

PAGE: 1

| | |
|--|---|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| SELECTION OF PERMANENT CHAIRMAN | 1 |
| RES 1 Resolution Appointing Chairman of the Board for 1997 | |
| NEW BUSINESS | 2 |
| RES 2 Resolution Appointing Vice-Chairman for 1997 | |
| RES 3 Resolution Adopting Rules of Procedure | |
| RES 4 Resolution Designating Newspapers for 1997 | |
| RES 5 Resolution Designating Depositories for County Funds | |
| RES 6 Resolution Appointing Republican Election Commissioner | |
| RES 7 Resolution Appointing Democratic Election Commissioner | |
| OTHER | 5 |
| ADJOURNMENT | 5 |

CALL TO ORDER

The Organizational Meeting for 1996 was called to order at 7:00 p.m. by Supervisor Barone. The Pledge of Allegiance to the Flag was led by Supervisor Keller. Roll Call indicated that Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th Ward is vacant. All votes in these minutes reflect both the absence and the vacancy.

MOMENT OF SILENCE

ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Landon, to adopt the agenda passed with Aye(1563). Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th Ward is vacant.

SELECTION OF PERMANENT CHAIRMAN

RESOLUTION NO. 1 of 1997 DATED: January 7, 1997
RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF
SUPERVISORS FOR 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Van Kersen

RESOLVED, that Supervisor _____ of _____,
hereby is elected Chairman of the Montgomery County Board of Supervisors for the
year 1997, and

FURTHER RESOLVED, that the annual salary of said Chairman hereby is fixed
in the amount of \$7,500, 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 McMahon, seconded by Supervisor Van Kersen, in the
RESOLVED clause, insert "Gerald O. Keller" "Town of Glen", passed with
Aye(1208). Supervisor Wills and Grzyb voted nay. Supervisor D'Arcangelis
was absent. The Supervisor position from the City of Amsterdam - 5th Ward
is vacant.

RESOLUTION ADOPTED with Aye(1208). Supervisor Wills voted present. Supervisor
Grzyb abstained. Supervisor D'Arcangelis was absent. The
Supervisor position from the City of Amsterdam - 5th Ward is
vacant.

Duly adopted upon roll call, all members present (1208) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

Following his election as Chairman, Supervisor Keller said he is committed to Planning and to Economic Development in 1997.

**

NEW BUSINESS

**

RESOLUTION NO. 2 of 1997 DATED: January 7, 1997
RESOLUTION APPOINTING VICE-CHAIRMAN OF BOARD OF SUPERVISORS FOR 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Van Kersen

RESOLVED, that Supervisor _____ of _____ hereby is appointed Vice-Chairman of the Montgomery County Board of Supervisors for the year 1997, and

FURTHER RESOLVED, that the annual salary of said Vice-Chairman hereby is fixed in the amount of \$5,000, 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 McMahon, seconded by Supervisor Van Kersen, to insert "Douglas Landon" "City of Amsterdam", passed with Aye(1563). Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th Ward is vacant.

RESOLUTION ADOPTED with Aye(1563). Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th ward is vacant.

Duly adopted upon roll call, all members present (1563) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee

**

RESOLUTION NO. 3 of 1997 DATED: January 7, 1997
RESOLUTION ADOPTING RULES OF PROCEDURE OF BOARD OF SUPERVISORS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Landon

RESOLVED, that the Rules of Procedure, which are attached hereto, hereby are adopted by the Board of Supervisors for 1997 or until amended by Resolution.

RESOLUTION ADOPTED with Aye(1563). Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th Ward is vacant.

Duly adopted upon roll call, all members present (1563) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 4 of 1997 DATED: January 7, 1997
RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 1997

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahon

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 1997:

Courier-Standard Enterprise
The Recorder

RESOLUTION ADOPTED with Aye(1208). Supervisors Wills and Grzyb voted nay. Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th ward is vacant.

Duly adopted upon roll call, all members present (1208) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 5 of 1997 DATED: January 7, 1997
RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 1997 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME

Resolution by Supervisor: Jubar
Seconded by Supervisor: Van Kersen

WHEREAS, according to Section 212 of the County Law, a Board of Supervisors shall designate the banks, bankers or banking associations for the 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 1997, namely:

- CENTRAL NATIONAL BANK, FONDA BRANCH, Fonda, N.Y.
- FLEET BANK, AMSTERDAM BRANCH, Amsterdam, N.Y.
- KEY BANK, N.A., AMSTERDAM BRANCH, Amsterdam, N.Y.
- CHEMICAL BANK, CAPITAL REGION, 41 State Street, Albany, N.Y. 12207

, 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, N.Y. | \$17,000,000.00 |
| FLEET BANK, AMSTERDAM BRANCH, Amsterdam, N.Y. | \$18,000,000.00 |
| KEY BANK, N.A., AMSTERDAM BRANCH, Amsterdam, N.Y. | \$15,000,000.00 |
| CHEMICAL BANK, CAPITAL REGION, 41 State Street, Albany, N.Y. | \$15,000,000.00 |

, 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 in said depository, and

FURTHER RESOLVED, that the said designated collateral shall be approved by the County Attorney and the County Treasurer, and the collateral deposited by the 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 obligations 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 Depository 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 with Aye(1416). Supervisor Wills abstained. Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th Ward is vacant.

