48.3 WAYS AND MEANS

within the jurisdiction of this Committee shall fall all issues arising out of the following departments (divisions):

Board of Elections	County Administrator
Clerk of the Board	County Attorney
County Auditor	County Clerk
County Treasurer	Real Property Tax Services

as well as Borrowing and Indebtedness, External Audit, Taxation, Supervisors' Expenses, Resolutions and Local Laws involving the appropriation or expenditure of funds; Apportionment of Board/Structure of Government and all other related matters referred to the Committee.

48.4 PUBLIC SAFETY

within the jurisdiction of this Committee shall fall all issues arising out of the following departments (divisions):

District Attorney	Emergency Management
Enhanced 911	Fire Coordinator
Probation	Public Defender
Sheriff and Corrections	Weights and Measures
Alternatives to Incarceration	Stop DWI
Office of the Coroner/Medical Examiner	

as well as the Radio Communications, Computer-Aided Dispatch and all other related matters referred to the Committee.

48.5 PLANNING, AGRICULTURE AND ECONOMIC DEVELOPMENT

within the jurisdiction of this Committee shall fall all issues arising out of the following departments (divisions):

Agriculture	County Historian
Cooperative Extension	Planning Department

48.6 PERSONNEL

Employee Benefits
Employee Training
Personnel Department

Fulton Montgomery Community College

Rules of Procedure, Policies, Intergovernmental Relations

Tentative Operating Budget Review
Tentative Capital Budget Review

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

RESOLUTION NO. 16 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING REAL PROPERTY TRANSFER TO MONTGOMERY COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

Resolution by Supervisor: Keller
Seconded by Supervisor: Brodie

WHEREAS, Montgomery County owns a parcel of land located adjacent to the New York State Thruway on Route 5S and McGraw Roads in the Town of Florida, and

WHEREAS, said parcel has the potential to be developed for commercial and industrial purposes, and

WHEREAS, it has been recommended that said parcel be transferred to the Montgomery County Industrial Development Agency,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute a deed and related documents transferring a parcel of property known as

SBL 54-1-14, containing approximately 21 acres in the Town of Florida, to the Montgomery County Industrial Development Agency (MCIDA), and

FURTHER RESOLVED, that said transfer is conditioned upon the MCIDA paying all taxes dues on said parcel, in an amount not to exceed \$2,500.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA

**

RESOLUTION NO. 17 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MVEDD (ECONOMIC OPPORTUNITY)

Resolution by Supervisor: Mead
Seconded by Supervisor: Vesp

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the Mohawk Valley Economic Development District for provision of business development and economic improvement services, at a cost not to exceed \$10,000, for the period commencing on January 1, and ending on December 31, 2001.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Econ Opp & Development

**

RESOLUTION NO. 18 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EDZ BOARD ADMINISTRATIVE SERVICES

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Brodie

WHEREAS, the Amsterdam-Florida-Glen Economic Development Zone Administrative Board is the designated authority to oversee administration of the Economic Development Zone (EDZ), and

WHEREAS, the County of Montgomery reaffirms its commitment to revive and stimulate the local economy through the EDZ, and

WHEREAS, New York State will match local contributions,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the Amsterdam-Florida-Glen Economic Development Zone Administrative Board, and

FURTHER RESOLVED, that said agreement, commencing on July 1, 2000 and ending on June 30, 2001, shall provide for a total annual payment of \$7,500 to the City Controller,

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Econ Opp & Development

**
RESOLUTION NO. 19 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING
SERVICES (ECONOMIC OPPORTUNITY)

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Mead

WHEREAS, the Montgomery County Industrial Development Agency, in conjunction with the Board of Supervisors, is responsible for development of the Florida and Glen Canal View Business Parks, and

WHEREAS, it is necessary to utilize the services of a licensed engineer for technical assistance to potential clients, and to perform work related to said development,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with John M. McDonald Engineering, P.C., for provision of engineering services, from January 1, to December 31, 2001.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Keller, in the RESOLVED clause, add ", at an annual cost not to exceed \$10,000", passed with Aye(1807). Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Econ Opp & Development

**
RESOLUTION NO. 20 of 2001 DATED: January 23, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING - AGRICULTURAL DISTRICT REVIEW

Resolution by Supervisor: Keller
Seconded by Supervisor: Vesp

WHEREAS, Agricultural District No. 2 is required to undergo a review every eight years, pursuant to New York State Agricultural and Markets Law Article 25AA, and

WHEREAS, the Montgomery County Agricultural and Farmland Protection Board and the Montgomery County Planning Board are conducting an in-depth review of said District, and

WHEREAS, the law requires the Board of Supervisors to conduct a Public Hearing on the status of proposed modifications,

RESOLVED, that a Public Hearing regarding the Eight-Year Review of Agricultural District No. 2 shall be held on Tuesday, February 27, 2001, at 6:45 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said Public Hearing to be published according to law.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Planning

**
RESOLUTION NO. 21 of 2001 DATED: January 23, 2001
RESOLUTION REAPPOINTING MEMBER OF SANITARY SEWER DISTRICT BOARD

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, Resolution No. 109 of 1998, adopted on March 10, 1998, provides for appointment of members of the Board of Directors of Sanitary Sewer District No. 1, and

WHEREAS, said Board has recommended reappointment of Robert Younglove as the at-large member,

RESOLVED, that Robert Younglove hereby is reappointed as the at-large member of the Board of Directors of Sanitary Sewer District No. 1, for a one-year term ending on December 31, 2001.

RESOLUTION ADOPTED with Aye(1658). Supervisor Cuzzo abstained. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1658) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District

**
RESOLUTION NO. 22 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HEALTH CARE TRAINING (MONTGOMERY MEADOWS)

Resolution by Supervisor: Keller
Seconded by Supervisor: Mead

WHEREAS, Montgomery Meadows has been selected to receive training for health care professionals, at no cost to Montgomery County, and

WHEREAS, said training will be provided by the BOCES Office of Adult Services for a six-week session, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the Office of Adult Services of the Hamilton-Fulton-Montgomery BOCES, regarding training of health care professionals at Montgomery Meadows.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery Meadows

**
RESOLUTION NO. 23 of 2001 DATED: January 23, 2001

RESOLUTION AMENDING 2001 OPERATING BUDGET (YOUTH BUREAU)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, the New York State Office of Children and Family Services included funding for the Career in Law Enforcement Program in the 2001 Resource Allocation Plan, and

WHEREAS, this amount was unknown and not included in the 2001 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-21-3-3826-00 State Aid
Spec. Del. Prev. Prog. by \$4,000.00

Appropriations: A-21-4-7310-00.4560 Youth Program
Spec. Youth Prog. by \$4,000.00

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon County Attorney Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau Director

**
RESOLUTION NO. 24 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COUNTY
COMPREHENSIVE PLAN (YOUTH BUREAU)

Resolution by Supervisor: Paton
Seconded by Supervisor: Keller

WHEREAS, the Youth Bureau Director has requested that the County enter into a three-year Comprehensive Youth Services Planning agreement with the New York State Office of Children and Family Services, and

WHEREAS, said agreement will enable the County to remain eligible for State Aid for youth programs,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the Comprehensive Youth Services Planning Agreement with the New York State Office of Children and Family Services, for the period commencing on January 1, 2001 and ending on December 31, 2003.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon County Attorney Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau Director

**
RESOLUTION NO. 25 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL
COOPERATIVE EXTENSION ASSOCIATION

Resolution by Supervisor: Keller
Seconded by Supervisor: Vesp

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign agreements with Cornell Cooperative Extension Association providing for allocation of 2,525 square feet of office space and for the appropriation of \$168,778 in 2001.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Cornell Cooperative Extension

**
RESOLUTION NO. 26 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING AGREEMENTS - OFFICE FOR AGING AND MONTGOMERY
COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE PROVISION OF PUBLIC
BENEFIT SERVICES IN ACCORDANCE WITH COUNTY LAW

Resolution by Supervisor: Hisert
Seconded by Supervisor: Keller

WHEREAS, County Law Sections 223 and 224 authorizes Counties to make payments by agreement to Public Benefit Corporations for services provided on behalf of the County, and

WHEREAS, the Montgomery County Board of Supervisors has appropriated in the 2001 County Budget, \$218,577 for Montgomery County Office of the Aging and \$55,200 for Montgomery County Soil and Water Conservation District, respectively

RESOLVED, that pursuant to Sections 223 and 224 of County Law, the Chairman of the Board of Supervisors is authorized and directed, following review by the County Attorney, to execute said agreements with Office of the Aging and Soil and Water Conservation District, and

FURTHER RESOLVED, that said agreements shall conform with the requirements of Section 223 and 224 respectively and shall contain statements of services, programs, and budget, with a term beginning January 1, 2001 and ending December 31, 2001, and

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MC Office for the Aging
MC Soil & Water Conservation District

**
RESOLUTION NO. 27 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MASS TRANSPORTATION GRANT
AGREEMENT

Resolution by Supervisor: Mead
Seconded by Supervisor: Paton

WHEREAS, the County of Montgomery is requesting a grant from the New York State Department of Transportation, pursuant to Section 5211, Title 49, United States Code, for a project to provide public mass transportation services through Brown Coach, Inc., and

WHEREAS, the County and the State have entered into a continuing 10-year agreement, identified as State Contract C001921, which authorizes said Project and provides for payment of the Federal share,

RESOLVED, that the Chairman of the Board of Supervisors, following review an approval by the County Attorney, hereby is authorized and directed to sign any documents necessary to complete a mass transportation services grant agreement with the New York State Department of Transportation, per State Contract C001921.

MOTION to AMEND by Supervisor Dybas, seconded by Supervisor Hisert, in the first WHEREAS clause, between "grant" and "from", insert ", in the amount of \$155,223", passed with Aye(1807). Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Brown Coach, Inc.

**
RESOLUTION NO. 28 of 2001 DATED: January 23, 2001
RESOLUTION DESIGNATING INDIVIDUALS REQUIRED TO FILE ANNUAL FINANCIAL
DISCLOSURE STATEMENTS

Resolution by Supervisor: Keller
Seconded by Supervisor: Vesp

WHEREAS, by the adoption of Local Law No. 1 of 1990 on June 12, 1990, the Board of Supervisors provided for the filing of financial disclosure statements by certain County officials and employees and established a County Code of Ethics, and

WHEREAS, Section 2. A. of said local law stated that each year the Board of Supervisors would establish which County employees and other officials would be required to file the annual financial disclosure statement, and

WHEREAS, a list of such employees and officials has been proposed and appropriately reviewed,

RESOLVED, that in accordance with Local Law No. 1 of 1990, the following employees and officers of the County of Montgomery are hereby required to file the annual appropriate financial disclosure statement:

Members, Montgomery County Board of Supervisors
County Administrator
Deputy County Administrator
Clerk, Board of Supervisors
Director of Real Property Tax Service Agency
County Clerk
Deputy County Clerk
County Attorney
Assistant County Attorney
Commissioner of Public Works
Deputy Commissioner of Public Works
Director of Probation
Director of Planning
Director of Community Services (Mental Health)
Commissioner of Social Services
Deputy Commissioner of Social Services
Director of Financial Management
Director of Social Services
Director of Administrative Services
Director of Public Health
Supervising Public Health Nurse
Public Health Physician
Nursing Home Administrator
Director of Nursing Service
Assistant Director of Nursing
Nursing Home Medical Director
County Auditor
Commissioners of Election

Deputy Commissioners of Election
County Treasurer
Deputy County Treasurer
Purchasing Agent
Director of Data Processing
Director of Emergency Management
Public Defender
Assistant Public Defenders
County Fire Coordinator
County Coroners
County Historian/Records Management Officer
Director of Weights and Measures (Sealer)
District Attorney
Assistant District Attorneys
Personnel Officer
Director of Veterans Service Agency
Youth Bureau Director
County Sheriff
County Undersheriff
Jail Physician
Corrections Administrator
PHC Coordinator
Social Services Attorney
Assistant Social Services Attorneys
Director of Economic Opportunity and Development
Economic Opportunity and Development Specialist

ADVISORY BOARDS AND COMMITTEES

Members of Ethics Advisory Board
Members of Montgomery County Industrial Development Agency
Members of Sanitary Sewer District No. 1 Board

, and

FURTHER RESOLVED, that the above employees and officials shall file the financial disclosure statement with the County Administrator's Office no later than March 1, 2001, and

FURTHER RESOLVED, that any organization or member thereof, which administers County funds or receives in-kind payment, now or in the future, shall be required to file financial disclosure statements, and

FURTHER RESOLVED, that the County Administrator shall ensure that each employee and officer named above receives a copy of said local law, a certified copy of this resolution and all other necessary financial disclosure forms and documents.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Dybas, passed with Aye(1658). Supervisor Cuozzo voted nay. Supervisor Van Kersen was absent.
(1/23/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 29 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TRANSPORTATION OF
FULTON COUNTY VETERANS

Resolution by Supervisor: Paton
Seconded by Supervisor: Keller

WHEREAS, the Veterans Director has recommended that Montgomery County transport Fulton County Veterans to and from the VA Medical Center in Albany,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement for transportation of Fulton County Veterans to and from the VA Medical Center in Albany, and

FURTHER RESOLVED, that said Agreement shall be for a one-year period ending on December 31, 2001, and

FURTHER RESOLVED, that said Agreement shall provide for transportation of 120 Fulton County veterans per year, at a charge of \$25.00 per veteran, and

FURTHER RESOLVED, that this Agreement may be renewed annually, without further legislative approval, provided there are no changes in the terms and conditions,

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Mancini, in the second FURTHER RESOLVED clause, delete "120" and "per year" and after "veterans", insert, "depending upon availability of space", and delete the third FURTHER RESOLVED clause, passed with Aye(1807). Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Veterans

**
RESOLUTION NO. 30 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CLEANING SERVICES
(PROBATION)

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that Montgomery County enter into a contract for cleaning and custodial services at the Probation Department's Amsterdam Satellite Office,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Patricia B. Bower, d/b/a Yes, We Do Windows, for provision of cleaning and custodial services at the Probation Department's Amsterdam Satellite Office, and

FURTHER RESOLVED, that services shall be provided at a cost not to exceed \$35.00 per cleaning, and

FURTHER RESOLVED, that said Agreement, which shall be for a one-year period ending on December 31, 2001, may be renewed annually, without further legislative approval, provided there are no changes in the terms and conditions.

MOTION TO AMEND by Supervisor Vesp, seconded by Supervisor Dybas, in the first FURTHER RESOLVED clause, add "not to exceed \$420 annually, and" passed with Aye(1807). Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Probation Director

**
RESOLUTION NO. 31 of 2001 DATED: January 23, 2001
RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL
AUTHORITY TO COUNTY AUDITOR

Resolution by Supervisor: Dybas

Seconded by Supervisor: Cuzzo

WHEREAS, the Board of Supervisors is authorized, by Chapter 515 of the Laws of 1997, to annually delegate to the County Auditor, the power to approve correction of the tax roll and tax bills, where said correction does not exceed \$2,500, and to cover tax refunds, in an amount less than \$2,500, and

WHEREAS, the Real Property Tax Director maintains responsibility for investigating each Erroneous Assessment application and for making recommendations regarding said applications, and

WHEREAS, the Board of Supervisors retains authority to determine action regarding all instances in which said Director recommends application denial,

RESOLVED, that the Board of Supervisors hereby delegates authority to the County Auditor to handle Erroneous Assessments for 2001, per provisions of Sections 554 and 556 of the Real Property Tax Law, and

FURTHER RESOLVED, that said Auditor shall submit a monthly report, setting forth all corrections and/or refunds processed, to the Board of Supervisors.

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Cuzzo, passed with Aye(1666). Supervisor McMahon voted nay. Supervisor Van Kersen was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 32 of 2001 DATED: January 23, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET - IMMUNIZATION ACTION PLAN
GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Cuzzo

WHEREAS, the Board of Supervisors authorized acceptance of the Immunization Action Plan Grant funds, for the period commencing November 1, 1999 and ending March 31, 2001, and

WHEREAS, said funds were appropriated in the 2000 Operating Budget, with the unexpended balance to be carried forward in the 2001 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-03	Public Health Grant	by \$2,524.13
Appropriations:	A-16-4-4010-03	Public Health Grant	
	.2257	Health Service Equipment	by \$1,500.00
	.4445	Medical	by 873.74
	.4454	Purchasing	by 150.39

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Public Health

**
RESOLUTION NO. 33 of 2001 DATED: January 23, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET - HEALTHY HEART INITIATIVE
GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Keller

WHEREAS, the Board of Supervisors authorized acceptance of the Healthy Heart Initiative Grant funds, for the period commencing July 1, 2000 and ending June 30, 2001, and

WHEREAS, said funds were appropriated in the 2000 Operating Budget and the unexpended balance to be carried forward in the 2001 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-07	Public Health Grant	by \$39,395.66
Appropriations:	A-16-4-4010-07	Public Health Grant	
	.4439	Other Service Fees	by \$ 9,028.00
	.4449	Special Supplies	by 4,200.17
	.4452	Printing	by 3,910.00
	.4454	Purchasing	by 10,755.78
	.4471	Mileage	by 892.57
	.4491	Legal Notice & Advertising	by 4,000.00
	.4526	Education Programs	by 6,609.14

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon	Richard C. Healy
County Attorney	Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Public Health

**
RESOLUTION NO. 34 of 2001 DATED: January 23, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET - HEALTHY LIVING PARTNERSHIP
DIABETES GRANT - (PUBLIC HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Keller

WHEREAS, the Board of Supervisors authorized acceptance of the Healthy Living Partnership Diabetes Grant funds, for the period commencing April 1, 2000 and ending March 31, 2001, and

WHEREAS, said funds were appropriated in the 2000 Operating Budget, with the unexpended balance to be carried forward in the 2001 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-06	Public Health Grant	by \$3,097.28
Appropriations:	A-16-4-4010-06.	Public Health Grant	
	.4449	Special Supplies	by \$ 500.00
	.4452	Printing	by 750.00
	.4491	Legal Notice & Advertising	by 1,815.68
	.4526	Education Programs	by 31.60

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon	Richard C. Healy
County Attorney	Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Director of Public Health

**
RESOLUTION NO. 35 of 2001 DATED: January 23, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET - LEAD POISONING AND
PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Keller

WHEREAS, the Board of Supervisors authorized acceptance of the Lead Poisoning and Prevention Grant funds, for the period commencing April 1, 2000 and ending March 31, 2001, and

WHEREAS, said funds were appropriated in the 2000 Operating Budget, with the unexpended balance to be carried forward in the 2001 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-05	Public Health Grant	by \$2,124.72
Appropriations:	A-16-4-4010-05.	Public Health Grant	
	.4436	Medical Fees	by \$ 158.00
	.4445	Medical	by 135.00
	.4454	Purchasing	by 257.99
	.4471	Mileage	by 30.07
	.4472	Food & Lodging	by 1.91
	.4474	Tolls & Parking	by 7.50
	.4491	Legal Notice & Advertising	by 1,014.00
	.4526	Education Programs	by 520.25

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon County Attorney Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Public Health

**
RESOLUTION NO. 36 of 2001 DATED: January 23, 2001
RESOLUTION AUTHORIZING LOCAL LAW ENFORCEMENT BLOCK GRANT APPLICATION
(SHERIFF)

Resolution by Supervisor: Keller
Seconded by Supervisor: Hassan

WHEREAS, the Sheriff has recommended that Montgomery County apply for a Local Law Enforcement Block Grant, with said funds to be used to purchase a new vehicle and equipment for the Road Patrol K-9 Unit,

RESOLVED, that the Sheriff hereby is authorized and directed to apply for a Local Law Enforcement Block Grant to acquire a new 4 x 4 vehicle and equipment, and

FURTHER RESOLVED, that said application shall be for a total of \$54,600, with the County to provide 10 percent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon County Attorney Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 37 of 2001
RESOLUTION AMENDING RESOLUTION NO. 244 OF 2000

DATED: January 23, 2001

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Cuzzo

WHEREAS, the New York State Department of health has directed that the Supervising Administrator of Montgomery Meadows provide 12 hours of on-site supervision to the facility, during her term in this position,

RESOLVED, that Resolution No. 244 of 2000 hereby is amended to provide for Theresa M. Blumberg to provide 12 hours of professional consulting administrative services at Montgomery Meadows, per week, and

FURTHER RESOLVED, that hours in excess of 12, in any given week, be contingent upon prior approval by the Chairman of the Board of Supervisors or by the County Administrator.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Paton, in the RESOLVED clause, delete "12" and insert, in its stead, "the", and insert between "Meadows" and "per" "requested by the Department of Health", passed with Aye(1807). Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Meadows Administrator
County Auditor

**

RESOLUTION NO. 38 of 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET - SALARY ADJUSTMENTS

DATED: January 23, 2001

Resolution by Supervisor: Mead
Seconded by Supervisor: Cuzzo

WHEREAS, it has been recommended that the 2001 Operating Budget be amended to provide for three percent adjustment to salaries of several parttime non-bargaining employees,

RESOLVED, that the Board of Supervisors hereby establishes 2001 salaries for certain parttime non-bargaining employees, as follows:

Assistant County Attorney	\$29,997
Jail Physician	29,870
Public Health Physician	4,120
Physician/Medical Director (Meadows)	41,200

, and

FURTHER RESOLVED that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400	Contingent Account	\$1,864.00
EH-34-4-6020-00.1120(115)	Parttime Employees	1,200.00
To: A-09-4-1420-00.1120(866)	County Attorney	
	Assistant County Attorney	874.00
A-15-4-3150-00.1120(288)	Jail	
	Jail Physician	870.00
A-16-4-4010-00.1120(315)	Public Health	

EH-34-4-6020-00.1120(289)	Physician	120.00
	Montgomery Meadows	
	Physician/Med. Director	1,200.00

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor DiMezza, in the RESOLVED clause, delete "Jail Physician 29,870; Public Health Physician 4,120; Physician/Medical Director (Meadows) 41,200" and in the FURTHER RESOLVED, in "From", delete "1,864" and insert in its stead "874.00" and delete "EH-34-4-6020-00.1120(115) 1,200, in "To", delete "A-15-4-3150-00.1120(288) Jail, Jail Physician 870; A-16-4-4010-00.1120(315) Public Health, Physician 120; and EH-34-4-6020-00.1120(289) Montgomery Meadows, Physician/Med. Director 1,200", passed with Aye(1348). Supervisors McMahon, Mead, Keller and Paton voted nay. Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1524). Supervisors Paton and McMahon voted nay. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1524) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
-----------------------------------	---

cc: County Treasurer
County Administrator
County Clerk
Individuals Named Above
Personnel/Payroll
County Attorney
County Sheriff
Public Health director
Meadows Administrator

**
RESOLUTION NO. 39 of 2001 DATED: January 23, 2001
RESOLUTION ESTABLISHING 2001 COMPENSATION RATES FOR SEWER DISTRICT

Resolution by Supervisor: Hisert
Seconded by Supervisor: Vesp

WHEREAS, the Board of Directors of Sanitary Sewer District No. 1 by adoption of Resolution No. 3 of 2001, has authorized salary increases for certain District employees,

RESOLVED, that the Board of Supervisors, hereby establishes, effective January 1, 2001, compensation rates, including longevity, for employees of Sanitary Sewer District no. , at the following respective amounts:

Superintendent	\$49,159
Operator Trainee	17,503
Maintenance Mechanic	23,251
Tax Collector	4,243

, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

DECREASE:

Appropriations: G-26-4-8120-00.1110(54) Superintendent by \$687.00

INCREASE:

G-26-599 Appropriated Fund Balance by \$579.00

Appropriations:

G-26-4-8120-00.1110(449)	Operator Trainee	by \$103.00
(586)	Maintenance Mechanic	by 1,163.00

RESOLUTION ADOPTED with Aye(1658). Supervisor Cuozzo abstained. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1658) voting aye.

Douglas Landon	Richard C. Healy
----------------	------------------

County Attorney

Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District
Personnel/Payroll

**

RESOLUTION NO. 40 of 2001
RESOLUTION ESTABLISHING POSITION (SEWER DISTRICT)

DATED: January 23, 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Vesp

WHEREAS, the Board of Directors of Sanitary Sewer District No. , by adoption of Resolution No. 2 of 2001, has proposed establishment of a full-time maintenance Mechanic's position,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the position of Maintenance Mechanic in Sanitary Sewer District No.1, at a base salary of \$22,660, and

FURTHER RESOLVED, that said full-time position shall become effective on February 12, 2001, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

ADD:
G-26-4-8120-00.1110(12) Sanitary Sewer
Maintenance Mechanic

INCREASE:
G-599 Appropriated Fund Balance by \$31,065.00

Appropriations:

G-26-4-8120-00.1110	Sanitary Sewer	
(12)	Maintenance Mechanic	by \$20,046.00
g-26-4-8120-00.1150		
(1247)	Allowances	by 275.00
G-26-4-9001-00	Fringe Benefits	
.8810	FICA	by 1,534.00
.8820	Retirement	by 1,000.00
.8830	Workers Compensation	by 3,700.00
.8850	Health Insurance	by 3,600.00
.8852	Dental Insurance	by 340.00
.8853	Vision Insurance	by 300.00
.8854	Disability Insurance	by 270.00

RESOLUTION ADOPTED with Aye(1511). Supervisors Cuozzo and Dybas abstained.

Duly adopted upon roll call, all members present (1511) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District
Personnel/Payroll

**

RESOLUTION NO. 41 of 2001
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 2
OF 2001

DATED: January 23, 2001

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, a public hearing is requested to be held concerning Introductory Local Law No. 2 of 2001, A Local Law Providing for Mandatory Routing of All Wireless 911,

RESOLVED, that Introductory Local Law No. 2 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration, following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held on Tuesday, February 13, 2001 at 7:30 p.m. in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published, according to law.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 42 of 2001 DATED: January 23, 2001
RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, a vacancy exists on the Montgomery County Industrial Development Agency Board of Directors,

RESOLVED, that _____ of _____ hereby is appointed a member of the Montgomery County Industrial Development Agency Board of Directors, and

FURTHER RESOLVED, that said appointee shall serve at the pleasure of the Board of Supervisors.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Cuozzo, in the RESOLVED clause, insert "Marilyn Smith, Executive Director of Cornell Cooperative Extension.".

MOTION TO AMEND by Supervisor Keller, seconded by Supervisor DiMezza, in the RESOLVED clause, insert "Lori Snyder".

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Mancini, passed with Aye(1231). Supervisors Barone, DiMezza, Keller and Paton voted nay. Supervisor Van Kersen was absent. (1/23/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
Motion by Supervisor Hassan, seconded by Supervisor Stagliano, to Suspend the Rules of Procedure to allow for the introduction of Emergency Resolution No. 43, passed with Aye(883-2/3 majority). Supervisors Cuozzo, Dybas and DiMezza voted nay. Supervisor Van Kersen was absent.

**
RESOLUTION NO. 43 of 2001 DATED: January 23, 2001
RESOLUTION DESIGNATING EXCESS WORKERS' COMPENSATION INSURANCE

Resolution by Supervisor: Hassan
Seconded by Supervisor: Stagliano

WHEREAS, it has been recommended that Montgomery County Self-Insurance Workers' Compensation Fund obtain Specific Excess Workers' Compensation Insurance,

RESOLVED, that Safety National provide Excess Liability workers' Compensation Insurance from January 1, 2001 to December 31, 2001, at a cost not to exceed \$27,376, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign appropriate agreement with the aforementioned insurance provider.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

OTHER

Motion by Supervisor Hisert, seconded by Supervisor McMahon, to enter into Executive Session at 8:57 p.m. for discussion of personnel issues, passed with Aye(1807). Supervisor Van Kersen was absent.

Motion by Supervisor DiMezza, seconded by Supervisor Dybas, to conclude the Executive Session at 9:44 p.m., passed with Aye(1807). Supervisor Van Kersen was absent.

ADJOURNMENT

Motion by Supervisor DiMezza, seconded by Supervisor Dybas, to adjourn the meeting, passed with Aye(1807). Supervisor Van Kersen was absent. Chairman Barone declared the meeting adjourned at 9:46 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for February 27, 2001, was called to order at 7:05 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Cuzzo. Roll call indicated that that all Supervisors were present.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Brodie, seconded by Supervisor DiMezza, to amend the agenda to add Resolutions No. 71 and 72, and to consider Resolutions No. 71 before Resolution No. 44, passed with Aye(1868). Motion by Supervisor Brodie, seconded by Supervisor DiMezza, to adopt the amended agenda, passed with Aye(1868).

____ _
PRIVILEGE OF THE FLOOR

Evelyn Lindley, Town of Root, discussed the MOSA GAT subsidy.

Alice Knapik, Town of Glen, discussed the County Administrator's responsibilities and 911 calls.

Joseph Emanuel and William Wills, City of Amsterdam Aldermen, requested support for Resolution No. 71.

Bill Gilston, supports Resolution No. 44 and called for a quick response to cellular 911 calls.

Robin Benziger, State Police Zone Commander, said the Agency wishes to share resources with the County.

Jerry Kuba and David Gregory, U.S. Tennis Association, discussed plans to establish a tennis recreation program in the County.

Dr. Barry Weinberg, FMCC President, said his mission for the college was to expand the college into the community.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearing of January 2, 2001 and the Regular Meeting of January 23, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

RESOLUTION NO. 28 of 2001 DATED: January 23, 2001
RESOLUTION DESIGNATING INDIVIDUALS REQUIRED TO FILE ANNUAL FINANCIAL
DISCLOSURE STATEMENTS

Resolution by Supervisor: Keller
Seconded by Supervisor: Vesp

WHEREAS, by the adoption of Local Law No. 1 of 1990 on June 12, 1990, the Board of Supervisors provided for the filing of financial disclosure statements by certain County officials and employees and established a County Code of Ethics, and

WHEREAS, Section 2. A. of said local law stated that each year the Board of Supervisors would establish which County employees and other officials would be required to file the annual financial disclosure statement, and

WHEREAS, a list of such employees and officials has been proposed and appropriately reviewed,

RESOLVED, that in accordance with Local Law No. 1 of 1990, the following employees and officers of the County of Montgomery are hereby required to file the annual appropriate financial disclosure statement:

Members, Montgomery County Board of Supervisors
County Administrator
Deputy County Administrator
Clerk, Board of Supervisors
Director of Real Property Tax Service Agency
County Clerk
Deputy County Clerk
County Attorney
Assistant County Attorney
Commissioner of Public Works
Deputy Commissioner of Public Works
Director of Probation
Director of Planning
Director of Community Services (Mental Health)
Commissioner of Social Services
Deputy Commissioner of Social Services
Director of Financial Management
Director of Social Services
Director of Administrative Services
Director of Public Health
Supervising Public Health Nurse
Public Health Physician
Nursing Home Administrator
Director of Nursing Service
Assistant Director of Nursing
Nursing Home Medical Director
County Auditor
Commissioners of Election
Deputy Commissioners of Election
County Treasurer
Deputy County Treasurer
Purchasing Agent
Director of Data Processing
Director of Emergency Management
Public Defender
Assistant Public Defenders
County Fire Coordinator
County Coroners
County Historian/Records Management Officer
Director of Weights and Measures (Sealer)

District Attorney
Assistant District Attorneys
Personnel Officer
Director of Veterans Service Agency
Youth Bureau Director
County Sheriff
County Undersheriff
Jail Physician
Corrections Administrator
PHC Coordinator
Social Services Attorney
Assistant Social Services Attorneys
Director of Economic Opportunity and Development
Economic Opportunity and Development Specialist

ADVISORY BOARDS AND COMMITTEES

Members of Ethics Advisory Board
Members of Montgomery County Industrial Development Agency
Members of Sanitary Sewer District No. 1 Board

, and

FURTHER RESOLVED, that the above employees and officials shall file the financial disclosure statement with the County Administrator's Office no later than March 1, 2001, and

FURTHER RESOLVED, that any organization or member thereof, which administers County funds or receives in-kind payment, now or in the future, shall be required to file financial disclosure statements, and

FURTHER RESOLVED, that the County Administrator shall ensure that each employee and officer named above receives a copy of said local law, a certified copy of this resolution and all other necessary financial disclosure forms and documents.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Dybas, passed with Aye(1658). Supervisor Cuozzo voted nay. Supervisor Van Kersen was absent.
(1/23/01)

RESOLUTION DIED ON THE TABLE.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 31 of 2001 DATED: January 23, 2001
RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL
AUTHORITY TO COUNTY AUDITOR

Resolution by Supervisor: Dybas
Seconded by Supervisor: Cuozzo

WHEREAS, the Board of supervisors is authorized, by Chapter 515 of the Laws of 1997, to annually delegate to the County Auditor, the power to approve correction of the tax roll and tax bills, where said correction does not exceed \$2,500, and to cover tax refunds, in an amount less than \$2,500, and

WHEREAS, the Real Property Tax Director maintains responsibility for investigating each Erroneous Assessment application and for making recommendations regarding said applications, and

WHEREAS, the Board of Supervisors retains authority to determine action regarding all instances in which said Director recommends application denial,

RESOLVED, that the Board of Supervisors hereby delegates authority to the County Auditor to handle Erroneous Assessments for 2001, per provisions of Sections 554 and 556 of the Real Property Tax Law, and

FURTHER RESOLVED, that said Auditor shall submit a monthly report, setting forth all corrections and/or refunds processed, to the Board of Supervisors.

MOTION TO REMOVE FROM TABLE by Supervisor Stagliano, seconded by supervisor Dybas, passed with Aye(1868). (2/27/01)

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 42 of 2001 DATED: January 23, 2001
RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, a vacancy exists on the Montgomery County Industrial Development Agency Board of Directors,

RESOLVED, that _____ of _____ hereby is appointed a member of the Montgomery County Industrial Development Agency Board of Directors, and

FURTHER RESOLVED, that said appointee shall serve at the pleasure of the Board of Supervisors.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Cuzzo, in the RESOLVED clause, insert "Marilyn Smith, Executive Director of Cornell Cooperative Extension."

MOTION TO AMEND by Supervisor Keller, seconded by Supervisor DiMezza, in the RESOLVED clause, insert "Lori Snyder, Town of Glen".

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Mancini, passed with Aye(1231). Supervisors Barone, DiMezza, Keller and Paton voted nay. Supervisor Van Kersen was absent. (1/23/01)

MOTION TO REMOVE FROM TABLE by Supervisor Mead, seconded by Supervisor Hisert, passed with Aye(1868). (2/27/01)

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

NEW BUSINESS

**
RESOLUTION NO. 71 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PLANNING SERVICE AGREEMENT - CITY OF AMSTERDAM

Resolution by Supervisor: Brodie
Seconded by Supervisor: DiMezza

WHEREAS, the Montgomery County Board of Supervisors adopted Resolution No. 68 of 1994 establishing a Municipal Planning Advisory Service Program, designed to provide land use studies, urban renewal plans and technical service to Montgomery County municipalities, and

WHEREAS, the City of Amsterdam wishes to enter into an agreement with

Montgomery County Department of Planning and Development for services for the completion of the City of Amsterdam's Comprehensive plan, and

WHEREAS, the Montgomery County Planning and Development Department has established this service at a cost not to exceed \$45,000, which requires additional staffing as was provided in the 2001 County budget, and

WHEREAS, the Montgomery County Board of Supervisors, in support of this initiative, desires to reduce the fiscal impact of this agreement to the City,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement to provide necessary planning services to the City of Amsterdam for completion of its Comprehensive Plan, through the Municipal Planning Advisory Service Program, and

FURTHER RESOLVED, that the fee for said services shall consist of \$22,500 instead of the normally established hourly rate, and

FURTHER RESOLVED, that the County Administrator hereby is directed to initiate the hiring of the vacant Planner position identified in the 2001 Budget.

MOTION TO TABLE by Supervisor Vesp, seconded by Supervisor Hisert, passed with Aye(1126). Supervisors Brodie, Barone, DiMezza, McMahon and Mead voted nay.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Economic Opp & Development
City of Amsterdam

**
RESOLUTION NO. 44 of 2001 DATED: February 27, 2001
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, on January 23, 2001, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Providing for Mandatory Routing of Wireless 911 Calls", was presented to the Board of Supervisors for consideration,

WHEREAS, on January 23, 2001, Resolution No. 41 of 2001 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 13th of February, 2001, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law, No. 2 of 2001, entitled: "A Local Law Providing for Mandatory Routing of Wireless 911 Calls", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the Office of the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Cuozzo, passed with Aye(1247). Supervisors McMahon, Hassan, Mead, Keller, Hisert, Van Kersen and Stagliano voted nay. (2/27/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
Department Heads

**
RESOLUTION NO. 45 of 2001 DATED: February 27, 2001

RESOLUTION CONFIRMING CONTINGENCY ALLOWANCE CHARGES - COLLEGE UNION/PE
BUILDING PROJECT (FMCC)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mead

WHEREAS, the FMCC Foundation raised funds for the College Union/PE Building
Renovation Project at Fulton-Montgomery Community College, and

WHEREAS, the Project Engineer, Architecture+, is authorized to charge work
to contingency allowances,

RESOLVED, that the Montgomery County Board of Supervisors hereby
acknowledges and confirms that the following contingency allowance changes were
authorized by the Project Engineer for the College Union/Building Renovation
Project at Fulton-Montgomery Community College:

General Contract (C): Bast Hatfield

Revised Allowance \$ 45,000.00

CA-GC8 Additional Sandblasting - Union Areaway	861.00
Sandblast 5 columns	1,230.00
Excavate and backfill	892.00
Repair soffit at hood	962.00

Previous CA's \$ 27,833.98

Balance \$ 13,221.00

Plumbing Contract (P): Lenz Hardware

Original Allowance \$ 5,000.00

CA-P7 Provide Powers Hydropanal II with hand shower	\$ 1,055.60
--	-------------

Previous CA's \$ 1,028.68

Balance \$ 2,915.72

Electrical Contract (E): Harold R. Clune, Inc.

Original Allowance \$ 10,000.00

CA-E7 Install 120V outlet for gas foyer	
Install 120V for pump	
Install three outlets in bathrooms	Total
	\$ 489.63

CA-E8 Install outlets fat concrete columns	\$ 991.00
--	-----------

Previous CA's \$ 6,873.41

Balance \$ 1,646.96

HVAC Contract (H) Mazzone Plumbing & Heating

Original Allowance \$ 15,000.00

CA-H4 Plenum work above closet V-101D	\$ 991.00
---------------------------------------	-----------

Previous CA's \$ 131.00

Balance \$ 13,878.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FC Board of Supervisors
FMCC

**
RESOLUTION NO. 46 of 2001 DATED: February 27, 2001
RESOLUTION ESTABLISHING SERVICE RATES - PRESCHOOL SPECIAL EDUCATION
PROGRAM

Resolution by Supervisor: Paton
Seconded by Supervisor: Cuzzo

WHEREAS, New York State municipalities are responsible for maintaining listings of providers of Preschool Special Education Services and for establishing local payment rates for said services, and

WHEREAS, the PHC Coordinator is responsible for arranging contracts for said services, and

WHEREAS, said Coordinator has identified a need to adjust local rates, to enhance Montgomery County's ability to contract with qualified service providers, and

WHEREAS, said Coordinator has recommended increasing the maximum half-hour service visit rate to \$45.00 and maintaining a maximum rate of \$55.00 for an authorized visit in excess of 30 minutes,

RESOLVED, that the Board of Supervisors hereby adopts the Preschool Special Education services payment rates recommended by the PHC Coordinator.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Health

**

Supervisor McMahon left the meeting at 8:00 p.m.

**
RESOLUTION NO. 47 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - REVOLVING LOAN FUND
REPORTS

Resolution by Supervisor: Mead
Seconded by Supervisor: Keller

WHEREAS, the program administered by the Montgomery County Economic Opportunity and Development Department includes HUD CDBG funds and program income, and

WHEREAS, Montgomery County has utilized said grant funds for various economic development projects including small business loans and general administration, and

WHEREAS, Montgomery County must close out past CDBG grant funds, consistent with HUD reporting requirements,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Robert A. Bolles for preparation of close-out reports and other related documents regarding HUD CDBG funds, and

FURTHER RESOLVED, that the scope of said services will be expanded to include loan review analysis and reporting, and

FURTHER RESOLVED, that payment for said services shall be made either from CDBG or program income funds.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Hisert, in the RESOLVED clause, after "funds", insert "at a cost not to exceed \$15,000", passed with Aye(1727). Supervisor McMahon was absent.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Economic Opp. & Development

**

RESOLUTION NO. 48 of 2001
RESOLUTION REAPPOINTING DIRECTOR OF PLANNING

DATED: February 27, 2001

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the term of the incumbent Director of Planning will expire on February 28, 2001 and

WHEREAS, it has been recommended that said incumbent be reappointed,

RESOLVED, that Michael J. Kayes hereby is reappointed as Director of Planning for a four-year term, commencing on March 1, 2001 and ending on February 28, 2005.

MOTION by supervisor Keller, seconded by Supervisor Dybas, to have the clerk of the Board cast one unanimous vote in favor of the Resolution, passed with Aye(1727). Supervisor McMahon was absent.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Planning Department
Personnel/Payroll

**

RESOLUTION NO. 49 of 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (DISTRICT ATTORNEY)

DATED: February 27, 2001

Resolution by Supervisor: Keller
Seconded by Supervisor: Paton

WHEREAS, the Montgomery County District Attorney has been awarded an Aid to Prosecution Grant by the New York State Division of Criminal Justice Services, and

WHEREAS, the Board of Supervisors has authorized acceptance of said Grant with an agreement having been signed by the Chairman of the Board,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

ADD:	A-25-3-3089-00	Aid to Prosecution
	A-25-4-1165-00	District Attorney
	.1125(13)	Other Compensation
	.2211	Desks/Work Stations

.2212 Chairs
.2218 Bulletin Boards/Displays
.2227 Shredders

INCREASE:

Revenue: A-25-3-3089-00 Aid to Prosecution by \$50,000 .00

Appropriations: A-25-4-1165-00 District Attorney
.1125(13) Other Compensation by \$12,713.00
.2211 Desk/Work Stations by 3,000.00
.2212 Chairs by 450.00
.2218 Bulletin Brd/Displays by 300.00
.2227 Shredder by 250.00
.2259 Computer Equipment by 5,200.00
.4411 Telephone by 1,250.00
.4424 Equipment Repairs by 500.00
.4425 Maintenance Agreements by 500.00
.4434 Consultants by 20,000.00
.4454 Central Purchasing by 600.00
.4473 Registration Fees by 3,203.00
A-10-4-9001-00 Fringe Benefits
.8810 FICA by 1,489.22
.8820 Retirement by 516.68
.8830 Workers Comp. by 28.10

TOTAL \$50,000.00

, and

FURTHER RESOLVED, that stipends for the following positions and personnel shall exist independent of the regular salaries of said positions and shall not, at any time, be considered part of a base salary nor be used in computing salary increases, and

(20) Assistant District Attorney PT \$3,373.00
(1292) Assistant District Attorney PT 2,095.00
(22) Assistant District Attorney PT 2,045.00
(987) Confidential Secretary 5,200.00

,and

FURTHER RESOLVED, that said stipends for the specified positions in the District Attorney's office are contingent upon full finding, in the form of the "Aid to Prosecution Grant" from New York State, with the understanding that said stipends shall expire immediately, if and when these specific grant funds are discontinued.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Van Kersen, passed with Aye(1546). Supervisors Keller and Stagliano voted nay. Supervisor McMahon was absent. (2/27/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
District Attorney
Personnel/Payroll

**
RESOLUTION NO. 50 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AMENDMENT - AID TO
PROSECUTION GRANT (DISTRICT ATTORNEY)

Resolution by Supervisor: Keller
Seconded by Supervisor: Paton

WHEREAS, the District Attorney has been awarded a \$50,000 Aid to Prosecution Grant by the New York State Division of Criminal Justice Services, and

WHEREAS, said grant was for a one-year period ending on March 31, 2001, and

WHEREAS, the District Attorney has requested an extension of the grant period,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a grant extension agreement with the New York State Division of Criminal Justice Services, and

FURTHER RESOLVED, that said extensions will enable use of the Aid to Prosecution Grand funds until September 30, 2001.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
District Attorney

**
RESOLUTION NO. 51 of 2001 DATED: February 27, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (UNALLOCATED INSURANCE)

Resolution by Supervisor:
Seconded by Supervisor:

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 391 of 1998, authorized a three-year agreement with The Hearn Agency, Inc. for provision of insurance coverage, and

WHEREAS, the vendor providing the County's malpractice coverage is ceasing business operations, and

WHEREAS, The Hearn Agency received quotes from potential vendors, the lowest being \$89,000 from Chubb Executive Risk, an increase of \$54,185 over the previous annual premium, and

WHEREAS, there is a need to increase Montgomery Meadows share to pay the additional premium,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:	EH-599	Appropriated Fund Balance	by \$54,882.00
Appropriations:	EH-34-4-1910-00.	Unallocated Insurance	
		.4481 Liability Insurance	by \$21,882.00
		.4484 Malpractice Insurance	by 33,000.00
	A-599	Appropriated Fund Balance	by \$20,988.00
Appropriations:	A-01-4-1910-00.4489	Unallocated Insurance	
		Countrywide Insurance	by \$20,988.00

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery Meadows

**
RESOLUTION NO. 52 of 2001 DATED: February 27, 2001
RESOLUTION ESTABLISHING POSITION - STRUCTURAL MAINTENANCE HELPER
(BUILDINGS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Hassan

WHEREAS, the Acting Public Works Commissioner has recommended that the position of Structural Maintenance Helper be established,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the position of Structural Maintenance Helper, and

FURTHER RESOLVED, that a position of Cleaner hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From: A-12-4-1620.00.1110 (622) Buildings
Cleaner \$21,511.00

To: A-12-4-1620.00.1110 (149) Hourly Employees
Buildings \$21,511.00

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon County Attorney Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 53 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST
INSTANCE 100 PERCENT OF THE FEDERAL AID AND STATE "MARCHISELLI"
PROGRAM AID ELIGIBLE COSTS, OF TRANSPORTATION FEDERAL AID PROJECT
(PIN 2753.67), AND APPROPRIATING FUNDS THEREFORE.