Duly adopted upon roll call, all members present (1416) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 6 of 1997 DATED: January 7, 1997
RESOLUTION APPOINTING REPUBLICAN ELECTION COMMISSIONER

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Frasier

WHEREAS, the Election Law of the State of New York requires that County Election Commissioners be appointed for terms of two years, such appointments to be in each odd-numbered year,

RESOLVED, that the Montgomery County Board of Supervisors hereby appoints Helen M. Walrath, 179 Thumb Road, St. Johnsville, New York, as Republican Election Commissioner of the Montgomery County Board of Elections for a two-year term expiring on December 31, 1998, and

FURTHER RESOLVED, that said appointee shall be paid an annual salary of \$6,729.00, an amount which has been appropriated in the 1997 Operating Budget.

RESOLUTION ADOPTED with Aye(1563). Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th Ward is vacant.

Duly adopted upon roll call, all members present (1563) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery Co. Republican Committee
Board of Elections
Appointee
Personnel/Payroll

**

RESOLUTION NO. 7 of 1997 DATED: January 7, 1997
RESOLUTION APPOINTING DEMOCRATIC ELECTION COMMISSIONER

Resolution by Supervisor: Wills

Seconded by Supervisor: Jubar

WHEREAS, the Election Law of the State of New York requires that County Election Commissioners be appointed for terms of two years, such appointments to be in each odd-numbered year,

RESOLVED, that the Montgomery County Board of Supervisors hereby appoints Jessie B. Zarecki, 24 Reid Street, Amsterdam, New York, as Democratic Election Commissioner of the Montgomery County Board of Elections for a two-year term expiring on December 31, 1998, and

FURTHER RESOLVED, that said appointee shall be paid an annual salary of \$6,729.00, an amount which has been appropriated in the 1997 Operating Budget.

RESOLUTION ADOPTED with Aye(1563). Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th Ward is vacant.

Duly adopted upon roll call, all members present (1563) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery Co. Democratic Committee
Board of Elections
Appointee
Personnel/Payroll

OTHER

Chairman Keller said a tour of the Public Safety Facility is being arranged for Supervisors.

ADJOURNMENT

Motion by Supervisor Barone, seconded by Supervisor Frasier, to adjourn the meeting passed with Aye(1563). Supervisor D'Arcangelis was absent. The Supervisor position from the City of Amsterdam - 5th Ward is vacant. Chairman Keller declared the meeting adjourned at 7:14 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|---|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES 8 Resolution Adopting Intro. Local Law No. 7 of 1996 | |
| RES 9 Resolution Designating Liberty's 40th Celebration | |
| RES 10 Resolution Reappointing Members of Soil & Water Board | |
| RES 11 Resolution Reappointing Ag & Farmland Board Members | |
| RES 12 Resolution Reappointing Region IV Board Members | |
| RES 13 Resolution Reappointing Hotel/Motel Advisory Board Members | |
| RES 14 Resolution Establishing Public Hearing - Local Law No. 1 of 1997 | |
| RES 15 Resolution Amending 1997 Operating Budget - Infirmary | |
| RES 16 Resolution Amending County Road Map | |
| RES 17 Resolution Authorizing Contract - FMCC | |
| RES 18 Resolution Authorizing Change Order - FMCC | |
| RES 19 Resolution Authorizing Contingency Allowance Charges - FMCC | |
| RES 20 Resolution Authorizing Agreement - Fire Training Center | |
| RES 21 Resolution Honoring Memory of Curtis S. Nellis | |
| RES 22 Resolution Authorizing Agreement - Data Processing | |
| RES 23 Resolution Amending 1997 Operating Budget - County Auditor | |
| OTHER | 11 |
| ADJOURNMENT | 11 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for January 14, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor McMahon. Roll call indicated that Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant. All votes in these minutes reflect both the absences and the vacancy.

MOMENT OF SILENCE

Reverend Hand offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Frasier, to provide for the addition of Resolutions Nos. 21, 22 and 23, passed with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant. Motion by Supervisor Wills, seconded by Supervisor Frasier, to adopt the agenda, passed with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

PROCLAMATIONS

Proclamation endorsing Adirondack wellness 2000 will be presented to Amsterdam Memorial Hospital by Supervisor Jubar.

PUBLIC COMMENT

Randy Phillips, City of Amsterdam, discussed the salary increase for the FMCC President.

Debra Couser, Town of Minden, discussed the workfare program.

Thomas Myles, FMCC Trustee, discussed FMCC finances and the salary increases provided to FMCC President Bell.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor D'Arcangelis, seconded by Supervisor McMahon, to adopt the minutes of the Public Hearings of December 10, 1996, the Regular Meeting of December 12, 1996 and the Special Meeting of December 14, 1996, passed with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

None.