Resolution by Supervisor: Vesp
Seconded by Supervisor: Mead

WHEREAS, a project for the Span Replacement of County Route 29 (Main Street) over the Mohawk River and Erie Canal (BIN 4310090) Spans 2 & 3, Towns of Florida and Mohawk, Montgomery County, P.I.. 2753.67 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs, such program to be borne at the ratio of 80 percent Federal funds and 20 percent non-federal funds; and

WHEREAS, the County of Montgomery desires to advance the Project by making a commitment of 100 percent of the non-federal share of the costs of Construction, Construction Inspection and Construction Supervision;

RESOLVED, that the Board of Supervisors hereby approves the above subject project, and

FURTHER RESOLVED, that the Board of Supervisors hereby authorized the County of Montgomery to pay in the first instance 100 percent of the federal and non federal share of the cost of Preliminary Engineering and ROW Incidental work for the Project or portions thereof, and

FURTHER RESOLVED, that the sum of \$288,000 is hereby appropriated from H-12-4-5110-19.2202(275), and made available to cover the 100 percent cost of the non federal share of the cost of participation in the above phase of the Project, and

FURTHER RESOLVED, that in the event the full federal and non federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Department thereof, and

FURTHER RESOLVED, that the Acting Commissioner of Public Works of the County of Montgomery be and is hereby authorized to execute all necessary agreements, certification or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Montgomery with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and

FURTHER RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the project, and

FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works
NYS Commissioner of Transportation

**

RESOLUTION NO. 54 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING, IN THE FIRST
INSTANCE 100 PERCENT OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM
AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL AID PROJECT(PIN 2753.50)
AND APPROPRIATING FUNDS THEREFORE

Resolution by Supervisor: Mead
Seconded by Supervisor: Cuzzo

WHEREAS, a project for the bridge replacement of Main Street (CR 27) over the Mohawk River and Erie Canal (BIN 4310090) Spans 1,4 & 5, Towns of Mohawk and Florida, Montgomery County, P.I.2.. 2753.50 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs, such program to be borne at the ratio of 80 percent Federal funds and 20 percent non-federal funds; and

WHEREAS, the County of Montgomery desires to advance the Project by making a commitment of 100 percent of the non-federal share of the costs of Preliminary Engineering and ROW Incidental costs,

RESOLVED, that the Board of Supervisors hereby approves the above subject project, and

FURTHER RESOLVED, that the Board of Supervisors hereby authorized the County of Montgomery to pay in the first instance 100 percent of the federal and non federal share of the cost of Preliminary Engineering and ROW Incidental work for the Project or portions thereof, and

FURTHER RESOLVED, that the sum of \$2,275,000 hereby is identified in the Capital Plan, and funds will be made available to cover the cost of participation in the above phase of the Project,

FURTHER RESOLVED, that, in the event the full federal and non federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible, to appropriate said excess amount immediately upon the notification by the Department thereof, and

FURTHER RESOLVED, that the Acting Commissioner of Public Works of the County of Montgomery be and is hereby authorized to execute all necessary agreements, certification or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Montgomery with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all

Project costs within appropriations therefore that are not so eligible, and

FURTHER RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the project, and

FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 55 of 2001 DATED: February 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - BURTONVILLE ROAD (PUBLIC WORKS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Cuzzo

WHEREAS, the Acting Commissioner of Public works has recommended reconstruction of Burtonville Road in the proposed 2001 Road Program,

RESOLVED, that the Board of Supervisors hereby approves the reconstruction of Burtonville Road, as a 2001 Capital Project, at a cost not to exceed \$462,600, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

MOTION TO TABLE by Supervisor Mead, seconded by Supervisor DiMezza, passed with Aye(1625). Supervisor Stagliano voted nay. Supervisor McMahon was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 56 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING VEHICLE REPAIR (SHERIFF)

Resolution by Supervisor: Keller
Seconded by Supervisor: Mead

WHEREAS, Sheriff's vehicle No. 119 was damaged in an accident on December 22, 2000, and

WHEREAS, payment, in the amount of \$7,896.28, has been received for repair of said vehicle, and

WHEREAS, additional payment may be forthcoming,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-01-3-2690-00	Other Compensation Loss	by \$7,896.28
Appropriations:	A-01-4-1011-00.4424	County Administrator Equipment Repairs	by \$7,896.28

RESOLUTION ADOPTED with Aye(1519). Supervisor DiMezza voted nay. Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1519) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 57 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS, ALTERNATIVES TO
INCARCERATION PROGRAMS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that Montgomery County continue to provide for the operation of Alternatives to Incarceration programs, and

WHEREAS, participation in said programs will necessitate the execution of agreements between the County and the program provider, and between the County and the New York State Division of Probation and Correctional Alternatives,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign agreements relating to operation and funding of the County's Alternatives to Incarceration programs for the period commencing on January 1, 2001 and ending on December 31, 2001, and

FURTHER RESOLVED, that the Board of Supervisors hereby directs that said programs, namely, Community Service and Pre-Trial Release, be operated by Alternatives to Incarceration for Montgomery County, Inc., at a total cost not to exceed \$144,700.

MOTION TO AMEND by Supervisor Brodie, seconded by Supervisor Dybas, to add: ", and FURTHER RESOLVED, that \$20,000 of the total amount shall be advanced to ATI at the time of entering into the agreement between the County and ATI and deducted from the annual amount."

MOTION TO AMEND by Supervisor Brodie, seconded by Supervisor DiMezza, in the RESOLVED clause, delete "December 31, 2001" and insert, in its stead, "December 31, 2003", failed with Aye(808). Supervisors Brodie, Barone, DiMezza, Hassan, Hisert, Van Kersen and Stagliano voted aye. Supervisor McMahon was absent.

MOTION TO AMEND (Brodie/Dybas), passed with Aye(1727). Supervisor McMahon was absent.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 58 of 2001 DATED: February 27, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Van Kersen

WHEREAS, on July 27, 2000, a trailer assigned to the Sheriff's Department was damaged in an accident, and

WHEREAS, payment, in the amount of \$1,099, has been received for damage to said trailer, and

WHEREAS, the Sheriff has requested use of said funds to purchase a replacement trailer,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

ADD:

A-01-4-1011-00.2244 Auxiliary Vehicles
A-15-4-3110-00.2244 Auxiliary Vehicles

INCREASE:

Revenue: A-01-3-2680-00 Insurance Recovery by \$1,099.00

Appropriations: A-01-4-1011-00.2244 County Administrator
Auxiliary Vehicles by \$1,099.00

TRANSFER:

From: A-15-4-3110-00.4424 Sheriff
Equipment Repairs \$1,291.00

To: A-15-4-3110-00.2244 Sheriff
Auxiliary Vehicles \$1,291.00

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 59 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PILOT PROGRAM PARTICIPATION
AGREEMENT (PROBATION)

Resolution by Supervisor: Keller
Seconded by Supervisor: Van Kersen

WHEREAS, the Probation Department has been cooperating with the New York State Division of Probation and Correctional Alternatives in developing a Youth Assessment and Screening Instrument, and

WHEREAS, the State is preparing to pilot test said instrument and has requested that Montgomery County sign a project commitment agreement, and

WHEREAS, the State will pay for the County's acquisition of three computers and software, at a total cost not to exceed \$6,000 in support of the County's participation,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement to participate in the Youth Assessment and Screening Instrument Pilot Program with the New York State Division of Probation and Correctional Alternatives, and

FURTHER RESOLVED, that the Board of Supervisors hereby accepts of State funds to purchase three computers and software to help enable said participation.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 60 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - JUVENILE JUSTICE
GRANT (PROBATION)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hisert

WHEREAS, the Probation Department has been awarded a Juvenile Justice Grant by the New York State Division of Criminal Justice Services, and

WHEREAS, Catholic Charities of Montgomery County will provide conferencing services through its Tri-County Mediation Program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement accepting a \$20,000 Juvenile Justice Grant from the New York State Division of Criminal Services, and

FURTHER RESOLVED, that said Chairman, following review and approval by said County Attorney, also is authorized and directed to sign an agreement with Catholic Charities of Montgomery County for conferencing services, by its Tri-County Mediation Program, at a cost not to exceed \$11,680, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 operating Budget, as follows:

ADD: A-27-4-3410-00.2225 Dictaphone & Recorder

INCREASE:

Revenue: A-27-3-3310-00 Probation Services by \$20,000.00

Appropriations: A-27-4-3140-00 Probation

.1111(553)	Overtime	by	\$	750.00
.2215	Table & Stands	by		150.00
.2223	Files & Cabinets	by		350.00
.2225	Dictaphone & Rec.	by		350.00
.2259	Computer Equipment	by		2,850.00
.4434	Consultants	by		11,680.00
.4454	Central Purchasing	by		520.00
.4455	Training	by		2,750.00
.4471	Mileage	by		500.00
.4589	Printing/Intrafund	by		50.00
.4595	Mail/Intrafund	by		50.00

TOTAL \$20,000.00

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Probation

**
RESOLUTION NO. 61 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS (MENTAL HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, the Director of Community Services has recommended renewal of agreements for provision of various mental health services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign agreements with the following:

PROVIDER:	COST:
Montgomery Transitional Services (Residential Services-Mentally Ill)	\$ 95,000
Catholic Charities of Montgomery Co. (CFCS) (Substance Abuse Prevention Services)	\$290,000

, and

FURTHER RESOLVED, that said agreements shall commence on January 1, 2001 and terminate on December 31, 2001.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
-----------------------------------	---

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services

**
RESOLUTION NO. 62 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL
COMMUNITY MENTAL HEALTH AND ALCOHOLISM CENTER (MENTAL HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Mancini

WHEREAS, the Director of Community Services has recommended entering into an agreement for Community Alcoholism and Substance Abuse Services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with St. Mary's Hospital Community Mental Health and Alcoholism Center, and

FURTHER RESOLVED, that said agreement shall be a one-year period, commencing on January 1, 2001 and ending on December 31, 2001, at a cost not to exceed \$200,000.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
-----------------------------------	---

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services

**
RESOLUTION NO. 63 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NATIONAL ALLIANCE
FOR THE MENTALLY ILL (MENTAL HEALTH)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, the Director of Community Services has recommended entering into an agreement for Mental Health Family Advocacy and Support Services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the National Alliance for the Mentally Ill in Montgomery,

Fulton and Hamilton Counties, and

FURTHER RESOLVED, that said agreement shall be for a one-year period, commencing on January 1, 2001 and ending on December 31, 2001, at a cost not to exceed \$30,000.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services

**
RESOLUTION NO. 64 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN OFFICE LEASE AND CLERICAL
SERVICES AGREEMENT - ST. MARY'S HOSPITAL (MENTAL HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Mancini

WHEREAS, the Montgomery County Community Services Board has recommended an office lease and clerical services agreement with St. Mary's Hospital,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with St. Mary's Hospital for rental of office space and receipt of clerical and accounting services, and

FURTHER RESOLVED, that said agreement shall commence on January 1, 2001 and terminate on December 31, 2001, at a cost not to exceed \$37,500.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services

**
RESOLUTION NO. 65 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MENTAL HEALTH
ASSOCIATION (MENTAL HEALTH)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, the Director of Community Services has recommended renewal of an agreement with the Mental Health Association of Fulton and Montgomery Counties for provision of various mental health services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement with the Mental Health Association of Fulton and Montgomery Counties for provision of various community mental health services, and

FURTHER RESOLVED, that said agreement shall be for a one-year period, commencing on January 1, 2001 and ending on December 31, 2001, at a cost not to exceed \$185,000.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon

Richard C. Healy

County Attorney

Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services

**
RESOLUTION NO. 66 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MENTAL HEALTH SERVICES
AGREEMENT - ST. MARY'S HOSPITAL

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, the Montgomery County Community Services Board has recommended that the Mental Health Department enter into an agreement with St. Mary's Hospital Community Mental Health and Alcoholism Center, for the provision of Mental Health Services, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with St. Mary's Hospital Community Mental Health and Alcoholism Center for provision of Mental Health Services, in an amount not to exceed \$1,425,000, and

FURTHER RESOLVED, that said agreement shall commence on January 1, 2001 and terminate on December 31, 2001.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services

**
RESOLUTION NO. 67 of 2001 DATED: February 27, 2001
RESOLUTION APPOINTING COMMUNITY SERVICES BOARD MEMBERS

Resolution by Supervisor: Paton
Seconded by Supervisor: Mancini

WHEREAS, several vacancies exist on the Montgomery County Community Services Board, and

WHEREAS, the names of qualified nominees have been tendered for appointment consideration,

RESOLVED, that James Carney of Hagaman and Deborah Skivington of Fort Plain hereby are appointed members of the Montgomery County Community Services Board for terms ending on December 31, 2004, and

FURTHER RESOLVED, that Dorothy Smith and Marget Barnett hereby are reappointed members of said Board, also for terms expiring on December 31, 2004, and

FURTHER RESOLVED, that Resolution No. 85 of 2000 hereby is amended to delete "December 31, 2004" and insert in its stead, "December 31, 2003".

MOTION TO AMEND by Supervisor Paton, seconded by Supervisor Dybas, in the RESOLVED clause, delete "James Carney of Hagaman", delete "and" and insert, in its stead, "is", and delete "terms" and insert, in its stead, "a term", passed with Aye(1727). Supervisor McMahon was absent.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon Richard C. Healy

County Attorney

Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services
Appointees

**
RESOLUTION NO. 68 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CONTENTS SALE (COUNTY TREASURER)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Dybas

WHEREAS, the County Treasurer has received an offer to purchase contents in a County-owned property in Palatine Bridge, and

WHEREAS, the Treasurer has indicated it would be in the best interest of the County to sell said contents,

RESOLVED, that the Board of Supervisors hereby authorizes the sale of undamaged items in a County-owned property at 3 West Grand Street, Palatine Bridge, to Jack McGregor, for \$250.00.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 69 of 2001 DATED: February 27, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3
OF 2001

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 3 of 2001, a Local Law Amending Local Law No. 1 of 1978, Local Law No. 2 of 1983 and Local Law No. 1 of 1984, which created the Office of the County Administrator",

RESOLVED, that Introductory Local Law No. 3 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration, following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held on Tuesday, March 27, 2001 at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Dybas, passed with Aye(1727). Supervisor McMahon was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 70 of 2001 DATED: February 27, 2001
RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR (MONTGOMERY MEADOWS)

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that _____ hereby is appointed to serve as Nursing Home Administrator at Montgomery Meadows for a five-year term, commencing on _____ and expiring on _____, at an annual salary of \$_____.

MOTION TO AMEND by Supervisor Paton, seconded by Supervisor Hisert, in the RESOLVED clause, insert "Patricia Outhouse", "April 2, 2001", "April 1, 2006", and "\$57,000" respectively, passed with Aye(1727). Supervisor McMahon was absent.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1727) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Infirmary

**
RESOLUTION NO. 72 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DIETARY MANAGEMENT SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Cuozzo

WHEREAS, the Purchasing Agent was authorized to solicit proposals for management of the Dietary Department at Montgomery Meadows,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with St. Mary's Hospital to manage the Dietary Department at Montgomery Meadows, and

FURTHER RESOLVED, that said agreement shall be for a period of two years and shall provide for payment of \$64,500.00 per year.

RESOLUTION ADOPTED with Aye(1625). Supervisor Stagliano voted nay. Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1625) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Nursing Home Administrator

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor Van Kersen, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 9:27 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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[illegible]

____ _ CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for March 27, 2001, was called to order at 7:00 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Mead. Roll call indicated that that Supervisor Cuzzo was absent.

____ _ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _ ADOPTION OF THE AGENDA

Motion by Supervisor Dybas, seconded by Supervisor Mancini, to amend the agenda to add consider resolution 102 before Resolution 73 and to allow for an Executive Session following "Reports of Committees", passed with Aye(1719). Supervisor Cuzzo was absent. Motion by Supervisor Dybas, seconded by Supervisor Mancini, to adopt the amended agenda, passed with Aye(1719). Supervisor Cuzzo was absent.

____ _ PRIVILEGE OF THE FLOOR

Alice Knapik, Town of Glen, discussed various county issues.

Steve Helmin, Town of Glen, supported paid planning services to municipalities.

Denis Wilson, Fulmont Community Action Agency, provided an update on the agency's services.

____ _ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings of February 13, 2001 and February 27, 2001 and the Regular Meeting of February 27, 2001 were accepted with no corrections, additions or deletions.

**

Supervisor Cuzzo entered the meeting at 7:13 p.m.

**

____ _ REPORTS OF STANDING COMMITTEES

None.

REPORTS OF SPECIAL COMMITTEES

None.

**

Motion by Supervisor DiMezza, seconded by Supervisor Van Kersen, to enter into Executive Session, at 7:16 p.m. for the purpose of discussion on personnel, passed with Aye(1572). Supervisor Dybas and Cuzzo voted nay.

Motion by Supervisor Van Kersen, seconded by Supervisor DiMezza, to conclude the Executive Session at 8:00 p.m., passed with Aye(1868).

.UNFINISHED BUSINESS

**

RESOLUTION NO. 44 of 2001 DATED: February 27, 2001
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, on January 23, 2001, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Providing for Mandatory Routing of Wireless 911 Calls", was presented to the Board of Supervisors for consideration,

WHEREAS, on January 23, 2001, Resolution No. 41 of 2001 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 13th of February, 2001, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law, No. 2 of 2001, entitled: "A Local Law Providing for Mandatory Routing of Wireless 911 Calls", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the Office of the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Cuzzo, passed with Aye(1247). Supervisors McMahon, Hassan, Mead, Keller, Hisert, Van Kersen and Stagliano voted nay. (2/27/01)

MOTION TO REMOVE FROM TABLE by Supervisor DiMezza, seconded by Supervisor Hisert, passed with Aye(1868). (3/27/01)

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
Department Heads

COUNTY OF MONTGOMERY

INTRODUCTORY LOCAL LAW NO. 2 OF 2001

A LOCAL LAW PROVIDING FOR MANDATORY ROUTING OF WIRELESS 911
CALLS

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

SECTION 1. Name: This local law shall be known as the Montgomery County Wireless 911 Call Routing Law.

SECTION 2. Authority: This local law is enacted under authority of Section 10 of the Municipal Home Rule Law of the State of New York, Article IX of State Constitution of New York, the County Law, and other applicable statutory and decisional law.

SECTION 3. Findings and Declaration of Intent: This Board of Supervisors recognizes the paramount importance of the health, safety and welfare of the citizens of the County and further recognizes that when the lives or property of its citizens are in imminent danger that appropriate assistance must be rendered as expeditiously as possible.

The Board of Supervisors recognizes further that such assistance is increasingly summoned by wireless communications including but not limited to cellular phones and that unintentional, though avoidable, delays in reaching appropriate emergency aid can and do occur to the detriment and jeopardy of life and property when such wireless 911 calls from within Montgomery County are routed to anywhere other than directly to the single county-wide Montgomery County Public Service Answering Point (PSAP), which is under the jurisdiction of the Montgomery County Sheriff.

The Montgomery County Board of Supervisors further finds that a major obstacle to the prompt response to emergent wireless request for assistance in Montgomery County is the failure of one or more wireless telephone service suppliers to directly route such calls to the Montgomery County Public Service Answering Point (PSAP).

The Montgomery County Board of Supervisors further finds that the Montgomery County Public Answering Point (PSAP) has the most accurate, current and extensive knowledge of Montgomery County's geography, roadway, landmarks, emergency service resources and similar information of critical importance in emergent situations and can immediately dispatch the number and type of emergency services the situation requires.

This Board of Supervisors further finds and declares that, by the enactment of the provisions of this local law, it is the intent of the Board of Supervisors to fulfill its obligation to provide for the health, safety and welfare of the people of this County by mandating the direct routing of all 911 calls, including wireless calls, by the service suppliers directly to the Montgomery County Public Answering Point (PSAP) so as to facilitate the rendering of emergency services as expeditiously and effectively as possible.

SECTION 4: Definitions: For the purpose of this law:

a. "wireless telephone service" means all commercial mobile services, as that term is defined in Section 332 (d) of Title 47, United States Code, including all broad band personal communication services, wireless radio telephone services, geographic area specialized and enhanced specialized mobile radio services and incumbent wide area specialized mobile radio licensees, which offer real time, two-way voice service that is interconnected with the public switched telephone network.

b. "wireless telephone service supplier" means any corporation or person as defined in Section ten hundred eighty of the Tax Law, which provides wireless telephone service in New York State.

c. "Montgomery County Public Service Answering Point" or "Montgomery County PSAP" means the site designated and operating by the County of Montgomery through its Sheriff's Office for the purpose of receiving emergency calls, including those from a wireless telephone service and dispatching needed emergency services.

SECTION 5. Routing: All wireless telephone service suppliers doing business in Montgomery County shall route all 911 emergency calls to Montgomery County PSAP.

SECTION 6. Prohibited Acts:

a. No wireless telephone service suppliers shall knowingly fail to route wireless 911 telephone calls originating within Montgomery County to the Montgomery County PSAP, as required by Section 5 above.

b. No owner, official, employee or agent of a wireless telephone supplier shall design, implement, arrange or cause, either directly or indirectly, a process or activity whereby 911 calls are routed other than as provided in Section 5 above.

c. No person or entity shall either directly or indirectly solicit, suggest, implore, agree or otherwise take action so as to cause or seek to cause a wireless telephone service supplier to route wireless 911 calls from within Montgomery County to other than the Montgomery County PSAP.

SECTION 7. Sanctions: Any person or entity violating this local law shall be guilty of an unclassified misdemeanor and shall be subject to a fine not exceeding five hundred dollars (\$500.00) and/or to a period of confinement in the Montgomery County Correctional Facility for a period not to exceed (3) months for each offense. For purpose of this law, each improperly routed 911 call shall constitute a separate offense.

SECTION 8. Additional Remedies:

a. In addition to the sanctions provided in Section 7 above, any wireless telephone service supplier failing to observe the requirements of Section 5 above shall be liable for personal injury, including death and/or property damage caused or exacerbated by reason of said failure.

b. The Sheriff or Chairman of the Board of Supervisors is authorized to pursue any appropriate legal remedy, including, but not limited to, injunction to effectuate the purposes of this local law.

SECTION 9. Separability and Saving Provisions: This local law is separate and apart from any other local law and each provision hereof is separate from any other provision. If this law or portion thereof is found to be invalid, no other law or unaffected portion of this law shall be effected thereby and shall remain in full force and effect.

SECTION 10. Effective Date: This law shall be effective thirty (30) days after it is enacted by the Montgomery County Board of Supervisors.

**
RESOLUTION NO. 49 of 2001 DATED: February 27, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (DISTRICT ATTORNEY)

Resolution by Supervisor: Keller
Seconded by Supervisor: Paton

WHEREAS, the Montgomery County District Attorney has been awarded an Aid to Prosecution Grant by the New York State Division of Criminal Justice Services, and

WHEREAS, the Board of Supervisors has authorized acceptance of said Grant with an agreement having been signed by the Chairman of the Board,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

ADD:	A-25-3-3089-00	Aid to Prosecution
	A-24-4-1165-00	District Attorney
	.1125(13)	Other Compensation
	.2211	Desks/Work Stations
	.2212	Chairs
	.2218	Bulletin Boards/Displays
	.2227	Shredders

INCREASE:

Revenue:	A-25-3-3089-00	Aid to Prosecution	by	\$50,000 .00
Appropriations:	A-24-4-1165-00	District Attorney		
		.1125(13) Other Compensation	by	\$12,713.00
		.2211 Desk/Work Stations	by	3,000.00
		.2212 Chairs	by	450.00
		.2218 Bulletin Brd/Displays	by	300.00
		.2227 Shredder	by	250.00
		.2259 Computer Equipment	by	5,200.00
		.4411 Telephone	by	1,250.00
		.4424 Equipment Repairs	by	500.00
		.4425 Maintenance Agreements	by	500.00
		.4434 Consultants	by	20,000.00
		.4454 Central Purchasing	by	600.00
		.4473 Registration Fees	by	3,203.00
	A-10-4-9001-00	Fringe Benefits		
		.8810 FICA	by	1,489.22
		.8820 Retirement	by	516.68
		.8830 Workers Comp.	by	28.10
		TOTAL		\$50,000.00

, and

FURTHER RESOLVED, that stipends for the following positions and personnel shall exist independent of the regular salaries of said positions and shall not, at any time, be considered part of a base salary nor be used in computing salary increases, and

(20) Assistant District Attorney PT	\$3,373.00
(1292) Assistant District Attorney PT	2,095.00
(22) Assistant District Attorney PT	2,045.00
(987) Confidential Secretary	5,200.00

,and

FURTHER RESOLVED, that said stipends for the specified positions in the District Attorney's office are contingent upon full finding, in the form of the "Aid to Prosecution Grant" from New York State, with the understanding that said stipends shall expire immediately, if and when these specific grant funds are discontinued.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Van Kersen, passed with Aye(1546). Supervisors Keller and Stagliano voted nay. Supervisor McMahon was absent. (2/27/01)

MOTION TO REMOVE FROM TABLE by Supervisor McMahon, seconded by Supervisor Keller, passed with Aye(1868). (3/27/01)

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon	Richard C. Healy
County Attorney	Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
District Attorney
Personnel/Payroll

**
RESOLUTION NO. 69 of 2001 DATED: February 27, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3
OF 2001

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory

Local Law No. 3 of 2001, a Local Law Amending Local Law No. 1 of 1978, Local Law No. 2 of 1983 and Local Law No. 1 of 1984, which created the Office of the County Administrator",

RESOLVED, that Introductory Local Law No. 3 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration, following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held on Tuesday, March 27, 2001 at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Dybas, passed with Aye(1727). Supervisor McMahon was absent.

RESOLUTION DIED ON THE TABLE. (3/27/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 71 of 2001 DATED: February 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PLANNING SERVICE AGREEMENT -
CITY OF AMSTERDAM

Resolution by Supervisor: Brodie
Seconded by Supervisor: DiMezza

WHEREAS, the Montgomery County Board of Supervisors adopted Resolution No. 68 of 1994 establishing a Municipal Planning Advisory Service Program, designed to provide land use studies, urban renewal plans and technical service to Montgomery County municipalities, and

WHEREAS, the City of Amsterdam wishes to enter into an agreement with Montgomery County Department of Planning and Development for services for the completion of the City of Amsterdam's Comprehensive Plan, and

WHEREAS, the Montgomery County Planning and Development Department has established this service at a cost not to exceed \$45,000, which requires additional staffing as was provided in the 2001 County budget, and

WHEREAS, the Montgomery County Board of Supervisors, in support of this initiative, desires to reduce the fiscal impact of this agreement to the City,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement to provide necessary planning services to the City of Amsterdam for completion of its Comprehensive Plan, through the Municipal Planning Advisory Service Program, and

FURTHER RESOLVED, that the fee for said services shall consist of \$22,500 instead of the normally established hourly rate, and

FURTHER RESOLVED, that the County Administrator hereby is directed to initiate the hiring of the vacant Planner position identified in the 2001 Budget.

MOTION TO TABLE by Supervisor Vesp, seconded by Supervisor Hisert, passed with Aye(1126). Supervisors Brodie, Barone, DiMezza, McMahon and Mead voted nay.

RESOLUTION DIED ON THE TABLE. (3/27/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Economic Opp & Development
City of Amsterdam

**
RESOLUTION NO. 55 of 2001 DATED: February 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - BURTONVILLE ROAD (PUBLIC
WORKS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Cuzzo

WHEREAS, the Acting Commissioner of Public Works has recommended reconstruction of Burtonville Road in the proposed 2001 Road Program,

RESOLVED, that the Board of Supervisors hereby approves the reconstruction of Burtonville Road, as a 2001 Capital Project, at a cost not to exceed \$462,600, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

MOTION TO TABLE by Supervisor Mead, seconded by Supervisor DiMezza, passed with Aye(1625). Supervisor Stagliano voted nay. Supervisor McMahon was absent.

MOTION TO REMOVE FROM TABLE by Supervisor Cuzzo, seconded by Supervisor Hassan, passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

NEW BUSINESS

**
RESOLUTION NO. 102 of 2001 DATED: March 27, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 4
OF 2001

Resolution by Supervisor: Vesp
Seconded by Supervisor: Stagliano

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 4 of 2001, a Local Law Establishing Job Description for the County Administrator,

RESOLVED, that Introductory Local Law No. 4 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration, following the holding of a public hearing, and

FURTHER RESOLVED, that said Public Hearing shall be held on Tuesday, April 24, 2001 at 6:45 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor

Hassan, failed with Aye(771-2/3 majority). Supervisors Brodie, Barone, DiMezza, McMahon, Hassan, Keller, Vesp, Hisert and Stagliano voted aye.

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Van Kersen, failed with Aye(339). Supervisors Hassan, Mead, Paton and Van Kersen voted aye.

RESOLUTION ADOPTED with Aye(1085). Supervisors Cuozzo, Dybas, Mancini, Hassan, Mead, Paton and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1085) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 73 of 2001
RESOLUTION RESCINDING RESOLUTION NO. 68 OF 1994

DATED: March 27, 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Dybas

WHEREAS, Resolution No. 68 of 1994, adopted on February 22, 1994, established a Municipal Planning Advisory Service Program, and

WHEREAS, said Program provides for imposition of charges for services rendered to contracting municipalities, and

WHEREAS, it has been recommended that said charges be eliminated,

RESOLVED, that Resolution No. 68 of 1994 hereby is rescinded, effective immediately.

RESOLUTION ADOPTED with Aye(1050). Supervisors McMahon, Hassan, Mead, Keller, Vesp, Paton, Hisert and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1050) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Planning and Development

**

RESOLUTION NO. 74 of 2001
RESOLUTION AUTHORIZING COUNTY PARTICIPATION IN AMSTERDAM MASTER PLAN
DEVELOPMENT

DATED: March 27, 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: DiMezza

WHEREAS, the City of Amsterdam has requested Montgomery County's assistance in developing a Master Plan, and

WHEREAS, the Department of Planning and Development is positioned to provide said assistance,

RESOLVED, that the Montgomery County Department of Planning and Development hereby is authorized and directed to assist the City of Amsterdam in preparation of a Master Plan, and

FURTHER RESOLVED, that said assistance shall be rendered without imposition of additional charges.

RESOLUTION ADOPTED with Aye(1548). Supervisors McMahon, Hassan, Keller and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1548) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
City of Amsterdam

**
RESOLUTION NO. 75 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING EMPLOYEE SOLICITATION BY UNITED WAY

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, existing administrative guidelines prohibit solicitation of County employees by representatives of outside businesses or organizations, in County buildings, and

WHEREAS, the United Way of Montgomery County has requested authorization to make fundraising presentations to County employees,

RESOLVED, that the United Way of Montgomery County hereby is granted an exemption from the administrative guidelines prohibiting solicitation of County employees.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 76 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO AMEND REVOLVING LOAN FUND AGREEMENT
- AUGGIE'S AUTO PARTS

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: McMahon

WHEREAS, Auggie's Auto Parts which has been unable to maintain monthly payments on its Revolving Loan Fund note, is unable to make balloon payments due February 17, 2001, and

WHEREAS, Auggie's Auto Parts has requested a payment extension of outstanding principal, until February 17, 2002, and interest only, on the unpaid balance and accrued interest, from March 17, 2001 through February, 2002,

RESOLVED, that the Chairman of the Board of Supervisors following review and approval by the County Attorney, hereby is authorized and directed to sign a restructured loan agreement with Auggie's Auto Parts, and

FURTHER RESOLVED, that said extension shall provide for continuing monthly payments of interest only, through August 17, 2001, and

FURTHER RESOLVED, that the Board of Supervisors may choose to extend said agreement for an additional six months, conditioned upon the following terms:

1. Receipt, within 60 days, by the Revolving Loan Fund of a business plan with specific action steps to be implemented within the first six months.
2. Demonstration that action steps were implemented as scheduled.
3. Evidence that the action steps are improving the financial viability of Auggie's and its ability to repay the Revolving

Loan Fund.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Economic Opp & Development

**
RESOLUTION NO. 77 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS
(YOUTH BUREAU)

Resolution by: Full Board
Seconded by Supervisor: Dybas

WHEREAS, funds were appropriated in the 2001 Operating Budget for youth programs, and

WHEREAS, the Youth Board of Directors has recommended funding amounts for various programs,

RESOLVED, the Chairman of the Board of Supervisors, following review and approval by the County Attorney, here is authorized and directed to sign agreements with the following funding recipients:

PROGRAM	FUNDING
American Association of University Women	\$ 275.00
Amsterdam High School After Prom Party	500.00
Amsterdam Little Giants	500.00
Amsterdam Police Explorers	400.00
Amsterdam Sea Rams Swim Club	400.00
Boy Scout Troop #48	200.00
Canajoharie Central School After Prom Party	500.00
Cornell Cooperative Extension	225.00
Cub Scout Pack 32	200.00
Fonda Fultonville Biddy Basketball	200.00
Fonda Fultonville Central School After Prom Party	500.00
Fonda Fultonville Girls Summer Softball	250.00
Fonda Fultonville Little League	400.00
Fonda Fultonville Youth Football	350.00
Fort Hunter Free Library	550.00
Fort Plain Central School After Prom Party	500.00
Friends of the Visual & Performing Arts	575.00
Inter-Church Basketball League	300.00
Mohawk Pathways Girl Scout Council	200.00
St. Johnsville Central School After Prom Party	500.00
St. Johnsville Youth Soccer	300.00
Town of Glen Safe Night	175.00
Balance	\$8,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Youth Bureau

**
RESOLUTION NO. 78 of 2001 DATED: March 27, 2001
RESOLUTION CONFIRMING CONTINGENCY ALLOWANCE CHARGES - COLLEGE UNION/PE

BUILDING PROJECT (FMCC)

Resolution by Supervisor: Mead
Seconded by Supervisor: Paton

WHEREAS, the FMCC Foundation raised funds for the College Union/PE Building Renovation Project at Fulton-Montgomery Community College, and

WHEREAS, the Project Engineer, Architecture +, is authorized to charge work to contingency allowances,

RESOLVED, that the Montgomery County Board of Supervisors hereby acknowledges and confirms that the following contingency allowance changes were authorized by the Project Engineer for the College Union/Building Renovation Project at Fulton-Montgomery Community College:

Plumbing contract (P): Lenz Hardware

Original Allowance	\$5,000.00
--------------------	------------

CA-P8 . Relocate water pipe at overhead	\$1,347.36
: coiling grill	
: PR P-6: Work at Food Service line	
: Provide metal shower hose at PE Bldg.	

Previous CA's	\$2,084.28
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Balance	\$1,568.36
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RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FMCC
FC Board of Supervisors

**
RESOLUTION NO. 79 of 2001 DATED: March 27, 2001
RESOLUTION CORRECTING 2001 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, various property owners have filed Applications for Corrected Tax Roll, pursuant to Section 554 of the Real Property Tax Law, with the Real Property Tax Director, alleging errors on the 2001 Tax Roll, and

WHEREAS, said Director has investigated and filed a report, pursuant to said statute, confirming existence of said,

RESOLVED, that the 2000 Tax Roll hereby is ordered corrected, as follows:

APPLICANT:

SBL#:

CORRECTION:

Sisters of the
Resurrection Inc.
Mount St. Joseph
Castleton on Hudson, NY 12033

73.-2-1.2
Town of
Amsterdam

Reduce Cranesville Fire
District tax to \$0 because
parcel is wholly exempt.

, and

FURTHER RESOLVED, that the tax levying body hereby is authorized and directed to approve said applications by making notations on the original applications and duplicates, and by entering the correct extension of taxes, and

FURTHER RESOLVED, that said County Director also is authorized and directed to make an order setting forth the corrected taxes, and directing the

officer having jurisdiction over tax roll to correct the rolls, and to affix the orders and approved applications to the tax rolls and the warrants, per Section 554 of the Real Property Tax Law, such annexed applications and warrants becoming a part of such tax rolls, and

FURTHER RESOLVED, that said County Director shall immediately submit, to the officers having jurisdiction over the tax roll, and above order, all approved applications, and

FURTHER RESOLVED, that said County Director shall mail Notices of Approval of Application to the applicants and shall file duplicate copies of the applications with the Board of Supervisors, and

FURTHER RESOLVED, that, provided the applications were filed pursuant to Paragraph 7A of Section 554 of the Real Property Tax Law, each applicant shall have eight days, from the date of the mailing of the Notice of Approval, to pay such corrected taxes, without interest, and

FURTHER RESOLVED, that said officers having charge of the tax rolls hereby are ordered and directed to immediately collect corrected tax, and

FURTHER RESOLVED, that said Treasurer is directed to charge any taxes deleted from the current rolls, by this resolution, wherever appropriate, against the account of the respective property-taxing jurisdiction for inclusion in the next ensuing tax levy, and

FURTHER RESOLVED, that said Treasurer is directed to notify, prior to May 1, 2001 the appropriate districts that any relevy cancelled by this resolution will not be returned.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Real Property

**
RESOLUTION NO. 80 of 2001 DATED: March 27, 2001
RESOLUTION ACCEPTING HEALTHY HEART GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Van Kersen

WHEREAS, the Public Health Department has been awarded a Healthy Heart Grant, and

WHEREAS, the New York State Department of Health has approved the grant operating budget and work plan for the period July 1, 2001 through June 30, 2002,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a Healthy Heart Grant, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign said agreement, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From:	A-16-4-4010-07	Public Health Grant	
	.4449	Special Supplies	\$38,946.00
To:	A-16-4-4010-07	Public Health Grant	
	.4439	Other Service Fees	\$12,700.00
	.4452	Printing	980.00

.4454	Central Purchasing	14,000.00
.4471	Mileage	2,000.00
.4491	Advertising	4,096.00
.4526	Education Programs	5,170.00
TOTAL		\$38,946.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Public Health

**
RESOLUTION NO. 81 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING DELINQUENT RECEIVABLES WRITE-OFF (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, Montgomery Meadows has completed an evaluation of outstanding recorded receivables for the period from 1993 through 1998, and

WHEREAS, various cases have been reviewed and evaluated by the County Attorney, and

WHEREAS, it has been determined that approximately 100 cases, ranging from \$96 to \$38,925, may be uncollectible,

RESOLVED, that Montgomery Meadows and the County Treasurer hereby are authorized, for accounting purposes, to write-off a total of \$329,925.23 as uncollectible debt.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Infirmary Director

**
RESOLUTION NO. 82 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS AND AMENDING 2001 OPERATING BUDGET (BUS OPERATIONS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign all agreements regarding acquisition of a new commuter bus, and

FURTHER RESOLVED, that parties to said agreements may include, but not be limited to Motor Coach Industries, Inc., The Central New York Regional Transportation Authority (Centro) and Brown Coach, Inc., and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-01-3-1789-00	Transportation		
		Other Transportation Income by	\$	36,951.30
	A-01-3-3589-00	State Aid		
		Transportation	by	36,951.30
	A-01-3-4589-00	Federal Aid		
		Other Transportation(Bus)	by	295,610.40
Appropriations:	A-01-4-5630-00.2246	Bus Operations		
		Bus	by	\$369,513.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 83 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE
OF THE STATE MASS TRANSPORTATION CAPITAL PROGRAM AID (& STATE
ADMINISTERED FEDERAL PROGRAM AID) ELIGIBLE COSTS, OF A MASS
TRANSPORTATION PROJECT, AND APPROPRIATING FUNDS THEREFORE

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, a project for the Capital Assistance Bus, PIN# 2799.14.305 (the Project) is eligible for funding (under Title 23 U.S. Code, as amended,) that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, State Mass Transportation Capital aid is available for fund the non-federal aid eligible portion of projects approved by the Commissioner of Transportation, provided such State funds shall not be used in substitution for the non-federal share of the federally-funded portion of the Project, and

WHEREAS, the Montgomery County Board of Supervisors, duly convened does hereby:

RESOLVE, that the Montgomery County Board of Supervisors hereby approves the above-subject project, and it is hereby further,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the bus for the Project or portions thereof, and it is further

RESOLVED, that the sum of \$369,513. is hereby appropriated from A-01-4-5630-00.2246 and made available to cover the cost of participation in the above phase of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Board of Supervisors shall convene, as soon as possible, to appropriate said excess amount immediately upon notification by the Chairman thereof, and it is further

RESOLVED, that the Chairman of the Board of Supervisors of the County of Montgomery be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Mass Transit Capital Aid on behalf of the County of Montgomery with the New York State Department of Transportation in connection and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New

York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 84 of 2001 DATED: March 27, 2001
RESOLUTION AWARING BID NO. 1-01 - ROAD MATERIALS (PUBLIC WORKS)

Resolution by Supervisor: Vesp
Seconded by Supervisor: Cuzzo

WHEREAS, the Purchasing Agent was authorized to solicit bids for various materials for the Department of Public Works, and

WHEREAS, said bids were opened on February 27, 2001, and

WHEREAS, the Acting Commissioner of Public Works has reviewed the bid documents and recommended that awards be made to the lowest responsible bidders meeting specifications,

RESOLVED, that the Board of Supervisors hereby awards bid No. 1-01, as follows:

A-3 CIRCULAR PIPE & PIPE ARCH

Expanded Supply Products
3330 Route 9
Cold Spring, NY 10516

A-4 CRUSHED STONE
(All Bidders - Price/Ton + Haul to Determine Vendor)

Santos Construction Co.
39 Gilliland Ave.
Amsterdam, NY 12010

Cobleskill Stone Pdts., Inc.
P.O. Box 220
Cobleskill, NY 12043

Rifenburg Construction
159 Brick Church Rd.
Troy, NY 12080-9643

Hanson Aggregates
PO BOX 513
Jamestown, NY 13078

Cushing Stone
725 Sthwy 5S
Amsterdam, NY 12010

Paul Bradt Contractor
Box 1289
Northville, NY 12134

Callanan Industries, Inc.
South St.
South Bethlehem, NY 12161

A-18 REFLECTIVE SHEETING FOR SIGNS

PROPOSAL "A"

Signs & Blanks
PO Box 2234
Akron, Oh 44309-2234

PROPOSAL "B"

Signs & Blanks
P.O. Box 2234
Akron, OH 44309-2234

PROPOSAL "C"
Expanded Supply Products
3330 Route 9
Cold Spring, NY 10516

A-21 TRAFFIC LINE PAINTING
M & S Striping, Inc.
134 Florence St.
Mamaroneck, NY 10543-2923

A-27 RETREADING TIRES

D4300 & Grader Lug
Rua & Sons, Inc.
Box 789, Rt 7
Cobleskill, NY 12043

Comm-Trac Deep
Eggers Caryl & Corrigan, Inc
227 Oriskany St. W
Utica, NY 13502

A-31 FINE GRAVEL & A-32 Foundation Course Gravel
(All Bidders - Price + Haul Cost to Determine Vendor)

Santos Construction Co.
39 Gilliland Ave.
Amsterdam, NY 12010

Rifenburg Construction
159 Brick Church Rd.
Troy, NY 12180-9643

Paul Bradt Contractor
PO Box 1289
Northville, NY 12134

A-34, A-35, A-36, A-37, A-38, A-39, & A-40, GUIDE RAIL PARTS AND
ACCESSORIES

Otsego Iron & Metal (only bidder)
P.O. Box 339
Oneonta, NY 13820

A-64 IN-PLACE RECYCLED BASE COURSE

Vestal Asphalt
201 Stage Rd.
Vestal, NY 13850

A-65 LIQUID CALCIUM CHLORIDE

Vestal Asphalt
201 Stage Rd.
Vestal, NY 13850

A-67 PNEUMATICALLY PROJECTED CONCRETE

Grout Tech, Inc.
19 Saratoga Rd.
Gansevoort, NY 12831

A-70 COLD IN-PLACE RECYCLING TYPE I

Gorman Bros.
Church St.
Port of Albany
Albany, NY 12202

A-71 LATEX MODIFIED ASPHALT PAVEMENT COURSE

Vestal Asphalt
201 Stage Rd.
Vestal, NY 13850

A-79 IN-PLACE RECYCLED BASE COURSE WITH CEMENT STABILIZATION

Gorman Bros.
Church St.
Port of Albany
Albany, NY 12202

A-80 BITUMINOUS CONCRETE
(All Bidders - Price/Ton + Haul to Determine Vendor)

Cobleskill Stone
P.O. Box 220
Cobleskill, NY 12043

Hanson Aggregates
PO Box 513
Jamestown, NY 13078-0513

Cushing Stone Co., Inc.
725 Sthwy 5S
Amsterdam, NY 12010

Callanan Industries, Inc.
South St.
South Bethlehem, NY 12161

A-81 COLD PLANING

Pallette Stone Corp.
373 Washington St.
P.O. Box 4550
Saratoga Springs, NY 12866

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Commissioner of Public Works

**
RESOLUTION NO. 85 of 2001 DATED: March 27, 2001
RESOLUTION AWARDDING BID NO. 2-01 - CHIP SPREADER (PUBLIC WORKS)

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Vesp

WHEREAS, the Purchasing Agent was authorized to solicit bids for a
Chip Spreader, and

WHEREAS, said bids were opened on February 27, 2001,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 2-01 to
Contractor Sales Co., Inc. of Albany, in an amount not to exceed \$95,270, a
total which incorporates a \$3,500 trade-in allowance.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Commissioner of Public Works

**
RESOLUTION NO. 86 of 2001 DATED: March 27, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Vesp

WHEREAS, the County of Montgomery has received Federal and State payments for the June 2000, severe storm and flooding damage, and

WHEREAS, said funds were received as advance payment for repairs to Hughes Road and to the Main Street Bridge,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

D-599	Appropriated Fund Bal.	by \$106,707.05
Appropriations: D-12-4-9900-00.9950	Capital Project Fund Interfund Transfer	by \$106,707.05

INCREASE:

Revenue: H-12-3-5031-18	Capital Project Interfund Transfer	by \$ 47,891.02
Appropriations: H-12-4-5110-18	Capital Projects Road Projects	by \$ 47,891.02
Revenue: H-12-3-5031-80	Capital Projects Interfund Transfer	by \$ 58,816.03
Appropriations: H-12-4-5110-80	Capital Projects Main St. Bridge	by \$ 58,816.03

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 87 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - BRIDGE REHABILITATION/
REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Vesp

WHEREAS, it has been recommended that various Capital Projects be undertaken during 2001,

RESOLVED, that the Board of Supervisors hereby approves Rehabilitation/Replacement of Sulphur Springs Road, CR 154, BIN 3310210, in the Town of Florida; Wagners Hollow Road, CR 48, BIN 3309740, in the Town of Palatine; and Flat Creek Road, CR 98, BIN 3309900, in the Town of Root, as Capital Projects at a cost not to exceed \$1,020,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund certain Capital Projects.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 88 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - OLD JAIL FACILITY (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Vesp

WHEREAS, it has been recommended that various Capital Projects to be undertaken during 2001 and financed through bonding,

RESOLVED, that the Board of Supervisors hereby approves relocation of utilities of the former Jail Facility, as a Capital Project for 2001, at a cost not to exceed \$49,600, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 89 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - HANDICAPPED ACCESSABILITY TO PUBLIC RESTROOMS (PUBLIC WORKS)

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Hassan

WHEREAS, it has been recommended that various Capital Projects be undertaken during 2001,

RESOLVED, that the Board of Supervisors hereby approve the construction of physical accessibility modifications of public restrooms at the County Office Building, as a Capital Project for 2001, at a cost not to exceed \$20,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 90 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - ASBESTOS ABATEMENT (PUBLIC
WORKS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Mead

WHEREAS, it has been recommended that various Capital Projects be undertaken during 2001,

RESOLVED, that the Board of Supervisors hereby approves the asbestos abatement at the County Annex Building, as a Capital Project for 2001, at a cost not to exceed \$60,000., and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 91 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - RESURFACE PARKING LOTS
(PUBLIC WORKS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Mead

WHEREAS, it has been recommended that various Capital Projects be undertaken during 2001,

RESOLVED, that the Board of Supervisors hereby approves the resurfacing of parking lots at the County Office Building, New Court House and County Annex Building, as a Capital Project for 2001, at a cost not to exceed \$97,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund certain Capital Project.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 92 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - BOILER REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Hassan

WHEREAS, it has been recommended that various Capital Projects be undertaken during 2001,

RESOLVED, that the Board of Supervisors hereby approved replacement of the boiler system at the County Office Building, as a Capital Project for 2001. at a cost not to exceed \$145,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund certain capital projects.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 93 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - EMERGENCY ELECTRICAL GENERATOR (PUBLIC WORKS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Mead

WHEREAS, it has been recommended that various Capital Projects be undertaken during 2001,

RESOLVED, that the Board of Supervisors hereby approves installation of an emergency electrical back-up generator at the Department of Public Works, as a Capital Project for 2001, at a cost not to exceed \$25,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund certain Capital Project.

RESOLUTION DIED WHEN SPONSORSHIP WAS WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 94 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - DUMP TRUCK (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Hassan

WHEREAS, the Acting Commissioner of Public works has recommended acquisition of a new 6-wheel dump truck,

RESOLVED, that the Board of Supervisors hereby approves the purchase a new 6-wheel dump truck, as a 2001 Capital Project, at a cost not to exceed \$59,000,

and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 95 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - LOW PROFILE CAB AND
CHASSIS (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Hassan

WHEREAS, the Acting Commissioner of Public Works has recommended acquisition of a new low profile cab and chassis, and

RESOLVED, that the Board of Supervisors hereby approves the purchase of a new low profile cab and chassis, as a 2001 Capital Project, at a cost not to exceed \$37,900, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 96 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - ONE-TON CREW CABS (PUBLIC
WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Hassan

WHEREAS, the Acting Commissioner of Public Works has recommended acquisition of two one-ton crew cabs, and

RESOLVED, that the Board of Supervisors hereby approves the purchase of two one-ton crew cabs, as a Capital Project, at a cost not to exceed \$46,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 97 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - CRAWLER TRACTOR/DOZER
(PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Hassan

WHEREAS, the Acting Commissioner of Public Works has recommended acquisition of a new crawler tractor/dozer, and

RESOLVED, that the Board of Supervisors hereby approves the purchase of a new crawler tractor/dozer, as a 2001 Capital Project, at a cost not to exceed \$167,500, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

RESOLUTION DIED WHEN SPONSORSHIP WAS WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 98 of 2001 DATED: March 27, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - HYDRAULIC EXCAVATOR
(PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Hassan

WHEREAS, the Acting Commissioner of Public Works has recommended acquisition of a new hydraulic excavator, and

RESOLVED, that the Board of Supervisors hereby approves the purchase of a new self-propelled hydraulic excavator, as a 2001 Capital Project, at a cost not to exceed \$255,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to said Capital Project.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 99 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTY - PATROL BOAT (SHERIFF)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hassan

WHEREAS, the Sheriff has determined that his Department's old patrol boat no longer is needed by the County, and

WHEREAS, said Sheriff recommends acceptance of the City of Amsterdam's request to acquire said boat,

RESOLVED, that the Board of Supervisors hereby authorizes the sale of the Sheriff Department's old patrol boat to the City of Amsterdam for the sum of \$1.00.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
City of Amsterdam

**
RESOLUTION NO. 100 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PLANNED SERVICE AGREEMENT -
JOHNSON CONTROLS, INC. (SHERIFF)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Van Kersen

WHEREAS, the Sheriff has recommended entering into a maintenance agreement for certain correctional facility equipment,

RESOLVED, that the Chairman of the Board of Supervisors, following review an approval by the County Attorney, hereby is authorized and directed to sign a Planned Service Agreement with Johnson Controls, Inc., and

FURTHER RESOLVED, that said agreement, which applies to various correctional facility equipment, shall be for a one-year period, commencing on _____ and ending on _____, at a cost not to exceed _____.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor McMahon, in the FURTHER RESOLVED, insert, "April 1, 2001" "December 31, 2001" and "the prorated cost of \$28,335" respectively, passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 101 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING CLOSEST CAR AGREEMENT

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Vesp

WHEREAS, the Chairman of the Public Safety Committee has recommended that Montgomery County enter into a "Closest Car Agreement" with the New York State Police, and

WHEREAS, said agreement will help assure that C-911 callers receive expeditious service from the closest available law enforcement or emergency

personnel,

RESOLVED, that the Sheriff and Chairman of the Board, of Supervisors, following review and approval by the County Attorney, hereby are authorized and directed to execute a "Closest Car Agreement" with the New York State Police, and

FURTHER RESOLVED, that said Agreement shall provide for dispatch of the nearest available unit of the Sheriff or State Police in response to C-911 and landline requests for emergency assistance.

MOTION TO TABLE by Supervisor Keller, seconded by Supervisor Hassan, failed with Aye(810). Supervisors Cuozzo, McMahon, Hassan, Mead, Keller, Paton, Hisert and Van Kersen voted aye.

RESOLUTION DEFEATED with Aye(911). Supervisors Brodie, Barone, Mancini, DiMezza, Vesp and Stagliano voted aye. Supervisor Cuozzo abstained.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff Amato
New York State Police

**

Motion by Supervisor McMahon, seconded by Supervisor Vesp, to Suspend the Rules of Procedure to allow for the introduction of Resolution No. 103, passed with Aye(1304-2/3 majority).

**
RESOLUTION NO. 103 of 2001 DATED: March 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CSS TELECOM AND ENERGY CORP. (BOARD OF SUPERVISORS)

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Vesp

WHEREAS, it has been proposed that the Board of Supervisors arrange for an audit review of Montgomery County's telecommunications and energy expenses, and

WHEREAS, it has been recommended that said audit be conducted by CSS Telecom and Energy Corp.,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with CSS Telecom & Energy Corp. for provision of an initial audit review of Montgomery County's telecommunications and energy expenses, and

FURTHER RESOLVED, that said agreement shall provide for payment in an amount not to exceed a total of \$750.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Department of Public Works

OTHER

Supervisor Dybas provided an overview of discussion on tobacco settlement monies.

ADJOURNMENT

Motion by Supervisor Dybas, seconded by Supervisor Mancini, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 10:10 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for April 24, 2001, was called to order at 7:00 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Mancini. Roll call indicated that that all Supervisors were present.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Hisert, seconded by Supervisor McMahon, to amend the agenda to add Resolution 127, passed with Aye(1721). Supervisor Dybas voted nay. Motion by Supervisor Hisert, seconded by Supervisor McMahon, to adopt the amended agenda, passed with Aye(1868).

____ _
PRIVILEGE OF THE FLOOR

Alice Knapik, Town of Glen, spoke against introductory Local Law No. 4 of 2001.

Frank Capone and Barbara Wool of Liberty Enterprises discussed the impact of the agency's operations.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of March 27, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

**

Chairman Barone called for a recess of the regular Meeting at 7:26 p.m. to return to the Economic Development Committee. The Regular Meeting was reconvened at 8:01 p.m.

_____. UNFINISHED BUSINESS

None.

_____. NEW BUSINESS

**

Motion by Supervisor McMahon, seconded by Supervisor Dybas, to consider Resolutions No. 127, 111, 112, 113, 114, and 115 before Resolution No.104, passed with Aye(1868).

**
RESOLUTION NO. 127 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT-
BONDED INSULATION, INC.

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Mead

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) has reviewed a business loan application from Bonded Insulation Company, Inc., which is located in the Village of Hagaman, and

WHEREAS, said applicant has requested \$_____ from the Economic Development Program for site improvement material and operating equipment purchases which will retain and create new jobs,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney and by the Department of Housing and Urban Development, hereby is authorized and directed to sign an agreement and any other necessary legal documents, to process an economic development loan, in a principal amount not to exceed \$_____, to Bonded Insulation Company, Inc.,

FURTHER RESOLVED, that said loan shall be payable in ____ monthly installments, with interest of ____ percent (at time of closing), and

FURTHER RESOLVED, that said loan shall be due in full, immediately upon either a 25 percent reduction of employment or closure of Bonded Insulation Company, Inc., Montgomery County facility, and

FURTHER RESOLVED, that Bonded Insulation Company, Inc., shall satisfy all conditions recommended by the Housing and Urban Development Agency.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor DiMezza, in the WHEREAS and RESOLVED clauses, insert "not to exceed \$173,000" and in the first FURTHER RESOLVED clause, insert "6 monthly" and "prime minus three" respectively, passed with Aye(1619). Supervisors Dybas and Stagliano voted nay.

RESOLUTION ADOPTED with Aye(1619). Supervisors Dybas and Stagliano voted nay.

Duly adopted upon roll call, all members present (1619) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
Director of Economic Opp. & Development

**

RESOLUTION NO. 111 of 2001
RESOLUTION CONFIRMING CONTINGENCY ALLOWANCE CHARGES - COLLEGE UNION/PE
BUILDING PROJECT (FMCC) DATED: April 24, 2001

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the FMCC Foundation raised funds for the College Union/PE Building
Renovation Project at Fulton-Montgomery Community College, and

WHEREAS, the Project Engineer, Architecture +, is authorized to charge work
to contingency allowances,

RESOLVED, that the Montgomery County Board of Supervisors hereby
acknowledges and confirms that the following contingency allowance charges were
authorized by the Project Engineer for the College Union/Building Renovations
Project at Fulton-Montgomery Community College:

GENERAL CONTRACT (C): Bast Hatfield

CA-C3: Remove food service island and	
patch terrazzo floor	\$19,120.00
Remove kitchen hood at	
food service island	1,082.00
Paint food service area	2,253.00

Original Contract Amount \$1,537,000.00

Revised Contract Amount \$1,584,328.17

PLUMBING CONTRACT (P): Lenz Hardware

CA-P1: Relocate existing steam pipe \$ 131.16

Original Contract Amount \$ 109,787.00

Revised Contract Amount \$ 109,918.16

ELECTRICAL CONTRACT (E): Harold R. Clune, Inc.

CA-E1: Work at food service line \$ 2,448.00

Original Contract Amount \$164,750.00

Revised Contract Amount \$167,198.00

, and

FURTHER RESOLVED, that the Board of Supervisors further acknowledges and
confirms Amendment No. 3 to the contract with Architecture +, which provides
that total compensation not exceed \$246,475.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FC Board of Supervisors
FMCC

**
RESOLUTION NO. 112 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING PREPARATION OF FINAL DESIGN SPECIFICATIONS -
ELECTRICAL VAULT RENOVATION PROJECT (FMCC MASTER PLAN PROJECT)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Board of Supervisors authorized a contract with Phillips
Associates, of Saratoga Springs, for design services for the Electrical Vault

Renovation Project at FMCC, and

WHEREAS, the final design report, which estimates a renovation project of approximately \$390,000, has been completed

RESOLVED, that, in accordance with its contract, the Montgomery County Board of Supervisors hereby authorizes Phillips Associates to proceed with final design specifications for the FMCC Electrical Vault Renovation Project, for final review by the Board of Supervisors, and

RESOLVED, that this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FMCC
FC Board of Supervisors

**
RESOLUTION NO. 113 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING SOLICITATION OF DESIGN SERVICES PROPOSALS -
COLLEGE UNION ROOF REPLACEMENT PROJECT (FMCC MASTER PLAN)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, approximately \$600,000 in unobligated funds remain in the FMCC Master Plan budget, and

WHEREAS, it has been indicated that the College Union roof needs replacement,

RESOLVED, that Fulton-Montgomery Community College officials hereby are authorized and directed to solicit design services proposals for the College Union Roof Replacement Project at FMCC, and

FURTHER RESOLVED, that the Board of Supervisors reserves the right to reject any or all proposals, and

FURTHER RESOLVED, that this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FMCC
FC Board of Supervisors

**
RESOLUTION NO. 114 of 2001 DATED: April 24, 2001
RESOLUTION ENDORSING SITING OF BOCES FACILITY ADJACENT TO FULTON-
MONTGOMERY COMMUNITY COLLEGE

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, BOCES officials have been considering the siting of a new office/school complex, and

WHEREAS, a prime option is to locate said facility adjacent to the FMCC

Campus, and

WHEREAS, BOCES officials have requested that Montgomery County endorse the concept of said proposed co-location,

RESOLVED, that the Montgomery county Board of Supervisors hereby endorses the concept of co-locating a Hamilton-Fulton-Montgomery BOCES facility adjacent to Fulton-Montgomery Community College, and

FURTHER RESOLVED, that this Resolution is contingent upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FMCC
FC Board of Supervisors

**
RESOLUTION NO. 115 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT
BETWEEN FMCC, FULTON AND MONTGOMERY COUNTIES AND FMCC-ESP

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, negotiations have been completed for a successor employment agreement between Fulton-Montgomery Community College, Fulton County, Montgomery County and Fulton-Montgomery Community College Education Support Personnel,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Memorandum of Agreement between Fulton-Montgomery Community College, Fulton County, Montgomery County and Fulton-Montgomery Community College Education Support Personnel, effective September 1, 2000 through August 31, 2004, a copy of which is attached and made a part of this Resolution, and

FURTHER RESOLVED, that said agreement is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FC Board of Supervisors
FMCC

**
RESOLUTION NO. 104 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT -
CAPITAL DISTRICT SALT, LLC

Resolution by Supervisor: Hisert
Seconded by Supervisor: Vesp

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) has reviewed a business loan application from Capital District Salt, LLC, which is located in the Town of Palatine, and

WHEREAS, said applicant has requested \$185,000 from the Economic Development Program for site improvement material and operating equipment purchases which will create new jobs,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney and by the Department of Housing and Urban Development, hereby is authorized and directed to sign legal documents necessary to process an economic development loan, in a principal amount not to exceed \$185,000, to Capital District Salt, LLC, and

FURTHER RESOLVED, that said loan shall be payable in 84 monthly installments, with interest of prime minus 3 percent (at time of closing), and

FURTHER RESOLVED, that said loan shall be due in full, immediately upon either a 25 percent reduction of employment or closure of Capital District Salt's Montgomery County facility, and

FURTHER RESOLVED, that Capital District Salt shall satisfy all conditions recommended by the Housing and Urban Development Agency.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Economic Opp & Development

**
RESOLUTION NO. 105 of 2001 DATED: April 24, 2001
RESOLUTION APPROVING 2001 CAPITAL PROJECT - TANDEM DUMP TRUCK (PUBLIC WORKS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: McMahon

WHEREAS, the Acting Commissioner of Public works has recommended acquisition of a new 6 X 4 tandem dump truck,

RESOLVED, that the Board of Supervisors hereby approves the purchase of a new 6 X 4 tandem dump truck, as a 2001 Capital Project, at a cost not to exceed \$84,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund said Capital Project.

RESOLUTION ADOPTED with Aye(1766). Supervisor Stagliano voted nay.

Duly adopted upon roll call, all members present (1766) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 106 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INTENSIFIED LAW ENFORCEMENT SERVICES (SHERIFF)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that the Sheriff provide Intensified Law Enforcement Services to the Town of Charleston,

RESOLVED, that the Chairman of the board of Supervisors and the Sheriff,

following review and approval by the County Attorney, hereby are authorized and directed to sign an agreement for provision of Intensified Law Enforcement Services to the Town of Charleston, and

FURTHER RESOLVED, that said agreement shall commence on _____ and end on _____, and

FURTHER RESOLVED, that said services shall be provided at a cost of \$_____ per hour, plus \$_____ per mile.

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Keller, in the first FURTHER RESOLVED clause, insert "May 1, 2001" and "December 31, 2001" respectively and in the second FURTHER RESOLVED clause, delete "\$_____ per hour, plus \$_____ per hour" and insert in its stead, "the prevailing rate of the assigned deputy, plus the prevailing IRS standard per mile", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Town of Charleston

**

RESOLUTION NO. 107 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COMMUNITY ALERT
NETWORK (SHERIFF)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has recommended that Montgomery County continue its emergency notification contractual affiliation with Community Alert Network, Inc.

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an emergency notification agreement with Community Alert Network, Inc. of Albany, and

FURTHER RESOLVED, that said agreement, which shall commence on June 1, 2001 and terminate on May 31, 2002, shall provide for payment of an \$11,000 service fee, and

FURTHER RESOLVED, that said agreement also shall provide for payment of \$55.00 for each hour of Telephone Line Calling Time used to deliver telephone communications requested by the County.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 108 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TB MEDICAL SERVICES
(PUBLIC HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, the Purchasing Agent solicited proposals for the provision of Tuberculosis Medical Services, and

WHEREAS, one proposal was received and reviewed by the Public Health Director,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Amsterdam Memorial Health Care System for provision of Tuberculosis Medical Services.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Public Health

**
RESOLUTION NO. 109 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEAD POISONING AND PREVENTION
GRANT ACCEPTANCE (PUBLIC HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has been awarded a Lead Poisoning and Prevention Grant for the period commencing on April 1, 2001 and ending on March 31, 2002,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a 2001-02 Lead Poisoning and Prevention Grant Agreement with the New York State Department of Health.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Public Health

**
RESOLUTION NO. 110 of 2001 DATED: April 24, 2001
RESOLUTION AWARDING BID NO. 03-01 - OFFICE SUPPLIES

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized to solicit bids for office supplies, and

WHEREAS, said bids were publicly opened on March 27, 2001,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 03-01 to Seely Conover, Inc., of Amsterdam.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator

County Clerk
Purchasing Agent

**

RESOLUTION NO. 116 of 2001 DATED: April 24, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (COUNTY ADMINISTRATOR)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Mead

WHEREAS, Vehicle No. 304, assigned to the Director of Economic Opportunity and Development, was damaged in an accident on April 6, 2001, and

WHEREAS, payment, in the amount of \$1,834.17 has been received for repair of said vehicle,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-01-3-2690-00 Other Compensation by \$1,834.17

Appropriations: A-01-4-1011-00.4424 County Administrator
Equipment Repairs by \$1,834.17

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Eco. Opp. and Development

**

RESOLUTION NO. 117 of 2001 DATED: April 24, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (COUNTY ADMINISTRATOR)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, Sheriff's Vehicle No. 104 was damaged in an accident on March 12, 2001, and

WHEREAS, payment, in the amount of \$10,577.46, has been received for repair of said vehicle,

RESOLVED, that the County Treasurer, hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-01-3-2680-00 Insurance Recovery by \$10,577.46

Appropriations: A-01-4-1011-00 .4424 County Administrator
Equipment Repairs by \$10,577.46

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 118 of 2001 DATED: April 24, 2001

RESOLUTION AMENDING 2001 OPERATING BUDGET (COUNTY ADMINISTRATOR)

Resolution by Supervisor: Dybas
Seconded by Supervisor: McMahon

WHEREAS, the overhead door at the Public Safety Facility was damaged in an accident on February 22, 2001, and

WHEREAS, payment, in the amount of \$945.50 has been received for repair of said door,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-01-3-2680-00 Insurance Recovery by \$948.50

Appropriations: A-01-4-1011-00.4424 County Administrator
Equipment Repairs by \$948.50

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 119 of 2001 DATED: April 24, 2001
RESOLUTION TRANSFERRING FUNDS - COMPENSATION ADJUSTMENTS (PERSONNEL)

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, the Personnel Officer has requested a transfer of funds to provide for compensation adjustments resulting from assignment of non-bargaining status to several employees,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account
Contractual Expenses \$5,674.81

To: A-10-4-1430-00 Personnel
.1110(360) Personnel Assistant \$2,989.98
.1110(1274) Personnel Associate 1,592.59
.1110(1273) Acct. Clerk Typist 1,092.24

From: MS-10-4-1710-00.4431 Self-Insurance Fund
Attorneys/Accts/Audit. \$1,322.38

MS-10-4-1710-00 Self-Insurance Fund
.1110(1275) Acct. Clerk Typist \$ 537.97
.1110(1276) Personnel Associate 784.41

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**
RESOLUTION NO. 120 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING FUNDING ADVANCE - FLORIDA BUSINESS PARK

Resolution by Supervisor: Hisert
Seconded by Supervisor: Vesp

WHEREAS, Montgomery County, in conjunction with the Montgomery County Industrial Development Agency, is developing the Florida Business Park, and

WHEREAS, the Montgomery County Industrial Development Agency has requested an advance of funds, not to exceed \$975,000, to facilitate the purchase of land, currently under option, necessary for development of the Florida Business Park,

RESOLVED, that the Board of Supervisors hereby authorizes the advance of \$975,000 to the Montgomery County Industrial Development Agency for purchase of land for the Florida Business Park, contingent upon the execution, by the Chairman of the Board of Supervisors and the IDA, of a note approved by the County Attorney, and

FURTHER RESOLVED, that the entire amount shall be repaid to Montgomery County from the sale of land within said Park, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to facilitate said advance, and to enter upon the County's books, the appropriate receivable due back from the IDA.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Van Kersen, in the second WHEREAS clause and RESOLVED, delete "\$975,000" and insert, in its stead, "\$1,040,000" and in the RESOLVED clause, delete "note" and insert, in its stead, "repayment agreement", passed with Aye(1721). Supervisor Dybas voted nay.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney Richard C. Healy Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Eco. Opp. & Development
MCIDA

**
RESOLUTION NO. 121 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONSULTANT AGREEMENT - FLORIDA BUSINESS PARK

Resolution by Supervisor: Vesp
Seconded by Supervisor: Paton

WHEREAS, Montgomery County, in conjunction with the Montgomery County Industrial Development Agency, is developing the Florida Business Park, and

WHEREAS, because the development site contains designated wetland, a Federal Wetland Permit must be obtained, and

WHEREAS, said permit approval process requires submittal of an application which includes detailed engineering, impact evaluations, alternative site analysis and concept plans for land retained by the Montgomery County Industrial Development Agency,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Hyjek & Fix, Inc. of Washington, D.C., to help assure compliance with the U.S. Army Corps of Engineers Regulatory Program, and

FURTHER RESOLVED, that said Agreement shall be for a period of three months, commencing April 24, 2001, and

FURTHER RESOLVED, that the fee for said services shall be \$6,000 per month,

not to exceed \$18,000, exclusive of direct expenses, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-18-3-2701-00 Refund Prior Yrs. Exp. by \$20,000.00

Appropriations: A-06-4-9900.00.9950 Interfund Transfers
Trans. Cap. Proj. Fund by \$20,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
Director of Eco. Opp. and Development

**
RESOLUTION NO. 122 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - CITY
OF AMSTERDAM (DATA PROCESSING)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Mead

WHEREAS, the Data Processing Director has recommended renewal of a data processing services agreement with the City of Amsterdam, and

WHEREAS, said agreement will generate revenue of approximately \$25,000, and

WHEREAS, services will include processing of payroll, tax billing, water meter billing, fixed assets maintenance, budget preparation, and use of tax roll service programs,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement for provision of data processing services to the City of Amsterdam for the period from July 1, 2001 to June 30, 2002.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Data Processing

**
RESOLUTION NO. 123 of 2001 DATED: April 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT
- TOWN OF AMSTERDAM

Resolution by Supervisor: Mead
Seconded by Supervisor: McMahon

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Town of Amsterdam will be applying for Environmental Facilities Corporation grant funds to assist in the payment of water infrastructure improvements to the Route 30 corridor, and

WHEREAS, said improvements will help retain and create jobs in said Town,

and

WHEREAS, said Town is unable to bond for funds, pending formation of a water district, and

WHEREAS, said Town has requested \$665,000 from the Economic Development Program for said improvements,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney and by the Department of Housing and Urban Development, hereby is authorized and directed to sign an agreement and any other necessary legal documents, to process an economic development loan, in a principal amount not to exceed \$665,000, to the Town of Amsterdam, and

FURTHER RESOLVED, that said loan shall be payable upon formation of a water district by the Town of Amsterdam, at which time bond application will be completed by said Town, and

FURTHER RESOLVED, that said Town shall satisfy all conditions recommended by the Housing and Urban Development Agency.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor McMahon, in the fifth WHEREAS and RESOLVED clause, delete "\$665,000" and insert, in its stead, "\$550,000 interest free", passed with Aye(1660). Supervisor DiMezza abstained.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Hisert, in the first FURTHER RESOLVED clause, after "payable" insert "no later than June 30, 2002", passed with Aye(1660). Supervisor DiMezza abstained.

RESOLUTION ADOPTED with Aye(1660). Supervisor DiMezza abstained.

Duly adopted upon roll call, all members present (1660) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Eco. Opp. and Development
Town of Amsterdam

**
RESOLUTION NO. 124 of 2001 DATED: April 24, 2001
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY")
DATED APRIL 24, 2001, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS;
ESTIMATING THE AGGREGATE COST THEREOF TO BE \$2,335,900; APPROPRIATING
SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,335,900 SERIAL
BONDS OF THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: McMahon
Seconded by Supervisor: Keller

WHEREAS, the Board of Supervisors has heretofore approved certain capital projects of the County, all as more particularly described in Resolution Nos. 55, 87-92, 94-96, 98 and 105 of 2001, (the "Prior Resolutions"), and

WHEREAS, the Board of Supervisors desires to expand upon the Prior Resolutions and approve the method of financing the costs of such capital projects,

RESOLVED, by the Board of Supervisors of the County of Montgomery, New York, (by a favorable vote of not less than two-thirds of all of its members), as follows:

SECTION 1

Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the County hereby authorized the capital improvements and projects (the "Projects") listed below:

(a) The reconstruction of 3.65 miles of Burtonville Road, CR #127, in the Town of Charleston (the "DPW Highway Improvements"), work to include new

drainage, widening, recycling existing pavement for a new base and resurfacing, the maximum cost thereof being hereby estimated to be \$462,600, appropriating said amount therefore and authorizing the issuance of \$462,600 serial bonds to finance such costs;

(b) The rehabilitation and renovation of County bridges (the "DPW Bridge Improvements"), the maximum cost thereof being hereby estimated to be \$1,019,800, appropriating said amount therefore and authorizing the issuance of \$1,019,800 serial bonds to finance such costs;

(c) The relocation and modification of utilities in the Old County Jail Facility (the "Old Jail Improvements"), the maximum cost thereof being hereby estimated to be \$49,600, appropriating said amount therefore and authorizing the issuance of \$49,600 serial bonds to finance such costs;

(d) The modifications for physical accessibility of public restrooms in the County Office Building (the "Office Building Improvements"), the maximum cost thereof being hereby estimated to be \$20,000, appropriating said amount therefore and authorizing the issuance of \$20,000 serial bonds to finance such costs;

(e) The identification and removal of asbestos floor tiles in the County Office Building Annex (the "Office Building Annex Improvements"), the maximum cost thereof being hereby estimated to be \$60,000, appropriating said amount therefore and authorizing the issuance of \$60,000 serial bonds to finance such costs;

(f) The preparation and resurfacing of parking lots for the New Courthouse, the County Office Building, and the County Office Building Annex (the "Parking Lot Improvements"), the maximum cost thereof being hereby estimated to be \$97,000, appropriating said amount therefore and authorizing the issuance of \$97,000 serial bonds to finance such costs;

(g) The acquisition and installation of two new 1,856,000 BTU/HR, gross output, natural gas fired boilers for the County Office Building, to include removal of existing boilers (the "Boiler Improvements"), the maximum cost thereof being hereby estimated to be \$145,000, appropriating said amount therefore and authorizing the issuance of \$145,000 serial bonds to finance such costs; and

(h) The acquisition of (i) one new 6-wheel dump truck with 14,000 lb. front axle, 23,000 lb. two-speed rear axle, and a 230 hp turbo-charged diesel engine, having a GVWR of 37,000 lbs. the maximum cost thereof being hereby estimated to be \$59,000, (ii) one new low profile cab and chassis with 6,000 lb. front axle, 15,500 lb. single speed rear axle, and a 195 hp turbocharged diesel engine, have a GVWR of 21,500 lb. the maximum cost thereof being hereby estimated to be \$37,900, (iii) two new one-ton crew cab pick-up trucks with 4,700 lb. front axle, 6,830 lb. rear axle, and a 5.4L, V8 gas engine, having a GVWR of 9,900 lbs. the maximum cost thereof being hereby estimated to be \$46,000, (iv) one new self-propelled hydraulic excavator with a 13,200 lb. front axle, two 23,000 lb. single reduction rear axles, a 145 hp turbocharged diesel front engine, a 200 hp turbocharged diesel rear engine, have a GVWR of 44,850 lbs. the maximum cost thereof being hereby estimated to be \$255,000, and (v) one new tandem 10-wheel dump truck with 18,000 lb. front axle, two 23,000 lb. two-speed rear axles, a 305 hp turbocharged diesel engine, have a GVWR of 64,000 lbs., the maximum cost thereof being hereby estimated to be \$481,900 all for the Department of Public Works (collectively, "DPW Equipment"), the maximum aggregate cost thereof being hereby estimated to be \$481,900, appropriating said amount therefore and authorizing the issuance of \$481,900 serial bonds to finance such costs.

SECTION 2

It is determined that the period of probable usefulness of the aforesaid specific objects or purposes are as follows:

- (a) DPW Highway Improvements - 10 years pursuant to Section 11.00 (a)(20)(b) of the law.
- (b) DPW Bridge Improvements - 20 years pursuant to Section 11.00 (a)(10) of the law.
- (c) Old Jail Improvements - 10 years pursuant to Section 11.00 (a)(13) of the Law.
- (d) County Office Building Improvements - 5 years pursuant to Section 11.00

- (a)(35) of the Law.
- (e) Office Building Annex Improvements - 5 years pursuant to Section 11.00(a)(35) of the Law.
- (f) Parking Lot Improvements - 10 years pursuant to Section 11.00(a)(20)(f) of the law.
- (g) Boiler Improvements - 10 years pursuant to Section 11.00(a)(13) of the Law.
- (h) DPW EQUIPMENT -
 - (i) 6-wheel Dump Truck-15 years pursuant to Section 11.00(a)(28) of the Law.
 - (ii) Low Profile Cab and Chassis-15 years pursuant to Section 11.00(a)(28) of the Law.
 - (iii) Two one-ton crew cab pickup trucks-10 years pursuant to Section 11.00(a)(28) of the Law.
 - (iv) Self-Propelled Hydraulic Excavator-15 years pursuant to Section 11.00(a)(28) of the Law.
 - (v) 10 wheel Dump Truck-15 years pursuant to Section 11.00(a)(28) of the Law.

SECTION 3.

The plan of financing includes the issuance of \$2,335,900 serial bonds and the levy of a tax upon all of the real property in the County to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4.

The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for specific objects or purposes described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the County intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

SECTION 5.

The proposed average maturity date of the bonds authorized pursuant to this resolution is expected to exceed five (5) years.

SECTION 6.

The serial bonds issued to finance the cost of each object or purpose described in Section 1 above shall mature no later than the date of the expiration of the period of probable usefulness for each such object or purpose.

SECTION 7.

The County hereby covenants and agrees with the holders from time to time of the serial bonds of the County issued pursuant to this resolution, and any bond anticipation notes of the County issued in anticipation of the sale of said bonds, that the County will duly and faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulation of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the County, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

SECTION 8.

Pursuant to Section 617.5(a) of the regulations of the New York State Department of Environmental Conservation, certain of the Project set forth in Section 1 of this resolution is subject to the procedures required by the State Environmental Quality Review Act ("SEQRA") and no "action", as the same is

referred to in Article 9 of the Environmental Conservation Law Act SEQRA regulations, shall be taken and no serial bonds shall be issued until all of the procedures and requirements set forth therein have been completed with respect to such project.

SECTION 9.

Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. The faith and credit of the County are hereby irrevocable pledged to the punctual payment of the principal of and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 10.

Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Board of Supervisors relative to authorizing serial bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Treasurer of the County, the chief fiscal officer of the County. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the County, the chief fiscal officer of said County. In addition to the delegation of the powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State comptroller applicable to the sale of municipal bonds.

SECTION 11.

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 12.

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

(a) Such obligations are authorized for any object or purpose for which the County is not authorized to expend money; or

(b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or

(c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13.

This resolution shall be published in full in the designed official newspapers of the County for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00

of the Law.

SECTION 14.

The resolution is not subject to a mandatory or permissive referendum pursuant to Section 33.10 of the Law.

SECTION 15.

This resolution shall take effect immediately.

MOTION TO AMEND by Supervisor Cuzzo, seconded by Supervisor DiMezza, in the RESOLVED clause, Sections I and II, delete "c, d, e, f, g, and h", passed with Aye(1309). Supervisors McMahon, Hassan, Mead, Keller, Paton and Van Kersen voted nay.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Mancini, in the Title and in the RESOLVED clause, Section 3, delete "\$2,335,900" and insert, in its stead, "\$1,482,400", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY (1304-2/3 MAJORITY).

Duly adopted upon roll call, all members present (1304) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 125 of 2001 DATED: April 24, 2001
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 4 OF 2001

Resolution by Supervisor: Vesp
Seconded by Supervisor: McMahon

WHEREAS, on March 27, 2001, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Amending Local Law No. 1 of 1978, Local Law No. 2 of 1984, Local Law No. 1 of 1984, Local Law No. 6 of 1999 and Establishing the Attached as the Job Description of the County Administrator", was presented to the Board of Supervisors for consideration,

WHEREAS, on March 27, 2001, Resolution No. 102 of 2001 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 24th of April, 2001, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law, No. 4 of 2001, entitled: "A Local Law Amending Local Law No. 1 of 1978, Local Law No. 2 of 1984, Local Law No. 1 of 1984, Local Law No. 6 of 1999 and Establishing the Attached as the Job Description of the County Administrator", and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the Office of the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

RESOLUTION DEFEATED with Aye(581). Supervisors McMahon, Keller, Vesp, Hisert and Stagliano voted aye. Supervisors Brodie, Barone and DiMezza abstained.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
Department Heads

**
RESOLUTION NO. 126 of 2001 DATED: April 24, 2001
RESOLUTION TRANSFERRING PROPERTY TO NEW YORK STATE DEPARTMENT OF

TRANSPORTATION

Resolution by Supervisor: Dybas
Seconded by Supervisor: Van Kersen

WHEREAS, the New York State Department of Transportation has advised that county owned property SBL #63.10-2-5 is needed for expansion purposes of the State Highway 10 bridge connecting the Villages of Canajoharie and Palatine Bridge, and

WHEREAS, it has been recommended by the County Treasurer, that said property be designated "no longer needed for a County purpose", and

RESOLVED, that the surplus property SBL #63.10-2-5, located at 3 West Grand Street, Palatine Bridge, is hereby designated surplus property, pursuant to provision Section 215, Paragraph 5 of the County Law,

RESOLVED, that the Board of Supervisors hereby authorizes the conveyance, pursuant to Section 850 of County Law, of such designated surplus property to the New York State Department of Transportation for \$1.00, and

FURTHER RESOLVED, that the Chairman of the Board, following review and approval by the County Attorney, is hereby authorized and directed to execute all documents necessary to effectuate said conveyance.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
NYS DOT

_____ OTHER

None.

_____ ADJOURNMENT

Motion by Supervisor Dybas, seconded by Supervisor Mancini, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 9:20 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for May 22, 2001, was called to order at 7:02 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Mancini. Roll call indicated that Supervisors DiMezza, Paton and Van Kersen were absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Mancini, seconded by Supervisor Stagliano, to amend the agenda to consider Resolution No. 132 before Resolution 128, passed with Aye(1308). Supervisor Cuozzo voted nay. Supervisors DiMezza, Paton and Van Kersen were absent. Motion by Supervisor Mancini, seconded by Supervisor Stagliano, to adopt the amended agenda, passed with Aye(1308). Supervisor Cuozzo voted nay. Supervisors DiMezza, Paton and Van Kersen were absent.

____ _
PRIVILEGE OF THE FLOOR

Alice Knapik, Town of Glen, discussed Fulton-Montgomery Community College.
Evelyn Lindley, Town of Root, expressed concern over planning services.
Steve Helmin, Town of Glen, supports Resolution No. 143.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearing of April 24, 2001 and the Regular Meeting of April 24, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

**

RESOLUTION NO. 132 of 2001 DATED: May 22, 2001
RESOLUTION CONFIRMING CONTINGENCY ALLOWANCE CHARGES - COLLEGE UNION/PE
BUILDING PROJECT (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Mead

WHEREAS, the FMCC Foundation raised funds for the College Union/PE Building
Renovation Project at Fulton-Montgomery Community College, and

WHEREAS, the Project Engineer, Architecture +, is authorized to charge work
to contingency allowances,

RESOLVED, that the Montgomery County Board of Supervisors hereby
acknowledges and confirms that the following contingency allowance charges were
authorized by the Project Engineer for the College Union/Building Renovation
Project at Fulton-Montgomery Community College:

GENERAL CONTRACT - Bast Hatfield:

CA-G9: Epoxy resin countertop, snow guards, counter supports	\$ 118.00
Prepare concrete slab edge for carpet	762.00
Revised Contingency Allowance	\$ 45,000.00
Revised Balance	\$ 12,341.02

PLUMBING CONTRACT - Lenz Hardware:

CA-P9: Additional work at food service line	\$ 1,276.17
Original Contingency Allowance	\$ 5,000.00
Revised Balance	\$ 292.19

ELECTRICAL CONTRACT - Harold R. Clune, Inc.:

CA-E9: Drop-in fixture in PE Bldg. Library	\$ 120.00
Remove and replace electrical finishes at STO finish at columns	360.00
Original Contingency Allowance	\$ 20,000.00
Revised Balance	\$ 11,196.96

RESOLUTION ADOPTED with Aye(1457). Supervisor Cuzzo voted nay. Supervisors
DiMezza, Paton and Van Kersen were absent.

Duly adopted upon roll call, all members present (1457) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton-Montgomery Community College
Fulton County Board of Supervisors

**

RESOLUTION NO. 128 of 2001 DATED: May 22, 2001
RESOLUTION MODIFYING MONTGOMERY COUNTY AGRICULTURAL DISTRICT NO. 2

Resolution by Supervisor: Mead
Seconded by Supervisor: Vesp

WHEREAS, the Montgomery County Planning Board and the Montgomery County Agricultural and Farmland Protection Board have submitted reports and recommendations for modification of Agricultural District No. 2, and

WHEREAS, a public hearing concerning said modifications was held on Tuesday, February 27, 2001,

RESOLVED, that the Board of Supervisors hereby determines that Agricultural District No. 2 be modified, as presented in the Agricultural District No. 2 Review Report, and

FURTHER RESOLVED, that said District shall include only those listed Real Property Tax parcels which are attached hereto and made part of this Resolution, and

FURTHER RESOLVED, that the Director of Planning and Development hereby is authorized and directed to submit said report, and related documentation, to the Commissioner of the New York State Department of Agriculture and Markets for certification and to file a description of said District with said Commissioner and with the Montgomery County Clerk.

RESOLUTION ADOPTED with Aye(1457). Supervisors DiMezza, Paton and Van Kersen were absent.