OLD BUSINESS

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NEW BUSINESS

**

RESOLUTION NO. 8 of 1997 DATED: January 14, 1997
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 7 OF 1996

Resolution by Supervisor: Wills
Seconded by Supervisor: Jubar

WHEREAS, on December 10, 1996, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Amending Local Law No. 1 of 1991, which had Amended Local Law No. 12 of 1987, which had Amended Local Law No. 1 of 1985, which had Amended Section 11 of Local Law No. 2 of 1956, which Established a Plan of Self-Insurance as Provided for in Article 5 of the Workmen's Compensation Law and Providing for the Administration Thereof", was presented to the Board of Supervisors for consideration, and

WHEREAS, on December 10, 1996, Resolution No. 428 of 1996 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 14th day of January, 1997, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 7 of 1996, entitled: "A Local Law Amending Local Law No. 1 of 1991, which had Amended Local Law No. 12 of 1987, which had Amended Local Law No. 1 of 1985, which had Amended Section 11 of Local Law No. 2 of 1956, which Established a Plan of Self-Insurance as Provided for in Article 5 of the Workmen's Compensation Law and Providing for the Administration Thereof", hereby is adopted and approved 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(1517): Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1517) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**

RESOLUTION NO. 9 of 1997 DATED: January 14, 1997
RESOLUTION DESIGNATING 1997 AS "A CELEBRATION OF LIBERTY'S 40TH ANNIVERSARY"

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Liberty, the Montgomery County Chapter of NYSARC, Inc., was founded in 1957 by parents of children with developmental and other

WHEREAS, the organization has been providing quality day, residential and family support services for 40 years, and

WHEREAS, Liberty's Board, staff and friends work together to create an atmosphere which encourages individuality, independence, productivity and integration for the people it serves, and

WHEREAS, Liberty continues to have a significant economic and social impact in Montgomery County, by providing employment and other opportunities for people with disabilities and other citizens of this community,

RESOLVED, that the Montgomery County Board of Supervisors hereby designates 1997 as "a Celebration of Liberty's 40th Anniversary", and urges that all citizens join in recognizing the outstanding accomplishments of the organization and the people it serves.

MOTION by Supervisor Jubar, seconded by Supervisor D'Arcangelis, to have the Clerk of the Board cast one unanimous vote in favor of the Resolution, passed with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth ward Supervisor's position is vacant.

RESOLUTION ADOPTED with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1517) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Liberty

**

RESOLUTION NO. 10 of 1997 DATED: January 14, 1997
RESOLUTION REAPPOINTING MEMBERS OF THE MONTGOMERY COUNTY SOIL AND WATER
CONSERVATION DISTRICT BOARD OF DIRECTORS

Resolution by Supervisor: Landon
Seconded by Supervisor: D'Arcangelis

RESOLVED, that pursuant to Section 7 of the Soil Conservation District Law, the following named persons hereby are reappointed members of the Board of Directors of the Montgomery County Soil and Water Conservation District:

Gerald O. Keller as a Supervisor Member for a one-year term commencing January 1, 1997 and ending December 31, 1997.

John Van Kersen as a Supervisor Member for a one-year term commencing January 1, 1997 and ending December 31, 1997.

RESOLUTION ADOPTED with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1517) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 11 of 1997 DATED: January 14, 1997
RESOLUTION REAPPOINTING AGRICULTURAL AND FARMLAND PROTECTION BOARD
MEMBERS

Resolution by Supervisor: Hassan

Seconded by Supervisor: Keller

WHEREAS, four vacancies exist on the Agricultural and Farmland Protection Board, and

RESOLVED, that the following persons hereby are reappointed members of said Board:

| NAME | ADDRESS | TERM EXPIRES | CLASSIFICATION |
|-----------------|--|-------------------|----------------------------|
| Roy Dykeman | R.D.#1 Fultonville, NY | December 31, 2000 | Active Farmer |
| Richard Blowers | Old Trail Road Johnstown, NY | December 31, 2000 | Active Farmer |
| Michael Kayes | County Annex Building Fonda, NY 12068 | December 31, 2000 | County Planning Dir. |
| Edward Winters | County Annex Building Fonda, NY 12068 | December 31, 2000 | Cornell Cooperative Ext |

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor McMahon, in the RESOLVED clause, delete "Edward Winters" and insert, in its stead, "Jennifer Sysak", passed with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

RESOLUTION ADOPTED with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1517) voting aye.

KELLI MCCOSKI County Attorney
RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees

**

RESOLUTION NO. 12 of 1997 DATED: January 14, 1997
RESOLUTION REAPPOINTING MEMBERS OF REGION IV FISH AND WILDLIFE
MANAGEMENT BOARD

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Landon

WHEREAS, Section 11-0501 of the Environmental Conservation Law provides for appointment of members of the Regional Fish and Wildlife Management Board by the Chairman of the Board of Supervisors, with approval of the Board of Supervisors, and

RESOLVED, that the following persons hereby are reappointed members of the Region IV Fish and Wildlife Management Board for one-year terms expiring on December 31, 1997:

| | | |
|---|--|----------|
| John Van Kersen (Landowner Representative) | 1796 Carlisle Road Sprakers, NY 12166 | 12/31/97 |
| William Grzyb, Sr. (Landowner Alternate) | 4862 StHwy 30 Amsterdam, NY 12010 | 12/31/97 |

RESOLUTION ADOPTED with Aye(1309). Supervisor Grzyb voted nay. Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1309) voting aye.