Duly adopted upon roll call, all members present (1457) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**

RESOLUTION NO. 129 of 2001 DATED: May 22, 2001
RESOLUTION APPROVING THE TERMS AND CONDITIONS OF A CERTAIN PILOT AGREEMENT TO BE ENTERED INTO BETWEEN MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND KMART CORPORATION IN CONNECTION WITH THE KMART CORPORATION PROJECT

Resolution by Supervisor: Vesp
Seconded by Supervisor: McMahon

WHEREAS, Kmart Corporation (the "Company") has presented an application (the "Application") to Montgomery County Industrial Development Agency (the "Agency"), a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of: (A)(1) the acquisition of an interest in a parcel of real estate to contain approximately 325 acres of land located on Route 5S at the Florida Industrial Park in the Town of Florida, Montgomery County, New York (the "Land"), (2) the construction of a warehouse/distribution facility to contain approximately 1,800,000 square feet of space (the "Facility"), (3) the undertaking and financing of certain site improvements on the Land (the "Site Improvements"), and (4) the acquisition and installation of certain machinery and equipment (the "Equipment") (the Land, the Facility, the Site Improvements and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute a facility to be operated by the Company for warehouse/distribution and other related activities; (B) the financing of all or a portion of the costs of the Site Improvements by the issuance of its industrial development revenue bonds in one or more issues or series in an aggregate principal amount sufficient to pay a portion of the cost of undertaking the Site Improvements, together with necessary incidental costs in connection therewith, presently estimated to be approximately \$6,000,000 (the "Bonds"); (C) the granting of certain other "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including exemption from certain sales taxes, deed transfer taxes, mortgage recording taxes and real property taxes (collectively

with the Bonds, the "Financial Assistance"); and (D) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency, and

WHEREAS, in connection with the undertaking of the Project, the Company will execute and deliver a certain payment in lieu of tax agreement (the "PILOT Agreement") by and between the Agency and the Company pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility, and

WHEREAS, Section 858(15) of the General Municipal Law ("GML") requires, in certain instances, that any agreement requiring payment of lieu of taxes be approved by the "affected tax jurisdictions" (as defined in Section 854(16) of the GML), and

WHEREAS, the Agency desires that Montgomery County (the "County"), the Town of Florida and the Greater Amsterdam School District, as the affected tax jurisdictions with respect to the Project Facility, adopt resolutions approving the terms of the PILOT Agreement,

RESOLVED, by the Board of Supervisors of Montgomery County as follows:

Section 1. For the purpose of satisfying the requirements contained in Section 858(15) of the GML, the Board of Supervisors of Montgomery County hereby approves the terms and conditions of the PILOT Agreement, including but not limited, to the payment terms. The payment terms to be contained in the PILOT Agreement are substantially described in Schedule A attached hereto.

Section 2. The Chairman of the Board of Supervisors is hereby authorized, on behalf of the County, to execute and deliver the PILOT Agreement, said PILOT Agreement to contain the payment terms substantially in the form thereof presented at this meeting with such changes, variations, omissions and insertions as the Chairman of the Board of Supervisors shall approve, the execution thereof by the Chairman of the Board of Supervisors to constitute conclusive evidence of such approval.

Section 3. The officers, employees and agents of the County are hereby authorized and directed for and in the name and on behalf of the County to do all acts and things required or provided for by the applicable provisions of the GML in order to ensure compliance with such provisions as they relate to the execution and delivery of the PILOT Agreement, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Section 4. This resolution shall take effect immediately.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Stagliano, that the attached payment schedule hereby is amended by deleting "Proposed Kmart Distribution Center PILOT Payment Schedule" and inserting, in its stead, "Schedule A", and by inserting "Fixed" as a heading for the first four columns, and inserting "Estimated (For Illustrative Purposes)" as a heading for the last five columns, and adding, "the plan is to pay the debt service on both notes from PILOT payments received during the first 10 years. The remaining PILOT funds each year will be distributed to the local taxing jurisdictions on a pro-rata basis.". passed with Aye(1457). Supervisors DiMezza, Paton and Van Kersen were absent.

RESOLUTION ADOPTED with Aye(1457). Supervisors DiMezza, Paton and Van Kersen were absent.

Duly adopted upon roll call, all members present (1457) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
Director, Economic Oppor. & Development
Town Clerk, Town of Florida

**

Supervisor Van Kersen entered the meeting at 7:35 p.m.

**

RESOLUTION NO. 130 of 2001 DATED: May 22, 2001
RESOLUTION DESIGNATING BOND COUNSEL - INFRASTRUCTURE IMPROVEMENTS

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mead

WHEREAS, the Director of Economic Opportunity and Development has recommended designation of Bond Counsel for the proposed Florida Business Park Water and Sewer District Project,

RESOLVED, that Hodgson, Russ, Andrews, Woods and Goodyear, LLP, hereby is designated as Bond Counsel in connection with issuance of general obligations and notes to finance various infrastructure improvements relating to the Florida Business Park, and

FURTHER RESOLVED, that said designation is contingent upon approval of the County Attorney, per provisions of Resolution No. 52 of 1999.

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor McMahon, to delete the RESOLVED clause, and insert in its stead, "RESOLVED, that the Board of Supervisors hereby authorizes that proposals be solicited for Bond Counsel.", failed with Aye(718). Supervisors Brodie, Barone, McMahon, Hassan, Keller, Hisert and Van Kersen voted aye. Supervisor Vesp abstained. Supervisors DiMezza and Paton were absent.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Stagliano, to delete the WHEREAS, RESOLVED and FURTHER RESOLVED clauses, and insert, in its stead, "RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to select Bond Counsel for the proposed Florida Business Park Water and Sewer District Project.", passed with Aye(977). Supervisors Cuozzo, Dybas, Mancini and Mead voted nay. Supervisors DiMezza and Paton were absent.

RESOLUTION ADOPTED with Aye(977). Supervisors Cuozzo, Dybas, Mancini and Mead voted nay. Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (0977) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Oppor. & Development

**

RESOLUTION NO. 131 of 2001 DATED: May 22, 2001
RESOLUTION ACCEPTING BIDS - 2001 COUNTY AUCTION

Resolution by Supervisor: Vesp
Seconded by Supervisor: Dybas

WHEREAS, an open-bid auction of certain County-owned real property was held on Saturday, May 12, 2001, and

WHEREAS, the respective successful bidders were, as follows:

BIDDER	LOT NO.	DESCRIPTION	PRICE
--------	---------	-------------	-------

,and

WHEREAS, successful bids meet the terms and conditions of said auction and have been reviewed by the County Treasurer and by the County Attorney,

RESOLVED, that the County Treasurer hereby is authorized and directed to execute Quit Claim Deeds, for each of the aforementioned parcels, in the names of the successful bidders, or their designees, and

FURTHER RESOLVED, that the County Treasurer is authorized and directed to

notify, by certified mail, return receipt requested, each of the successful bidders, or their designees, that all additional monies of the accepted bid, taxes levied on the property after auction date, search fee, advertising charges and any outstanding monies that may be owed, shall be paid to the County Treasurer within 30 days of the date of said notification, and

FURTHER RESOLVED, that failure to comply with the foregoing provisions shall result in non-compliance with the terms and conditions of auction, forfeiture of the initial deposit and loss of property, and

FURTHER RESOLVED, that such non-compliance also shall result in notification to the recorded second bidder, to determine interest in said property, and

FURTHER RESOLVED, that any changes resulting from non-compliance shall be presented to the Board of Supervisors for consideration.

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Haroff Auction & Realty

**

RESOLUTION NO. 133 of 2001 DATED: May 22, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AMSTERDAM CITY
SCHOOL DISTRICT (DATA PROCESSING)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mead

WHEREAS, the Data Processing Director has recommended a data processing services agreement with the Amsterdam City School District, and

WHEREAS, said agreement will generate revenue of approximately \$1,590, and

WHEREAS, said services will involve production of the 2001 school tax bills,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement to provide 2001 tax bills for the Amsterdam City School District.

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Data Processing

**

RESOLUTION NO. 134 of 2001 DATED: May 22, 2001
RESOLUTION AUTHORIZING REFUNDS - PLANNING ASSISTANCE PAYMENTS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hassan

WHEREAS, several Towns have contracted and paid for assistance from the Department of Planning and Development, per provisions of policy established by adoption of Resolution No. 68 of 1994, and

WHEREAS, it has been proposed that with rescinding of said policy, said payments be refunded to the respective Towns,

RESOLVED, that full refunds of payments made for planning assistance provided by the Department of Planning and Development be made to Towns requesting said refunds, and

FURTHER RESOLVED, that a refund request shall be accompanied by a Resolution adopted by the requesting Town Council, and

FURTHER RESOLVED, that the amount of the respective refunds shall be determined by the County Treasurer.

RESOLUTION DEFEATED with Aye(830). Supervisors Brodie, McMahon, Hassan, Keller, Vesp, Hisert, Van Kersen and Stagliano voted aye. Supervisors DiMezza and Paton were absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**

RESOLUTION NO. 135 of 2001 DATED: May 22, 2001
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Vesp
Seconded by Supervisor: Dybas

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from October 1, 2000, through March 31, 2001, and

FURTHER RESOLVED, that said Treasurer is directed to take all necessary steps, under proper accounting procedure, to adjust the books of her office, effective immediately.

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Auditor

**

RESOLUTION NO. 136 of 2001 DATED: May 22, 2001
RESOLUTION ENDORSING PROPOSED RETAIL PRICE ACCURACY LAW

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Mead

WHEREAS, Montgomery County does not have a retail price accuracy law, and

WHEREAS, adoption of Assembly Bill No. 2686 would help protect New York State consumers from pricing errors, and

WHEREAS, said legislation would provide the Montgomery County Department of Weights and Measures with authority to enforce pricing errors in retail stores,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses Assembly Bill No. 2686, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to State Senator Hugh T. Farley and Assemblyman Paul D. Tonko.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Van Kersen, passed with Aye(1479). Supervisor Hassan voted nay. Supervisors DiMezza and Paton were absent. (5/22/01)

Douglas Landon

Richard C. Healy

County Attorney

Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko
Director of Weights & Measures

**

RESOLUTION NO. 137 of 2001 DATED: May 22, 2001
RESOLUTION AUTHORIZING ACCEPTANCE OF WEST NILE VIRUS SURVEILLANCE AND
EDUCATION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Hassan

WHEREAS, the Public Health Department has been awarded a West Nile Virus
Surveillance and Education Grant, and

WHEREAS, the New York State Department of Health has approved the grant
operating budget and work plan for the period commencing on May 1, 2001 and
ending on December 31, 2001,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a
West Nile Virus Surveillance and Education Grant, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and
directed to amend the 2001 Operating Budget, as follows:

ADD: A-16-3-3401-08.2257 Public Health Grant
Public Service Equip.

INCREASE:

Revenue: A-16-3-3401-08 State Aid
Public Health Grant by \$5,000.00

Appropriations: A-16-4-4010-08 Public Health Grant
.2257 Health Services Equip. by \$2,000.00
.4439 Other Service Fees by 3,000.00

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Public Health

**

RESOLUTION NO. 138 of 2001 DATED: May 22, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mead

WHEREAS, Montgomery County has been notified of increased allocations for
the 2000-01 Federal Fiscal Year Home Energy Assistance Program (HEAP),

RESOLVED, that the County Treasurer hereby is authorized and directed to
amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-18-3-4641-00 Federal Aid
HEAP by \$850,000.00

Appropriations: A-18-4-6011-00.6141 Home Energy

Assistance Program by \$850,000.00

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**

RESOLUTION NO. 139 of 2001
RESOLUTION AMENDING RESOLUTION NO. 103 OF 2001

DATED: May 22, 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: Cuozzo

WHEREAS, it has been recommended that an agreement with CCS Telecom and Energy Corp. be expanded,

RESOLVED, that Resolution No. 103 of 2001 hereby is amended, as follows:

In the first whereas clause, delete "an audit review of" and insert, in its stead, "consulting services regarding", and delete "and energy expenses".

In the second whereas clause, delete "audit be conducted" and insert, in its stead, "consulting services, including development of Requests for Proposals, be provided".

In the Resolved clause, delete "an initial audit review of" and insert, in its stead, "consulting services regarding", and delete "energy expenses".

In the Further Resolved clause, delete "\$750.00" and insert, in its stead, "\$11,500".

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Vesp, to add, ", and FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From:	A-01-4-1990-00.4440	Contingent Account Contractual Expenses	\$11,500.00
To:	A-01-4-1010-00.4434	Legislative Board Consultants	\$11,500.00

, passed with Aye(937). Supervisors McMahon, Keller, Vesp, Hisert and Stagliano voted nay. Supervisors DiMezza and Paton were absent.

RESOLUTION ADOPTED with Aye(1314). Supervisors Hisert and Stagliano voted nay. Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1314) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Department of Public Works

**

RESOLUTION NO. 140 of 2001
RESOLUTION TRANSFERRING FUNDS (WORKER'S COMPENSATION)

DATED: May 22, 2001

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahon

WHEREAS, the Personnel Officer has requested a transfer of funds to provide

for payment of medical bills,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From:	MS-10-4-1910-00.4481	Unallocated Insurance	
		Liability Insurance	\$ 17,800.00
	MS-10-4-9900-00.9970	Interfund Transfers	
		Reserve Fund Cont.	131,173.00
To:	MS-10-4-1720-00.4436	Benefits & Awards	
		Medical Fees	\$148,973.00

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**

RESOLUTION NO. 141 of 2001 DATED: May 22, 2001
RESOLUTION AMENDING EXIT INTERVIEW POLICY (PERSONNEL)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahon

WHEREAS, it is beneficial to Montgomery County, as an employer, to learn the reasons associated with an individual's decision to leave County employment, and

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 251 of 1985, established an Exit Interview Policy, and

WHEREAS, modifications have been proposed to said Policy and to the Exit Interview Form,

RESOLVED, that the Board of Supervisors hereby amends the Exit Interview Policy and the Exit Interview Form, as attached hereto, and

FURTHER RESOLVED, that Resolution No. 251 of 1985 hereby is rescinded.

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**

RESOLUTION NO. 142 of 2001 DATED: May 22, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT
- 2001 BRIDGE PROGRAM (PUBLIC WORKS)

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Vesp

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 87 of 2001, has approved the 2001 Bridge Program, including engineering services, and

WHEREAS, funding for said program was approved, by adoption of Resolution No. 124 of 2001,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Earth Tech, Inc., of Albany, for provision of engineering services for the 2001 Bridge Program, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$96,500.

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**

RESOLUTION NO. 143 of 2001 DATED: May 22, 2001
RESOLUTION AWARDED BID NO. 04-01 - MEDICAL & PERSONAL CARE SUPPLIES

Resolution by Supervisor: Dybas
Seconded by Supervisor: Cuzzo

WHEREAS, the Purchasing Agent was authorized to solicit bids for medical and personal care supplies, and

WHEREAS, said bids were publicly opened on May 1, 2001, and

WHEREAS, the Purchasing Agent has reviewed the bid documents and recommended that awards be made to the lowest responsible bidders meeting specifications,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 04-01, as follows:

John B. Garrett Co., Inc.
2054 Central Avenue
Albany, NY 12205

McKennon HBOC
8121 10th Avenue North
Golden Valley, MN 55427

Medco Supply Co.
500 Fillmore Avenue
Tonawanda, NY 14150

Medline Industries, Inc.
One Medline Place
Mundelein, IL 60060

Micro Bio-Medics, Inc.
846 Pelham Pkwy
Pelham Manor, NY 10803

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 144 of 2001 DATED: May 22, 2001
RESOLUTION AMENDING AGREEMENT - OFFICE FOR AGING

Resolution by Supervisor: Dybas
Seconded by Supervisor: McMahon

WHEREAS, the Executive Director of the Mohawk Valley Senior Resource Center has requested that the County's agreement with Montgomery County Office for Aging, Inc., be amended, and

WHEREAS, said amendment would enable the agency to qualify for a New York Elder Caregiver Support Program grant,

RESOLVED, that the agreement with Montgomery County Office for Aging, Inc., hereby is amended to add "elder care" as one of the services eligible for receipt of County funding, and

FURTHER RESOLVED, that said designation enables \$9,223 of said County funding to be used as the local match for a \$27,669 grant from the New York Elder Caregiver Support Program.

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Office for Aging

**

RESOLUTION NO. 145 of 2001 DATED: May 22, 2001
RESOLUTION AMENDING AGREEMENT - CLOUGH HARBOUR AND ASSOCIATES

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Mead

WHEREAS, the County has an agreement with Clough Harbour and Associates to perform engineering and planning services for the Glen Canal View Business Park, and

WHEREAS, the Montgomery County Economic and Development Department recommends a change of scope for said agreement, and

WHEREAS, Clough Harbour has proposed an amendment to said agreement,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amended agreement with Clough Harbour and Associates, as presented in the letter dated May 15, 2001 from Clough Harbour and Associates, and

FURTHER RESOLVED, that the fee for said services shall be for an amount not to exceed \$56,100.00.

RESOLUTION ADOPTED with Aye(1518). Supervisors DiMezza and Paton were absent.

Duly adopted upon roll call, all members present (1518) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

____ OTHER

None.

ADJOURNMENT

Motion by Supervisor Dybas, seconded by Supervisor Mancini, to adjourn the meeting, passed with Aye(1518). Supervisors DiMezza and Paton were absent. Chairman Barone declared the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for June 26, 2001, was called to order at 7:06 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Stagliano. Roll call indicated that Supervisor Paton was absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Cuozzo, seconded by Supervisor Stagliano, to amend the agenda to add Resolution No. 167, passed with Aye(1726). Supervisor Paton was absent. Motion by Supervisor Cuozzo, seconded by Supervisor Stagliano, to adopt the amended agenda, passed with Aye(1726). Supervisor Paton was absent.

____ _
PRIVILEGE OF THE FLOOR

Alice Knapik, Town of Glen, discussed several Resolutions.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of May 22, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

____ _
UNFINISHED BUSINESS

**
RESOLUTION NO. 136 of 2001 DATED: May 22, 2001
RESOLUTION ENDORSING PROPOSED RETAIL PRICE ACCURACY LAW

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Mead

WHEREAS, Montgomery County does not have a retail price accuracy law, and

WHEREAS, adoption of Assembly Bill No. 2686 would help protect New York State consumers from pricing errors, and

WHEREAS, said legislation would provide the Montgomery County Department of weights and Measures with authority to enforce pricing errors in retail stores,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses Assembly Bill No. 2686, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to State Senator Hugh T. Farley and Assemblyman Paul D. Tonko.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Van Kersen, passed with Aye(1479). Supervisor Hassan voted nay. Supervisors DiMezza and Paton were absent. (5/22/01)

RESOLUTION DIED ON THE TABLE. (6/26/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko
Director of weights & Measures

NEW BUSINESS

**
RESOLUTION NO. 146 of 2001 DATED: June 26, 2001
RESOLUTION HONORING THE MEMORY OF RICHARD M. POLIKOWSKI

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Richard M. Polikowski served, with distinction, as a member of the Montgomery County Sheriff's Department for over 27 years, and

WHEREAS, Mr. Polikowski was appointed Senior Investigator in 1993, and

WHEREAS, Mr. Polikowski, an Amsterdam native, was a 1966 graduate of Wilbur H. Lynch High School, and

WHEREAS, Mr. Polikowski was a communicant of St. Mary's Roman Catholic Church, and

WHEREAS, Mr. Polikowski was a member of the Montgomery County Deputy Sheriff's Association, the Loyal Order of the Moose Lodge 1185 of Johnstown, and a former member of the Sacandaga Boat Club, and

WHEREAS, Mr. Polikowski is survived by his wife of 32 years, the former Margaret Atkinson, and two sons, Matthew M. Polikowski and John R. Polikowski, both of Amsterdam,

RESOLVED, that the Board of Supervisors of Montgomery County hereby recognizes the outstanding lifetime achievements of Richard M. Polikowski, and

FURTHER RESOLVED, that the Board of Supervisors of Montgomery County hereby honors the memory of Richard M. Polikowski and expresses its condolences and heartfelt sympathy to his family upon his passing.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Family of Richard M. Polikowski

**
RESOLUTION NO. 147 of 2001 DATED: June 26, 2001
RESOLUTION SUPPORTING STATE LEGISLATION LIMITING AGGREGATE LOCAL
FINANCIAL SHARE OF MEDICAL ASSISTANCE PROGRAM COSTS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Medicaid is a vital component to New York's health care delivery system, providing health care to New York State's most vulnerable citizens, and

WHEREAS, since enactment of the Medicaid program, counties have been required to share in the costs of services, and Montgomery County is mandated, by the State of New York, to contribute a 25 percent matching share, with the exception of long-term care services, and

WHEREAS, Montgomery County which has only minimal authority, under state law, to manage, control or reduce local Medicaid costs serves primarily as a means to transfer a portion of the state's share of Medicaid costs from the statewide tax base to the County's property tax base, and

WHEREAS, most state governments assume all responsibility for the non-federal share of the Medicaid program, so that the burden of paying for the medically needy is distributed over the widest possible tax base, and

WHEREAS, Montgomery County taxpayers currently pay almost \$8,600,000 in Medicaid costs through the County's 2001 Operating Budget, which represents 15 percent of the County property taxes, and

WHEREAS, Montgomery County taxpayers are funding a Medicaid local share that is growing at 8.5 percent which makes Medicaid the largest and most volatile single expense in the County's Operating Budget, and

WHEREAS, A.8701 is legislation sponsored in the New York State Assembly that would cap the level of Medicaid growth that would be funded by Montgomery County property taxpayers, and

WHEREAS, under this proposal, Montgomery County's payment for Medicaid would be the same as last year, plus an increase determined by the Consumer Price Index, and

WHEREAS, this reasonable approach would provide Montgomery County property taxpayers with meaningful budgetary relief, while maintaining commitment to the Medicaid program, and

RESOLVED, the the Montgomery County Board of Supervisors hereby expresses its support for A.8701 and urges Senator Hugh T. Farley to introduce companion legislation in the State Senate, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor George Pataki, State Senator Hugh T. Farley and Assemblyman Paul D. Tonko.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

Douglas Landon County Attorney Richard C. Healy Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Officials Named Above
Commissioner of Social Services

**
RESOLUTION NO. 148 of 2001 DATED: June 26, 2001
RESOLUTION SUPPORTING STATE LEGISLATION ELIMINATING LOCAL FINANCIAL
SHARE OF ADDITIONAL MEDICAID PROGRAM ENHANCEMENTS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Medicaid is a vital component of New York's health care delivery system, designed to serve the State's most vulnerable citizens, and

WHEREAS, since enactment of said program, counties have been required to share in the costs of services, and

WHEREAS, New York State offers one of the broadest and most generous Medicaid packages in the nation, requiring taxpayers of Montgomery County to fund approximately \$8,600,000, while most states fund all of the non-federal share, and

WHEREAS, over the past two years, Montgomery County's Medicaid cost have grown significantly, with the local share of further expansion of Medicaid programs and services adding to local budgetary constraints, and

WHEREAS, A.8702/S.4892, legislation pending in the New York State Senate and Assembly, would eliminate the local financial share of additional program enhancements under the Medicaid program, and

WHEREAS, said legislation helps protect Montgomery County taxpayers by ensuring that new Medicaid programs and services will be funded from sources other than the County budget,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its support for S4892/A.8702 and urges the Governor and the State Legislature to support this legislation, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor George Pataki, State Senator Hugh T. Farley and Assemblyman Paul D. Tonko.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Officials Named Above
Commissioner of Social Services

**
RESOLUTION NO. 149 of 2001 DATED: June 26, 2001
RESOLUTION SUPPORTING STATE LEGISLATION DIRECTING DEPARTMENT OF HEALTH
TO PROPOSE PLAN IMPROVING MEDICAID ADMINISTRATION SYSTEM

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, New York's Medicaid program is administered by 58 local social services districts and overseen by the New York State Department of Health (NYSDOH), and

WHEREAS, the "temporary freeze" on open-ended state reimbursement of local administrative costs, imposed by New York State, has been renewed annually since its inception in FY 1989-90, compounding the Medicaid fiscal burden borne by localities, whose mandated administrative costs have more than quadrupled over this period, and

WHEREAS, a report commissioned by the New York State Senate documents inefficiencies of the current Medicaid administrative system and recommends a series of changes to strengthen the state-local partnership, and

WHEREAS, said recommendations would replace the existing administrative system and address the concerns of county government, including provisions that:

- Counties be given sufficient notice of changes that will impact their local share or administrative costs.

- Revisions affecting county medical assistance budgets not be imposed on a county during a county fiscal year.
- Funding predictability be improved to enhance a County's planning capability.
- Timely adjustments be made to county share amounts and counties be provided with advance information.
- The State improve the exchange of data and information with counties, particularly in the area of overburden aid.
- Counties be given flexibility to be more effective managers, specifically in the area of competitive bidding.
- A medical Assistance Advisory group be established within the Department of Health to serve as a liaison to counties on matters of payments, practices, and policies

, and

WHEREAS, A.8647/S.4891 is pending legislation that would require the NYSDOH to submit a legislative proposal to reform current administration of the Medicaid Program, and

WHEREAS, this mandate relief measure could provide substantial budgetary savings to both state and county governments, while strengthening the state-local partnership,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its support for A.8647/S.4891 and urges the Governor and the State Legislature to support this legislation, and

FURTHER RESOLVED, copies of this Resolution be forwarded to Governor George Pataki, State Senator Hugh T. Farley and Assemblyman Paul D. Tonko.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Officials Named Above
Commissioner of Social Services

**
RESOLUTION NO. 150 of 2001 DATED: June 26, 2001
RESOLUTION AUTHORIZING GRANT APPLICATION - ERIE CANAL TRAILWAY

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, Congress has passed the Transportation Equity Bond Act for the 21st Century (TEA-21), which authorizes various surface transportation programs, including provision of facilities for bicycles and pedestrians, and

WHEREAS, the Federal Highway Administration, through the Department of Transportation, is expected to reimburse a project team up to 80 percent of approved project costs, and

WHEREAS, the County of Montgomery has entered into a contract, with the New York State Office of Parks, Recreation and Historic Preservation, for the construction, operation and maintenance of the Erie Canalway Trail in the County, and

WHEREAS, November 1, 2001 is the application deadline for Transportation Enhancement awards under TEA-21,

RESOLVED, that the Board of Supervisors hereby authorizes and directs the Director of Planning either to assist the New York Canal Corporation in its application or to prepare a TEA-21 application for all non-completed sections of

the Canal Trail, approximately 30 miles, throughout the County.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**
RESOLUTION NO. 151 of 2001 DATED: June 26, 2001
RESOLUTION AUTHORIZING BEAUTIFICATION PROJECT FUNDING

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Mead

WHEREAS, it has been proposed that the Amsterdam Beautification Project be expanded to include municipalities throughout Montgomery County, and

WHEREAS, said expansion will be coordinated by the Montgomery County Chamber of Commerce and by the Cornell Cooperative Extension of Fulton and Montgomery Counties, and

WHEREAS, County funding has been requested to help facilitate said expansion project, including the employment of a Summer Intern and the purchase of material,

RESOLVED, that the Board of Supervisors hereby authorizes appropriation of \$10,000 to help fund beautification projects in Montgomery County, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the Montgomery County Chamber of Commerce and the Cornell Cooperative Extension of Fulton and Montgomery Counties to provide for coordination of said projects, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 operating Budget, as follows:

ADD: A-01-4-6420-00.4580 Promotion of Industry
Beautification Projects

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account
Contractual Expenses \$10,000.00

To: A-01-4-6420-00.4580 Promotion of Industry
Beautification Projects \$10,000.00

RESOLUTION DEFEATED with Aye(898). Supervisors Brodie, Cuzzo, Barone, Mancini,
DiMezza and Mead voted aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Chamber of Commerce
Cornell Cooperative Extension

**
RESOLUTION NO. 152 of 2001 DATED: June 26, 2001
RESOLUTION AMENDING AGREEMENT - CLOUGH HARBOUR AND ASSOCIATES

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, Montgomery County has an agreement with Clough Harbour and

Associates to perform engineering and planning services for the Glen Canal View Business Park, and

WHEREAS, the Montgomery County Economic and Development Department recommends a change of scope for said agreement, and

WHEREAS, Clough Harbour has submitted a preliminary fee for additional work at the Glen Canal View Business Park,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amended agreement with Clough Harbour and Associates, as presented in the letter dated June 18, 2001 from Clough Harbour and Associates, and

FURTHER RESOLVED, that the fee for said services shall be for an amount not to exceed _____.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Hisert, in the FURTHER RESOLVED clause, insert, "\$186,100" and add, ", and FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget as follows:

TRANSFER:

From:	A-24-4-6430-00.4561	Econ. Opp/Development IDA: Program Development	\$ 20,000.00
	A-01-4-1990-00.4400	Contingent Account Contractual Services	\$ 80,000.00
To:	A-06-4-9900-00.9950	Interfund Transfers Capital Proj. Fund (Proj. 86)	\$100 ,000.00

, passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Econ Opp & Devel

**
RESOLUTION NO. 153 of 2001 DATED: June 26, 2001
RESOLUTION CONFIRMING CONTINGENCY ALLOWANCE CHARGES - COLLEGE UNION/PE
BUILDING PROJECT (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

WHEREAS, the FMCC Foundation raised funds for the College Union/PE Building Renovation Project at Fulton Montgomery Community College, and

WHEREAS, the Project Engineer, Architecture +, is authorized to charge work to contingency allowances,

RESOLVED, that the Montgomery County Board of Supervisors hereby acknowledges and confirms that the following contingency allowance charges were authorized by the Project Engineer for the College Union/Building Renovation Project at Fulton-Montgomery Community College:

GENERAL CONTRACT - Bast Hatfield:

CA-G10:	Paint louver at east elevation	\$ 175.00
	Paint cabinet heaters	230.00
	Relocate site light	826.00
CA-G11:	Remove existing asphalt	
	Provide new asphalt, per L102	
	Provide topsoil and grass per L102	\$ 9,183.00
CA-G12:	Install binder course and topcoat at	
	PE Building- asphalt walk	\$ 1,500.00

Revised Contingency Allowance	\$45,000.00
Revised Balance	\$ 427.02

PLUMBING CONTRACT - Lenz Hardware:
CA-P10: Relocate existing steam pipe at PE
Building coiling grille

	\$ 292.19
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Original Contingency Allowance	\$ 5,000.00
Revised Balance	\$ 0.00

ELECTRICAL CONTRACT - Harold R. Clune, Inc.:
CA-E10: Provide revised fire alarm
design as directed

	\$ 1,196.96
--	-------------

Original Contingency Allowance	\$20,000.00
Revised Balance	\$ 0.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
-----------------------------------	---

cc: County Treasurer
County Administrator
County Clerk
Fulton-Montgomery Community College
Fulton County Board of Supervisors

**
RESOLUTION NO. 154 of 2001
RESOLUTION RESCINDING RESOLUTION NO. 179 OF 1999

DATED: June 26, 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Dybas

WHEREAS, Resolution No. 52 of 1999 established Montgomery County's policy regarding retention of outside legal counsel, and

WHEREAS, Resolution No. 179 of 1999, which authorized the County Treasurer to retain bond counsel, fails to comply with said policy,

RESOLVED, that Resolution No. 179 of 1999 hereby is rescinded, effective immediately.

RESOLUTION DEFEATED with Aye(652). Supervisors Cuozzo, Dybas, Mancini and DiMezza voted aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
-----------------------------------	---

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 155 of 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (BUILDINGS)

DATED: June 26, 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mead

WHEREAS, the Ways and Means Committee has recommended that the Appropriated Fund Balance be increased to provide for payment of costs associated with construction of physical accessibility modifications of public restrooms at the County Office Building,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-599	Appropriated Fund Balance	by \$20,000.00
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Appropriations: A-12-4-1620-00.4448 Buildings
Construction & Maintenance by \$20,000.00

RESOLUTION ADOPTED with Aye(1766). Supervisor Stagliano voted nay.

Duly adopted upon roll call, all members present (1766) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Works

**
RESOLUTION NO. 156 of 2001 DATED: June 26, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Cuozzo

WHEREAS, the Sheriff has requested a budget amendment to provide for receipt of a Local Law Enforcement Block Grant,

RESOLVED, the the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

ADD: A-15-4-3110-00.2212 Sheriff
Chairs & Stools

INCREASE:

Revenue: A-15-3-3389-00 State Aid
Public Safety-Other by \$20,000.00

Appropriations: A-15-4-3110-00 Sheriff
.2212 Chairs & Stools by \$ 2,088.00
.2215 Tables & Stands by 3,223.00
.2226 AV & Camera Equipment by 7,326.00
.2259 Computer Equipment by 6,684.00
.2263 Dept. Spec. Oper. by 679.00

TRANSFER:

From: A-15-4-3110-00 Sheriff
.2241 Automobiles \$ 1,000.00
.4449 Spec. Supplies & Materials 712.00

To: A-15-4-3110-00 Sheriff
.2212 Chairs & Stools \$ 232.00
.2215 Tables & Stands 359.00
.2226 AV & Camera Equipment 714.00
.2259 Computer Equipment 332.00
.2263 Dept. Spec. Oper. 75.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 157 of 2001 DATED: June 26, 2001
RESOLUTION AMENDING RESOLUTION NO. 77 OF 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Paton

WHEREAS, the Montgomery County Youth Board has recommended reallocation of funds made available by cancellation of a proposed youth activity,

RESOLVED, that the Resolved clause of Resolution No. 77 of 2001 hereby is amended, as follows:

Delete: "St. Johnsville Central School After Prom Party 500.00"

Add: "Fort Plain Biddy Basketball 200.00"

Cornell Cooperative Extension - delete "225.00" and insert "400.00"
Friends of Visual & Performing Arts - delete "575.00" and insert "625.00"
Town of Glen Safe Night - delete "175.00" and insert "250.00"

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau

**
RESOLUTION NO. 158 of 2001 DATED: June 26, 2001
RESOLUTION AUTHORIZING CHANGE ORDERS - DOMESTIC HOT WATER SYSTEM
(MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, Resolution No. 213 of 2000 awarded Bid No. 07-00, for a domestic hot water system at Montgomery Meadows, to Adirondack Mechanical Corp. of Broadalbin for \$52,937, and

WHEREAS, it has been recommended that certain changes be made to said award, increasing the cost by \$4,051,

RESOLVED, that four changes to the domestic hot water system project, recommended by the project architect and contractor, hereby are authorized by the Board of Supervisors, at a cost of \$4,051, and

FURTHER RESOLVED, that Resolution No. 213 of 2000 hereby is amended by providing for deletion, in the Resolved clause, of "\$52,937", and insertion, in its stead, of "\$56,988", and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From: EH-34-4-6020-00.4424	Montgomery Meadows Equipment Repairs	\$4,051.00
To: EH-34-4-6020-00.2202	Montgomery Meadows Capital Projects	\$4,051.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery Meadows

**
RESOLUTION NO. 159 of 2001 DATED: June 26, 2001

RESOLUTION AUTHORIZING PAYMENT FOR PROFESSIONAL SERVICES - ROEMER,
WALLENS & MINEAUX, LLP

Resolution by Supervisor: McMahon
Seconded by Supervisor: Stagliano

WHEREAS, Roemer, Wallens & Mineaux has requested payment for professional services rendered in connection with the Kmart/Florida Business Park Development, and

WHEREAS, the County Auditor has withheld payment pending receipt of documentation authorizing said services,

RESOLVED, that the Board of Supervisors hereby authorizes and directs that Roemer, Wallens & Mineaux be paid \$2,439.57 for professional services rendered in connection with the Kmart/Florida Business Park Development from March 19, 2001 to April 30, 2001, and

FURTHER RESOLVED, that said payment shall be a charge against the County Treasurer's Office.

RESOLUTION ADOPTED with Aye(1572). Supervisors Cuozzo and Dybas voted nay.
Duly adopted upon roll call, all members present (1572) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development
County Auditor

**

RESOLUTION NO. 160 of 2001
RESOLUTION APPOINTING PLANNING BOARD MEMBER

DATED: June 26, 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: McMahon

WHEREAS, a vacancy exists on the Montgomery County Planning Board for a representative of the City of Amsterdam's Fourth Ward,

RESOLVED, that James Crisalli of 14 Belmont Place, Amsterdam, hereby is appointed a member of the Montgomery County Planning Board, representing the City of Amsterdam's Fourth Ward, to fill a term expiring on June 30, 2002.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Planning
Appointee

**

RESOLUTION NO. 161 of 2001
RESOLUTION REAPPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICES

DATED: June 26, 2001

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the term of the Director of Real Property Tax Services expires on September 30, 2001, and

WHEREAS, it has been recommended that the incumbent be reappointed to a six-year term,

RESOLVED, that Florence Stanton hereby is reappointed Director of Real

Property Tax Services, for a six-year term expiring on September 30, 2007, at an annual base salary of \$40,170, and

FURTHER RESOLVED, that said reappointment is effective on October 1, 2001.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Services
Personnel/Payroll

**
RESOLUTION NO. 162 of 2001 DATED: June 26, 2001
RESOLUTION GRANTING USE OF FLEX-TIME BY COUNTY DEPARTMENTS THAT ARE
CHANGING TO A SUMMER HOURS SCHEDULE

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

WHEREAS, the Board of Supervisors has been approached by Union representatives and various Department Heads regarding the use of flex-time during the impending changes to summer hours by various departments, and

WHEREAS, Montgomery County has utilized flex-time during the summer hours schedule successfully in the past,

RESOLVED, that flex-time is hereby offered during the months of July and August to all departments within the County that can utilize the flex-time and still offer full coverage and services to the public and/or clients.

RESOLUTION ADOPTED with Aye(1572). Supervisors Cuzzo and Dybas voted nay.

Duly adopted upon roll call, all members present (1572) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 163 of 2001 DATED: June 26, 2001
RESOLUTION REAPPOINTING MONTGOMERY COUNTY PLANNING BOARD MEMBERS

Resolution by Supervisor: Paton
Seconded by Supervisor: Hisert

WHEREAS, the terms of several members of the Montgomery County Planning Board will expire on June 30, 2001,

RESOLVED, that the following persons hereby are appointed to three-year terms on the Montgomery County Planning Board, commencing July 1, 2001 and expiring on June 30, 2004:

Wayne Heiser	699 Clinton Road, Canajoharie
Scott McKay	216 Hartley Road, Amsterdam
Keith MacGregor	964 Salt Springville Road, Cherry Valley
Anthony Bruno	1238 Old Trail Road, Johnstown
John Lyker	655 E. Lykers Road, Sprakers

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Planning Department
Appointees

**

RESOLUTION NO. 164 of 2001 DATED: June 26, 2001
RESOLUTION DESIGNATING INTERIM COMMISSIONER OF PUBLIC WORKS

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: VanKersen

WHEREAS, the retirement of the former Commissioner of Public Works was effective on December 16, 2000, and

WHEREAS, the duties of said position have been performed by the Deputy Commissioner of Public Works, since December 18, 2000, and

WHEREAS, it has been recommended that said Deputy receive additional compensation for assuming increased responsibility,

RESOLVED, that Paul Clayburn, Deputy Commissioner of Public Works, hereby is appointed Interim Commissioner of Public Works, and

FURTHER RESOLVED, that the base annual salary for said Interim Commissioner shall be _____, retroactive to December 18, 2000.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Vesp, in the Title and RESOLVED and FURTHER RESOLVED clauses, delete "Interim" and insert, in its stead, "Acting", passed with Aye(1868).

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Mancini, in the FURTHER RESOLVED clause, insert, "\$45,900", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Interim Commissioner of Public Works
Personnel/Payroll

**

RESOLUTION NO. 165 of 2001 DATED: June 26, 2001
RESOLUTION APPOINTING COMMISSIONER OF PUBLIC WORKS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hassan

WHEREAS, a vacancy exists for the position of Commissioner of Public Works, and

WHEREAS, it has been recommended that Paul Clayburn be appointed to a five-year term,

RESOLVED, that Paul Clayburn hereby is appointed to a five-year term as Commissioner of Public Works, and

FURTHER RESOLVED, that said term shall commence on June 27, 2001 and end on June 26, 2006, and

FURTHER RESOLVED, that the base annual salary for said position hereby is established at \$_____.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Van Kersen, in the second FURTHER RESOLVED, insert, "\$45,900", passed with Aye(1116). Supervisor Dybas voted nay. Supervisors Barone, Mead, Keller, Vesp, Hisert and Stagliano abstained.

RESOLUTION DEFEATED with Aye(760). Supervisors Brodie, Cuzzo, McMahon, Hassan, Keller, Paton and Van Kersen voted aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works
Personnel/Payroll

**
RESOLUTION NO. 166 of 2001 DATED: June 26, 2001
RESOLUTION DIRECTING PERSONNEL OFFICER TO ADVERTISE FOR CANDIDATES FOR
COMMISSIONER OF PUBLIC WORKS

Resolution by Supervisor: Vesp
Seconded by Supervisor: Hisert

WHEREAS, a vacancy exists for the position of Commissioner of Public Works,
and

WHEREAS, it has been recommended that candidates be solicited for said
position, by advertising in appropriate publications, and

WHEREAS, the provisions of Local Law No. 3 of 1969 will be used in
developing said advertisement,

RESOLVED, that the Personnel Officer hereby is directed to advertise for
candidates for the position of Commissioner of Public Works, and

FURTHER RESOLVED, that said advertising shall be placed in a timely manner,
to assure that resumes will be available for review, by the Board of
Supervisors, no later than the second week of August, 2001.

RESOLUTION ADOPTED with Aye(1546). Supervisors McMahon, Hassan and Paton voted
nay.

Duly adopted upon roll call, all members present (1546) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**
RESOLUTION NO. 167 of 2001 DATED: June 26, 2001
RESOLUTION ENDORSING PROPOSED SCHOOL TAX GUARANTEE CONCEPT - CITY OF
AMSTERDAM

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Stagliano

WHEREAS, the Mayor of the City of Amsterdam has requested that the County
of Montgomery guarantee unpaid real property school taxes in the City, and

WHEREAS, the Ways and Means Committee has indicated support for the
guarantee concept,

RESOLVED, that the Board of Supervisors hereby endorses the concept that
Montgomery County guarantee unpaid real property school taxes in the City of
Amsterdam, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors hereby is
authorized and directed to take appropriate action to obtain specific
information regarding the proposal tendered by the Mayor of Amsterdam.

RESOLUTION ADOPTED with Aye(1445). Supervisors McMahon, Keller, Paton and
Van Kersen voted nay.

Duly adopted upon roll call, all members present (1445) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Mayor, City of Amsterdam

_____ OTHER

Motion by Supervisor Dybas, seconded by Supervisor DiMezza to enter into Executive Session to discuss personnel matters, passed with Aye(1868). The Board entered Executive Session at 8:10 p.m.

Motion by Supervisor Van Kersen, seconded by Supervisor Dybas, to conclude the Executive Session at 8:28 p.m., passed with Aye(1868).

_____ ADJOURNMENT

Motion by Supervisor Dybas, seconded by Supervisor Van Kersen, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 8:29 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for July 24, 2001, was called to order at 7:01 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Dybas. Roll call indicated that Supervisors Mancini, Vesp and Van Kersen were absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Dybas, seconded by Supervisor DiMezza, to adopt the agenda, passed with Aye(1502). Supervisors Mancini, Vesp and Van Kersen were absent.

____ _
PRIVILEGE OF THE FLOOR

Alice Knapik, Town of Glen, discussed several County issues.

Paul Parillo, United way Director, urged adoption of Resolution No. 174.

**

Supervisor Mancini entered the meeting at 7:10 p.m.

Christine Michaels, Chamber of Commerce President, provided an update of the County's tourism program.

**

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of June 26, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

None.

NEW BUSINESS

**

RESOLUTION NO. 168 of 2001 DATED: July 24, 2001
RESOLUTION HONORING THE MEMORY OF LOUIS M. CASLINE

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Louis M. Casline served, with distinction, as Mayor of the Village of Fort Johnson for 11 years, and

WHEREAS, Mr. Casline, an Amsterdam native, was a graduate of Wilbur H. Lynch High School and a graduate of the General Electric Company Apprentice Program, and

WHEREAS, Mr. Casline was a founding member of the Fort Johnson Youth Commission and previously served as a Little League Baseball Coach, and

WHEREAS, Mr. Casline, who was a member of the Sir William Johnson Seniors, Iroquois Seniors and Perth Seniors, served as the Seniors' liaison to the Village Board, and

WHEREAS, Mr. Casline was an Army veteran of World War Two and a Purple Heart recipient, and

WHEREAS, Mr. Casline was a 42-year employee of the General Electric Company, retiring in 1984 as a Tool Designer, and

WHEREAS, Mr. Casline is survived by his wife of 53 years, the former Georgianna Overrocker; three sons, Jeffrey Casline of Fort Johnson, Alan Casline of Delmar and Jamie Casline of Saratoga Springs; and four grandchildren,

RESOLVED, that the Board of Supervisors of Montgomery County hereby recognizes the outstanding lifetime achievements of Louis M. Casline, and

FURTHER RESOLVED, that the Board of Supervisors hereby honors the memory of Louis M. Casline and expresses condolences and heartfelt sympathy to his family upon his passing.

MOTION, to have the Clerk of the Board cast one unanimous vote in favor of the Resolution, passed with Aye(1650). Supervisors Vesp and Van Kersen were absent.

RESOLUTION ADOPTED with Aye(1650). Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1650) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Family of Louis M. Casline

**

RESOLUTION NO. 169 of 2001 DATED: July 24, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - COURT
SECURITY SERVICES (SHERIFF)

Resolution by Supervisor: Paton
Seconded by Supervisor: Mancini

WHEREAS, the Sheriff provides Court Security services under the Unified

Court System of the State of New York (UCS), and

WHEREAS, the Sheriff has recommended that Montgomery County enter into an agreement with the UCS to provide reimbursement of the cost of said services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a one-year renewal agreement with the New York State Uniform Court System for provision of Court Security Services, and

FURTHER RESOLVED, that total reimbursement shall not exceed \$168,000, for the period commencing on April 1, 2001 and ending on March 31, 2002.

RESOLUTION ADOPTED with Aye(1650). Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1650) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 170 of 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (E-911)

DATED: July 24, 2001

Resolution by Supervisor: Keller
Seconded by Supervisor: Mancini

WHEREAS, the Sheriff has requested a budget amendment to purchase chairs for E911 Dispatchers,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

ADD: A-15-4-3020-14.2212 Pub Safety Comm Sys E911
Chairs & Stools

INCREASE:

Revenue: A-15-3-1140-14 Pub Safety Comm Sys E911 by \$2,996.00

Appropriations: A-15-4-3020-14.2212 Pub Safety Comm Sys E911
Chairs & Stools by \$2,996.00

RESOLUTION ADOPTED with Aye(1650). Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1650) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 171 of 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN EXTENSION AGREEMENT - AID TO
PROSECUTION GRANT (DISTRICT ATTORNEY)

DATED: July 24, 2001

Resolution by Supervisor: Mancini
Seconded by Supervisor: Paton

WHEREAS, the District Attorney has been awarded a \$50,000 Aid to Prosecution Grant by the New York State Division of Criminal Justice Services, and

WHEREAS, said grant was for a one-year period ending on March 31, 2001, with the grant period extended to expire on September 30, 2001, and

WHEREAS, the District Attorney has requested a further extension of said grant period,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an Aid to Prosecution Grant extension agreement with the New York State Division of Criminal Justice Services, and

FURTHER RESOLVED, that said extension will enable use of said Grant funds until March 31, 2002.

RESOLUTION ADOPTED with Aye(1503). Supervisor Dybas voted nay. Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1503) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
District Attorney

**
RESOLUTION NO. 172 of 2001 DATED: July 24, 2001
RESOLUTION AUTHORIZING REPAIR OF VEHICLES (SHERIFF)

Resolution by Supervisor: Paton
Seconded by Supervisor: Brodie

WHEREAS, the Sheriff has requested approval to arrange for repair of vehicles No. 104 and No. 125, both of which were damaged earlier this year, and

WHEREAS, repair estimates have been received, and

WHEREAS, payments will be received from the insurance carrier,

RESOLVED, that the Sheriff hereby is authorized and directed to arrange for repair of vehicles No. 104 and No. 125, by the lowest bidder for each vehicle, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-01-3-2680-00	Insurance Recovery	by	\$2,550.00
Appropriations:	A-01-4-1011-00.4424	Co. Administrator Equipment Repairs	by	\$2,550.00

RESOLUTION ADOPTED with Aye(1650). Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1650) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 173 of 2001 DATED: July 24, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Mead
Seconded by Supervisor: Paton

WHEREAS, Montgomery County will receive Community Solutions for Transportation Program funding for the period beginning on January 1, 2001 and ending on December 31, 2002,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-18-3-4610-00 Federal Aid Admin by \$75,445.00

Appropriations: A-18-4-6010-00.4462 Soc. Serv. Admin.
TANF Services by \$75,445.00

RESOLUTION ADOPTED with Aye(1650). Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1650) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**
RESOLUTION NO. 174 of 2001 DATED: July 24, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET - UNITED WAY (TOURISM)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery County Occupancy Tax Advisory Board has recommended that tax receipts be allocated to help fund a holiday lighting project to be sponsored by the United Way of Montgomery County, Inc.,

RESOLVED, that the Board of Supervisors hereby accepts the recommendation of the Occupancy Tax Advisory Board, and authorizes the appropriation of \$20,000 to the United Way of Montgomery County, Inc., said funds to be applied toward costs of a holiday lighting project, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement, citing funding stipulations, with said United Way, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-06-3-1113-00 Tax
Hotel Room Occupancy by \$20,000.00

Appropriations: A-01-4-6420-00.4577 Promotion of Industry
Tourism - Bed Tax by \$20,000.00

RESOLUTION ADOPTED with Aye(1650). Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1650) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
United Way

**
RESOLUTION NO. 175 of 2001 DATED: July 24, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (YOUTH BUREAU)

Resolution by Supervisor: Paton
Seconded by Supervisor: Cuzzo

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 368 of 1999, recommended 2000 Youth Initiatives Program and Youth Development/Delinquency Prevention agreements with various providers, and

WHEREAS, the Montgomery County Youth Bureau has unused State Aid for administration for 2000, and

WHEREAS, these funds may be allocated to 2000 Youth Development and Delinquency Prevention programs,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign amended agreements with the following agencies:

AGENCY/PROGRAM	ADDITIONAL FUNDING (2000)
Catholic Charities (SAFE Program)	\$2,000.00
Big Brothers/Big Sisters (Big Brothers/Big Sisters)	1,030.49
Community Youth Center (Youth Center)	1,000.00

, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-21-3-3828-00	State Aid Youth Dev. & Del. Prev.	by	\$4,030.49
----------	----------------	--------------------------------------	----	------------

Appropriations:	A-21-4-7310-00.4585	Youth Bureau Youth Dev. & Del. Prev.	by	\$4,030.49
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RESOLUTION ADOPTED with Aye(1650). Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1650) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
-----------------------------------	---

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau Director

**

RESOLUTION NO. 176 of 2001
RESOLUTION AUTHORIZING PROPERTY TRANSFER - MCIDA

DATED: July 24, 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mead

WHEREAS, Slezak Bros. Warehouse of Amsterdam has approached Montgomery County and expressed an interest in obtaining a narrow strip of land adjacent to its property on Church Street, Amsterdam, the parcel of land identified as SBL No. 56.5-2-57, and

WHEREAS, said parcel of land is titled to the Counties of Fulton and Montgomery Industrial Development Agency, now defunct, and

WHEREAS, said parcel, which is unused by Montgomery County, could benefit economic development efforts and would be removed from its present tax exempt status if transferred to private ownership,

RESOLVED, that Montgomery County convey its interest, if any, in all or a portion of the parcel of land in the City of Amsterdam known as SBL No. 56.5-2-57 by quit claim deed to the Montgomery County Industrial Development Agency with the intent that it subsequently be sold or transferred to the owners of adjoining property, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is authorized and directed to execute a quit claim deed and related documents to bring about such conveyance

to the MCIDA.

RESOLUTION ADOPTED with Aye(1571). Supervisor Keller voted nay. Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1571) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA

**
RESOLUTION NO. 177 of 2001 DATED: July 24, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (COMMUNITY DEVELOPMENT FUND)

Resolution by Supervisor: Keller
Seconded by Supervisor: Vesp

WHEREAS, 2001 Community Development Fund activities have exceeded expectations,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

CD-599 Appropriated Fund Balance by \$300,000.00

Appropriations: CD-24-4-8668-93.4510 Revolving Loan -
Revolving Loans by \$300,000.00

RESOLUTION ADOPTED with Aye(1650). Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1650) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 178 of 2001 DATED: July 24, 2001
RESOLUTION AMENDING STANDING RULES OF PROCEDURE (BOARD OF SUPERVISORS)

Resolution by Supervisor: Vesp
Seconded by Supervisor: Hisert

WHEREAS, it has been recommended that the Standing Rules of Procedure of the Montgomery County Board of Supervisors be amended to provide for clarification of Rule 37,

RESOLVED, that the Standing Rules of Procedure of the Montgomery County Board of Supervisors hereby are amended to provide for deletion of Rule 37 and insertion, in its stead, of the following:

"Rule 37. Each Committee shall review all issues forwarded by the Clerk of the Board for their consideration. Committees shall report on each item, providing a recommendation for approval, recommendation for disapproval or recommendation for no recommendation. Said recommendation shall be by the affirmative vote of a simple majority of the total membership of that Committee. If a Committee shall disapprove a Resolution or Local Law, by the affirmative vote of a simple majority of the total membership of the Committee referred for its consideration, the Chairman of the Committee shall notify the sponsor of such Resolution or Local Law of its disapproval and the Committee shall file a report with the Board stating its disapproval and outlining the reasons therefor. No item is to be reported out of Committee without an affirmative recommendation by at least a simple majority of the total membership of the Committee or in accordance with these Rules."

RESOLUTION DEFEATED with Aye(884). Supervisors Brodie, Barone, DiMezza, Mead, Keller, Hisert and Stagliano voted aye. Supervisors Vesp and Van Kersen were absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 179 of 2001
RESOLUTION AUTHORIZING ACCEPTANCE OF MCKEE PROPERTY

DATED: July 24, 2001

Resolution by Supervisor: Paton
Supervisor: Mancini
Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has been offered a parcel of land of approximately 8.5 acres, adjacent to the Montgomery Meadows grounds, in exchange for the County assuming responsibility for outstanding taxes on the parcel, and

WHEREAS, it is deemed to be in the best interest of the County to accept said parcel,

RESOLVED, that Montgomery County hereby accepts title to a parcel of land on Sandy Drive in the City of Amsterdam, identified as SBL No. 55.6-2-3.11, from Archie and Elizabeth McKee, with appreciation, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute documents necessary to effectuate acceptance of said parcel.

RESOLUTION ADOPTED with Aye(1650). Supervisors Vesp and Van Kersen were absent.

Duly adopted upon roll call, all members present (1650) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery Meadows
McKee Family

____ OTHER

____ ADJOURNMENT

Motion by Supervisor Keller, seconded by Supervisor Brodie, to adjourn the meeting, passed with Aye(1650). Supervisors Vesp and Van Kersen were absent. Chairman Barone declared the meeting adjourned at 7:40 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for August 28, 2001, was called to order at 7:05 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor McMahon. Roll call indicated that all Supervisors were present.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Mancini, seconded by Supervisor Stagliano, to amend the agenda to consider Resolutions No. 195, 204 and 205 after Resolution 180 and to conduct an Executive Session after "Other", passed with Aye(1868). Motion by Supervisor Mancini, seconded by Supervisor Stagliano, to adopt the amended agenda, passed with Aye(1868).

____ _
PRIVILEGE OF THE FLOOR

Ronald J. Mead, former Town of Florida Supervisors, expressed thanks to the Board for support during his tenure.

Alice Knapik, Town of Glen, discussed FMCC and Resolution No. 196.

Christine Michaels, Chamber of Commerce President, said the Chamber needs to submit a 2002-02 Tourism Plan to the State and requesting adoption of two Emergency Resolutions.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of July 24, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

None.

NEW BUSINESS

**

RESOLUTION NO. 180 of 2001 DATED: August 28, 2001
RESOLUTION EXPRESSING APPRECIATION FOR SERVICES OF SUPERVISOR RONALD J.
MEAD

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, our esteemed colleague, Supervisor Ronald J. Mead of the Town of Florida, left the Board of Supervisors on July 27, 2001, and

WHEREAS, Supervisor Mead has served with honor and dignity, and

WHEREAS, Supervisor Mead has earned the respect of his fellow Supervisors and County employees,

RESOLVED, that the Board of Supervisors of the County of Montgomery hereby honors Supervisor Ronald J. Mead for his outstanding accomplishments during his service on the Board and wishes him well in his future endeavors.

MOTION by Supervisor Hassan, seconded by Supervisor Hisert, to have the Clerk of the Board cast one unanimous vote in favor of the Resolution, passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Supervisor Ronald J. Mead

**

RESOLUTION NO. 195 of 2001 DATED: August 28, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING - 2001-02 FMCC OPERATING BUDGET

Resolution by Supervisor: Keller
Seconded by Supervisor: Dybas

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposed 2001-02 Operating Budget of Fulton-Montgomery Community College for 6:30 p.m., Tuesday, September 25, 2001, in the Supervisors' Chambers, County Office Building, Route 30A (Broadway), Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors shall cause legal notice of said Public Hearing to be published according to law.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton-Montgomery Community College

Fulton County Board of Supervisors

**

RESOLUTION NO. 204 of 2001 DATED: August 28, 2001
RESOLUTION REVISING FMCC SPONSOR SHARE PAYMENT SCHEDULE

Resolution by Supervisor: Keller
Seconded by Supervisor: Dybas

WHEREAS, Fulton-Montgomery Community College officials have requested revision of sponsor share payment schedules, to help alleviate cash flow problems, and

WHEREAS, said action requires amendment of the County's 2001 Operating Budget to provide for the first payment for FMCC's 2001-01 fiscal year,

RESOLVED, that Montgomery County's annual sponsor share payment schedule hereby is revised to provide for payments to Fulton-Montgomery Community College, as follows:

Installment No. 1	September
Installment No. 2	January
Installment No. 3	April
Installment No. 4	July

, and

FURTHER RESOLVED, that Installment No. 1 shall be prorated in accordance with the prior year's annual sponsor share commitment, while Installment Nos. 2, 3 and 4 shall be equal installments of the balance of the share appropriated for that College fiscal year, and

FURTHER RESOLVED, that said revised schedule shall commence with the 2001-02 FMCC fiscal year's payment of \$271,455.25, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 operating Budget, as follows:

INCREASE:

A-599	Approp. Fund Balance	by \$271,455.25
Appropriations: A-06-4-2495-00.4552	Cont. to Comm. College Community College	by \$271,455.25

, and

FURTHER RESOLVED, this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 205 of 2001 DATED: August 28, 2001
RESOLUTION AMENDING FMCC OPERATING BUDGETS - RECEIPT OF GRANT REVENUE

Resolution by Supervisor: Keller
Seconded by Supervisor: Paton

WHEREAS, Fulton-Montgomery Community College has requested that its 1999-00 and 2000-01 Operating Budgets be amended, increasing revenue and appropriations, and

WHEREAS, said increase will be fully-funded through receipt of grants and

will not require any additional contributions by the County of Montgomery,

RESOLVED, that the 2000-01 Operating Budget of Fulton-Montgomery Community College hereby is amended to provide for the following increases:

GRANTS:

STEP 2000-01	\$55,610
SUNY Day Care	37,676
Agricultural Economic Development	50,000
Tech Prep Consortium	3,000
TOTAL	\$146,286

, and

FURTHER RESOLVED, that FMCC's 1999-00 Operating Budget hereby is amended to provide for receipt of additional State Aid in the amount of \$3,193, and

FURTHER RESOLVED, that the President and Board of Trustees of Fulton-Montgomery Community College do everything necessary to properly record the receipt and disbursement of monies relating to said grants, to assure that additional funds will not be required from the sponsoring counties, and

FURTHER RESOLVED that this Resolution is contingent upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FMCC
Fulton County Board of Supervisors

**
RESOLUTION NO. 181 of 2001 DATED: August 28, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE - RECORDS
MANAGEMENT IMPROVEMENT FUND (COUNTY CLERK)

Resolution by Supervisor: Paton
Seconded by Supervisor: Keller

WHEREAS, the County Clerk has been offered a \$22,702 grant from the Local Government Records Management Improvement Fund, and

WHEREAS, said grant funds will provide the County Clerk's office with the capability to microfilm various records,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign documents accepting a \$22,702 Local Government Records Management Improvement Fund Grant.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Clerk

**
RESOLUTION NO. 182 of 2001 DATED: August 28, 2001
RESOLUTION ACCEPTING IMMUNIZATION ACTION PLAN GRANT INCREASE (PUBLIC
HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, the Public Health Department has been awarded an Immunization Action Plan Grant, and

WHEREAS, the New York State Department of Health has approved the grant operating budget and work plan for the period commencing on April 1, 2001 and ending on March 31, 2002, and

WHEREAS, said grant funding for this period has been increased by \$2,100,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the additional Immunization Action Plan Grant funds, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-03	Public Health Grant	by	\$2,100.00
Appropriations:	A-16-4-4010-03.4491	Public Health Grant Advertising	by	\$2,100.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Director, Public Health

**
RESOLUTION NO. 183 of 2001 DATED: August 28, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNELL COOPERATIVE
EXTENSION (PUBLIC HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, the Public Health Department received a Healthy Heart Grant to help promote physical activity and nutrition in Montgomery County, and

WHEREAS, the Public Health Director recommends contracting with Cornell Cooperative Extension to assist with nutrition education and promotion,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Cornell Cooperative Extension to provide nutrition education and promotion services, per provisions of the Healthy Heart Grant received by the Public Health Department, and

FURTHER RESOLVED, that the cost of said services shall not exceed \$12,700.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Director, Public Health

**
RESOLUTION NO. 184 of 2001 DATED: August 28, 2001
RESOLUTION AMENDING 2001 BUDGET - PHC MAINTENANCE (SOCIAL SERVICES)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, the Commissioner of Social Services has requested additional funding for PHC Maintenance,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

	A-599	Approp. Fund Balance	by \$ 57,500.00
Revenue:	A-18-3-3620-00	State Aid	
		PHC Maintenance	by \$ 57,500.00
Appropriations:	A-18-4-6011-00.6120	Social Services Programs	
		PHC Maintenance	by \$115,000.00

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Dybas, in the RESOLVED clause, delete "A-599, Appropriated Fund Balance" and insert in its stead, "A-18-3-2701-00, Refund of Prior Years' Expenses", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**
RESOLUTION NO. 185 of 2001
RESOLUTION APPOINTING AGRICULTURAL AND FARMLAND PROTECTION BOARD MEMBER

DATED: August 28, 2001

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Hisert

WHEREAS, the resignation of Edward Dufel has created a vacancy for an Active Farmer on the Montgomery County Agricultural and Farmland Protection Board,

RESOLVED, that Robert Harris of Sprakers hereby is appointed a member of the Montgomery County Agricultural and Farmland Protection Board, as an Active Farmer, to an unexpired term ending on December 31, 2002.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee

**
RESOLUTION NO. 186 of 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DIGITAL ORTHOIMAGERY PROGRAM (PLANNING)

DATED: August 28, 2001

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, the New York State Office for Technology (OFT) conducts a Geographic Information System Coordination Program designed to improve and

enhance various forms of spatial data related to the State of New York, and

WHEREAS, OFT will be enhancing and improving said data through a Statewide Digital Orthoimagery Program, and

WHEREAS, said Program is designed to meet the needs of State and local governments and to provide complete statewide orthoimagery coverage on an annual phased cycle, and

WHEREAS, it has been suggested that digital orthoimagery upgrades are convenient, necessary and desirable for Montgomery County, and

WHEREAS, it has been recommended that the County participate in said Program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the New York State Office for Technology to provide for the County's participation in the Geographic Information System Coordination Program, at a cost not to exceed \$4,000.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**
RESOLUTION NO. 187 of 2001
RESOLUTION AUTHORIZING REMOVAL OF ARCHIVAL RECORDS
DATED: August 28, 2001

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Stagliano

WHEREAS, the Board of Supervisors has established a Policy and Procedure Manual for Records Management, and

WHEREAS, said procedures include deaccession provisions,

RESOLVED, that the Board of Supervisors hereby authorizes removal of records from the Archives, as recommended by the Records Management Advisory Board and the Records Management Officer, and

FURTHER RESOLVED, that a summary of the records be attached and made part of this Resolution.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Records Management Officer

**
RESOLUTION NO. 188 of 2001
RESOLUTION REQUESTING LEGISLATION AMENDING PUBLIC OFFICERS LAW
DATED: August 28, 2001

Resolution by Supervisor: Mancini
Seconded by Supervisor: McMahon

WHEREAS, Article 2, Section 3, of the Public Officers Law requires that persons appointed to positions of Deputy Sheriff must be residents of the appointing County, and

WHEREAS, the Sheriff has experienced difficulty in recruiting Montgomery County residents to fill vacancies for said Deputy positions, and

WHEREAS, it has been recommended that the New York State Legislature amend said Public Officers Law to permit appointment of non-County residents as Sheriff's Deputies,

RESOLVED, that the Board of Supervisors hereby requests the New York State Legislature to amend Article 2, Section 3, of the Public Officers Law to provide that a person shall not be prevented from holding the position of Deputy Sheriff in Montgomery County, provided that such person performing the duties and functions of a Deputy Sheriff resides in Montgomery County or in any adjoining County within New York State, unless otherwise provided by an Act of said Legislature, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor Pataki, State Senator Farley and Assemblyman Tonko.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Sheriff
Legislator's Named Above

**
RESOLUTION NO. 189 of 2001 DATED: August 28, 2001
RESOLUTION AUTHORIZING GRANT APPLICATION SUBMISSION - TRAFFIC SAFETY
(SHERIFF)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, the Sheriff has recommended submission of a grant application to the Governor's Traffic Safety Committee, and

WHEREAS, said grant funding would be used to establish a new Deputy Sheriff's position, for assignment to traffic enforcement, and to purchase equipment, and

WHEREAS, said grant funding would pay all costs of said Deputy's position for the first three years, after which the County would be responsible for 50 percent of said costs,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an application seeking grant funding from the Governor's Traffic Safety Committee, and

FURTHER RESOLVED, that said application will seeks funds for an additional Deputy Sheriff and for acquisition of traffic safety equipment, as requested by the Sheriff.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Sheriff

**
RESOLUTION NO. 190 of 2001 DATED: August 28, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET- TEMPORARY POSITION (PUBLIC
WORKS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mancini

WHEREAS, the Acting Commissioner of Public Works has requested a budget amendment to allow for the temporary appointment of a Motor Equipment Operator 1 (MEO1),

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

ADD: D-12-4-5110-00.1130(19) Maint. Roads & Bridges
MEO1 Temp.

TRANSFER:

From: D-12-4-5110-00.1110(144)	Maint. Roads & Bridges Highway Labor	\$9,207.00
To: D-12-4-5110-00.1130(19)	Maint. Roads & Bridges MEO1 Temp.	\$9,207.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Acting Commissioner of Public Works
Personnel/Payroll

**
RESOLUTION NO. 191 of 2001 DATED: August 28, 2001
RESOLUTION ESTABLISHING STRUCTURAL MAINTENANCE HELPER'S POSITION -
COURT MAINTENANCE

Resolution by Supervisor: Mancini
Seconded by Supervisor: Dybas

WHEREAS, the Acting Commissioner has recommended establishment of an additional Structural Maintenance Helper's position at the County Court House, and

WHEREAS, said position will be reimbursed by the State,

RESOLVED, that an additional Structural Maintenance Helper's position hereby is established, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-12-3-3090-00	State Aid Court Maint. Oper.	by \$8,768.00
Appropriations: A-12-4-1620-00.1110(149)	Buildings Hourly Employees	by \$8,768.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Acting Commissioner of Public Works
Personnel/Payroll

**
RESOLUTION NO. 192 of 2001 DATED: August 28, 2001
RESOLUTION ESTABLISHING POSITION - SENIOR ACCOUNT CLERK TYPIST
(AUDITOR)

Resolution by Supervisor: Dybas
Seconded by Supervisor: McMahon

RESOLVED, that the position of Senior Account Clerk Typist hereby is established in the Auditing Department, effective August 29, 2001, and

FURTHER RESOLVED, that the position of Audit Clerk in said Department hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

ADD:	A-30-4-1320-00.1110(26)	Auditing Senior Account Clerk Typist	
TRANSFER:			
From:	A-30-4-1320-00	Auditing	
	.1110(21)	Audit Clerk	\$7,130.53
	.1120(869)	Auditor (pt)	736.22
To:	A-30-4-1320-00.1110(26)	Auditing Senior Account Clerk Typist	\$7,866.75

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton abstained.

Duly adopted upon roll call, all members present (1726) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
County Auditor

**
RESOLUTION NO. 193 of 2001 DATED: August 28, 2001
RESOLUTION AUTHORIZING OUTSIDE COUNSEL

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, the County Administrator has recommended that outside counsel be retained to continue an action to recoup County expenses associated with a 207-c claim, and

WHEREAS, the County Attorney concurs with said recommendation,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Roemer Wallens and Mineaux, LLP, for provision of legal services in the matter of Montgomery County v. Dufel and SONYMA, and

FURTHER RESOLVED, that said legal services shall be provided at the rate of \$150.00 per hour, not to exceed a total of \$20,000 for all work completed prior to trial, with an additional maximum of \$5,000 for trial work.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo voted nay.

Duly adopted upon roll call, all members present (1719) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk

County Attorney

**
RESOLUTION NO. 194 of 2001 DATED: August 28, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (UNALLOCATED INSURANCE)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, with adoption of Resolution No. 391 of 1998, the County entered into a three-year agreement with The Hearn Agency, Inc. for insurance coverages, and

WHEREAS, the company providing the County's malpractice coverage is no longer in business, and

WHEREAS, the lowest quote received by Hearn Agency for said coverage, was from Chubb Executive Risk at an annual premium of \$89,000, an increase of \$54,185, and

WHEREAS, there is a need to increase the Montgomery Meadows portion of said premium increase,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From:	EH-34-4-6020-00.	Montgomery Meadows	
	.2210	Furniture & Furnishings	\$4,000.00
	.2244	Auxiliary Vehicles	\$25,000.00
	.2259	Computer Equipment	\$1,874.00
	.4449	Special Supplies	\$10,000.00

To:	EH-34-4-1910-00.	Unallocated Insurance	
	.4481	Liability Insurance	\$22,707.00
	.4484	Malpractice Insurance	\$18,167.00

INCREASE:

A-599 Appropriated Fund Balance by \$15,924.00

Appropriations: A-01-4-1910-00.4489 Unallocated Insurance
Countywide Insurance by \$15,924.00

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Dybas, in the RESOLVED clause, delete "A-599, Appropriated Fund Balance" and insert, in its stead, "Revenue, A-06-3-1051-00, Gain Sales Tax Acq. Property", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 196 of 2001 DATED: August 28, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 5
OF 2001

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 5 of 2001, a Local Law Amending Local Law No. 1 of 1978, Local Law No. 2 of 1983 and Local Law No. 1 of 1984,

RESOLVED, that Introductory Local Law No. 5 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration, following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held on Tuesday, September 25, 2001 at 6:40 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Dybas, in Section 3, amend paragraphs, C, F, J, L, M and N, failed with Aye(647). Supervisors Cuozzo, Dybas, Mancini, Paton and Van Kersen voted aye.

RESOLUTION ADOPTED with aye(1281). Supervisors Cuozzo, Dybas, Mancini and Paton voted nay.

Duly adopted upon roll call, all members present (1282) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 197 of 2001 DATED: August 28, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 6
OF 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Dybas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 6 of 2001, a Local Law Establishing the 2001 Salary of the County Administrator,

RESOLVED, that Introductory Local Law No. 6 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, September 25, 2001 at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor DiMezza, passed with Aye(1424). Supervisors Cuozzo, Dybas and Mancini voted nay. (8/28/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**
RESOLUTION NO. 198 of 2001 DATED: August 28, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 7
OF 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mancini

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 7 of 2001, a Local Law Authorizing the Private Sale of

County-owned Property Not Needed for a County Purpose (Town of Florida),

RESOLVED, that Introductory Local Law No. 7 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, September 25, 2001 at 6:55 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 199 of 2001
RESOLUTION AMENDING RESOLUTION NO. 195 OF 2000

DATED: August 28, 2001

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, Resolution No. 195 of 2000 appointed members of the Montgomery County Tourism Advisory Committee, and

WHEREAS, it has been recommended that members of the Occupancy Tax Advisory Board also serve as members of said Committee,

RESOLVED, that Resolution No. 195 of 2000 hereby is amended to add the following:

" , and FURTHER RESOLVED, that all members of the Occupancy Tax Advisory Board shall automatically be members of the Montgomery County Tourism Advisory Committee for as long as they remain members of said Committee."

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees
Occupancy Tax Advisory Board
Tourism Advisory Committee

**

RESOLUTION NO. 200 of 2001
RESOLUTION AMENDING CONSULTANT AGREEMENT - HYJEK & FIX, INC.

DATED: August 28, 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Stagliano

WHEREAS, Montgomery County, in conjunction with the Montgomery County Industrial Development Agency (MCIDA), is developing the Florida Business Park, and

WHEREAS, a Federal Wetland Permit must be obtained, because said site contains designated wetlands, and

WHEREAS, said permit approval process requires submittal of an application, which includes detailed engineering, impact evaluations, alternative site

analysis and concept plans for land retained by the MCIDA, and

WHEREAS, said process is ongoing and the agreement between Montgomery County and Hyjek and Fix expired July 24, 2001,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amended agreement with Hyjek & Fix, Inc. of Washington, DC, and

FURTHER RESOLVED, that said agreement shall encompass the period between July 24, 2001 and September 24, 2001, and

FURTHER RESOLVED, that all other terms, conditions and work scope will remain as stated in the original agreement, dated April 16, 2001, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-06-3-1082-00 Prior year PILOT/Tax Pmt. by \$14,000.00

Appropriations: A-06-4-9900-00.9950 Interfund Transfers
Transfer to Cap. Proj. Fund by \$14,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Oppor. & Develop.

**
RESOLUTION NO. 201 of 2001 DATED: August 28, 2001
RESOLUTION AUTHORIZING GRIEVANCE PROCEDURE MODIFICATIONS

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

WHEREAS, grievance procedures provide a method for settling disputes that arise concerning the meaning or application of an existing collective bargaining agreement, and

WHEREAS, the essence of a grievance procedure is to provide a means by which an employee, without jeopardizing his job, can express a complaint about his work or working conditions and obtain a fair hearing through progressively higher levels of management

RESOLVED, the Board of Supervisors hereby directs the Chairman of the Board to negotiate and sign a Memorandum of Agreement with each separate bargaining unit amending the current contracts by establishing and inserting the following additional grievance procedure:

"Step Three

In the event the aggrieved party is not satisfied with the Step Two determination, or if no response is received within the required period, the aggrieved party (or representative) may file the grievance with the Personnel Committee through the Personnel Officer within ten (10) working days.

The Personnel Committee, upon review of the prior determinations and meeting separately with the aggrieved party (and/or representative) and the department head involved and the County Administrator, shall issue a written decision not later than twenty (20) working days following receipt of the Step Three appeal."

, and

FURTHER RESOLVED, that the foregoing language shall replace the current Step Three in the contractual grievance procedure and the existing Step Three shall be renamed Step Four.

RESOLUTION ADOPTED with Aye(1182). Supervisors Cuzzo, Dybas, Mancini, Hassan, Paton and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1182) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 202 of 2001
RESOLUTION ESTABLISHING LABOR MANAGEMENT COMMITTEE

DATED: August 28, 2001

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

WHEREAS, the purpose of a cooperative labor management committee is to improve communications between representatives of labor and management, and

WHEREAS, improved communications can foster an environment in which we can assist one another in solving problems of mutual concern not susceptible to resolution within the collective bargaining process, and

WHEREAS, mutual trust can provide us with opportunities to study and explore new and innovative joint approaches to achieving organizational effectiveness by enhancing the involvement of workers in making decisions that affect their working lives, and to maintain a productive dialogue that will encourage free collective bargaining,

RESOLVED, that Board of Supervisors hereby establishes a Standing Committee to be called Labor Management Committee composed of the Chairman of the Board, Chairman of the Personnel Committee, County Administrator, Personnel Director and other department heads as deemed necessary, and

FURTHER RESOLVED, when issues involve members of the bargaining units contained in the Sheriff's Department, the Sheriff, and/or his representative, as co-employer shall be included as member, and

FURTHER RESOLVED, that said committee shall, within the authority granted by the Board of Supervisors from time to time and with the requirement to periodically report back to the Board as a whole.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuzzo abstained.

Duly adopted upon roll call, all members present (1719) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 203 of 2001
RESOLUTION AMENDING WATER AND SEWER AGREEMENT - FLORIDA BUSINESS PARK

DATED: August 28, 2001

Resolution by Supervisor: Hisert
Seconded by Supervisor: Cuzzo

WHEREAS, the City of Amsterdam, Town of Florida and the County of Montgomery have negotiated the terms and conditions of an agreement dated April 1, 2001, for provisions of water and sewer services to the Florida Business Park, and

WHEREAS, the Amsterdam Common Council, on July 17, 2001, modified outside water use charges, and

WHEREAS, said Council resolution, signed by the Mayor on July 23, 2001, effectively adds a new residential meter rate within the City limits, and

WHEREAS, the agreement between the City, Town and County should be modified to reflect said change,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amendment to the water and sewer agreement, between the City of Amsterdam, Town of Florida and County of Montgomery, which adds the following language: "Residential users outside the City of Amsterdam shall pay 1.5 times the residential meter rate established by local law, on an annual basis, by the City of Amsterdam."

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1868). (8/28/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Oppor. & Develop.

**
RESOLUTION NO. 206 of 2001 DATED: August 28, 2001
RESOLUTION APPROVING STIPULATION OF SETTLEMENT WITH CSEA (PERSONNEL)

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Hisert

WHEREAS, CSEA filed a grievance, dated May 12, 1999, alleging the County violated the current CSEA contract with respect to retroactive pay increases to former CSEA represented employees who left County employment after January 1, 1998, and

WHEREAS, it is recommended that said grievance be settled between the parties for one-half (1/2) of the amounts claimed due to the former employees, for a total of \$3,071.83,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute a stipulation of settlement to resolve the grievance as set forth herein, and

FURTHER RESOLVED, that the former employees involved be paid the respective amount due them from the personnel budgets of their respective former departments.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer
CSEA

**

Motion by Supervisor DiMezza, seconded by Supervisor Van Kersen, to Suspend the Rules of Procedure to consider Resolutions No. 207, 208, 209 and 210, passed with Aye(1304-2/3 majority).

**
RESOLUTION NO. 207 of 2001 DATED: August 28, 2001
RESOLUTION DESIGNATING OFFICIAL TOURISM PROMOTION AGENCY

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, the Board of Supervisors encourages and supports the efforts to promote tourism within Montgomery County, and

WHEREAS, the Montgomery County Chamber of Commerce has been a leader in the County's tourism efforts,

RESOLVED, that the board of Supervisors hereby designated the Montgomery County Chamber of Commerce as the official Tourism Promotion Agency for Montgomery County for the period commencing October 1, 2001 and ending September 30, 2002, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Tourism Program Administration Agreement with the Montgomery County Chamber of Commerce, for said period, in an amount not to exceed \$_____.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Keller, in the Further Resolved clause, insert "38,587.36", passed with Aye(1868)

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Chamber of Commerce

**
RESOLUTION NO. 208 of 2001 DATED: August 28, 2001
RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION (CHAMBER OF COMMERCE)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Van Kersen

WHEREAS, the Montgomery County Chamber of Commerce is applying for \$288,830 in State of New York - I Love New York funds for the 2001-02 tourism year, and

WHEREAS, said Chamber of Commerce has been designated the County's tourism Promotion Agency,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses the Montgomery County Chamber of Commerce's application for I Love New York Tourism matching Funds, and

FURTHER RESOLVED, that Montgomery County hereby agrees to commit up to \$288,830 toward the local share of said matching funds program for the 2001-02 tourism year.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuzzo voted nay.

Duly adopted upon roll call, all members present (1719) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Chamber of Commerce

**
RESOLUTION NO. 209 of 2001 DATED: August 28, 2001
RESOLUTION AUTHORIZING TEMPORARY TIPPING FEE SUBSIDY SUPPLEMENT

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Dybas

WHEREAS, two City of Amsterdam businesses suffered extensive damage during a severe storm on August 20, 2001, and

WHEREAS, said businesses will be required to dispose of large volumes of

damaged materials and refuse, and

WHEREAS, it has been proposed that the County of Montgomery assist said businesses in helping defray the cost of said disposal,

RESOLVED, that the Board of Supervisors hereby authorizes full subsidization of the MOSA tipping fee for disposal of materials and refuse by City of Amsterdam businesses which were extensively damaged by a storm on August 20, 2001, and

FURTHER RESOLVED, that said subsidy shall be of temporary duration, for the period commencing on August 20, 2001 and ending on _____, and

FURTHER RESOLVED, that the County Attorney shall develop subsidy qualifications, with implementation by the Director of Emergency Management.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Brodie, to insert, in the first FURTHER RESOLVED clause, "October 1, 2001", passed with Aye(1868).

MOTION TO AMEND by Supervisor Vesp, seconded by Supervisor Dybas, to add, ", and FURTHER RESOLVED, that said subsidy shall not exceed a total of \$2,000.", passed with Aye(1119). Supervisors Cuozzo, Barone, Mancini, DiMezza and Richards voted nay.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Emergency Management
MOSA
County Attorney

____ OTHER

Jack Wilson, Cornell Cooperative Extension Board President, advised that the agency will relocate to the former Johnstown Hotel by the this year.

Motion by Supervisor DiMezza, seconded by Supervisor McMahon, to enter into executive Session to discuss collective bargaining, passed with Aye(1868). The Board entered Executive Session at 9:10 p.m.

Motion by Supervisor McMahon, seconded by Supervisor DiMezza, to conclude the Executive Session at 9:35 p.m., passed with Aye(1719). Supervisor Cuozzo was absent.

**
RESOLUTION NO. 210 of 2001 DATED: August 28, 2001
RESOLUTION APPROVING MEMORANDUM OF AGREEMENT (SHERIFF)

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute a Memorandum of Agreement with the Montgomery County Deputy Sheriff's Police Benevolent Association, as set forth herein, providing for 12-hour shifts for road patrol deputies, and

FURTHER RESOLVED, that said Agreement shall be implemented, on an experimental basis, for a term expiring on December 31, 2001.

MOTION by Supervisor Hisert, seconded by Supervisor Van Kersen, to have the Clerk of the Board cast one unanimous vote in favor of the resolution,

passed with Aye(1719). Supervisor Cuozzo was absent.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Personnel Officer

**

ADJOURNMENT

Motion by Supervisor McMahon, seconded by Supervisor Mancini, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 9:40 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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RES245 Resolution Condemning Terrorist Acts

RES246 Resolution Requesting Return of MCIDA Flag Pole
OTHER[illegible]

____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for September 25, 2001, was called to order at 7:00 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Dybas. Roll call indicated that all Supervisors were present.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Hisert, seconded by Supervisor DiMezza, to amend the agenda to consider Resolutions No. 215 and 241 after "Old Business", passed with Aye(1868). Motion by Supervisor McMahon, seconded by Supervisor Van Kersen, to suspend the rules of procedure to allow for the introduction of emergency Resolutions No. 241, 242, 243, 244 and 245, passed with Aye(1304-2/3 majority). Motion by Supervisor Hisert, seconded by Supervisor DiMezza, to adopt the amended agenda, passed with Aye(1868).

____ _
PRIVILEGE OF THE FLOOR

Proclamation declaring Norma Mancini as Older worker of the Year, was presented by Chairman Barone.

Proclamation declaring October, 2001, as Brain Injury Awareness Month was presented by Chairman Barone to Dave Hughes.

Proclamation declaring October 6-14, 2001, as Cornell Cooperative Extension week and National 4H Week was read by Supervisor Hisert.

Alice Knapik, Town of Glen, opposes Resolution No. 213.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of August 28, 2001 and Special Meeting of September 11, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

RESOLUTION NO. 197 of 2001 DATED: August 28, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 6
OF 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Dybas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 6 of 2001, a Local Law Establishing the 2001 Salary of the County Administrator,

RESOLVED, that Introductory Local Law No. 6 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, September 25, 2001 at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor DiMezza, passed with Aye(1424). Supervisors Cuozzo, Dybas and Mancini voted nay.
(8/28/01)

MOTION TO REMOVE FROM TABLE by Supervisor Cuozzo, seconded by Dybas, failed with Aye(647). Supervisors Cuozzo, Dybas, Mancini, Paton and Van Kersen.
(9/25/01)

RESOLUTION DIED ON THE TABLE.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**

RESOLUTION NO. 203 of 2001 DATED: August 28, 2001
RESOLUTION AMENDING WATER AND SEWER AGREEMENT - FLORIDA BUSINESS PARK

Resolution by Supervisor: Hisert
Seconded by Supervisor: Cuozzo

WHEREAS, the City of Amsterdam, Town of Florida and the County of Montgomery have negotiated the terms and conditions of an agreement dated April 1, 2001, for provisions of water and sewer services to the Florida Business Park, and

WHEREAS, the Amsterdam Common Council, on July 17, 2001, modified outside water use charges, and

WHEREAS, said Council resolution, signed by the Mayor on July 23, 2001, effectively adds a new residential meter rate within the City limits, and

WHEREAS, the agreement between the City, Town and County should be modified to reflect said change,

RESOLVED, that the Chairman of the Board of Supervisors, following review

and approval by the County Attorney, hereby is authorized and directed to sign an amendment to the water and sewer agreement, between the City of Amsterdam, Town of Florida and County of Montgomery, which adds the following language: "Residential users outside the City of Amsterdam shall pay 1.5 times the residential meter rate established by local law, on an annual basis, by the City of Amsterdam."

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1868). (8/28/01)

MOTION TO REMOVE FROM TABLE by Supervisor Hisert, seconded by Supervisor McMahon, passed (1868). (9/26/01)

RESOLUTION ADOPTED with Aye(1513). Supervisors Dybas and DiMezza abstained. (9/26/01)

Duly adopted upon roll call, all members present (1513) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Oppor. & Develop.

NEW BUSINESS

**
RESOLUTION NO. 218 of 2001
RESOLUTION ADOPTING 2001-02 FMCC OPERATING BUDGET

DATED: September 25, 2001

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Fulton-Montgomery Community College Operating Budget for the 2001-02 fiscal year has been presented to the Boards of Supervisors of the Counties of Montgomery and Fulton by the FMCC Board of Trustees, and

WHEREAS, the required public hearing on said tentative budget has been held,

RESOLVED, that the Fulton-Montgomery Community College Operating Budget for the fiscal year beginning September 1, 2001 and ending on August 31, 2002, with appropriations totaling \$12,995,025, hereby is accepted and approved, and

FURTHER RESOLVED, that the amount to be appropriated by the County of Montgomery, as its sponsor share of said Budget, shall be _____, and

FURTHER RESOLVED, that said sponsor's share shall be included in the Montgomery County Operating Budget for 2002, as required by the Education Law of the State of New York, and

FURTHER RESOLVED, that this Resolution shall take effect upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Keller, in the FURTHER RESOLVED clause, insert "\$1,235,821", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton-Montgomery Community College
Fulton County Board of Supervisors

**
RESOLUTION NO. 241 of 2001 DATED: September 25, 2001
RESOLUTION APPOINTING COMMISSIONER OF PUBLIC WORKS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

RESOLVED, that Paul H. Clayburn hereby is appointed to a five-year term as Commissioner of Public Works, and

FURTHER RESOLVED, that said term shall commence on _____ and end on _____, and

FURTHER RESOLVED, that the base annual salary for said position hereby is established at _____.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Dimezza, in the first FURTHER RESOLVED clause, insert "September 25, 2001" and "September 24, 2006" respectively, and in the second FURTHER RESOLVED clause, insert, "\$49,000", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney Richard C. Healy Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Personnel/Payroll
Department of Public Works

**
RESOLUTION NO. 213 of 2001 DATED: September 25, 2001
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 5 OF 2001

Resolution by Supervisor: Vesp
Seconded by Supervisor: Stagliano

WHEREAS, on August 28, 2001, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Amending Local Law No. 1 of 1978, Local Law No. 2 of 1983 and Local Law No. 1 of 1984, which created the Office of the County Administrator", was presented to the Board of Supervisors for consideration,

WHEREAS, on August 28, 2001, Resolution No. 196 of 2001 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 25th day of September, 2001, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law, No. 7 of 2001, entitled: "A Local Law Amending Local Law No. 1 of 1978, Local Law No. 2 of 1983 and Local Law No. 1 of 1984, which created the Office of the County Administrator", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the Office of the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

RESOLUTION ADOPTED with Aye(1142). Supervisors Cuozzo, Dybas, Mancini, Keller, Paton and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1142) voting aye.