KELLI MCCOSKI County Attorney
RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Appointees
Regional Fish and Wildlife Management Bd

**

RESOLUTION NO. 13 of 1997 DATED: January 14, 1997
RESOLUTION REAPPOINTING HOTEL/MOTEL OCCUPANCY TAX ADVISORY BOARD
MEMBERS

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Hassan

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

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

| APPOINTEE | REPRESENTING | TERM EXPIRES |
|---------------|-------------------|--------------|
| Wayne Allen | County Government | 12/31/98 |
| Carol Soodsma | Tourism Industry | 12/31/99 |
| Robert Brown | Tourism Industry | 12/31/99 |
| James Landrio | Tourism Industry | 12/31/99 |
| Michael Kayes | County Government | 12/31/98 |

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Mead, in the
RESOLVED clause, delete "James Landrio" and insert, in its stead, "Gary
Barmen", passed with Aye(1517). Supervisors Paton and Van Kersen were
absent. The Fifth Ward Supervisor's position is vacant.

RESOLUTION ADOPTED with Aye(1368). Supervisor Cuzzo voted nay. Supervisors
Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is
vacant.

Duly adopted upon roll call, all members present (1368) voting aye.

KELLI MCCOSKI County Attorney RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees

**

RESOLUTION NO. 14 of 1997 DATED: January 14, 1997
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 1
OF 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Landon

WHEREAS, a public hearing is required to be held concerning Introductory
Local Law No. 1 of 1997, a Local Law Establishing the 1997 Salaries of Various
County Officials,

RESOLVED, that Introductory Local Law No. 1 of 1997 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, January
28, 1997, at 7:15 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(1517). Supervisors Paton and Van Kersen were absent.
The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1517) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 15 of 1997 DATED: January 14, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (INFIRMARY)

Resolution by Supervisor: Paton
Seconded by Supervisor: Jubar

WHEREAS, the Nursing Home Administrator has requested a budget amendment to provide for continued funding of a personnel item,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|----------------------------|---------------------------------------|----------------|
| Revenue: | EH-34-3-1801-01 | Intergovernmental Transfer Grant | by \$18,012.00 |
| Appropriations: | EH-34-4-6020-00.1110(265) | Montgomery Meadows Nursing Assistant | by \$17,117.00 |
| | EH-34-4-6020-00.1113(1211) | Montgomery Meadows Shift Differential | by \$ 895.00 |

RESOLUTION ADOPTED with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1517) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 16 of 1997 DATED: January 14, 1997
RESOLUTION AMENDING COUNTY ROAD MAP

Resolution by Supervisor: McMahon
Seconded by Supervisor: Jubar

WHEREAS, Section 115 of the Highway Law provides that amendments may be made to the County Road Map, subject to approval of the Board of Supervisors, and

WHEREAS, the Village of Canajoharie has expressed its intent to assume responsibility for Wintergreen Park Road (County Road No. 95),

RESOLVED, that the Commissioner of Public Works hereby is authorized and directed to remove Wintergreen Park Road (County Road No. 95) from the County Road Map, and

FURTHER RESOLVED, that said Commissioner also is authorized and directed to sign an agreement providing for the transfer of responsibility for said Road to the Village of Canajoharie, and

FURTHER RESOLVED, that pursuant to Section 115-c of the Highway Law, this action shall be effective 30 days after notice is provided to the Clerk and Mayor of said Village.

RESOLUTION ADOPTED with Aye(1517): Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1517) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 17 of 1997 DATED: January 14, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - LIBRARY RENOVATION
PROJECT (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

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 Marshall & Thompson Moving & Storage, Inc. of Schenectady, New York, in an amount not to exceed \$5,200, to move books, shelving and printing presses, as part of the FMCC Library Renovation Project, and

FURTHER RESOLVED, that the approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1207). Supervisors Grzyb and Frasier voted nay. Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1207) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 18 of 1997 DATED: January 14, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER - CONTRACT NO. 3
(FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Landon

RESOLVED that the Chairman of the Board of Supervisors hereby is authorized and directed to sign a Change Order with Kleen Resources for Contract No. 3 - Oil Storage Tank Project of the Fulton-Montgomery Community College Master Plan Project, and that a charge be made against the Contingency Allowance of said contract as follows:

| | |
|-----------------------------------|-------------|
| Contingency Allowance (CA) | \$ 7,500.00 |
| Approved CA-1: Soil Contamination | 5,000.00 |
| | <hr/> |
| Current Balance in CA | \$ 2,500.00 |
| Proposed CA-2: Pumps | 2,500.00 |
| | <hr/> |
| Balance in CA | \$ 0 |

| | | |
|-----------------------------------|-----|--------------------|
| Original Contract Amount | | \$55,955.00 |
| Approved CO-1: Soil Contamination | (+) | 16,726.70 |
| Current Contract Amount | | <u>\$67,311.70</u> |
| Proposed CO-2: Pumps | (+) | 2,640.00 |
| Revised Contract Amount | | <u>\$69,951.70</u> |

, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar Resolution by Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1207). Supervisors Grzyb and Frasier voted nay. Supervisors Paton and Van Kersen were absent. The Fifth ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1207) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 19 of 1997 DATED: January 14, 1997
RESOLUTION AUTHORIZING CONTINGENCY ALLOWANCE CHARGES - CONTRACT NO. 1
(FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Wills
Seconded by Supervisor: Landon

RESOLVED, that the Board of Supervisors hereby authorizes the following charges to the Contingency Allowance in Contract No. 1, awarded to Delaney Construction, for water/wastewater Plant Upgrades as part of the Fulton-Montgomery Community College Master Plan Project:

| | |
|---|--------------------|
| Original Contract Amount | \$55,955.00 |
| Total Contingency Allowance (CA) | 10,000.00 |
| Previously Approved CA #1 (Control Panel) | 2,263.30 |
| Current Balance in CA | <u>\$ 7,736.70</u> |
| CA Authorization #2 (Rotate Water Booster Pump) | \$ 2,485.00 |
| CA Authorization #3 (Brine Tank) | 1,085.00 |
| Revised CA Balance After Authorizations for #2 & #3 | <u>\$ 4,166.70</u> |

, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon the adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1207). Supervisors Grzyb and Frasier voted nay. Supervisors Paton and Van Kersen were absent. The Fifth ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1207) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors

**
RESOLUTION NO. 20 of 1997 DATED: January 14, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CONSULTANT
ENGINEERING SERVICES (FIRE TRAINING CENTER)

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

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 J. Kenneth Fraser of Rensselaer, New York, for provision of environmental engineering services involving contamination at the Fire Training Center, and

FURTHER RESOLVED, that the estimated cost of said services is approximately \$28,500.

RESOLUTION ADOPTED with Aye(1160). Supervisor Grzyb voted nay. Supervisor Cuozzo abstained. Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1160) voting aye.

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fire Coordinator

**
RESOLUTION NO. 21 of 1997 DATED: January 14, 1997
RESOLUTION HONORING THE MEMORY OF CURTIS S. NELLIS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Curtis S. Nellis served with distinction as a member of the Montgomery County Board of Supervisors for 18 years, and

WHEREAS, Mr. Nellis, who represented the Town of Palatine from 1956 to 1973, was elected Chairman of the Board of Supervisors in 1960, and

WHEREAS, Mr. Nellis served as Superintendent of the Montgomery County Home from 1976 until his retirement in 1983, and

WHEREAS, Mr. Nellis, a Stone Arabia native, was educated in the Fort Plain School District, and

WHEREAS, Mr. Nellis was an Army veteran of World War Two, having participated in the Battle of the Bulge, and

WHEREAS, Mr. Nellis was a member of Trinity Lutheran Church, and

WHEREAS, Mr. Nellis was Vice President of the Stone Arabia Preservation Society, a Charter Member of the Fort Klock Historical Restoration Society, a member of the Palatine Society and a member of Veterans of Foreign Wars, Post 3275, and

WHEREAS, Mr. Nellis is survived by his wife of 53 years, the former Helen Van Patten; a son, Laurence Nellis of Stone Arabia and four grandchildren,

RESOLVED, that the Board of Supervisors of Montgomery County hereby recognizes the outstanding lifetime achievements of Curtis S. Nellis, and

FURTHER RESOLVED, that the Board of Supervisors hereby does honor the memory of Mr. Nellis and expresses its deepest condolences and heartfelt sympathies to his family upon his passing.

MOTION by Supervisor Jubar, seconded by Supervisor D'Arcangelis, to have the

Clerk of the Board cast one unanimous vote in favor of the Resolution, passed with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

RESOLUTION ADOPTED with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1517) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Family of Curtis S. Nellis

**

RESOLUTION NO. 22 of 1997 DATED: January 14, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TECHNICAL SUPPORT
(DATA PROCESSING)

Resolution by Supervisor: wills
Seconded by Supervisor: McMahon

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 RGdata, Inc., for provision of full on-site technical support for the County's network operating system, and

FURTHER RESOLVED, that the annual cost of said services shall not exceed \$1,695.00.

RESOLUTION ADOPTED with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1517) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Data Processing

**

RESOLUTION NO. 23 of 1997 DATED: January 14, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (COUNTY AUDITOR)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Frasier

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|-------------------------|---|------------|
| From: | A-19-4-6510-00.1120(24) | Veterans Service Account Clerk Typist (PT) | \$6,000.00 |
| To: | A-30-4-1320-00.1120(12) | County Auditor Audit Clerk (PT) | \$6,000.00 |

RESOLUTION ADOPTED with Aye(1368). Supervisor Cuzzo voted nay. Supervisors Paton and Van Kersen were absent. The Fifth Ward Supervisor's position is vacant.

Duly adopted upon roll call, all members present (1368) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

OTHER

Supervisor Grzyb requested that all Supervisors receive copies of the monthly general ledger.

Supervisor Wills suggested appointing a Workfare Task Force.