Douglas Landon County Attorney Richard C. Healy Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
Department Heads

COUNTY OF MONTGOMERY

INTRODUCTORY LOCAL LAW NO. 5 of 2001

A Local Law Amending Local Law No. 1 of 1978, Local Law No. 2 of 1983 and Local Law No. 1 of 1984, which created the Office of the County Administrator

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

SECTION 1. COUNTY ADMINISTRATOR. There shall be a County Administrator who shall be directly responsible to the Board of Supervisors and perform the functions of a chief administrative officer, on behalf of the Board of Supervisors which shall nonetheless retain final administrative authority. Such office shall be in the unclassified services of the civil service.

SECTION 2. APPOINTMENT. Qualifications. The County Administrator shall be appointed by the Board of Supervisors for a four-year term. At the time of appointment, the County Administrator shall possess at least six years of education or training or experience, in any combination, in the fields of public or business administration and be able to demonstrate a working knowledge of the organization and structure of County government. The County Administrator shall also be recommended by the Qualification Committee established by this Local Law.

SECTION 3. POWERS AND DUTIES. There shall be no curtailment, diminution or transfer of any powers of any elected official to the County Administrator. The County Administrator shall be responsible for the overall administration of County Government. In addition, the County Administrator shall have the following powers and duties:

- (a) Shall serve as the County Budget Officer and be responsible for the preparation and administration of the budget of the County.
- (b) Shall appoint such personnel, within his or her office, as may be authorized by the Board of Supervisors.
- (c) Shall advise department heads and officers, as well as to coordinate the activities of County Government to most effectively implement the directives and policies of the Board of Supervisors.
- (d) Shall undertake administrative and management studies and submit, to the Board of Supervisors, reports and recommendations regarding governmental operations, as he or she may deem appropriate or the Board of Supervisors may request.
- (e) Shall make recommendations for appointments by the Board of Supervisors for all heads of units of County Government.
- (f) Shall execute all directives of the Board of Supervisors and cause enforcement of the Board, as well as local laws enacted in the County.
- (g) Shall serve as an advisor to the Board of Supervisors and develop policy and procedural recommendations for consideration of the Board of Supervisors and develop policy and procedural recommendations for consideration of the Board which will promote economy and efficiency in the operation of the County Government.
- (h) Shall maintain liaison and represent the Board in contacts with political subdivisions, State and Federal officials and agencies.
- (i) Shall be a participating member of all collective bargaining negotiations, shall provide input into the collective bargaining process by assisting the Personnel Director and Labor Attorney in the development and recommendations of the terms and conditions of the Collective Bargaining Agreement, and shall participate in all labor management meetings with the various organized employee representatives.

- (j) Shall be responsible for the preparation of grant proposals and applications.
- (k) Shall advise the Chairman of the Board of Supervisors on all matters pertaining to the authorization of hiring or promotion of budgeted positions, grant applications or proposals, authorizations to attend conferences, conventions and schools.
- (l) Shall authorize the transfer of funds within a departmental budget. All such authorized transfers shall be reported to the Board of Supervisors within thirty days after the transfer is made.
- (m) Shall appoint a confidential secretary who shall serve at his or her pleasure, who shall be paid out of the funds appropriated for that purpose.
- (n) Shall have such other powers and perform such other duties as may now or hereafter be conferred upon him by a Resolution or Resolutions of the Board of Supervisors.

SECTION 4. DEPUTIES.

- (a) The County Administrator shall have the power to appoint a Deputy County Administrator. Every appointment of a deputy shall be in writing, filed and recorded in the Office of the County Clerk.
- (b) The term of office of a deputy appointed hereunder shall coincide with that of the County Administrator, provided that any such appointment may be revoked, at any time, by the County Administrator, by written revocation filed with the County Clerk. The position of Deputy Administrator shall be in the exempt class of the civil service.
- (c) The Deputy County Administrator shall perform such duties pertaining to the Office of the County Administrator as the County Administrator may direct. The County Administrator may, from time to time, delegate to the deputy, any of his powers and duties, by a writing filed with the Clerk of the Board of Supervisors and the County Clerk. Such delegation may be modified, or revoked, by the County Administrator at any time in the same manner. Upon such delegation of powers and duties to the deputy, the deputy shall be vested with such powers and duties as are delegated, to the same extent as the County Administrator.

SECTION 5. ACTING COUNTY ADMINISTRATOR. The Deputy County Administrator shall be the Acting County Administrator, in the event of the County Administrator's absence from the County or inability to perform and exercise the powers and duties of the office. In the event of the Deputy County Administrator's inability to serve as Acting County Administrator, the Chairman, with the approval of the Board of Supervisors, shall appoint an Acting County Administrator. In no event, may a person serve as Acting County Administrator for a period greater than sixty days, unless authorized by the Board of Supervisors. The Acting County Administrator shall have all the powers and duties of the County Administrator during the period of his designation or until a new County Administrator shall be appointed, pursuant to law and shall qualify to assume that office.

SECTION 6. QUALIFICATIONS COMMITTEE. The Board of Supervisors shall, in selecting a County Administrator, first appoint a special advisory committee on qualifications of seven members, consisting of two supervisor-members from each of the two major political parties and three members selected from the electorate at large, with not more than four members, in all, from any major political party. This committee shall interview and assess the qualifications of all applicants for the position and shall make recommendations to the Board of Supervisors with regard to the qualifications of all applicants.

SECTION 7. NO DIVESTITURE OF POWERS OR DUTIES OF BOARD. Nothing contained in this Local Law shall operate or be construed to divest the Board of Supervisors of the County of Montgomery of any of its functions, powers and duties.

SECTION 8. SEPARABILITY OF PROVISIONS. If any of the provisions of this Local Law or the application thereof to any person or

circumstances is held invalid, the remainder of this Local Law and the application thereof to either persons and circumstances shall not be affected thereby. If any term of this law shall be construed to provide for the maximum term permitted by law for such office.

SECTION 9. WHEN TO TAKE EFFECT. This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been complied with fully and it has been filed in the Offices of the Secretary of State.

**
RESOLUTION NO. 214 of 2001 DATED: September 25, 2001
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 7 OF 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: Van Kersen

WHEREAS, on August 28, 2001, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Florida)", was presented to the Board of Supervisors for consideration.

WHEREAS, on August 28, 2001, Resolution No. 198 of 2001 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 25th day of September, 2001, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law, No. 7 of 2001, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Florida)", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the Office of the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon County Attorney Richard C. Healy Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
Department Heads

County of Montgomery
Introductory Local Law No. 7 of 2001

A Local Law Authorizing the Private Sale of County-Owned
Property Not Needed for a County Purpose (Town of Florida)

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that a County-owned real property parcels, known as SBL's 117.9-1-11, 117.9-1-16.2, 117.9-1-1.2 and 117.9-1-1.21, located in the Town of Florida are no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the sale and conveyance of all the right, title and interest of the County in and to said real properties to the Town of Florida, for the sum of \$1.00.

**
RESOLUTION NO. 215 of 2001 DATED: September 25, 2001
RESOLUTION AWARDING ELECTRICAL VAULT PROJECT BID (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Keller

WHEREAS, bids were opened on August 15, 2001 for the Electrical Vault Project at FMCC, and

WHEREAS, it has been recommended that a contract be awarded to the bidder providing the lowest responsible bid in accordance with specifications dated July 13, 2001

RESOLVED, that the contract for the FMCC Electrical Vault Project be awarded to T & J Electric of Troy, in an amount not to exceed a total of \$351,425, and

FURTHER RESOLVED, that said award shall include the base bid and Alternates 2E and 3E, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors following review and approval by the County Attorney, hereby is authorized and directed to sign a contract with T & J Electric for said project, and

FURTHER RESOLVED, that this resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas abstained.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FMCC
FC Board of Supervisors

**
RESOLUTION NO. 216 of 2001 DATED: September 25, 2001
RESOLUTION REJECTING ALL BIDS - COLLEGE UNION ROOF REPLACEMENT PROJECT
(FMCC MASTER PLAN)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Vesp

WHEREAS, three bids were received for the FMCC College Union Building Roof Replacement Project, and

WHEREAS, comparable bids were not received, because of confusion when the Project Engineer issued addendums, and

WHEREAS, base bids received indicate sufficient funds may not be available to complete said project at this time

RESOLVED, that all bids received for the College Union Roof Replacement Project hereby are rejected, and

FURTHER RESOLVED, that this Resolution is contingent upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas abstained.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton-Montgomery Community College
Fulton County Board of Supervisors

**
RESOLUTION NO. 217 of 2001 DATED: September 25, 2001
RESOLUTION RATIFYING AGREEMENT BETWEEN FULTON-MONTGOMERY COMMUNITY
COLLEGE AND FULMONT ASSOCIATION OF COLLEGE EDUCATORS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Keller

WHEREAS, negotiations for a successor employment agreement between Fulton-Montgomery Community College (FMCC) and the Fulmont Association of College Educators (FACE), and

WHEREAS, FACE previously has ratified said agreement,

RESOLVED, that the Montgomery County Board of Supervisors hereby ratifies and approves an employment agreement between Fulton-Montgomery Community College (FMCC) and the Fulmont Association of College Educators (FACE), and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign said agreement for the period commencing on September 1, 2001 and ending on August 31, 2004, and

FURTHER RESOLVED, that said agreement is contingent upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas abstained.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FMCC
FACE
Fulton County Board of Supervisors

**
RESOLUTION NO. 219 of 2001 DATED: September 25, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 8
OF 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, a public hearing is requested to be held concerning Introductory Local Law No. 8 of 2001, A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose,

RESOLVED, that Introductory Local Law No. 8 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration, following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held on Tuesday, October 23, 2001 at 6:50 p.m. in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published, according to law.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property Tax Director

**
RESOLUTION NO. 220 of 2001 DATED: September 25, 2001
RESOLUTION APPOINTING COMMUNITY SERVICES BOARD MEMBERS

Resolution by Supervisor: Paton
Seconded by Supervisor: Mancini

WHEREAS, several vacancies exist on the Montgomery County Community Services Board, and

WHEREAS, the names of qualified nominees have been tendered for appointment consideration,

RESOLVED, that the following persons hereby are appointed members of the Montgomery County Community Services Board for terms ending on December 31, 2005:

Glenn G. Goodale of Wells
Carolyn Estrada of Amsterdam
Rev. Daniel T. Swanson of Amsterdam

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services
Appointees

**
RESOLUTION NO. 221 of 2001
RESOLUTION APPOINTING FIRE ADVISORY BOARD MEMBER

DATED: September 25, 2001

Resolution by Supervisor: Keller
Seconded by Supervisor: Paton

WHEREAS, a vacancy exists for a Fultonville representative on the Montgomery County Fire Advisory Board,

RESOLVED, that James Whipple of 47 Prospect Street, Fultonville, hereby is appointed a member of the Montgomery County Fire Advisory Board, representing the Village of Fultonville, for a term ending on December 31, 2001.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fire Coordinator
Director of Emergency Management

**
RESOLUTION NO. 222 of 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LICENSE AGREEMENT RENEWAL (SHERIFF)

DATED: September 25, 2001

Resolution by Supervisor: Keller
Seconded by Supervisor: Mancini

WHEREAS, Montgomery County entered into a license agreement with the U.S. Department of Justice, Federal Bureau of Investigation, and

WHEREAS, said agreement authorized the federal agency to maintain certain communications equipment on a County-owned tower, and

WHEREAS, it has been recommended that said agreement be renewed,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a

renewal license agreement with the U.S. Department of Justice, Federal Bureau of Investigation, with said license to pay a \$100.00 monthly fee for a one-year period commencing on October 1, 2001 and ending on September 30, 2002.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 223 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING NON-BID PURCHASE - BATTERIES (JAIL)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Hassan

WHEREAS, the Sheriff has recommended acquisition of replacement batteries for the back-up unit for the Jail's security system, and

WHEREAS, there is an immediate need to acquire said batteries,

RESOLVED, that the Board of Supervisors hereby authorizes the emergency purchase of 37 replacement batteries for the back-up unit for the Jail's security system, and

FURTHER RESOLVED, that said no-bid purchase shall be made from Power Management Services, LLC, of Stafford Springs, Connecticut, at a cost not to exceed \$11,890.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 224 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEASE RENEWAL AGREEMENT -
SATELLITE OFFICE (PROBATION)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Paton

WHEREAS, the Probation Department maintains a satellite office in Amsterdam's Riverfront Center, and

WHEREAS, the lease for said office will expire this month,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a one-year lease renewal with the Amsterdam Riverfront Center for a Probation Department Satellite Office, and

FURTHER RESOLVED, that said agreement shall provide for payments not to exceed \$407.14 per month, for the period commencing on November 1, 2001 and ending on October 31, 2002.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon

Richard C. Healy

County Attorney

Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Probation

**
RESOLUTION NO. 225 of 2001
RESOLUTION ADOPTING 2002 STOP DWI PLAN

DATED: September 25, 2001

Resolution by Supervisor: Paton
Seconded by Supervisor: Mancini

WHEREAS, the Stop DWI Coordinator has submitted a Stop-DWI Plan for 2002,
RESOLVED, that the Board of Supervisors hereby adopts the 2002 Stop-DWI Plan, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement providing for administration of said Plan, and

FURTHER RESOLVED, that no funds for said Plan shall be appropriated from general revenue of the County of Montgomery.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Stop DWI Coordinator

**
RESOLUTION NO. 226 of 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (SHERIFF)

DATED: September 25, 2001

Resolution by Supervisor: Keller
Seconded by Supervisor: Hassan

WHEREAS, the County Sheriff has received a Criminal Alien Grant in the amount of \$10,784, and

WHEREAS, the Sheriff has requested amending the 2001 Operating Budget, to enable use of said funds,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-15-3-4389-00 Other Public Safety by \$10,784.00

Appropriations: A-15-4-3150-00 Jail
.2215 Tables & Stands by \$129.80
.2223 Files & Cabinets by \$192.50
.2219 Clocks & Time Clocks by \$1,311.21
.2259 Computer Equipment by \$8,043.69
.4449 Special Supplies by \$1,106.80

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

County Sheriff

**
RESOLUTION NO. 227 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN WIRELESS E911 PHASE I
IMPLEMENTATION PLAN

Resolution by Supervisor: Hassan
Seconded by Supervisor: Keller

WHEREAS, the Sheriff has recommended implementation of a wireless Phase I
E911 Implementation Plan with Cingular Wireless,

RESOLVED, that the Chairman of the Board of Supervisors, following review
and approval by the County Attorney, hereby is authorized and directed to sign a
wireless Phase I E911 Implementation Plan with Cingular Wireless, and

FURTHER RESOLVED, that said agreement shall be for a two-year initial term,
with provisions for automatic one-year renewals.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 228 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - PHARMACY
SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hassan

WHEREAS, the Nursing Home Administrator has recommended renewal of an
agreement for provision of pharmacy services to Montgomery Meadows,

RESOLVED, that the Board of Supervisors hereby authorizes renewal of an
agreement with Amsterdam Memorial Healthcare system to provide pharmacy services
for Montgomery Meadows, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following
review and approval by the County Attorney, hereby is authorized and directed to
sign said renewal agreement, and

FURTHER RESOLVED, that said agreement shall be for a three-year period
commencing on May 29, 2001 and ending on May 28, 2004, with an annual cost,
based upon 16 hours of service per week, of \$63,804.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon Richard C. Healy
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 229 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT -
REHABILITATION PROGRAM (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, the Nursing Home Administrator has recommended renewal of a Comprehensive Rehabilitation Program agreement at Montgomery Meadows,

RESOLVED, that the Board of Supervisors hereby authorizes renewal of a Comprehensive Rehabilitation Program agreement at Montgomery Meadows with Sunnyview Hospital, commencing on September 4, 2001 and ending on September 3, 2002, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Sunnyview Hospital for provision of said program services, at an annual cost not to exceed \$187,824.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 230 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - BEHAVIOR MANAGEMENT
PROGRAM (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, the Nursing Home Administrator has proposed implementation of a Behavior Management Training Program at Montgomery Meadows, to enhance the quality of service provided to residents, and

WHEREAS, said Administrator has recommended entering into an agreement with a Consultant for provision of said program services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Tamara LaBrake, CSW, to conduct Behavior Management Training and provide consulting services to staff at Montgomery Meadows, at a cost of \$55.00 per hour.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Health Director

**
RESOLUTION NO. 231 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - PROFESSIONAL
SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Mancini

WHEREAS, the Nursing Home Administrator has recommended that agreements be signed with providers of Podiatry, Ophthalmology and Psychiatric services at Montgomery Meadows,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign agreements with Dr. Joseph S. Zaborowski, Dr. John R. Kearney and Dr. Oommen Ninan for provision of Podiatry, Ophthalmology and Psychiatric services, respectively, to residents at Montgomery Meadows, and

FURTHER RESOLVED, that billings for said services shall be tendered to Medicare Part B, with no payment or reimbursement responsibility to be borne by Montgomery Meadows.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 232 of 2001 DATED: September 25, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET - INSURANCE RECOVERY (COUNTY ADMINISTRATOR)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, certain equipment was damaged during a June, 2001 storm, and

WHEREAS, said damage was estimated at \$2,041, and

WHEREAS, the County has received a \$1,041 insurance payment for said damage, with the balance having been paid by Public works,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-01-3-2680-00	Insurance Recovery	by \$1,041.00
Appropriations:	A-01-4-1011-00.4424	County Administrator Equipment Repairs	by \$1,041.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Acting Commissioner of Public Works

**
RESOLUTION NO. 233 of 2001 DATED: September 25, 2001
RESOLUTION TRANSFERRING FUNDS (PERSONNEL)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mancini

WHEREAS, the County Treasurer has recommended full payment of outstanding balances due to the Retirement System for Incentive adjustments, and

WHEREAS, payment of said indebtedness will result in a savings of \$23,407,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From:	A-06-4-9700-00.7107	Debt Service Serial Bond Interest	\$125,000.00
To:	A-10-4-9001-00.8820	Fringe Benefits	

Retirement \$125,000.00

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Hisert, in the TRANSFER section, delete "125,000.00" and insert "155,000.00", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**

RESOLUTION NO. 234 of 2001
RESOLUTION AMENDING RESOLUTION NO. 206 OF 2001

DATED: September 25, 2001

Resolution by Supervisor: Barone
Seconded by Supervisor: Paton

WHEREAS, the Personnel Officer has recommended that Resolution No. 206 of 2001 be amended to provide funding needed to pay former employees involved in the settlement,

RESOLVED, that Resolution No. 206 of 2001 hereby is amended to provide for deletion of the Further Resolved clause and insertion, in its stead, of:

"FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

"Add: A-10-4-1430-00.1123(140) Personnel
Other Comp.-Claims/Settlement

"TRANSFER:

"From: A-10-4-9001-00.8840 Personnel
Unemployment Insurance \$3,071.91

"To: A-10-4-1430-00.1123(140) Personnel
Other Comp.-Claims/Settlement \$3,071.91"

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**

RESOLUTION NO. 235 of 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SNOW AND ICE CONTROL

DATED: September 25, 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Keller

RESOLVED, that pursuant to Section 135A of the Highway Law, the Chairman of the Board of Supervisors hereby is authorized to enter into agreements with the City of Amsterdam, the Village of St. Johnsville and the 10 Towns for control of snow and ice on County roads, and

FURTHER RESOLVED, that payment for work to be performed under the terms of said agreements, shall be at the rate of \$3,000 per center line mile, during the winter of 2001-02.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Acting Commissioner of Public Works

**
RESOLUTION NO. 236 of 2001 DATED: September 25, 2001
RESOLUTION TRANSFERRING FUNDS (PUBLIC WORKS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Vesp

WHEREAS, the Acting Commissioner of Public Works has requested fund transfers to provide for expenditures associated with various projects,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From:	A-12-4-1620-00.1110(149)	Buildings	
		Hourly Employees	\$8,650.00
	D-12-4-5110-00.1110(144)	Maint. Roads & Bridges	
		Highway Labor	750.00
To:	A-12-4-7180-00.1110(290)	Special Rec. Facility	
		Rec. Fac. Maint.-Bike Path	\$8,650.00
	D-12-4-5148-00.1110(901)	Serv. Other Govt.-Highway	
		Hourly Employees	750.00

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Acting Commissioner of Public Works
Personnel/Payroll

**
RESOLUTION NO. 237 of 2001 DATED: September 25, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has been notified of the 2001-02 State Fiscal Year Medicaid Intergovernmental Transfer (IGT) dollars to be funneled through the County's Medicaid and Montgomery Meadow's accounts as additional revenue during September and December,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-18-3-2772-00	Miscellaneous State Bond Act	by \$4,709,484
Appropriations:	A-18-4-6011-00.6102	Social Services Programs Medical Assistance-MMIS	by \$4,709,484

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services
Nursing Home Administrator

**
RESOLUTION NO. 238 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT -
ALDEN EQUIPMENT

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Richards

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) has reviewed a business loan application from Alden Equipment which is currently located in the Town of Florida, and

WHEREAS, said applicant has requested \$84,000 from the Economic Development Program for the purpose of purchasing real estate located in the City of Amsterdam, the new location being needed to support their increased operations,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, and the Department of Housing and Urban Development is hereby authorized and directed to sign an agreement and any other necessary legal documents, to process an economic development loan, in a principal amount not to exceed \$84,000, to Alden Equipment, and

FURTHER RESOLVED, that the proceeds shall come from Montgomery Co County's program income account, and

FURTHER RESOLVED, that said loan shall be payable in 120 monthly installments, with interest of prime minus three percent (at time of closing), and

FURTHER RESOLVED, that said loan shall be due in full, immediately, upon either a 25 percent reduction of employment or closure of Alden Equipment, and

FURTHER RESOLVED, that Alden Equipment shall satisfy all conditions recommended by the Housing and Urban Development Agency.

MOTION TO AMEND by Supervisor Vesp, seconded by Supervisor McMahon, in the second FURTHER RESOLVED clause, delete "three" and insert, in its stead, "two" and add, ", and FURTHER RESOLVED, that at the time of closing, a sum of \$1,500 shall be deducted to allow for closing costs.", passed with Aye(1572). Supervisor Cuomo voted nay. Supervisor Dybas abstained.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Oppor.

**
RESOLUTION NO. 239 of 2001 DATED: September 25, 2001
RESOLUTION OPPOSING PRIVATIZATION OF OFF-TRACK BETTING CORPORATIONS

Resolution by Supervisor: Paton
Seconded by Supervisor: Barone

WHEREAS, Montgomery County has been associated with the Capital District Regional Off-Track Betting Corporation since 1975, and

WHEREAS, the County has received \$4,336,890 in OTB distributions during this association, and

WHEREAS, it has been reported that Magna Corporation has reached an agreement with New York City to purchase New York City Off-Track Betting Corporation, and

WHEREAS, this may be the initial effort to privatize all Off-Track Betting Corporations in New York State, and

WHEREAS, such privatization would eliminate cash distributions to Montgomery County,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its opposition to privatization of Off-Track Betting Corporations in New York State, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor Pataki, State Senator Farley and Assemblyman Tonko.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
OTB Director
Officials Named Above

**
RESOLUTION NO. 240 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING PLANNING ASSISTANCE PAYMENT REFUNDS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Stagliano

WHEREAS, several Towns paid for assistance from the Department of Planning and Development, per provisions of policy established by adoption of Resolution No. 68 of 1994, and

WHEREAS, it has been proposed that said payments be refunded,

RESOLVED, that payments made by Towns to the Department of Planning and Development, for planning assistance, be refunded to said Towns, upon request, and

FURTHER RESOLVED, that said refund request shall be accompanied by a Resolution adopted by the requesting Town Council, and

FURTHER RESOLVED, that the amount of the respective refunds shall be determined by the County Treasurer.

RESOLUTION ADOPTED with Aye(1277). Supervisors Cuzzo and Mancini voted nay. Supervisors Barone and Dybas abstained.

Duly adopted upon roll call, all members present (1277) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**
RESOLUTION NO. 242 of 2001 DATED: September 25, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CONSTRUCTION

INSPECTION SERVICES FOR FMCC ELECTRICAL VAULT PROJECT

Resolution by Supervisor: McMahon
Seconded by Supervisor: VanKersen

WHEREAS, it has been recommended that Phillips Associates provide construction inspection services for the FMCC Electrical Vault Project,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, here by is authorized and directed to sign an agreement with Phillips Associates of Saratoga Springs, for construction inspection services for the FMCC Electrical Vault Project, at a cost not to exceed \$27,000, and

FURTHER RESOLVED, that this Resolution is contingent upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas abstained.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton-Montgomery Community College
Fulton County Board of Supervisors

**

RESOLUTION NO. 243 of 2001
RESOLUTION AWARING BID NO. 06-01 - GAR DRYERS (MONTGOMERY MEADOWS) DATED: September 25, 2001

Resolution by Supervisor: Paton
Seconded by Supervisor: Mancini

WHEREAS, the Nursing Home Administrator has recommended that Bid No. 06-01 be awarded,

RESOLVED, that Bid No. 06-01 hereby is awarded to Yankee Equipment Systems, Inc. of Barrington, New Hampshire, at \$3,250 for each of four industrial clothes dryers, not to exceed a total cost of \$13,000, to be installed at Montgomery Meadows.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 244 of 2001
RESOLUTION AMENDING EXISTING AGREEMENT - HYJEK AND FIX - FLORIDA BUSINESS PARK DATED: September 25, 2001

Resolution by Supervisor: Hisert
Seconded by Supervisor: Van Kersen

WHEREAS, Montgomery County, in conjunction with the Montgomery County Industrial Development Agency, is developing the Florida Business Park, and

WHEREAS, because the development site contains designated wetlands, a Federal Wetland Permit must be obtained, and

WHEREAS, said permit approval process requires submittal of an application, which includes detailed engineering, impact evaluations, alternative site analysis and concept plans for land retained by the Montgomery County Industrial Development Agency, and

WHEREAS, the Federal Wetland permit is under the jurisdiction of the U.S. Army Corps of Engineers, New York City Field Office, located at 26 Federal Plaza, New York, New York, and

WHEREAS, the process has experienced delays due to the building being uninhabitable following the September 11th attacks on the World Trade Center, and

WHEREAS, said process is ongoing and the agreement between Montgomery County and Hyjek & Fix expired September 24, 2001, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amended agreement with Hyjek & Fix, Inc. of Washington, DC, and

FURTHER RESOLVED, that said agreement shall encompass the period between September 24, 2001 and October 24, 2001, and

FURTHER RESOLVED, that all other terms, conditions and work scope will remain as stated in the original contract dated April 16, 2001, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget as follows:

Transfer:

From: A-24-4-6430-00-4434	Consultant	\$6,500
To: A-06-4-9900-00-9950	Interfund Transfer Transfer Capital Project Fund	\$6,500

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**

RESOLUTION NO. 245 of 2001
RESOLUTION CONDEMNING TERRORIST ACTS

DATED: September 25, 2001

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, on September 11, 2001, terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, another into the Pentagon outside Washington, D.C., and the fourth in a field in western Pennsylvania, and

WHEREAS, thousands of innocent Americans were killed and injured as a result of these heinous attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers and bystanders, and

WHEREAS, these contemptible acts were the deadliest terrorist attacks ever launched against the United States, intended to intimidate our Nation and weaken its resolve,

RESOLVED, that the Montgomery County Board of Supervisors hereby condemns, in the strongest possible terms, the terrorists who planned and carried out the attacks against the United States of America, and against the People of the State and City of New York, on September 11, 2001, and

FURTHER RESOLVED, that this Board extends its deepest condolences and sympathies to the victims of these cowardly attacks, and to their families and loved ones, and

FURTHER RESOLVED, that this Board commends the heroic actions of the rescue

workers, volunteers and officials who decisively responded to these tragic events with courage, determination and skill, and

FURTHER RESOLVED, that this Board extends its unwavering support to President Bush, Governor Pataki and Mayor Giuliani for any responsive actions they may take to assist the injured, to comfort the families and friends of those who have tragically died, or are missing, to help ensure peace and order and to seek out those responsible for these dreadful events and bring them to justice, and

FURTHER RESOLVED, that this Board commends President Bush, Governor Pataki, Mayor Giuliani and the thousands of Americans who have answered the clarion call of freedom under attack, for turning the terrorists' intended chaos, fear and mayhem into a shining example of civility, strength and resolve, and for reminding the world that the People of the United States stand together as one to forever preserve, protect and defend our Nation and the principles of liberty and justice for all, upon which it stands.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable George W. Bush
The Honorable George E. Pataki
The Honorable Rudolf Giuliani

**

RESOLUTION NO. 246 of 2001
RESOLUTION REQUESTING RETURN OF MCIDA FLAG POLE

DATED: September 25, 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: DiMezza

WHEREAS, a flag pole was removed from Montgomery County Industrial Development Agency (MCIDA) property in the Village of Canajoharie, and

WHEREAS, said removal was not authorized by the MCIDA, and

WHEREAS, at this time of heightened public awareness of our national symbol, it is especially important that said flag pole be replaced,

RESOLVED, that the Montgomery County Board of Supervisors hereby urges the Montgomery County Industrial Development Agency (MCIDA) to take vigorous action to have the flag pole returned, and

FURTHER RESOLVED, that said flag pole be placed in a very prominent location.

RESOLUTION ADOPTED with Aye(1572). Supervisor Brodie was absent. Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1572) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development
MCIDA

OTHER

Supervisor Van Kersen said a vacancy exists on the Soil and Water Conservation Board and asked whether any supervisor was interested in the appointment.

Supervisor Hassan requested discussion items concerning charges for county services and changes in weighted voting resulting from the 2000 Census.

**

Motion by Supervisor Dybas, seconded by Supervisor Stagliano, to enter into Executive Session to discuss collective bargaining, passed with Aye(1868). The Board entered Executive Session at 8:33 p.m.

Motion by Supervisor Dybas, seconded by Supervisor Hassan, to conclude the Executive Session at 8:59 p.m., passed with Aye(1719). Supervisor Brodie was absent.

**

ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor Hassan, to adjourn the meeting, passed with Aye(1719). Supervisor Brodie was absent. Chairman Barone declared the meeting adjourned at 9:01 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for October 23, 2001, was called to order at 7:01 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Cuzzo. Roll call indicated that all Supervisor Dybas was absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor DiMezza, seconded by Supervisor McMahon, to Suspend the Rules of Procedure to allow for the introduction of Emergency Resolution Nos. 265, 266, 267, 268 and 269, passed with Aye(1721). Supervisor Dybas was absent. Motion by Supervisor DiMezza, seconded by Supervisor McMahon, to adopt the amended agenda, passed with Aye(1721). Supervisor Dybas was absent.

____ _
PRIVILEGE OF THE FLOOR

Olga Podmajersky, County MOSA Board member, provided Supervisors with information regarding the status of the County's GAT shortfall projected for 2001.

Supervisor Cuzzo said MOSA had approved an increase in the tipping fee for 2002. He suggested the County designate a Solid Waste Coordinator.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings and Regular Meeting of September 25, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

**
RESOLUTION NO. 247 of 2001 DATED: October 23, 2001
RESOLUTION RESCINDING RESOLUTION NO. 218 OF 2001 AND ADOPTING 2001-02
FMCC OPERATING BUDGET

Resolution by Supervisor: McMahon
Seconded by Supervisor: DiMezza

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented the sponsoring counties with an amended 2001-2002 budget request, taking into account the loss of \$256,000 in state aid and a reduction in sponsors' share, resulting in a total FMCC budget of \$12,512,160, and

WHEREAS, after much review and deliberation, the Board of Supervisors, in the best interest of the College, will support to Sponsor share increase in the amount of \$60,000 as adopted by the Fulton County Board of Supervisors,

RESOLVED, that the several amounts reflecting the share to be appropriated by Montgomery County hereby are appropriated for the objects and purposes specified below, to become effective September 1, 2001:

Montgomery County Sponsor Share: \$ 1,145,821.00
Total FMCC Operating Budget: \$12,512,160.00
, and

FURTHER RESOLVED, that the share and obligation of the County of Montgomery shall be included in the Montgomery County Budget for 2002, as provided for in Section 6304 of the Education Law of the State of New York, and

FURTHER RESOLVED, that the Board of Supervisors hereby directs the FMCC Board of Trustees to prepare and submit to the sponsor Counties, a final 2001-2002 College budget in accordance with the sums appropriated herein, and

FURTHER RESOLVED, that Resolution No. 218 of 2001 hereby is rescinded, and

FURTHER RESOLVED, that this resolution is contingent upon the adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FMCC
Fulton County Board of Supervisors

**
RESOLUTION NO. 248 of 2001 DATED: October 23, 2001
RESOLUTION CONFIRMING CONTINGENCY ALLOWANCE CHARGES AND CHANGE ORDERS -
COLLEGE UNION/PE BUILDING PROJECT (FMCC)

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahon

WHEREAS, the FMCC Foundation raised funds for the College Union/PE Building Renovation Project at Fulton-Montgomery Community College, and

WHEREAS, the Project Engineer, Architecture +, is authorized to charge work to contingency allowances,

RESOLVED, that the Montgomery County Board of Supervisors hereby acknowledges and confirms that the following contingency allowance charges were authorized by the Project Engineer for the College Union/Building Renovations Project at Fulton-Montgomery Community College:

CHANGE ORDERS:

GENERAL CONTRACT (C): Bast Hatfield

Change Order GC-4: \$ 1,284.98
Original Contract Amount \$1,537,000.00
Revised Contract Amount \$1,585,613.15

PLUMBING CONTRACT (P): Lenz Hardware

Change Order P-2: \$ 2,731.86
Original Contract Amount \$ 109,787.00
Revised Contract Amount \$ 112,650.02

ELECTRICAL CONTRACT (E): Harold R. Clune, Inc.

Change Order E-2: \$ 1,648.19
Original Contract Amount \$ 164,750.00
Revised Contract Amount \$ 168,846.19

HVAC CONTRACT (H): Mazzone Plumbing and Heating

Change Order H-1: (-) \$ 12,570.00
Original Contract Amount \$ 267,693.00
Revised Contract Amount \$ 255,123.00

CONTINGENCY ALLOWANCE:

HVAC CONTRACT (H): Mazzone Plumbing and Heating

Original Contingency Allowance (+) \$ 15,000.00
CA-H5 (-) \$ 1,308.00
Net Change CA-H1-4 (-) \$ 1,122.00
Revised Contingency Allowance Balance \$ 12,570.00

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
FMCC

**
RESOLUTION NO. 249 of 2001 DATED: October 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PHASE III ARCHAEOLOGICAL
INVESTIGATION AGREEMENT - FLORIDA BUSINESS PARK

Resolution by Supervisor: Vesp
Seconded by Supervisor: Stagliano

WHEREAS, the Montgomery County ("County") and the Montgomery County Industrial Development Agency ("Agency") are working cooperatively toward the development of the Florida Business Park, and

WHEREAS, the County and the Agency are committed to providing a pre-permitted site for the Kmart Distribution Center, and

WHEREAS, additional archaeological investigations are required on certain areas of the Florida Park site and areas associated with the water and sewer districts,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Edward V. Curtin, Consulting Archaeologist for the performance of a Phase III Archaeological investigation at the Florida Business Park and a subsurface examination of the proposed Erie Canal Crossing relating to the project's water line extension, and

FURTHER RESOLVED, that payment for said services shall be from Capital Project 86, and

FURTHER RESOLVED, that said fee shall not exceed \$60,000, and

FURTHER RESOLVED, that the County shall make a pre-payment of \$20,000.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity and Development
Director

**
RESOLUTION NO. 250 of 2001 DATED: October 23, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 9 OF 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Barone

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 9 of 2001, a Local Law Establishing Qualified Empire Zone Enterprise Exemptions,

RESOLVED, that Introductory Local Law No. 9 of 2001 hereby is submitted to the Montgomery Board of Supervisors for consideration, following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held on Tuesday, November 27, 2001 at 6:45 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development
Director

**
RESOLUTION NO. 251 of 2001 DATED: October 23, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW

NO. 10 OF 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 10 of 2001, a Local Law Authorizing the Private Sale of County-owned Property Not Needed for a County Purpose (Town of St. Johnsville),

RESOLVED, that Introductory Local Law No. 10 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, November 27, 2001 at 6:55 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

**
RESOLUTION NO. 252 of 2001 DATED: October 23, 2001
RESOLUTION AUTHORIZING TRANSFER OF BUS TO CITY OF AMSTERDAM

Resolution by Supervisor: Vesp
Seconded by Supervisor: McMahon

WHEREAS, the 1986 Eagle Coach is being replaced by a new bus, and

WHEREAS, the New York State Department of Transportation has recommended that said 1986 vehicle be transferred to the City of Amsterdam's Transit System fleet,

RESOLVED, that the Board of Supervisors hereby directs that the 1986 Eagle Coach be transferred to the City of Amsterdam.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 253 of 2001 DATED: October 23, 2001
RESOLUTION AUTHORIZING VEHICLE REPAIR (SHERIFF)

Resolution by Supervisor: Keller
Seconded by Supervisor: Paton

WHEREAS, the Sheriff has requested approval to arrange for repair of vehicle No. 123, which was damaged in an accident on August 28, 2001, and

WHEREAS, repair estimates have been obtained and payment has been received from the insurance carrier,

RESOLVED, that the Sheriff hereby is authorized and directed to arrange for

the repair of vehicle No. 123, by the lowest bidder, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-01-3-2680-00 Insurance Recovery by \$1,880.95

Appropriation: A-01-4-1011-00.4424 County Administrator
Equipment Repairs by \$1,880.95

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 254 of 2001 DATED: October 23, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET - INSURANCE RECOVERY (COUNTY
ADMINISTRATOR)

Resolution by Supervisor: Vesp
Seconded by Supervisor: Paton

WHEREAS, certain alarm system equipment was damaged by lightening during a July, 2001, storm, and

WHEREAS, said damage was estimated at \$4,114.25, and

WHEREAS, the County will receive a \$3,114.25 insurance payment for said damage, with the balance being paid by Public Works,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: A-01-3-2680-00 Insurance Recovery by \$3,114.25

Appropriations: A-01-4-1011-00.4424 County Administrator
Equipment Repairs by \$3,114.25

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 255 of 2001 DATED: October 23, 2001
RESOLUTION PROVIDING FOR PAYMENT OF MONTGOMERY COUNTY SANITARY DISTRICT
NO. 1 BOARD MEMBERS

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Barone

WHEREAS, on September 8, 2001, the Montgomery County Sanitary District No. 1 Board adopted a resolution providing for payment of a \$50.00 stipend to each district board member for each meeting of the board which he or she attends, and

WHEREAS, County Law, (Section 261), sets forth that any such compensation

to board members of a county district shall be determined by the Board of Supervisors,

RESOLVED, that, effective January 1, 2001, each member of the Montgomery County Sanitary District No. 1 Board shall be paid a stipend of \$50.00 for each properly constituted meeting of said board which he or she attends, and

FURTHER RESOLVED, that such payments shall be made from the district budget (line item G-26-4-8110-00-4439), upon submission by board members of completed vouchers setting forth the dates of meeting(s) attended.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary District No. 1 Board Members

**
RESOLUTION NO. 256 of 2001 DATED: October 23, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEDICARE CONSULTING
AGREEMENT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, the Nursing Home Administrator has recommended entering into an agreement with a Medicare Consultant regarding potential resubmission of Medicare Cost Reports for prior years,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Rotenberg & Company, LLP, of Rochester, for provision of medicare consultant services, and

FURTHER RESOLVED, that the fee for said services shall be 25 percent of the net amount recovered as a result of the resubmission of Medicare Cost Reports.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 257 of 2001 DATED: October 23, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has been advised of its eligibility to participate in the Medicaid Intergovernmental Transfer Program for 2000-01,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue: EH-34-3-1650-00 Public Nursing Home Income by \$146,475.00

Appropriations: EH-34-4-6020-00. Montgomery Meadows

.2244	Auxiliary Vehicles	by \$25,000.00
.4414	Natural Gas	by 34,500.00
.4436	Medical Fees	by 15,000.00
.4445	Medical	by 51,975.00
.4446	Food	by 10,000.00
.4449	Special Supplies	by 10,000.00

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Paton, in the RESOLVED clause, delete "146,475.00" and insert, in its stead, 171,475 and add ".4434, Consultants, by 25,000", passed with Aye(1721). Supervisor Dybas was absent.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
-----------------------------------	---

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 258 of 2001 DATED: October 23, 2001
RESOLUTION AWARDING BID NO. 05-01 - UNINTERRUPTIBLE POWER SUPPLY (UPS)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hisert

WHEREAS, the Purchasing Agent solicited bids for Uninterruptible Power Supply (UPS), and

WHEREAS, said bids were opened on September 11, 2001,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 05-01 to U.S. Tech, Inc. of Franklin Lakes, New Jersey, in an amount not to exceed \$12,775.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
-----------------------------------	---

cc: County Treasurer
County Administrator
County Clerk
Data Processing

**
RESOLUTION NO. 259 of 2001 DATED: October 23, 2001
RESOLUTION AWARDING BID NO.08-01 - CORRUGATED STEEL PIPE (PUBLIC WORKS)

Resolution by Supervisor: Vesp
Seconded by Supervisor: Van Kersen

WHEREAS, the Purchasing Agent was authorized to solicit bids for corrugated steel pipe, and

WHEREAS, said bids were opened on October 15, 2001,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 08-01 to Lane Enterprises of Ballston Spa, in an amount not to exceed a total of \$15,045.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
-----------------------------------	---

cc: County Treasurer
County Administrator

County Clerk
Commissioner of Public Works
Purchasing Agent

**

RESOLUTION NO. 260 of 2001
RESOLUTION APPOINTING PURCHASING AGENT

DATED: October 23, 2001

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahon

RESOLVED, that _____ hereby is appointed Purchasing Agent, at an annual base salary of _____, and

FURTHER RESOLVED, that said appointment is effective on _____.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Mancini, in the title, delete "APPOINTING" and insert, in its stead, "DELEGATING POWERS AND DUTIES OF", in the RESOLVED clause, insert, "Linda Hudson", delete "appointed" and insert, in its stead, "delegated the powers and duties of" and delete "at an annual salary of _____", and insert, in its stead, "with compensation to be paid at out of title pay" and in the FURTHER RESOLVED clause, insert "September 27, 2001", passed with Aye(1493). Supervisors Cuozzo and Keller voted nay. Supervisor Dybas was absent.

RESOLUTION ADOPTED with Aye(1493). Supervisors Cuozzo and Keller voted nay. Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1493) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Personnel/Payroll

**

RESOLUTION NO. 261 of 2001
RESOLUTION AMENDING RESOLUTION NO. 233 OF 2001

DATED: October 23, 2001

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Keller

WHEREAS, the Terrorist attack in New York City has caused a down-turn in the economic conditions of the Financial Markets throughout the entire Country, and

WHEREAS, there was a delay in the scheduled refunding of certain Bonds, thus eliminating the savings prior to the scheduled payment of principal and interest - November 1, 2001, it is necessary to amend the budget,

RESOLVED, that Resolution No. 233 hereby is amended, as follows:

DELETE: A-06-4-9700.7107 Debt Service \$155,000.00
Serial Bond Interest

ADD & INCREASE: A599 Appropriated Fund Balance \$155,000.00

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 262 of 2001
RESOLUTION AUTHORIZING AFLAC TO CONDUCT DEPARTMENTAL BENEFITS MEETINGS

DATED: October 23, 2001

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Keller

WHEREAS, Resolution No. 77 of 1998, adopted on February 10, 1998, offers voluntary supplemental insurance benefits to County employees, and

WHEREAS, the American Family Life Assurance Company of New York (AFLAC) will offer those programs, on a voluntary basis, through payroll deduction,

RESOLVED, that the Board of Supervisors hereby authorizes the American Family Life Assurance Company of New York (AFLAC) to conduct benefits meetings in County Departments, annually, during normal business hours, and

FURTHER RESOLVED, that AFLAC representatives also will attend the annual Health Insurance Meeting conducted by the Personnel Department, and

FURTHER RESOLVED, that AFLAC also is authorized to contact new County employees to help ensure that eligible employees are being properly oriented on AFLAC's supplemental insurance plans.