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor Landon, to adjourn the meeting, passed with Aye(1517). Supervisors Paton and Van Kersen were absent. The Fifth ward Supervisor's position is vacant. Chairman Keller declared the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|--|----|
| TABLE OF CONTENTS | 1 |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 1 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES 24 Resolution Honoring Memory of Howard J. Dynes | |
| RES 25 Resolution Adopting Introductory Local Law No. 1 of 1997 | |
| RES 26 Resolution Authorizing Work Change Orders | |
| RES 27 Resolution Authorizing Membership - Personnel | |
| RES 28 Resolution Designation Requirement to Final Financial Disclosure | |
| RES 29 Resolution Establishing Position - Micro-Computer Technician | |
| RES 38 Resolution Reestablishing Position - Public Health | |
| RES 31 Resolution Amending Budget - Public Health | |
| RES 32 Resolution Amending Operating Budget - Public Health | |
| RES 33 Resolution Authorizing Agreement - Montgomery Meadows | |
| RES 34 Resolution Authorizing Agreement - Montgomery Meadows | |
| RES 35 Resolution Authorizing Solicitation of Bids - Montgomery Meadows | |
| RES 36 Resolution Authorizing Solicitation of Proposals - Montgomery Meadows | |
| RES 37 Resolution Authorizing Disbursement of Dog License Funds | |
| RES 38 Resolution Adopting Records Management Plan | |
| RES 39 Resolution Authorizing Solicitation of Bids - Office Supplies | |
| RES 40 Resolution Amending Operating Budget - Social Services | |
| RES 41 Resolution Authorizing Grand Application - History | |
| RES 42 Resolution Awarding Bid No. 19-96-2 | |
| RES 43 Resolution Authorizing Solicitation of Bids - Public Works | |
| RES 44 Resolution Urging MOSA to Eliminate Landfill Site G | |
| RES 45 Resolution Clarifying Position - MOSA | |
| RES 46 Resolution Declaring Intent - MOSA | |
| OTHER | 14 |
| ADJOURNMENT | 15 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for January 28, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Hassan. Roll call indicated that Supervisor Paton 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 D'Arcangelis, seconded by Supervisor Landon, to provide for the addition of Resolutions Nos. 45 and 46, passed with Aye(1726). Supervisor Paton was absent. Motion by Supervisor D'Arcangelis, seconded by Supervisor Landon, to adopt the agenda, passed with Aye(1726). Supervisor Paton was absent.

PROCLAMATIONS

Proclamation declaring January 26 - February 2, 1997, as Catholic Schools week was presented to Sister Elizabeth Costanza, Principal of St. Mary's Institute and Sister Mary Bernice, Principal of St. Stanislaus School.

PUBLIC COMMENT

Melanie Schuster, Town of St. Johnsville, discussed the Sheriff's Department.

Jim Ayres, CAMP Spokesperson, discussed MOSA.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Van Kersen, seconded by Supervisor Barone, to adopt the minutes of the Organizational Meeting of January 7, 1997 and the Regular Meeting of January 14, 1997, passed with Aye(1726). Supervisor Paton was absent.

READING OF COMMUNICATIONS

None.

**

NEW BUSINESS

**

RESOLUTION NO. 24 of 1997
RESOLUTION HONORING THE MEMORY OF HOWARD J. DYNES

DATED: January 28, 1997

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Howard J. Dynes served with distinction as Montgomery County Personnel Officer from 1984 to 1991, and

WHEREAS, Mr. Dynes also served, from 1964 to 1981, as Executive Secretary of the Montgomery County Civil Service Commission, and

WHEREAS Mr. Dynes, an Amsterdam native and 1930 graduate of Wilbur H. Lynch High School, was a Navy veteran of World War Two, and

WHEREAS, Mr. Dynes was employed by the Bigelow-Sanford Carpet Company, where he held various supervisory positions, and subsequently served as Manager of Cost Estimating for the Mohasco Corporation, and

WHEREAS, Mr. Dynes was a member and former Elder of the United Presbyterian Church, and

WHEREAS, Mr. Dynes was a member of Lodge 84, Free and Accepted Masons; Cyprus Temple, Ancient Order of Nobles of the Mystic Shrine and the Amsterdam Shrine Club, and

WHEREAS, Mr. Dynes formerly served as an Amsterdam YMCA Trustee, United Way of Amsterdam Director, Montgomery County Alcoholic Beverage Control Board Commissioner and Montgomery County Republican Committee Treasurer, and

WHEREAS, Mr. Dynes is survived by his wife of 44 years, the former Margaret E. McCrum, and a daughter, Leslie Ann Dynes of Amsterdam,

RESOLVED, that the Board of Supervisors of Montgomery County hereby recognizes the outstanding lifetime achievements of Howard J. Dynes, and

FURTHER RESOLVED, that the Board of Supervisors hereby does honor the memory of Mr. Dynes and expresses its deepest condolences and heartfelt sympathies to his family upon his passing.

MOTION by Supervisor Jubar, seconded by Supervisor Barone, to have the Clerk of the Board cast one unanimous vote in favor of the Resolution, passed with Aye(1726). Supervisor Paton was absent.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Family of Howard J. Dynes

**

RESOLUTION NO. 25 of 1997
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 1997

DATED: January 28, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Keller

WHEREAS, on January 14, 1997, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Establishing the 1997 Salaries of Various County Officials", was presented to the Board of Supervisors for consideration, and

WHEREAS, on January 14, 1997, Resolution No. 14 of 1997 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 28th day of January, 1997, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 1 of 1997, entitled: "A Local Law Establishing the 1997 Salaries of Various County Officials", hereby is adopted and approved and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file one certified copy 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(1518). Supervisor Grzyb voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1518) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
Individuals Named in Local Law

**

RESOLUTION NO. 26 of 1997 DATED: January 28, 1997
RESOLUTION AUTHORIZING WORK CHANGE ORDERS (PUBLIC SAFETY FACILITY)

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Construction Manager has recommended approval of work Change Orders at the Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby authorizes implementation of the following work change orders at the Public Safety Facility:

| | | |
|----------|---|-------------|
| MPC - 22 | - | \$ 6,298.00 |
| MPC - 51 | - | 23,138.00 |
| MPC - 52 | - | 6,120.00 |
| MPC - 52 | - | (6,120.00) |
| MPC - 59 | - | 8,848.35 |
| MPC - 74 | - | 37,000.00 |
| MPC - 82 | - | 921.00 |
| MPC - 86 | - | 9,262.52 |

, and

FURTHER RESOLVED, that the County of Montgomery shall seek reimbursement for any portion of said payments deemed to have resulted from errors or omissions attributable to those individuals and/or firms responsible for said errors.

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Coluni, in the RESOLVED clause, add "Change Order No. 19 in the amount of \$17,588.00 and, Change Order No. 20 in the amount of \$10,238.25", passed with Aye(1518). Supervisor Grzyb voted nay. Supervisor Paton was absent

RESOLUTION ADOPTED with Aye(1518). Supervisor Grzyb voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1518) voting aye.

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 27 of 1997 DATED: January 28, 1997
RESOLUTION AUTHORIZING ASSOCIATION MEMBERSHIP - WORKER'S COMPENSATION
SELF-INSURANCE ASSOCIATION (PERSONNEL)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Wills

RESOLVED, that the Board of Supervisors hereby authorizes membership by the Personnel Department in the Worker's Compensation Self-Insurance Association, and

FURTHER RESOLVED, that said membership is authorized within the limits of funds appropriated annually for such purposes.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**

RESOLUTION NO. 28 of 1997 DATED: January 28, 1997
RESOLUTION DESIGNATING COUNTY EMPLOYEES AND OFFICIALS REQUIRED TO FILE
ANNUAL FINANCIAL DISCLOSURE STATEMENTS

Resolution by Supervisor: Grzyb
Seconded by Supervisor:

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:

DEPARTMENT HEADS AND DEPUTIES

Members, Montgomery County Board of Supervisors
County Administrator
Deputy County Administrator
Clerk, Board of Supervisors
Director, 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
Nursing Home Administrator
Director of Nursing Service
Assistant Director of Nursing
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
PHC Coordinator
Social Services Attorney
Assistant Social Services Attorneys

ADVISORY BOARDS AND COMMITTEES

Members of Agricultural and Farmland Protection Board
Members of Alcoholic Beverage Control Board
(Montgomery County Appointees)
Members of Alternatives to Incarceration Advisory Board
Members of Arson Advisory Board
Members of Ethics Advisory Board
Members of Community Services Board (Mental Health)
Members of Conditional Release Commission
Members of County Fire Advisory Board
Member of County Jury Board (County Appointee)
Members of County Planning Board
Members of Fish and Wildlife Management Board - Region 4
(County Appointees)
Members of Forest Practice Board - Region 4 (County Appointees)
Members of Fulmont Development Facility Board (County Appointees)
Members of FMCC Board of Trustees (County Appointees)
Members of HUD Revolving Loan Review Committee
Members of Montgomery County Industrial Development Agency
Members of Montgomery County Sewer District No. 1
Members of Montgomery-Otsego-Schoharie
Solid Waste Management Authority (County Appointees)
Members of Physically Handicapped Children's Advisory Committee
Members of Private Industry Council (County Appointees)
Members of Occupancy Tax Advisory Board
Members of Soil and Water Conservation District
Members of Youth Bureau Board of Directors
Members of Traffic Safety Board

, and

FURTHER RESOLVED, that the above employees and officials shall file the financial disclosure statement with the County Administrator no later than February 1 of each year following the adoption of this resolution, 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

RESOLUTION DIED FOR LACK OF A SECOND.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Employees and Officers Named Above

**
RESOLUTION NO. 29 of 1997 DATED: January 28, 1997
RESOLUTION ESTABLISHING POSITION - MICRO-COMPUTER TECHNICIAN (SOCIAL SERVICES)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Frasier

WHEREAS, the Commissioner of Social Services has recommended establishment of the position of Micro-Computer Technician,

RESOLVED, that the Board of Supervisors hereby authorizes and directs that the position of Micro-Computer Technician be established within the Department of Social Services, and

FURTHER RESOLVED, that the annual salary for said position shall be \$_____.

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Van Kersen, in the title and RESOLVED clause, delete "Social Services" and insert, in its stead, "Data Processing", in the FURTHER RESOLVED clause, insert "\$24,460", passed with Aye(1220). Supervisors Landon, Cuozzo and Grzyb voted nay.

RESOLUTION ADOPTED with Aye(1220). Supervisors Landon, Cuozzo and Grzyb voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1220) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services
Personnel/Payroll

**
RESOLUTION NO. 30 of 1997 DATED: January 28, 1997
RESOLUTION REESTABLISHING POSITION (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

RESOLVED, that a position of Principal Clerk hereby is reestablished in the Public Health Department, with a 1997 base salary of \$19,036, and

FURTHER RESOLVED, that the position of Senior Account Clerk Typist, in said Department, hereby is abolished, and

FURTHER RESOLVED, that said changes are effective as of January 1, 1997, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From: A-16-4-4010-00.1110(124) Public Health
Sr. Acct. Clerk Typist \$20,348.40

| | | | |
|-----|--------------------------|---|-------------|
| To: | A-16-4-4010-00.1110(387) | Public Health Principal Clerk | \$20,003.40 |
| | A-01-4-1990-00.4400 | Contingent Account Contractual Expense | \$ 345.00 |

RESOLUTION ADOPTED with Aye(1369). Supervisor Grzyb voted nay. Supervisors Cuzzo and Paton were absent.

Duly adopted upon roll call, all members present (1369) voting aye.

| | |
|----------------------------------|---|
| KELLI MCCOSKI County Attorney | RICHARD C. HEALY Clerk, Board of Supervisors |
|----------------------------------|---|

cc: County Treasurer
County Administrator
County Clerk
Director of Public Health
Personnel/Payroll

**

RESOLUTION NO. 31 of 1997 DATED: January 28, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

WHEREAS, the Board of Supervisors previously authorized acceptance of Pedestrian Injury Grant funds for the period commencing February 1, 1996, and ending on January 31, 1997, and

WHEREAS, said funds were appropriated in the 1996 Operating Budget, and

WHEREAS, said funds were not fully expended, as of December 31, 1996, and the unexpended balance was not previously carried forward in the 1997 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | | |
|-----------------|----------------|------------------------|----|------------|
| Revenue: | A-16-3-3401-06 | Public Health Grant | by | \$2,552.83 |
| Appropriations: | A-16-4-4010-06 | Public Health - Grant | | |
| | .2259 | Computer Equipment | by | \$ 18.02 |
| | .2263 | Spec. Operating Equip. | by | 10.32 |
| | .4454 | Central Purchasing | by | 1,099.96 |
| | .4491 | Legal Notice & Adv. | by | 206.93 |
| | .4493 | Educ. & Training Pub. | by | 1,231.00 |

DECREASE:

Appropriations: A-16-4-4010-06 Public Health - Grant

RESOLUTION ADOPTED with Aye(1577). Supervisors Cuzzo and Paton were absent.

Duly adopted upon roll call, all members present (1577) voting aye.

| | |
|----------------------------------|---|
| KELLI MCCOSKI County Attorney | RICHARD C. HEALY Clerk, Board of Supervisors |
|----------------------------------|---|

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

**

RESOLUTION NO. 32 of 1997 DATED: January 28, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

WHEREAS, the 1997 Public Health budget contains shared services revenue for services provided to the Coordinated Children's Services Early Intervention Program, and

WHEREAS, the County Treasurer has recommended reclassifying said revenue as Public Health Fees, since it is true revenue,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

Revenue: A-16-3-1601-00 Public Health Fees by \$16,000.00

DECREASE:

Revenue: A-16-3-1270-00 Shared Services Charges by \$16,000.00

RESOLUTION ADOPTED with Aye(1577). Supervisors Cuozzo and Paton were absent.

Duly adopted upon roll call, all members present (1577) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 33 of 1997 DATED: January 28, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT -
OCCUPATIONAL THERAPY CONSULTANT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Frasier

WHEREAS, the Operating Certificate from the State of New York Department of Health - Office of Health Systems Management, mandates the services of an occupational therapist at Montgomery Meadows, and

WHEREAS, the services of an occupational therapist are being provided by Christine P. Gifford, OTR,

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 Christine P. Gifford, OTR, for the provision of occupational therapy services at Montgomery Meadows for a term commencing January 1, 1997, and ending on December 31, 1997, at a rate of \$30.00 per hour, not to exceed an annual cost of \$6,720.00, and

FURTHER RESOLVED, that said agreement may be renewed, annually, without further legislative approval, provided there are no substantive changes to the terms and conditions.

RESOLUTION ADOPTED with Aye(1577). Supervisors Cuozzo and Paton were absent.

Duly adopted upon roll call, all members present (1577) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 34 of 1997 DATED: January 28, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - SPEECH
PATHOLOGY SERVICES (MONTGOMERY MEADOWS)

WHEREAS, the New York State Department of Health requires that licensed County nursing homes provide speech pathology services, and

WHEREAS, the Nursing Home Administrator has recommended renewal of an agreement with Amsterdam Memorial Hospital to provide 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 Amsterdam Memorial Hospital for provision of the services of a speech pathologist, and

FURTHER RESOLVED, that said services shall be charged at the rate of \$55.00 per hour, portal-to-portal, not to exceed \$3,500.00 annually, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on January 1, 1997, and ending on December 31, 1997, and

FURTHER RESOLVED, that said agreement may be renewed, annually, without further legislative approval, provided there are no substantive changes to the terms and conditions.

RESOLUTION ADOPTED with Aye(1577). Supervisors Cuozzo and Paton were absent.

Duly adopted upon roll call, all members present (1577) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 35 of 1997 DATED: January 28, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - LAUNDRY SERVICE
(MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Jubar

WHEREAS, funds have been appropriated in the 1997 Operating Budget for laundry service for Montgomery Meadows, and

WHEREAS, the