RESOLUTION ADOPTED with Aye(1572). Supervisor Cuozzo abstained. Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1572) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**
RESOLUTION NO. 263 of 2001 DATED: October 23, 2001
RESOLUTION AUTHORIZING AVAILABILITY OF THE NEW YORK COLLEGE SAVINGS
PROGRAM TO MONTGOMERY COUNTY EMPLOYEES

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahon

WHEREAS, the Board of Supervisors has determined that the New York College Savings Program should be made available for voluntary participation by County employees,

RESOLVED, that the New York College Savings Program hereby is offered for participation by County employees, on a voluntary basis, at no cost to the County, through payroll deductions, and

FURTHER RESOLVED, that the Personnel Officer hereby is authorized and directed to provide County employees with information regarding said College Savings Program, and

FURTHER RESOLVED, that new employees be advised of said Program, during orientation of new employees.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**
RESOLUTION NO. 264 of 2001 DATED: October 23, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON 2002 TENTATIVE OPERATING
BUDGET

Resolution by Supervisor: Barone

Seconded by Supervisor: Vesp

RESOLVED, that pursuant to Section 359 of the County Law, the Montgomery County Board of Supervisors shall hold a Public Hearing on the 2002 Tentative Operating Budget and the 2002-07 Capital Program at the Montgomery County Court House, 58 Broadway, Fonda, New York at 6:00 p.m., November 27, 2001, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized, empowered and directed to publish a notice of said hearing in the official newspapers of the County, and to include therein further notice that copies of the Tentative Operating Budget for 2002 are available at his office, where they may be inspected or acquired by interested persons during business hours, and

FURTHER RESOLVED, that said notice shall contain a statement, showing the maximum salaries that may be fixed and payable during the ensuing fiscal year, to members of the Montgomery County Board of Supervisors, including the Chairman, to be published at least once, with at least five days elapsing between publication of such notice and the specified hearing date.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department Heads/Agency Heads
CSEA Local and Unit Presidents

**
RESOLUTION NO. 265 of 2001 DATED: October 23, 2001
RESOLUTION AUTHORIZING SUPPLEMENTARY MILITARY LEAVE

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the right of public employees to a leave of absence to perform military duties is guaranteed under Section 242 of the New York State Military Law, and

WHEREAS, Reservists and National Guard members are eligible for paid leave while performing ordered military duty of 30 calendar days, or 22 work days, and

WHEREAS, it has been recommended that Montgomery County authorize additional or supplemental rights beyond those provided under Section 242 of State Military Law,

RESOLVED, that the Board of Supervisors hereby authorizes that, upon exhaustion of their military leave with pay entitlement under Section 242 of the New York State Military Law, eligible employees are entitled to be placed on military leave at reduced pay, and

FURTHER RESOLVED, that employees may be entitled to use other leave credits (other than sick leave) before being placed on military leave at reduced pay, and

FURTHER RESOLVED, that employees on reduced pay will be paid their basic annual County salary at the time of being activated, plus location and geographic differential, reduced by the amount of base pay, plus allowance for food and shelter, received from the United States government for their service.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 266 of 2001 DATED: October 23, 2001
RESOLUTION AUTHORIZING PARTIAL SUBSIDIZATION OF FALL CLEAN-UP COSTS -
CITY OF AMSTERDAM

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: McMahon

WHEREAS, budgetary constraints prevented the City of Amsterdam from scheduling a Fall Clean-up program this year, and

WHEREAS, landfill disposal fees account for a significant portion of program costs, and

WHEREAS, Montgomery County faces an estimated shortfall of 200 tons in the aggregate 2001 Guaranteed Annual Tonnage, as established by the Montgomery-Otsego-Schoharie Solid Waste Management Authority, and

WHEREAS, since the County is financially liable for said shortfall, it may assist the City by allowing up to 200 tons to be charged against its account,

RESOLVED, that the Board of Supervisors hereby authorizes full subsidization of disposal of up to 200 tons of material from the City of Amsterdam's 2001 Fall Clean-up program at facilities operated by the Montgomery-Otsego-Schoharie Solid Waste Management Authority.

RESOLUTION ADOPTED with Aye(1243). Supervisors Hassan, Keller, Paton and Van Kersen abstained. Supervisor Vesp abstained. Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1243) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA
City Clerk, City of Amsterdam

**
RESOLUTION NO. 267 of 2001 DATED: October 23, 2001
RESOLUTION AMENDING 2001 BUDGET - PROGRAMS (SOCIAL SERVICES)

Resolution by Supervisor: Paton
Seconded by Supervisor: Van Kersen

WHEREAS, the Commissioner of Social Services has requested additional funding for various programs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:		State Aid		
	A-18-3-3601-00	Medical Assistance	by	\$ 2,375.00
	A-18-3-3602-00	MMIS	by	180,379.00
	A-18-3-3640-00	Safety Net	by	48,500.00
		Federal Aid		
	A-18-3-4601-00	Medical Assistance	by	\$ 4,750.00
	A-18-3-4619-00	Child Care	by	72,500.00
	A-18-3-4641-00	HEAP	by	115,000.00
	A-599	Appropriated Fund Balance	by	\$829,512.00
Appropriations:	A-18-4-6011-00	Social Services Programs		
	.6101	Medical Assistance	by	\$ 9,500.00
	.6102	MMIS	by	721,516.00
	.6109	Family Assistance	by	15,000.00
	.6123	JD	by	150,000.00
	.6119	Child Care	by	145,000.00
	.6140	Safety Net	by	97,000.00

.6141 HEAP by 115,000.00

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Stagliano, passed with Aye(1500). Supervisors Keller and Paton voted nay. Supervisor Dybas was absent. (10/23/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**
RESOLUTION NO. 268 of 2001 DATED: October 23, 2001
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 8 OF 2001

Resolution by Supervisor: Hassan
Seconded by Supervisor: Van Kersen

WHEREAS, on September 25, 2001, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Charleston)", was presented to the Board of Supervisors for consideration, and

WHEREAS, on September 25, 2001, Resolution No. 219 of 2001 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 23rd day of October, 2001, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 8 of 2001, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Charleston)", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the Office of the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property Tax Services

**
RESOLUTION NO. 269 of 2001 DATED: October 23, 2001
RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE TOURISM
MATCHING FUNDS

Resolution by Supervisor: Hisert
Seconded by Supervisor: Hassan

WHEREAS, the Montgomery County Chamber of Commerce has been designated as Montgomery County's Tourism Promotion Agency for 2001-02, and

WHEREAS, the Montgomery County Board of Supervisors supported and endorsed said Chamber of Commerce's application for \$288,830 in I Love New York Matching Funds for the 2001-02 tourism program year, and

WHEREAS, said Chamber has been offered an \$80,999 Matching Funds Grant for said program year,

RESOLVED, that the Board of Supervisors hereby authorizes the Montgomery County Chamber of Commerce, as Montgomery County's Tourism Promotion Agency, to accept an \$80,999 New York State Tourism Matching Funds Grant for the 2001-02 tourism program year.

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Chamber of Commerce
**

Motion by Supervisor DiMezza, seconded by Supervisor McMahon, to Suspend the Rules of Procedure to allow for the introduction of Emergency Resolution No. 270, passed with Aye(1188-2/3 majority). Supervisor Hassan voted nay. Supervisor Dybas was absent.

**
RESOLUTION NO. 270 of 2001
RESOLUTION AUTHORIZING COUNTY-WIDE CLEANUP
DATED: October 23, 2001

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Cuzzo

WHEREAS, the Montgomery County Board of Supervisors, in an effort to clean up Montgomery County and detract from trash being dumped illegally throughout our communities, authorizes any county resident (proof of residence required), to be allowed to bring their trash to existing MOSA transfer stations (east or west) during hours of operation on the second Saturday of November, free of charge. (Rules of disposal will be advertised).

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Van Kersen, to add, ", and FURTHER RESOLVED, that the Village of Fultonville is authorized full subsidization of disposal, to 17 tons of material.", passed with Aye(1332). Supervisors Hassan and Paton voted nay. Supervisor DiMezza abstained. Supervisor Dybas was absent.

RESOLUTION ADOPTED with Aye(1332). Supervisors Hassan and Paton voted nay. Supervisor DiMezza abstained. Supervisor Dybas was absent.

Duly adopted upon roll call, all members present (1332) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

_____ OTHER

**

_____ ADJOURNMENT

Motion by Supervisor Van Kersen, seconded by Supervisor Mancini, to adjourn the meeting, passed with Aye(1721). Supervisor Dybas was absent. Chairman Barone declared the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for November 27, 2001, was called to order at 7:05 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Keller. Roll call indicated that Supervisor Van Kersen was absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Hisert, seconded by Supervisor DiMezza, to Suspend the Rules of Procedure to allow for the introduction of Emergency Resolutions No. 295, 296, 297, 298, 299, 300 and 301, passed with Aye(1807). Supervisor Van Kersen was absent. Motion by Supervisor Hisert, seconded by Supervisor DiMezza, to adopt the amended agenda, passed with Aye(1807). Supervisor Van Kersen was absent.

____ _
PRIVILEGE OF THE FLOOR

Proclamation declaring Ronald J. Alikonis, Jr. as 2001 Montgomery County Caregiver of the Year, was presented by Supervisor Cuzzo.

Olga Podmajersky, County MOSA Board member, reported on the county-wide trash pick-up.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of October 23, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

RESOLUTION NO. 267 of 2001 DATED: October 23, 2001
RESOLUTION AMENDING 2001 BUDGET - PROGRAMS (SOCIAL SERVICES)

Resolution by Supervisor: Paton
Seconded by Supervisor: Van Kersen

WHEREAS, the Commissioner of Social Services has requested additional funding for various programs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:

A-18-3-3601-00	State Aid		
A-18-3-3602-00	Medical Assistance	by	\$ 2,375.00
A-18-3-3640-00	MMIS	by	180,379.00
	Safety Net	by	48,500.00
Federal Aid			
A-18-3-4601-00	Medical Assistance	by	\$ 4,750.00
A-18-3-4619-00	Child Care	by	72,500.00
A-18-3-4641-00	HEAP	by	115,000.00
A-599	Appropriated Fund Balance	by	\$829,512.00

Appropriations: A-18-4-6011-00

.6101	Social Services Programs		
.6102	Medical Assistance	by	\$ 9,500.00
.6109	MMIS	by	721,516.00
.6123	Family Assistance	by	15,000.00
.6119	JD	by	150,000.00
.6140	Child Care	by	145,000.00
.6141	Safety Net	by	97,000.00
	HEAP	by	115,000.00

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Stagliano, passed with Aye(1500). Supervisors Keller and Paton voted nay. Supervisor Dybas was absent. (10/23/01)

MOTION TO REMOVE FROM TABLE by Supervisor Stagliano, seconded by Supervisor Dybas, passed with Aye(1807). Supervisor Van Kersen was absent. (11/27/01)

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, in the RESOLVED clause, delete all "Revenue" items and insert, in their stead, "A-18-3-2701-00 Refund Prior Yrs. Exp., \$247,000" and delete "Appropriations" items ".6101 Medical Assistance 9,500.00; .6102 MMIS 721,516.00; .6109 Family Assistance 15,000.00; .6119 Child Care 145,000.00; and .6141 HEAP 115,000.00", passed with Aye(1807). Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

NEW BUSINESS

**

RESOLUTION NO. 271 of 2001 DATED: November 27, 2001
RESOLUTION HONORING THE MEMORY OF BONNIE W. WAINWRIGHT

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Bonnie W. Wainwright served with distinction as an employee of the Montgomery County Auditor's office for over 17 years, and

WHEREAS, Mrs. Wainwright, a Port Chester native, was a graduate of Canajoharie High School, and

WHEREAS, Mrs. Wainwright was a Nelliston resident and a member of St. Paul's Lutheran Church, Fort Plain, and

WHEREAS, Mrs. Wainwright was a member of the Wanderers Car Club and an honorary member of the Schoharie County Street Machines, and

WHEREAS, Mrs. Wainwright is survived by her husband of 32 years, Alan C. Wainwright; a son, Alan J. Wainwright of Yonkers; a daughter, Jill A. Fredericks of Fort Plain; her mother, Betty Huber of Tallahassee, Florida; two sisters, JoAnn Barnes and Debra Yoakam, both of Tallahassee, and a grandson,

RESOLVED, that the Board of Supervisors of Montgomery County hereby recognizes the outstanding lifetime achievements of Bonnie W. Wainwright, and

FURTHER RESOLVED, that the Board of Supervisors hereby honor the memory of Bonnie W. Wainwright and expresses its deepest condolences and heartfelt sympathy to her family upon her passing.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Family of Bonnie W. Wainwright

**
RESOLUTION NO. 272 of 2001 DATED: November 27, 2001
RESOLUTION ESTABLISHING QUALIFIED EMPIRE ZONE ENTERPRISE EXEMPTIONS

Resolution by Supervisor: Keller
Seconded by Supervisor: Hisert

WHEREAS, the Montgomery County Board of Supervisors desire that certain sales and compensating use taxes related to goods and services purchased for use in the County's Qualified Empire Zone Enterprise be exempt,

RESOLVED, that Section six of Resolution No. 311 of 1967, as amended, hereby is amended by adding a new subdivision (h), to read as follows:

"(h) Receipts from sales of and consideration given or contracted to be given for, or for the use of, property and services exempt from state sales and compensating use taxes pursuant to subdivision (z) of section 1115 of the New York Tax Law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction."

, and

FURTHER RESOLVED, that this Resolution shall take effect on March 1, 2002, and shall apply to sales made, services rendered and uses occurring on and after that date, in accordance with the applicable transitional provisions in sections 1106, 1216 and 1217 of the New York Tax Law.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Economic Opportunity and Development

**
RESOLUTION NO. 273 of 2001 DATED: November 27, 2001
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 10 OF 2001

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

WHEREAS, on October 23, 2001, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of St. Johnsville)", was presented to the Board of Supervisors for consideration, and

WHEREAS, on October 23, 2001, Resolution No. 251 of 2001 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 27th day of November, 2001, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 10 of 2001, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of St. Johnsville)", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the Office of the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

County of Montgomery
Introductory Local Law No. 10 of 2001

A Local Law Authorizing the Private Sale of County-Owned
Property Not Needed for a County Purpose (Town of St. Johnsville)

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that a County-owned real property parcel, known as SBL #3.7-1-4, located in the Town of St. Johnsville, is no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the sale and conveyance of all the right, title and interest of the County in and to said real property to John Scanlon, for the sum of \$25.00.

**
RESOLUTION NO. 274 of 2001 DATED: November 27, 2001
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 11 OF 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Dybas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 11 of 2001, a Local Law Authorizing the Private Sale of County-owned Property Not Needed for a County Purpose (Village of Canajoharie),

RESOLVED, that Introductory Local Law No. 11 of 2001 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, December 18, 2001 at 6:55 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to cause legal notice of said public hearing to be published according to law.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

**
RESOLUTION NO. 275 of 2001 DATED: November 27, 2001
RESOLUTION AUTHORIZING EVALUATION OF FMCC WATER SUPPLY PROBLEMS

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahon

WHEREAS, Fulton-Montgomery Community College (FMCC) utilizes three groundwater wells to supply water to its campus, and

WHEREAS, two of said wells have dried up and the third is being depleted, and

WHEREAS, FMCC officials have recommended that a Hydrologist be engaged to evaluate the condition of said wells, area groundwater conditions and subsurface geology, and

WHEREAS, the State University of New York will fund 50 percent of the costs for Phase I of the problem correction plan,

RESOLVED, that the Board of Supervisors hereby agrees to pay \$1,000, 25 percent, toward the cost of engaging a Hydrologist to evaluate FMCC's water shortage problem, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From:	A-01-4-1990-00.4400	Contingent Account Contractual Expense	\$1,000.00
To:	A-06-4-2495-00.4552	Cont. to Comm. College Community College	\$1,000.00

, and

FURTHER RESOLVED, that this Resolution is contingent upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
FMCC

**

RESOLUTION NO. 276 of 2001
RESOLUTION CURTAILING DISCRETIONARY SPENDING

DATED: November 27, 2001

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Budget Officer has proposed a 16.26 percent tax rate increase in the Tentative 2002 Operating Budget, and

WHEREAS, in an effort to mitigate this increase, the Board of Supervisors deems it appropriate to reduce 2001 expenditures, thereby providing greater availability of funds to apply to 2002,

RESOLVED, that all discretionary spending hereby is suspended within the A, D and DM Funds, effective immediately, unless, the County Administrator determines that a Department Head has provided sufficient justification to support a specific spending request, and

FURTHER RESOLVED, that said suspension shall remain effective until December 31, 2001.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor McMahon, in the RESOLVED clause, after "Administrator" insert "and/or Chairman of the Board of Supervisors", passed with Aye(1807). Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Department Heads

**

RESOLUTION NO. 277 of 2001
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

DATED: November 27, 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from April 2, 2001 through September 30, 2001, and

FURTHER RESOLVED, that said Treasurer is directed to take all necessary steps, under proper accounting procedure, to adjust the books of her office, effective immediately.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Auditor

**

RESOLUTION NO. 278 of 2001
RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES, WATER RENTS AND SEWER RENTS

DATED: November 27, 2001

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the relevy, effective immediately, of delinquent School Taxes, Village Taxes, Water Rents, including the Harrower Water District, and Sewer Taxes, including

the Town of Amsterdam Sewer Services Area and Montgomery County Sanitary Sewer District No. 1, in equal installments on the January, 2002 Town Tax Rolls.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 279 of 2001 DATED: November 27, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (TREASURER)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Dybas

WHEREAS, the County Treasurer has verified the need for additional funds to pay charges to Community Colleges attended by Montgomery County residents,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue	A-06-1082-00	Prior Yrs PILOT/ Tax Payments	by \$35,000
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Appropriations	A-06-2490-00-4400	Comm. College Tuition Contractual Expenses	by \$35,000
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RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 280 of 2001 DATED: November 27, 2001
RESOLUTION TRANSFERRING FUNDS - AUTOPSIES (MEDICAL EXAMINER/CORONER)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, the Head Coroner has requested a fund transfer to provide for payment of autopsy costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

FROM:	A-01-1990-00.4400	Contingent Account Contractual Expenses	\$5,000.00
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TO:	A-29-1185-00.4496	Medical Examiner/Coroner Autopsies	\$5,000.00
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RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Coroner

**
RESOLUTION NO. 281 of 2001 DATED: November 27, 2001
RESOLUTION TRANSFERRING FUNDS - PARTTIME CORRECTION OFFICERS (JAIL)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has requested a transfer of funds to provide for compensation of parttime Correction Officers,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 operating Budget, as follows:

TRANSFER:

FROM: A-15-4-3110-00.1110	Sheriff	
	(637) Deputy Sheriff/Sgt.	\$ 7,000.00
	(639) Deputy Sheriff	13,000.00
	(922) Deputy Sheriff	16,000.00
	(1298) Deputy Sheriff/	
	Sr. Investigator	16,500.00
.1120 (495)	Senior Clerk Typist	1,788.00

TO: A-15-4-3150-00.1120 (323) Jail
Correction Officers (PT) \$54,288.00

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 282 of 2001 DATED: November 27, 2001
RESOLUTION TRANSFERRING FUNDS - INDIGENT BURIALS (VETERANS SERVICES)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Van Kersen

WHEREAS, the Director of Veterans Services has requested a transfer of funds to provide for payment of indigent burials,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400	Contingent Account	
	Contractual Services	\$10,000.00
To: A-19-4-6510-00.4439	Veterans Services	
	Other Service Fees	\$10,000.00

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Veterans Services

**
RESOLUTION NO. 283 of 2001 DATED: November 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT -
TRANSPORTATION OF FULTON COUNTY VETERANS

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, the Veterans Director has recommended that Montgomery County continue to transport Fulton County Veterans to and from the VA Medical Center in Albany,

RESOLVED, that the Chairman of the Board of supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement for the transportation of Fulton County Veterans to and from the VA Medical Center in Albany, and

FURTHER RESOLVED, that said Agreement shall be for a one-year period ending on December 31, 2002, and

FURTHER RESOLVED, that said Agreement shall provide for transportation of Fulton County veterans, depending upon availability of space, at a round trip charge of \$25.00.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon County Attorney Richard C. Healy Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Veterans

**
RESOLUTION NO. 284 of 2001 DATED: November 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENTS - PROBATION
ELIGIBLE REDUCTION INITIATIVE (PROBATION)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Vesp

WHEREAS, the Director of Probation has recommended continued participation in the Probation-Eligible Reduction Initiative,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement, with the New York State Division of Probation and Correctional Alternatives, providing for Montgomery County's continued participation in the Probation-Eligible Reduction Initiative, and

FURTHER RESOLVED, that said Chairman, following review and approval by the County Attorney, also is authorized and directed to sign an agreement with St. Mary's Hospital Alcoholism Program for provision of assessment and referral services, at a cost not to exceed \$8,000, and

FURTHER RESOLVED, that said agreements shall be for a six-month period ending on December 30, 2001.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon County Attorney Richard C. Healy Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Probation

**
RESOLUTION NO. 285 of 2001 DATED: November 27, 2001

RESOLUTION TRANSFERRING FUNDS (PUBLIC DEFENDER)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Hisert

WHEREAS, the Public Defender has requested a transfer of funds to provide for payment of various departmental costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

ADD: A-28-4-1170-00.1125 (159) Public Defender
Other Compensation
A-28-4-1170-00.2259 Computer Equipment

TRANSFER:

From: A-01-4-1990-00.4400	Contingent Account Contractual Expense	\$23,949.28
To: A-28-4-1170-00	Public Defender	
	.1125 (159) Other Compensation	\$ 649.28
	.2259 Computer Equipment	1,300.00
	.4431 Attys., Account,	15,000.00
	Audit	
	.4433 Court Related Expenses	7,000.00

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Defender

**
RESOLUTION NO. 286 of 2001
RESOLUTION AUTHORIZING ACCEPTANCE OF AID TO PROSECUTION GRANT
(DISTRICT ATTORNEY)

DATED: November 27, 2001

Resolution by Supervisor: Mancini

WHEREAS, the District Attorney has been advised that Montgomery County has been awarded an Aid to Prosecution Grant by the New York State Division of Criminal Justice Services,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a \$50,000 Aid to Prosecution Grant approved by the New York State Division of Criminal Justice Services, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement accepting said grant.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
District Attorney

**
RESOLUTION NO. 287 of 2001
RESOLUTION AWARDING BID NO. 07-01

DATED: November 27, 2001

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hassan

WHEREAS, the Purchasing Agent was authorized to solicit bids for uniforms and footwear for the Sheriff's Office and Jail, and

WHEREAS, said bids were opened on October 12, 2001,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 07-01 to Rosen's Uniforms of Albany, NY.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**
RESOLUTION NO. 288 of 2001 DATED: November 27, 2001
RESOLUTION AUTHORIZING DONATION OF BICYCLES TO CATHOLIC CHARITIES
OF MONTGOMERY COUNTY

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hassan

WHEREAS, the Montgomery County Sheriff's Office is in possession of approximately 40 bicycles, the owners of which are unknown and have presented no claims, and

WHEREAS, Catholic Charities of Montgomery County has offered to distribute said bicycles to needy children,

RESOLVED, that the Board of Supervisors hereby approves the donation of said bicycles to Catholic Charities of Montgomery County.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 289 of 2001 DATED: November 27, 2001
RESOLUTION APPOINTING TOURISM ADVISORY COMMITTEE MEMBER

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Van Kersen

RESOLVED, that Tracy Montoni, Regional Tourism Coordinator for the Mohawk Valley Heritage Corridor, hereby is appointed a member of the Montgomery County Tourism Advisory Committee, and

FURTHER RESOLVED, that said appointee shall serve at the pleasure of the Board of Supervisors.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Tourism Advisory
Committee
Appointee

**
RESOLUTION NO. 290 of 2001 DATED: November 27, 2001
RESOLUTION APPOINTING HOTEL/MOTEL OCCUPANCY TAX ADVISORY
BOARD MEMBERS

Resolution by Supervisor: Vesp
Seconded by Supervisor: Stagliano

WHEREAS, several vacancies exist on Montgomery County's Hotel/Motel
Occupancy Tax Advisory Board, and

WHEREAS, the Chairman of the Board of Supervisors has recommended
appointees to fill three of these vacancies,

RESOLVED, that William H. Hisert, Supervisor, Town of Palatine, Florence
Stanton, Director of Real Property Tax Services, and Norma Palmer, County
Treasurer, are hereby appointed as members of the Montgomery County Hotel/Motel
Occupancy Tax Advisory Board for terms to expire on December 31, 2003.

RESOLUTION ADOPTED with Aye(1705). Supervisor Hisert abstained. Supervisor Van
Kersen was absent.

Duly adopted upon roll call, all members present (1705) voting aye.

Douglas Landon County Attorney Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees

**
RESOLUTION NO. 291 of 2001 DATED: November 27, 2001
RESOLUTION DESIGNATING HOTEL/MOTEL OCCUPANCY TAX MONEY TO THE CHAMBER
OF COMMERCE, AS DESIGNATED THE COUNTY'S TOURISM PROMOTION AGENCY, FOR
THE I LOVE NEW YORK TOURISM MATCHING FUNDS GRANT

Resolution by Supervisor: Hisert
Seconded by Supervisor: Barone

WHEREAS, Resolution #269 of October 23, 2001 committed a total amount of
\$80,999 from the County, to the I Love New York Matching Funds for the tourism
year of 2001-2002, and

WHEREAS, an amount of \$30,000 has been appropriated in the 2001 Budget,
under Promotion of Industry, more specifically in the line .4577 Bed Tax
Contribution: Tourism,

RESOLVED, that this Board of Supervisors approves an amount of \$30,000 be
designated for the 2001-2002 Matching Grant Fund, and

FURTHER RESOLVED, that upon submittal of the invoice, with appropriate
supporting documentation of the Matching Grant Program and planned expenditure
by the Chamber, the \$30,000 will be disbursed in order for the Chamber to
proceed with the program immediately upon receipt of the funds.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon County Attorney Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Hotel/Motel Occupancy Tax Advisory Board

Chamber of Commerce

**

RESOLUTION NO. 292 of 2001 DATED: November 27, 2001
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),
DATED NOVEMBER 27, 2001, AUTHORIZING THE ACQUISITION OF ONE SELF-
PROPELLED HYDRAULIC EXCAVATOR; ESTIMATING THE AGGREGATE COST THEREOF
TO BE \$255,000; APPROPRIATING SAID AMOUNT THEREFORE AND AUTHORIZING
THE ISSUANCE OF \$255,000 SERIAL BONDS OF THE COUNTY TO FINANCE SAID
COST

Resolution by Supervisor: McMahon
Seconded by Supervisor: Keller

WHEREAS, the Board of Supervisors has heretofore approved a certain capital
project of the County, all as more particularly described in Resolution No. 98
of 2001, dated March 27, 2001 (the "Prior Resolution"), and

WHEREAS, the Board of Supervisors desires to expand upon the Prior
Resolution and approve the method of financing the costs of such capital
project,

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Supervisors of the
County of Montgomery, New York, (by a favorable vote of not less than two-thirds
of all of its members), as follows:

SECTION I

Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting
Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the
County hereby authorizes the project (the "Project") listed below:

The acquisition of one self-propelled excavator with a 13,200 lb. front
axle, two 23,000 lb. single reduction rear axles, a 145 hp turbocharged diesel
front engine, a 200 hp turbocharged diesel rear engine, having a GVWR of 44,850
lbs., the maximum cost thereof being estimated to be \$255,000.

SECTION 2

It is determined that the period of probable usefulness of the aforesaid
specific object or purpose is as follows:

Self-Propelled Hydraulic Excavator - 15 years pursuant to Section
II.00(a)(28) of the Law.

SECTION 3

The plan of financing includes the issuance of \$255,000 serial bonds and
the levy of a tax upon all of the real property in the County to pay the
principal of and interest on said bonds as the same shall become due and owing.

SECTION 4

The temporary use of available funds of the County, not immediately
required for the purpose or purposes for which the same were borrowed, raised or
otherwise created, is hereby authorized to be expended pursuant to Section
165.10 of the Local Finance Law for the specific object or purpose described in
Section 1 of this resolution. If such temporary funds are used for any
expenditure authorized in this resolution, the County intends to reimburse such
funds with the proceeds of the tax-exempt borrowing authorized and identified
pursuant to Section 1 above.

SECTION 5

The proposed average maturity date of the bonds authorized pursuant to this
resolution is expected to exceed five (5) years.

SECTION 6

The serial bonds issued to finance the cost of each object or purpose
described in Section 1 above shall mature no later than the date of the
expiration of the period of probable usefulness for each object or purpose.

SECTION 7

The County hereby covenants and agrees with the holders from time to time of the serial bonds of the County issued pursuant to this resolution, and any bond anticipation notes of the County issued in anticipation of the sale of said bonds, that the County will duly and faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the County, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

SECTION 8

Pursuant to Section 617.5(a) of the regulations of the New York State Department of Environmental Conservation, the Project set forth in Section 1 of this resolution is not subject to the procedures required by the State Environmental Quality Review Act ("SEQRA") and no "action", as the same is referred to in Article 9 of the Environmental Conservation Law and SEQRA regulations, if applicable, shall be taken and no serial bonds shall be issued until all of the procedures and requirements set forth therein have been completed with respect to such Project.

SECTION 9

Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County without legal or constitutional limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation of said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 10

Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Board of Supervisors relative to authorizing serial bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Treasurer of the County, the chief fiscal officer of the County. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the County, the chief fiscal officer of said County. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 11

All costs and expenses in connection with the acquisition and development of the object and purpose set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 12

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the County is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13

This resolution shall be published in full in the designated official newspapers of the County for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Law.

SECTION 14

The resolution is not subject to a mandatory or permissive referendum pursuant to Section 33.10 of the Law.

SECTION 15

This resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1087-2/3 majority). Supervisors Cuzzo and Stagliano voted nay. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1087) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 293 of 2001 DATED: November 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STAFF SUPPORT
SERVICES (ECONOMIC OPPORTUNITY)

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, the Department of Economic Opportunity and Development provides administrative support services to the Montgomery County Industrial Development Agency,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the Montgomery County Industrial Development Agency for provision of staff support services by the Department of Economic Opportunity and Development, and

FURTHER RESOLVED, that said agreement shall be for one-year period, ending on December 31, 2001.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Opportunity and
Development

**

RESOLUTION NO. 294 of 2001 DATED: November 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - GAT
SUBSIDIZATION (MOSA)

Resolution by Supervisor: Vesp
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that the Board of Supervisors authorize a per-ton subsidization of the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) tipping fee, and

WHEREAS, MOSA has established Montgomery County's 2002 GAT at _____tons, and

WHEREAS, MOSA has established its 2002 tipping fee at \$84.50 per ton,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a subsidization renewal agreement with the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

FURTHER RESOLVED, that said agreement shall be for the period commencing on January 1, 2002 and ending on December 31, 2002, and

FURTHER RESOLVED, that Montgomery County hereby establishes a subsidy, of \$23.50 per ton, for said one year period, pursuant to an appropriation in the 2002 Operating Budget to provide for payment of said subsidy.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Hassan, in the second WHEREAS, insert "40,339" and add, ", and FURTHER RESOLVED, that if the total aggregate exceeds the GRT, the excessive subsidy money be returned to the respective county.", passed with Aye(1807). Supervisor van Kersen was absent.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**
RESOLUTION NO. 295 of 2001 DATED: November 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CERTIFIED PUBLIC
ACCOUNTING SERVICES - EXTENDING CONTRACT APPROVED BY RESOLUTION #390
OF 1998, BY ONE YEAR

Resolution by Supervisor: Vesp
Seconded by Supervisor: Hisert

WHEREAS, Montgomery County is in need of CPA Services to perform the annual audit of the books for the year 2001, and

WHEREAS, this procedure has always begun in December of the year to be audited, as performed by our contracted Auditors for any particular year, and

WHEREAS, there has been a contract authorized for the previous three (3) years, by Resolution #390 of 1998,

RESOLVED, that the contract with Marvin & Company, PC be extended for a period not to exceed one(1) year, per the attached extension agreement, with the total cost of \$59,400 broken out by appropriate expenditure functions, and

FURTHER RESOLVED, that the Chairman of the Board is authorized to sign the contract, following review and approval by the County Attorney.

RESOLUTION ADOPTED with Aye(1658). Supervisor Cuzzo voted nay. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1658) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 296 of 2001 DATED: November 27, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVISED AGREEMENT - MCDONALD
ENGINEERING

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Keller

WHEREAS, Montgomery County currently has a contract with McDonald Engineering to provide services related to preparing an Environmental Impact Statement, preliminary planning engineering, preparation of engineering maps for a special water and sewer district and other related engineering services, and

WHEREAS, the scope of services related to the contract did not contemplate the level of services and specific permit requirements related to securing the Kmart Distribution Center, and

WHEREAS, to provide the Kmart Corp. with a pre-permitted site with municipal water and sewer, the additional services delineated in the letter from John M. McDonald, dated November 20, 2001, are required,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amended contract with McDonald Engineering to provide the additional services delineated in the letter from John M. McDonald, dated November 20, 2001, and

FURTHER RESOLVED, that the revised contract will be paid through Capital Project 86, and

FURTHER RESOLVED, that the total fee related to the revised contract shall not exceed \$615,000.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Opportunity and
Development

**
RESOLUTION NO. 297 of 2001 DATED: November 27, 2001
RESOLUTION APPOINTING MEMBER OF THE MONTGOMERY COUNTY SOIL AND WATER
CONSERVATION DISTRICT BOARD OF DIRECTORS

Resolution by Supervisor: DiMezza
Seconded by Supervisor: VanKersen

WHEREAS, a vacancy exists for a Supervisor Member of the Montgomery County Soil and Water Conservation District Board of Directors,

RESOLVED, that Supervisor Edward Paton, Town of Mohawk, hereby is appointed a member of the Board of Directors of the Montgomery County Soil and Water Conservation District, to fill an unexpired term ending on December 31, 2001.

RESOLUTION ADOPTED with Aye(1665). Supervisor Paton abstained. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1665) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees
Soil and Water Conservation District

**

RESOLUTION NO. 298 of 2001
RESOLUTION AMENDING RESOLUTION NO. 260 OF 2001

DATED: November 27, 2001

Resolution by Supervisor: Vesp
Seconded by Supervisor: McMahon

RESOLVED, that Resolution No. 260 of 2001 hereby is amended by deleting in the Further Resolved clause, "September 27, 2001", and inserting, in its stead, "September 5, 2001".

RESOLUTION ADOPTED with Aye(1284). Supervisors Cuzzo, Dybas, Mancini and Keller voted nay. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1284) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing
Personnel/Payroll

**

RESOLUTION NO. 299 of 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (JAIL)

DATED: November 27, 2001

Resolution by Supervisor: Keller
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has requested a budget amendment to provide for purchase of equipment with funding from a 2001 Criminal Alien Grant,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows;

INCREASE:

Revenue:	A-15-3-4389-00	Other Public Safety by \$3,354.00
Appropriations:	A-15-4-3150-00	Jail
	.2251	Communications/ by \$ 856.00
		FAX Machine
	.2263	Dept. Special by \$ 850.56
		Operating
	.4424	Equipment Repairs by \$1,647.44

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 300 of 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN NATURAL GAS SUPPLY AGREEMENT -
CSS TELECOM AND ENERGY, INC.

DATED: November 27, 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, the County Administrator, after reviewing responses to a Request for Proposals, has recommended entering into an agreement with the lowest proposer for natural gas supply,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with CCS Telecom and Energy, Inc., of Amsterdam, an authorized representative of Select Energy, Inc., for provision of natural gas, and

FURTHER RESOLVED, that said agreement shall provide for a fixed rate of \$0.432 per therm, for a 12-month period commencing on December 1, 2001.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 301 of 2001 DATED: November 27, 2001
RESOLUTION AUTHORIZING IMPLEMENTATION OF EMERGENCY WATER SUPPLY PLAN

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, recurring drought conditions create problems for Montgomery County farmers on the southside of the Mohawk River, and

WHEREAS, a strategic action plan has been developed to help increase the availability of water supplies to said farmers,

RESOLVED, that the Board of Supervisors hereby authorizes implementation of the Emergency Water Supply Action Plan formulated by the Soil and Water Conservation District, the Department of Emergency Management and the Department of Planning and Development, and

FURTHER RESOLVED, that said authorization includes a commitment of County funding in an amount not to exceed \$40,000.

RESOLUTION ADOPTED with Aye(1807). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1807) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MC Soil & Water Conservation District
Director of Emergency Management
Director of Planning

____ OTHER

**

____ ADJOURNMENT

Motion by Supervisor Keller, seconded by Supervisor Hassan, to adjourn the meeting, passed with Aye(1807). Supervisor Van Kersen was absent. Chairman Barone declared the meeting adjourned at 8:09 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for December 18, 2001, was called to order at 7:00 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Cuzzo. Roll call indicated that all Supervisors were present.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Hisert, to Suspend the Rules of Procedure to allow for the introduction of Resolutions No. 304 through 332, passed with Aye(1304-2/3 majority). Motion by Supervisor McMahon, seconded by Supervisor Hisert, to adopt the amended agenda, passed with Aye(1868).

____ _
PRIVILEGE OF THE FLOOR

Alice Knapik, Town of Glen, said she is disappointed in the selection process for Board Chairman.

Donna Tyler, Agricultural Coordinator, provided a program update.

Tom Churchill and John Kelly, St. Mary's Hospital, discussed ramifications of elimination of two Social Services Director positions.

Social Services Commissioner Robert Reidy asked the Board to reconsider reduction in staffing.

Jim Gumaer, Mental Health Director, also requested the Board reconsider proposed elimination of two DSS positions.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings of November 27 and the Regular Meeting of November 27, 2001 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

NEW BUSINESS

**

RESOLUTION NO. 302 of 2001 DATED: December 18, 2001
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 11 OF 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, on November 27, 2001, a proposed Local Law for the County of Montgomery entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Village of Canajoharie)", was presented to the Board of Supervisors for consideration, and

WHEREAS, on November 27, 2001, Resolution No. 274 of 2001 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 18th day of December, 2001, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 11 of 2001, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Village of Canajoharie)", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the Office of the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

County of Montgomery
Introductory Local Law No. 11 of 2001

A Local Law Authorizing the Private Sale of County-Owned
Property Not Needed for a County Purpose (Town of Canajoharie)

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that a County-owned real property parcel, known as SBL #63.62-1-23 located in the Village of Canajoharie, is no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the sale and conveyance of all the right, title and interest of the County in and to said real property to John Scanlon, for the sum of \$2,500.00.

**

RESOLUTION NO. 303 of 2001
RESOLUTION AUTHORIZING CLOSE-OUT OF COLLEGE UNION/PE BUILDING
PROJECT CONTRACTS (FMCC) DATED: December 18, 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

WHEREAS, the FMCC Foundation raised funds for the College Union/PE Building
Renovation Project at Fulton-Montgomery Community College, and

WHEREAS, the Design Engineers for said project have determined that the
electrical and HVAC projects are substantially complete,

RESOLVED, that the Board of Supervisors, upon recommendation of
Architecture +, hereby authorizes close-out of the following FMCC College
Union/PE Building Project contracts and release of all retainage due:

HVAC Contract (Mazzone Plumbing and Heating):

Original Contract Amount	\$ 267,693.00
Net Change CO-1	(-) 12,570.00
Final Contract Amount	<u>\$ 255,123.00</u>
Paid to Date	(-) 229,810.70
Payment Due	<u>\$ 25,312.30</u>

Electrical Contract (Harold R. Clune):

Original Contract Amount	\$ 164,750.00
Net Change CO's 1 & 2	(+) 4,096.19
Final Contract Amount	<u>\$ 168,846.19</u>
Paid to Date	(-) 165,198.00
Payment Due	<u>\$ 3,648.19</u>

Plumbing Contract (Lenz Hardware):

Original Contract Amount	\$ 109,787.00
Net Change CO's 1 & 2	(+) 2,863.02
Final Contract Amount	<u>\$ 112,650.02</u>
Paid to Date	(-) 109,369.22
Payment Due	<u>\$ 3,280.80</u>

, and

FURTHER RESOLVED, that this Resolution is contingent upon adoption of a
similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1572). Supervisor Dybas voted nay. Supervisor
Cuozzo was absent.

Duly adopted upon roll call, all members present (1572) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Supervisors
FMCC

**
RESOLUTION NO. 304 of 2001
RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES,
WATER RENTS AND SEWER RENTS DATED: December 18, 2001

Resolution by Supervisor:
Seconded by Supervisor:

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the relevy, effective immediately, of delinquent School Taxes, Village Taxes, Water Rents, including the Harrower Water District, and Sewer Taxes, including the Town of Amsterdam Sewer Services Area and Montgomery County Sanitary Sewer District No. 1, in equal installments on the January, 2002 Town Tax Rolls.

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 305 of 2001 DATED: December 18, 2001
RESOLUTION AMENDING 2001 OPERATING BUDGET (COUNTY CLERK)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Vesp

WHEREAS, the County Clerk has requested a budget amendment to provide for receipt of grant funds,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2001 Operating Budget, as follows:

INCREASE:

Revenue:	A-08-3-3060-00	Records Management	by	\$11,351.00
Appropriations:	A-08-4-1410-00	County Clerk		
	.2215	Tables & Stands	by	\$ 1,535.00
	.2232	Reader Printer	by	7,443.00
	.4439	Other Services	by	2,373.00

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 306 of 2001 DATED: December 18, 2001
RESOLUTION ADOPTING WEIGHTED VOTING DISTRIBUTION PLAN

Resolution by Supervisor: Vesp
Seconded by Supervisor: DiMezza

WHEREAS, a proposed weighted voting reapportionment plan has been prepared for the Montgomery County Board of Supervisors, and

WHEREAS, said plan incorporates data from the 2000 Census,

RESOLVED, that the Board of Supervisors hereby adopts the following weighted Voting Distribution Plan:

WARD/TOWN	2000 POPULATION	WEIGHTED VOTE
1	3,705	139
2	3,656	137
3	3,712	139
4	3,625	136
5	3,657	137
Amsterdam	5,820	219
Canajoharie	3,797	143
Charleston	1,292	49
Florida	2,731	103
Glen	2,222	84

Minden	4,202	158
Mohawk	3,902	147
Palatine	3,070	115
Root	1,752	66
St. Johnsville	2,565	96
TOTAL	49,708	1,868
MAJORITY		935

and,

FURTHER RESOLVED, that said plan shall become effective on January 1, 2002

MOTION TO AMEND by Supervisor Vesp, seconded by Supervisor DiMezza, in the RESOLVED clause, insert after "Majority", "Two-thirds 1246", passed with Aye(1572). Supervisor Dybas voted nay. Supervisor Cuzzo was absent.

RESOLUTION ADOPTED with Aye(1424). Supervisors Cuzzo, Dybas and Mancini voted nay.

Duly adopted upon roll call, all members present (1424) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 307 of 2001 DATED: December 18, 2001
RESOLUTION APPROVING THE TERMS AND CONDITIONS OF A CERTAIN PILOT
AGREEMENT TO BE ENTERED INTO BETWEEN MONTGOMERY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY AND KMART CORPORATION IN CONNECTION WITH THE KMART
CORPORATION PROJECT

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Richards

WHEREAS, Kmart Corporation (the "Applicant") has presented an application (the "Application") to Montgomery County Industrial Development Agency (the "Agency"), copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of: (A) (1) the acquisition of an interest in a parcel of real estate to contain approximately 325 acres of land located on Route 5S at the Florida Industrial Park in the Town of Florida, Montgomery County, New York (the "Land"), (2) the construction of a warehouse/distribution facility to contain approximately 1,800,000 square feet of space (the "Facility"), (3) the undertaking and financing of certain site improvements on the Land (the "Site Improvements"), and (4) the acquisition and installation of certain machinery and equipment (the "Equipment") (the Land, the Facility, the Site Improvements and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute a facility to be operated by Kmart of Amsterdam, NY Distribution Center, Inc. (the "Company") for warehouse/distribution and other related activities; (B) the financing of all or a portion of the costs of the Site Improvements by the issuance of its industrial development revenue bonds in one or more issues or series in an aggregate principal amount sufficient to pay a portion of the cost of undertaking the Site Improvements, together with necessary incidental costs in connection therewith, presently estimated to be approximately \$6,200,000 (the "Bonds"); (C) the granting of certain other "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including exemption from certain sales taxes, deed transfer taxes, mortgage recording taxes and real property taxes (collectively with the Bonds, the "Financial Assistance"); and (D) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, in connection the the undertaking of the Project, the Company will execute and deliver a certain payment in lieu of tax agreement (the "PILOT Agreement") by and between the Agency and the Company pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility; and

WHEREAS, Section 858(15) of the General Municipal Law ("GML") requires, in certain instances, that any agreement requiring payments in lieu of taxes be approved by the "affected tax jurisdictions" (as defined in Section 854(16) of the GML); and

WHEREAS, the Agency desires that Montgomery County (the "County"), the Town of Florida, the Greater Amsterdam City School District and the Fonda-Fultonville Central School District, as the affected tax jurisdictions with respect to the Project Facility, adopt resolutions approving the terms of the PILOT Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Montgomery County as follows:

Section 1. For the purpose of satisfying the requirements contained in Section 858(15) of the GML, the Board of Supervisors of Montgomery County hereby approves the terms and conditions of the PILOT Agreement, including but not limited, to the payment terms. The payment terms to be contained in the PILOT Agreement are substantially described in Schedule A attached hereto.

Section 2. The Chairman of the Board of Supervisors is hereby authorized, on behalf of the County, to execute and deliver the PILOT Agreement, said PILOT Agreement to contain the payment terms substantially in the form thereof presented at this meeting with such changes, variation, omissions and insertions as the Chairman of the Board of Supervisors shall approve, the execution thereof by the Chairman of the Board of Supervisors to constitute conclusive evidence of such approval.

Section 3. The officers, employees and agents of the County are hereby authorized and directed for and in the name and on behalf of the County to do all acts and things required or proved for by the applicable provisions of the GML in order to ensure compliance with such provisions as they relate to the execution and delivery of the PILOT Agreement, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
Town Clerk, Town of Florida
Greater Amsterdam School Dist.
Fonda-Fultonville Central School Dist.
Director, Economic Oppor. & Development

**
RESOLUTION NO. 308 of 2001 DATED: December 18, 2001
RESOLUTION AWARDING CONTRACT NO. 1 - WATER STORAGE TANK (FLORIDA
BUSINESS PARK)

Resolution by Supervisor: Richards
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Department was authorized to solicit bids for the construction of a new water storage tank at the Florida Business Park, and

WHEREAS, said bids were opened on Tuesday, December 18, 2001,

RESOLVED, that the Board of Supervisors hereby awards Contract No. 1 - Water Storage Tank to _____ in the amount of \$_____, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign and execute any documents pertaining to said award.

MOTION TO AMEND by Supervisor Richards, seconded by Supervisor McMahon, in the first WHEREAS clause, after "new", insert "three million gallon" and in the

RESOLVED, clause, insert "Advanced Tank and Construction of Plainfield, Illinois", and "1,010,100", respectively, passed with Aye (1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Opp. & Development
Purchasing

**
RESOLUTION NO. 309 of 2001
RESOLUTION AMENDING RESOLUTION NO. 47 OF 2001
DATED: December 18, 2001

Resolution by Supervisor: Hisert
Seconded by Supervisor: Richards

RESOLVED, that Resolution No. 47 of 2001 hereby is amended by providing, in the Resolved clause, for deletion of "\$15,000" and insertion, in its stead, of "\$18,000".

RESOLUTION ADOPTED with Aye(1721). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1721) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Opp. & Development

**
RESOLUTION NO. 310 of 2001
RESOLUTION ACCEPTING PROPOSAL - PARTTIME PHYSICIAN SERVICES
(MONTGOMERY MEADOWS)
DATED: December 18, 2001

Resolution by Supervisor:
Seconded by Supervisor:

WHEREAS, the Purchasing Department was authorized to solicit proposals for Parttime Physician Services, and

WHEREAS, said proposals were opened on December 4, 2001,

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by St. Mary's Hospital of Amsterdam, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign and execute any documents pertaining to said award.

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing
Meadows Administrator

**
RESOLUTION NO. 311 of 2001
RESOLUTION AWARING BID NO. 10-01 - FOUR WHEEL DRIVE COMPACT TRACTOR
(MONTGOMERY MEADOWS)
DATED: December 18, 2001

Resolution by Supervisor: Paton
Seconded by Supervisor: Hisert

WHEREAS, the Purchasing Department was authorized to solicit bids for a Four Wheel Drive Compact Tractor for Montgomery Meadows, and

WHEREAS, said bids were opened on December 4, 2001,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 10-01 to Randall Implements Co., of Fultonville, for \$22,000.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing
Meadows Administrator

**
RESOLUTION NO. 312 of 2001 DATED: December 18, 2001
RESOLUTION ACCEPTING PROPOSAL - INMATE TELEPHONE SYSTEM (SHERIFF)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Paton

WHEREAS, the Purchasing Department was authorized to solicit proposals for an Inmate Telephone System, and

WHEREAS, said proposals were opened on October 30, 2001,

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by AT&T of Ballston Lake, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign and execute any documents pertaining to said award.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing
Sheriff

**
RESOLUTION NO. 313 of 2001 DATED: December 18, 2001
RESOLUTION AMENDING RESOLUTION NO. 270 OF 2001

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Barone

WHEREAS, Resolution No. 270 of 2001 authorized County residents to deposit trash at MOSA transfer stations, free of charge, on November 10, 2001, and

WHEREAS, the Village of Hagaman conducted a village clean-up on November 10, 2001, which resulted in 15.26 tons of Village residents' trash being taken to MOSA on that day,

RESOLVED, that Resolution No. 270 of 2001 hereby is amended to authorize full subsidization of tipping fees for the Village of Hagaman clean-up, which totals \$930.86, with said sum to be paid to MOSA by the County.

RESOLUTION ADOPTED with Aye(1680). Supervisors Cuzzo and Hassan voted nay.

Duly adopted upon roll call, all members present (1680) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA
Clerk, Village of Hagaman

**
RESOLUTION NO. 314 of 2001 DATED: December 18, 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - INSURANCE
COVERAGES

Resolution by Supervisor: McMahon
Seconded by Supervisor: Keller

WHEREAS, the Board of Supervisors authorized solicitation of proposals for provision of general liability and other pertinent insurance coverages, and

WHEREAS, proposals from qualified insurance agencies have been received and reviewed by the County Administrator,

RESOLVED, that _____ hereby is awarded contracts to provide liability and other appropriate insurance coverages for the County of Montgomery, for the period from January 1, 2002 to December 31, 2002, in an amount not to exceed \$_____, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign appropriate agreements, and

FURTHER RESOLVED, that the County Administrator is authorized and directed to place said insurance coverages to be effective as of 12:01 a.m. on January 1, 2002.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Van Kersen, in the RESOLVED clause, insert "Hearn Agency" and "411,437" respectively, passed with (1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 315 of 2001 DATED: December 18, 2001
RESOLUTION DELEGATING AUTHORITY TO AMEND 2001 OPERATING BUDGET

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, it has been recommended that certain County Officers be empowered with limited budget-amending authority for the remainder of the year,

RESOLVED, that the Board of Supervisors hereby delegates, to the Personnel Officer, County Treasurer, and County Administrator/Budget Officer, authority to amend 2001 operating Budget allocations and expenditures involving payroll and fringe benefits, and

FURTHER RESOLVED, that said delegation shall be effective only for the period commencing on December 19, 2001 and ending on December 31, 2001.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**
RESOLUTION NO. 316 of 2001 DATED: December 18, 2001
RESOLUTION AUTHORIZING ACCOUNTS PAYABLE YEAR-END ADJUSTMENTS -
OPERATING BUDGET

Resolution by Supervisor: Paton
Seconded by Supervisor: Mancini

WHEREAS, provisions of the Federal Single Audit Act and regulations of the State Comptroller require Montgomery County to utilize modified accrual as the basis for governmental fund accounting, and

WHEREAS, modified accrual accounting principles require that the County accrue accounts payable so expenditures are generally reflected in the period for which the goods or services are received, and

WHEREAS, application of this principle may result in the over-expenditure of certain individual line item applications, particularly in areas where spending is mandated by State or Federal requirements,

RESOLVED, that the Board of Supervisors hereby authorize the County Treasurer to make adjusting entries to provide sufficient appropriations to avoid individual line item deficits upon the accrual of year-end accounts payable, provided that said entries do not result in an increase in total appropriations approved by the Board of Supervisors for 2001, and

FURTHER RESOLVED, that said adjusting entries shall be subject to approval by the Chairman of the Board of Supervisors and the County Administrator, who shall, upon completion of the year-end closing, report same to the Ways and Means Committee and to the Board of Supervisors.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 325 of 2001 DATED: December 18, 2001
RESOLUTION AMENDING 2002 TENTATIVE BUDGET

Resolution by Supervisor: McMahon
Seconded by Supervisor: Stagliano

PG	ACCOUNT	LINE DESCRIPTION	CHANGE TO	DIFFERENCE
1 A	01 4 1010 00 1110	554 RECEPTIONIST	22,426	22,426
1 A	01 4 1010 00 4431	ATTORNEYS,ACCOUNT., AUDIT	20,000	10,000-
1 A	01 4 1010 00 4471	MILEAGE ALLOCATIONS	5,000	1,000-
1 A	01 4 1010 00 4472	FOOD & LODGING	3,000	1,300-
1 A	01 4 1011 00 1110	77 COUNTY ADMINISTRATOR	61,800	3,088-
1 A	01 4 1011 00 1110	476 EXEC. SEC. TO CTY. ADMIN.	27,000	872-
1 A	01 4 1011 00 1120	479 PRINCIPAL STENOGRAPHER	0	9,135-
1 A	01 4 1011 00 4499	LEGAL REFERENCE	1,000	1,000-
1 A	01 4 1930 00 4431	ATTORNEYS,ACCOUNT., AUDIT	5,000	5,000-
1 A	01 4 1930 00 4433	COURT RELATED EXPENSES	10,000	5,000-
1 A	01 4 6989 00 4571	AGRICULTURE PLANNING	0	32,360-
1 A	01 4 7180 00 4572	RECREATION TRAILS	0	16,450-
4 A	02 4 3640 00 1110	202 EMERG MGT DIR/CDE ENF OFF	31,846	321-
4 A	02 4 3640 00 4455	TRAINING	0	2,000-
7 A	06 3 2690 00	OTHER COMPENSATION LOSS	965,000	20,000
7 A	06 3 2720 00	OTB DISTRIBUTED EARNINGS	250,000	25,000

7 A	06	4	1325	00	1110	82	COUNTY TREASURER	56,285	347
7 A	06	4	1325	00	1110	98	DEPUTY COUNTY TREASURER	35,988	200-
7 A	06	4	1362	00	4438		MISCELLANEOUS SERVICE FEE	55,000	5,000-
7 A	06	4	9900	00	9901		TRANS. TO CO. RD. FD.	2,878,427	256,262-
7 A	06	4	9900	00	9903		TRANS. TO RD. MACH. FD.	0	42,009-
7 A	06	4	9900	00	9950		TRANS. TO CAPT. PROJ. FD.	0	306,740-
9 A	07	3	2210	00			GENERAL SRV. OTHER GOVT	65,000	10,000
9 A	07	4	1355	00	1110	616	DIR REAL PROP TAX SVCE II	43,375	29-
9 A	07	4	1355	00	4439		OTHER SERVICES FEES	19,850	1,850
10 A	08	4	1410	00	1110	79	COUNTY CLERK	46,619	3,381-
10 A	08	4	1410	00	1110	97	DEPUTY COUNTY CLERK	31,023	360-
10 A	08	4	1410	00	4438		MISCELLANEOUS SERVICE FEE	11,351	11,351
10 A	08	4	1410	00	4449		SPECIAL SUPPLIES & MATER.	13,500	3,135-
12 A	09	4	1420	00	1120	78	COUNTY ATTORNEY	45,255	432
12 A	09	4	1420	00	4431		ATTORNEYS, ACCOUNT., AUDIT	0	2,500-
13 A	10	4	1430	00	1110	1273	ACCOUNT CLERK TYPIST	16,667	979
13 A	10	4	1430	00	1110	1274	PERSONNEL ASSOCIATE	24,000	1,511
13 A	10	4	1430	00	1110	1391	PAYROLL/BENEFITS COORD	28,448	1,948
13 A	10	4	1430	00	1110	1392	PRINCIPAL ACCOUNT CLERK	28,500	3,110
13 A	10	4	1430	00	2259		COMPUTER EQUIPMENT	15,100	11,100
13 A	10	4	9001	00	8830		WORKERS COMPENSATION	410,052	74,195-
13 A	10	4	9001	00	8852		DENTAL BENEFITS	220,000	26,000-
16 A	12	4	1490	00	1110	50	COMM. OF PUBLIC WORKS	51,000	1,234-
16 A	12	4	1490	00	1110	193	DEPUTY COMM PUBLIC WORKS	0	39,534-
16 A	12	4	1620	00	1110	149	HOURLY EMPLOYEES	315,000	38,915-
16 A	12	4	7180	00	1110	830	F.T.EMPLS. NATURE TRAIL	1,000	1,000-
16 A	12	4	7180	00	1130	1396	TEMPORARY EMPLOYEES	20,000	2,400-
16 A	12	4	7180	00	2256		GROUND	22,450	22,450-
16 A	12	4	7180	00	4422		EQUIPMENT RENTAL/LEASE	0	5,000-
16 A	12	4	7180	00	4448		CONSTRUCTION & MAINT.	1,000	1,000-
18 A	14	4	1670	00	2263		DEPARTMT SPECIAL OPERATNG	17,000	17,000
18 A	14	4	1680	00	1110	444	DIRECTOR DATA PROCESSING	55,045	311
20 A	15	3	2264	00			JAIL FACILITY OTHER GOVT.	1,000,000	100,000
20 A	15	3	3330	00			UNIFIED COURT BUD SEC SRV	184,083	12,643-
20 A	15	3	3389	00			OTHER PUBLIC SAFETY	10,227	10,227
20 A	15	4	3020	14	4439		OTHER SERVICES FEES	11,500	7,819-
20 A	15	4	3110	00	1110	1413	DISPATCHER	0	21,015-
20 A	15	4	3110	00	1110	1414	DISPATCHER	0	21,015-
20 A	15	4	3110	00	1110	1415	DISPATCHER	0	21,015-
20 A	15	4	3110	00	1110	1418	DEPUTY SHERIFF, SGT	0	30,299-
20 A	15	4	3110	00	1120	932	DISPATCHER PT	75,736	45,972
20 A	15	4	3110	00	1120	1297	DEPUTY SHER INVESTGTR PT	0	9,152-
20 A	15	4	3110	00	2241		AUTOMOBILES	63,000	13,400-
20 A	15	4	3110	00	4495		CRIMINAL INVESTIGATIONS	2,000	1,000-
20 A	15	4	3110	00	4587		K-9 SUPPLIES	1,100	1,000-
20 A	15	4	3150	00	1110	4	CORRECTION SGT	0	31,078-
20 A	15	4	3150	00	1110	1419	CORRECTION LIEU	31,194	31,194
25 A	16	4	4046	00	4432		TUITION	1,420,000	4,980-
29 A	17	4	4310	00	1110	302	DIR COMMUNITY SVCS	45,471	1,734-
29 A	17	4	4320	00	4460		OTHER PROGRAMS	0	25,000-
29 A	17	4	4320	00	4567		ASSIST. OUTPAT. TREATMENT	5,000	20,000-
30 A	18	3	1809	00			REPYMNT FAMILY ASSISTANCE	358,080	14,920-
30 A	18	3	1819	00			REPAYMENTS OF CHILD CARE	97,440	14,560-
30 A	18	3	1823	00			REPYMT JUVENILE DEL CARE	48,160	7,840-
30 A	18	3	3609	00			FAMILY ASSISTANCE	357,133	14,881-
30 A	18	3	3619	00			CHILD CARE	43,303	6,471-
30 A	18	3	3620	00			CHILD CARE (PHC MAINT.)	150,000	30,000-
30 A	18	3	3623	00			JUVENILE DELINQUENT	83,076	13,524-
30 A	18	3	3655	00			DAY CARE	769,038	49,087-
30 A	18	3	4609	00			FAMILY ASSISTANCE	899,033	37,460-
30 A	18	3	4619	00			CHILD CARE	378,211	56,514-
30 A	18	3	4670	00			SERVICES FOR RECIPIENTS	16,500	13,500-
30 A	18	4	6010	00	1110	106	DIR. ADMINISTRATIVE SERVCS	0	44,050-
30 A	18	4	6010	00	1110	441	DIRECTOR SOCIAL SERVICES	0	44,709-
30 A	18	4	6010	00	1110	1009	SOC SERV INVESTGTV COORD	59,118	29,559
30 A	18	4	6010	00	2223		FILES & CABINETS	20,000	8,500-
30 A	18	4	6010	00	4471		MILEAGE ALLOCATIONS	65,000	10,000-
30 A	18	4	6011	00	6055		DAY CARE	800,000	50,000-
30 A	18	4	6011	00	6070		SERVICES FOR RECIPENTS	30,000	20,000-
30 A	18	4	6011	00	6101		MEDICAL ASSISTANCE	180,000	18,240-
30 A	18	4	6011	00	6102		MEDICAL ASSISTANCE MMIS	9,500,000	217,491-
30 A	18	4	6011	00	6106		SPECIAL NEEDS ADLT FAM HM	2,500	1,000-
30 A	18	4	6011	00	6109		FAMILY ASSISTANCE	2,300,000	100,000-
30 A	18	4	6011	00	6119		CHILD CARE	1,300,000	190,860-
30 A	18	4	6011	00	6120		CHILD CARE (PHC MAIN)	300,000	60,000-

30 A	18 4	6011 00	6123	JUVENILE DELINQUENT	600,000	100,000-
30 A	18 4	6011 00	6140	SAFETY NET	800,000	39,000-
35 A	19 4	6510 00	1110	912 DIR VETERANS SVC AGENCY	29,404	2,763-
36 A	20 4	6610 00	1110	81 DIR WEIGHTS AND MEASURES	32,482	302-
37 A	21 4	7310 00	1110	105 YOUTH BUREAU DIRECTOR	31,000	667-
38 A	22 4	7510 00	1110	1177 CO. HISTORIAN(RECRDS MGR)	30,000	2,167-
38 A	22 4	7510 00	1120	1405 CLERK TYPIST PT	0	8,000-
39 A	23 4	8020 00	1110	1207 DIRECTOR OF PLANNING	51,367	233
40 A	24 4	6430 00	1110	473 ECONOMIC OPP. & DEV.SPEC.	35,900	4,128
42 A	25 4	1165 00	1125	13 OTHER COMPENSATION	23,000	10,287
44 A	27 4	3140 00	1110	1252 PROBATION DIRECTOR II	51,104	225
46 A	28 4	1170 00	1110	318 INVESTIGATOR	0	25,581-
46 A	28 4	1170 00	1110	835 CONFIDENTIAL SECRETARY	24,370	2,630-
46 A	28 4	1170 00	1120	1238 PUBLIC DEFENDER-PT	44,982	76
46 A	28 4	1170 00	1120	1239 1ST ASST PUB DEFENDER PT	33,615	2,885-
46 A	28 4	1170 00	1120	1240 ASST PUBLIC DEFENDER - PT	20,475	5,525-
46 A	28 4	1170 00	1120	1361 ASST PUBLIC DEFENDER PT	20,475	5,525-
46 A	28 4	1170 00	4438	MISCELLANEOUS SERVICE FEE	500	500-
46 A	28 4	1170 00	4471	MILEAGE ALLOCATIONS	1,500	500-
47 A	29 4	1185 00	1120	410 HEAD CORONER	6,647	678-
47 A	29 4	1185 00	1120	567 CORONER	5,969	698-
48 A	30 4	1320 00	1110	21 AUDIT CLERK	0	19,013-
48 A	30 4	1320 00	2217	BOOKCASES & SHELVING	0	500-
48 A	30 4	1320 00	4471	MILEAGE ALLOCATIONS	0	200-
48 A	30 4	1320 00	4472	FOOD & LODGING	0	500-
48 A	30 4	1320 00	4473	REGISTRATION FEES ETC	0	300-
48 A	30 4	1320 00	4474	TOLLS & PARKING	0	25-
48 A	30 4	1320 00	4499	LEGAL REFERENCE	0	200-
49 A	31 4	1345 00	1110	607 PURCHASING AGENT	0	36,234-
49 A	31 4	1345 00	1110	1312 BUYER	30,000	4,148
49 A	31 4	1345 00	1120	1424 PURCHASING AGENT-PT	20,000	20,000
51 A	32 3	2615 00		STOP D.W.I. FINES	157,520	4,815
51 A	32 4	3315 00	2259	COMPUTER EQUIPMENT	2,340	2,340
51 A	32 4	3315 00	4411	TELEPHONE	150	75
51 A	32 4	3315 00	4439	OTHER SERVICES FEES	14,400	2,400
53 D	12 3	5031 00		INTERFUND TRANSFERS	2,878,427	256,262-
53 D	12 4	3310 00	4465	ROAD STRIPING	60,000	20,000-
53 D	12 4	5110 00	1110	144 HIGHWAY LABOR	550,000	36,580-
53 D	12 4	5110 00	1130	19 MEO I TEMP.	0	33,600-
53 D	12 4	5110 00	4422	EQUIPMENT RENTAL/LEASE	380,000	10,000-
53 D	12 4	5110 00	4448	CONSTRUCTION & MAINT.	550,000	110,000-
55 DM	12 3	2810 00		INFD. REV. GEN. FUND	40,000	5,000-
55 DM	12 3	2822 00		INFD. REV. - CO ROAD FUND	409,000	10,000-
55 DM	12 3	2852 00		INFD. REV. - CAPT. PROJ.	137,434	7,434
55 DM	12 3	5031 00		INTERFUND TRANSFERS	0	42,009-
55 DM	12 4	5130 00	4424	EQUIPMENT REPAIRS	125,000	35,000-
55 DM	12 4	5130 00	4441	GASOLINE AND DIESEL FUEL	120,000	10,000-
55 DM	12 4	9001 00	8810	FICA	22,000	1,775-
55 DM	12 4	9001 00	8851	HOSP. & MED. INS. PAYBACK	2,200	2,800-
56 EH	34 3	1651 00		MEDICAID	3,308,501	22,552
56 EH	34 4	6020 00	1110	168 NURSE ASMT. & CARE COORD.	0	30,948-
56 EH	34 4	6020 00	1110	1421 ADMISSIONS COORDINATOR	24,500	24,500
56 EH	34 4	6020 00	1110	1422 SUPERVISING NURSE	29,000	29,000
63 MS	10 3	2222 00		PARTICIPANTS ASSESSMENTS	508,622	31,262-
63 MS	10 3	2801 00		INTERFUND REVENUES	822,559	74,195-
63 MS	10 4	1710 00	1110	126 PERSONNEL/OFFICER	8,184	280
63 MS	10 4	1710 00	1110	1275 ACCOUNT CLERK TYPIST	8,333	489
63 MS	10 4	1710 00	1110	1276 PERSONNEL ASSOCIATE	12,000	755
63 MS	10 4	9900 00	9970	RESERVE FUND CONTRIBUTION	0	106,981-

MOTION TO CALL THE QUESTION by Supervisor Stagliano, seconded by Supervisor Brodie, failed with Aye(820-2/3 majority). Supervisors Brodie, Barone, DiMezza, McMahon, Richards, Keller, Vesp, Hisert and Stagliano voted aye.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Dybas, in the RESOLVED clause, delete "A-01-4-1010-00.1100(554) RECEPTIONIST 22,426 22,426", failed with Aye(444). Supervisors Cuozzo, Dybas and Mancini voted aye.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Dybas, in the RESOLVED clause, delete "A-01-4-1010-00-4431 ATTORNEYS, ACCOUNT., AUDIT 20,000 10,000-" failed with Aye(444). Supervisors Cuozzo, Dybas and Mancini voted aye.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Mancini, in the

RESOLVED clause, delete "A-01-4-1010-00-4471 MILEAGE 5,000, 1,000-", failed with Aye(444). Supervisors Cuozzo, Dybas and Mancini voted aye.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor DiMezza, in the RESOLVED clause, amend "A-01-4-1010-00.1110(77)" change to "60,000" difference "4,888-", passed with Aye(1243). Supervisors Cuozzo, Dybas, Mancini, Hassan and Paton voted nay.

MOTION TO CALL THE QUESTION by Supervisor Mancini, seconded by Supervisor Stagliano, failed with Aye(703-2/3 majority). Supervisors Brodie, Barone, Mancini, DiMezza, McMahon, Richards and Stagliano voted aye. Supervisor Keller abstained.

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Dybas, in the RESOLVED clause, delete "A-18-4-6010-00.1110(106) DIR. ADMINISTRATIVE SERVS 0 44,050-" and "A-18-4-6010-00.1110(441) DIRECTOR SOCIAL SERVICES 0 44,709-", passed with Aye(1003). Supervisors Brodie, Barone, DiMezza, Vesp, Hisert and Stagliano voted nay.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Dybas, in the RESOLVED clause, amend "A-18-4-6010-00.1110(1009) SOC SERV INVESTGTV COORD" change to "0" difference "29,559-", passed with Aye(1687). Supervisors Hassan and Paton voted nay.

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Cuozzo, in the RESOLVED clause, insert "A-18-4-6010-00.1110(1009) SOC SER INVESTGTV COORD" change to 29,559, difference "29,559", failed with Aye(686). Supervisors Cuozzo, Dybas, Mancini, Hassan, Paton and Van Kersen voted aye.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Mancini, in the RESOLVED clause, delete "A-31-4-1345-00.1110(1312) 30,000 4,148", failed with Aye(444). Supervisors Cuozzo, Dybas and Mancini voted aye.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor McMahon, in the RESOLVED clause, amend "A-15-4-3110-00.1110(1418) DEPUTY SHERIFF, SGT" change to "1,463"; add "A-15-4-3110-00.1110(68) DEPUTY SHERIFF" change to "29,836" difference "29,836"; amend "A-15-4-3150-00.1110(1419) CORRECTION LIEU" change to "0" difference "1,800-"; and amend "A-15-4-3150-00.1110(4) CORRECTION SGT" change to "31,078" difference "31,078", passed with Aye(1868).

MOTION TO AMEND by Supervisor Keller, seconded by Supervisor Van Kersen, in the RESOLVED clause, delete "A-30-4-1320-00.1110(21) 0 19,013-", failed with Aye(765). Supervisors Cuozzo, Dybas, Mancini, Hassan, Keller, Paton and Van Kersen voted aye.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Dybas, in the RESOLVED clause, delete "A-28-4-1170-00.1120(1239) 1ST ASST PUB DEFENDER PT 33,615, 2,885-" "A-28-4-1170-00.1120(1240) ASST PUBLIC DEFENDER -PT 20,475, 5,525-"; and "A-28-4-1170-00.1120(1361) ASST PUBLIC DEFENDER PT 20,475, 5,525-", failed with Aye(444). Supervisors Cuozzo, Dybas and Mancini voted nay.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Mancini, in the RESOLVED clause, delete "A-24-4-6430-00.1110(473) ECONOMIC OPP. & DEV.SPEC. 35,900, 4,128", failed with Aye(688). Supervisors Cuozzo, Dybas, Mancini, Hassan, Paton and Van Kersen voted aye.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Mancini, to delete "A-32-4-3315-00.2259 COMPUTER EQUIPMENT 2,340, 2,340" failed with Aye(149). Supervisor Cuozzo voted aye.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Van Kersen, in the RESOLVED clause, "A-12-4-1490-00.1110(193) DEPUTY COMM PUBLIC WORKS 0, 39,534-", passed with Aye(1003). Supervisor Brodie, Barone, DiMezza, Hisert and Stagliano voted nay. Supervisor Vesp abstained.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Richards, to insert "A-01-4-1010-00.1120(____) PRINCIPAL STENOGRAPHER - PT" change to "9,135" difference "9,135", passed with Aye(1142). Supervisors Cuozzo, Mancini, Keller, Paton and Van Kersen voted nay.

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Cuozzo, in the RESOLVED clause, delete "A-12-4-1620-00.1110(144) HOURLY EMPLOYEES 315,000, 38,915-", failed with Aye(765). Supervisors Cuozzo, Dybas, Mancini,

Hassan, Keller, Paton and Van Kersen voted nay.

RESOLUTION ADOPTED with Aye(1221). Supervisors Cuozzo, Dybas, Mancini and Van Kersen voted nay. Supervisor Paton abstained.

Duly adopted upon roll call, all members present (1221) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 326 of 2001
RESOLUTION AMENDING 2002 TENTATIVE BUDGET

DATED: December 18, 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Dybas

RESOLVED, that the 2002 Tentative Operating Budget of the County of Montgomery hereby is amended, as follow:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE):
13	_A-10-1430-00.1110(1420)_ Personnel - Account Clerk Typist	0	_(21,126)_

RESOLUTION DEFEATED with Aye(806). Supervisors Cuozzo, Dybas, Mancini, McMahon, Keller and Paton voted aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 332 of 2001
RESOLUTION AMENDING 2002 TENTATIVE BUDGET

DATED: December 18, 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Dybas

RESOLVED, that the 2002 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
66	_A-599_ Appropriated Fund Balance	3,988,781	500,000

RESOLUTION DEFEATED with Aye(297). Supervisors Cuozzo and Mancini voted aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 327 of 2001
RESOLUTION AMENDING 2002 TENTATIVE BUDGET

DATED: December 18, 2001

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: Mancini

RESOLVED, that the 2002 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE):
2	A-01-4-3189-00.4592 Community Service Program - Alternatives to Incarceration	0	-(144,700)
44	A-27-4-3140-00.1110() Probation - Sr Probation Officer	40,704	40,704
44	A-27-4-3140-00.1110() Probation - Probation Assistant	20,126	20,126
44	A-27-4-3140-00.2259 Probation - Computer Equipment	1,500	1,500
44	A-27-4-3140-00.4411 Probation - Telephone	2,250	650
44	A-27-4-3140-00.4436 Probation - Medical Fees	3,000	500
44	A-27-4-3140-00.4441 Probation - Gasoline and Diesel Fuel	1,100	100
44	A-27-4-3140-00.4452 Probation - Printing	200	200
44	A-27-4-3140-00.4454 Probation - Purchasing	2,500	500
44	A-27-4-3140-00.4471 Probation - Mileage Allocations	15,000	3,000
44	A-27-4-3140-00.4472 Probation - Food & Lodging	950	250
44	A-27-4-3140-00.4473 Probation - Registration Fees	1,500	200
44	A-27-4-3140-00.4474 Probation - Tolls & Parking	200	50
1	A-01-3-3312-00 State Aid - Alternatives to Incarceration	0	-(27,282)
44	A-27-3-3312-00 State Aid - Alternatives to Incarceration	27,282	27,282

RESOLUTION DEFEATED with Aye(296). Supervisors Cuozzo and Dybas voted aye.
Supervisors DiMezza and Paton abstained.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 328 of 2001
RESOLUTION AMENDING 2002 TENTATIVE BUDGET

DATED: December 18, 2001

Resolution by Supervisor: McMahon
Seconded by Supervisor: Vesp

RESOLVED, that the 2002 Tentative Operating Budget of the County of
Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
61	G-26-3-2122-00 Sewer Service Charges	369,096	4,169
61	G-26-4-8120-00.1110(12) San Sewer Maint Mechanic	23,434	(98)

62	_G-26-4-8120-00.1110(54)_____ Superintendent	_____52,634_____	_____2,241_____
62	_G-26-4-8120-00.1110(449)_____ Operator Trainee	_____18,528_____	_____153_____
62	_G-26-4-8120-00.1110(586)_____ Maint Mechanic	_____25,464_____	_____841_____
62	_G-26-4-9001-00.8830_____ Fringe Benefits - Workers Compensation	_____10,000_____	_____1,032_____

RESOLUTION ADOPTED with Aye(1766). Supervisor Stagliano was absent.

Duly adopted upon roll call, all members present (1766) voting aye.

Douglas Landon
 County Attorney

Richard C. Healy
 Clerk, Board of Supervisors

cc: County Treasurer
 County Administrator
 County Clerk

**

RESOLUTION NO. 329 of 2001
 RESOLUTION AMENDING 2002 TENTATIVE BUDGET

DATED: December 18, 2001

Resolution by Supervisor: Cuozzo
 Seconded by Supervisor: Dybas

RESOLVED, that the 2002 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER	CHANGE AMOUNT TO:	INCREASE (DECREASE)
30	_A-18-4-6010-00.1110(18)_____ Social Services - RPN	_____0_____	_____(27,798)____
32	_A-18-4-6010-00.1110(164)_____ Social Services - PRI Specialist	_____30,298_____	_____30,298_____
37	_A-21-3-1270-00_____ Youth Bureau - Shared Services Charges	_____2,492_____	_____(511)____
37	_A-21-3-3820-00_____ Youth Bureau - State Aid Youth Bureau	_____18,578_____	_____194_____
37	_A-21-3-3826-00_____ Youth Bureau - Special Delq. Prev. Program	_____31,776_____	_____(2,122)____
37	_A-21-3-3828-00_____ Youth Bureau - Youth Dev. & Delinq. Prev	_____27,530_____	_____(4,378)____
37	_A-21-3-3829-00_____ Youth Bureau - Youth Initiatives Program	_____10,461_____	_____(1,357)____
37	_A-21-4-7310-00.4566_____ Youth Bureau - Spec. Delinquency Prev.	_____27,776_____	_____(2,122)____
37	_A-21-4-7310-00.4582_____ Youth Bureau - Youth Initiatives Program	_____10,461_____	_____(1,357)____
37	_A-21-4-7310-00.4585_____ Youth Bureau - Youth Dev & Delinq Pre	_____27,530_____	_____(4,378)____
42	_A-25-3-3089-00_____ District Attorney - State Aid - Other	_____69,992_____	_____19,992_____
42	_A-25-4-1165-00.4434_____ District Attorney - Consultants	_____22,492_____	_____9,992_____
58	_EH-34-4-6020-00.1110(1421)_____ Meadows - Admissions Coordinator	_____23,350_____	_____23,350_____

58	_EH-34-4-6020-00.1110(1422) Meadows - Supervising Nurse	_____30,298_____	_____30,298_____
58	_EH-34-4-6020-00.1110(171)_ Meadows - LPN	_____24,740_____	_____24,740_____
58	_EH-34-4-6020-00.1110(306)_ Meadows - LPN	_____24,740_____	_____24,740_____
58	_EH-34-4-6020-00.1120(115)_ Meadows - Part Time Employees	_____274,470_____	_____(68,640)_____
56	_EH-34-4-1910-00.4481_____ Meadows - Liability Insurance	_____30,125_____	_____3,523_____
56	_EH-34-4-1910-00.4484_____ Meadows - Malpractice Insurance	_____60,000_____	_____25,883_____
2	_A-01-4-1910-00.4489_____ County Administrator - Unallocated Insurance	_____293,912_____	_____63,912_____

RESOLUTION ADOPTED with Aye(1289). Supervisors Brodie, Barone, Keller, Hisert and Stagliano voted nay.

Duly adopted upon roll call, all members present (1289) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 330 of 2001
RESOLUTION AUTHORIZING DONATION OF SICK DAYS

DATED: December 18, 2001

Resolution by Supervisor: Vesp
Seconded by Supervisor: Van Kersen

WHEREAS, a county employee, identified as employee ID #287, suffers from a serious illness which may require her to be absent from work for an extended period of time, and

WHEREAS, the Montgomery County Board of Supervisors desires to accommodate county employees who chose to donate various amounts of sick days to said employee to enable her to remain on active payroll,

RESOLVED, that County employees are hereby authorized to donate sick days to said employee for her use by submitted written requests to that effect to the Personnel Department.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Cuozzo, failed with Aye(296). Supervisors Cuozzo and Dybas voted nay.

RESOLUTION ADOPTED with Aye(1572). Supervisor Cuozzo voted nay. Supervisor Dybas abstained.

Duly adopted upon roll call, all members present (1572) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**

RESOLUTION NO. 318 of 2001
RESOLUTION ADOPTING CAPITAL PROGRAM (2002-06)

DATED: December 18, 2001

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahon

WHEREAS, the Montgomery County Board of Supervisors has met and considered the Capital Program for 2002-06 and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that the Capital Program for 2002-06, on file with the Clerk of the Board of Supervisors, as changed, altered and revised and as hereinafter set forth, hereby is adopted.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Vesp, to add, ", and FURTHER RESOLVED, that only roads and bridges shall be funded in the Capital Program for 2002." passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 322 of 2001
RESOLUTION AWARDDING BID NO. 09-01

DATED: December 18, 2001

Resolution by Supervisor: Keller
Seconded by Supervisor: Vesp

WHEREAS, the Purchasing Agent was authorized to solicit bids for Food Service and Cleaning Supplies, and

WHEREAS, said bids were opened on November 7, 2001,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 09-01 to the low bidder for each item - Hill and Markes, R. H. Crown, All American Poly and Central Poly, respectively.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 323 of 2001
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS

DATED: December 18, 2001

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Keller

WHEREAS, the Personnel Officer has recommended continuing an agreement with Amsterdam Memorial Health Care System to conduct employee physical examinations,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement with Amsterdam Memorial Health Care System for provision of employee physical examinations, and

FURTHER RESOLVED, that said examinations shall be performed at a cost of \$40.00 each, except for the more extensive examination required for Sheriff's deputies, which shall be performed at a fee of \$100.00 each, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on January 1, 2002 and ending on December 31, 2002.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**
RESOLUTION NO. 324 of 2001 DATED: December 18, 2001
RESOLUTION AUTHORIZING AGREEMENT IN PRINCIPLE - GUARANTEED PAYMENT OF
UNPAID SCHOOL TAXES TO CITY OF AMSTERDAM

Resolution by Supervisor: Mancini
Seconded by Supervisor: Dybas

WHEREAS, the County of Montgomery currently guarantees school taxes for the
Towns and Villages within the County, and

WHEREAS, the County of Montgomery agrees in principle to voluntarily assume
responsibility for the guarantee of unpaid school taxes in the City of
Amsterdam, and

WHEREAS, residents of the City of Amsterdam currently subsidize unpaid
school taxes within the City and also subsidize unpaid school district taxes
throughout the County, and

WHEREAS, the attached exhibit, labeled Exhibit "A", is a chart showing
total guaranteed payment coming from the City of Amsterdam with regard to school
taxes over the past four fiscal years, and

WHEREAS, this results in double taxation for residents of the City of
Amsterdam, and

WHEREAS, other counties in the State of New York have agreed to provide
enforcement of City/School taxes, and

WHEREAS, a four-page meeting agenda, dated December 7, 2000, concerning the
school tax proposal on the part of the City of Amsterdam is attached, as Exhibit
"B", as a source of additional information concerning the City's request,

RESOLVED, that the County of Montgomery agrees, in principle, to guarantee
the City of Amsterdam's school taxes in much the same way that the County
currently guarantees the school taxes for the Towns and Villages within the
County, and

FURTHER RESOLVED, that the specific details of this agreement in principle
between the County of Montgomery and the City of Amsterdam be established within
60 days of the date of the passage of this resolution, by discussions between
County and City officials.

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Hassan, passed
with Aye(1277). Supervisors Cuzzo, Barone, Dybas and Mancini voted nay.
(12/18/01)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 319 of 2001 DATED: December 18, 2001
RESOLUTION FIXING DATE AND TIME FOR 2002 ORGANIZATIONAL MEETING OF
THE BOARD OF SUPERVISORS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Dybas

RESOLVED, that pursuant to Section 151, Subdivision 11 of the County Law,

the Organizational Meeting of the Montgomery County Board of Supervisors for 2002 shall be held at _____ on the _____ day of January, 2002.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Brodie, in the RESOLVED clause, insert "6:00 p.m." and "8th" respectively, passed with Aye(1215). Supervisors Dybas, DiMezza and McMahon voted nay. Supervisor Vesp abstained.

RESOLUTION ADOPTED with Aye(1632). Supervisors Keller and Vesp abstained.

Duly adopted upon roll call, all members present (1632) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department Heads/Agencies
County Chairman - Republican Party

**
RESOLUTION NO. 320 of 2001 DATED: December 18, 2001
RESOLUTION EXPRESSING APPRECIATION FOR SERVICES OF DEPARTING
SUPERVISORS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, our esteemed colleagues, Second Ward Supervisor James G. Cuozzo, Town of Glen Supervisor Gerald O. Keller and Town of Minden Supervisor John Vesp are leaving the Board of Supervisors, effective December 31, 2001, and

WHEREAS, these Supervisors have served with honor and dignity, and

WHEREAS, they have earned the respect of their fellow Supervisors and County employees,

RESOLVED, that the Board of Supervisors of the County of Montgomery hereby honors Supervisors James G. Cuozzo, Gerald O. Keller and John Vesp for their outstanding accomplishments while serving on this Board and wishes them well in their future endeavors.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Supervisors Named

**
RESOLUTION NO. 331 of 2001 DATED: December 18, 2001
RESOLUTION REGARDING POSITION OR CONTRACT TERMINATIONS

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Mancini

WHEREAS, effective January 1, 2002, no positions and/or position changes regarding staff and no contracts regarding outside agencies and/or outside staff, shall be terminated by anyone other than the Chairman of the Board of Supervisors, with the direction from the Board of Supervisors

RESOLVED, that said violation of this Resolution by the Administrator, any Commissioner of Departmental Director may result in discipline and/or dismissal.

RESOLUTION ADOPTED with Aye(1572). Supervisor Cuozzo voted nay. Supervisor Dybas abstained.

Duly adopted upon roll call, all members present (1572) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Department Heads

**
RESOLUTION NO. 321 of 2001 DATED: December 18, 2001
RESOLUTION EXPRESSING APPRECIATION OF THE BOARD OF SUPERVISORS FOR THE
SERVICES OF THE 2001 CHAIRMAN OF THE BOARD - RONALD J. BARONE, SR.

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the successful conduct of the business of the Montgomery County Board of Supervisors is due to large measure to the management and direction of the Chairman of the Board, Ronald J. Barone, Sr., and

WHEREAS, many difficult and important matters have come before this Board of Supervisors during the past year, and

WHEREAS, Chairman Barone has presided over said matters in a judicious manner, providing for the successful conduct of business of this Board,

WHEREAS, the Board of Supervisors desires to express its appreciation for the work of the Chairman of the Board during 2001,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its appreciation to Supervisor Ronald J. Barone, Sr. for his invaluable services as Chairman of the Board during 2001.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (1868) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Chairman Barone

**
RESOLUTION NO. 317 of 2001 DATED: December 18, 2001
RESOLUTION ADOPTING 2002 OPERATING BUDGET

Resolution by Supervisor: Vesp
Seconded by Supervisor: McMahon

WHEREAS, the Montgomery County Board of Supervisors has met and considered the 2002 Tentative Operating Budget and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that, in accordance with County Law, the 2002 Tentative Operating Budget, on file with the Clerk of the Board of Supervisors, as changed, altered, revised and hereinafter set forth, hereby is adopted and the several amounts set forth, in the "adopted" column of said Budget hereby are appropriated for the objects and purposes specified, effective January 1, 2002.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Dybas, to add, "and FURTHER RESOLVED, that said budget increase shall be 9.5%.", failed with Aye(646). Supervisors Cuzzo, Dybas, Mancini, McMahon and Van Kersen voted aye.

RESOLUTION ADOPTED with Aye(1290). Supervisors Cuzzo, Dybas, Keller, Paton and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1290) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

_____ OTHER

**

_____ ADJOURNMENT

Motion by Supervisor Van Kersen, seconded by Supervisor McMahon, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 11:09 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa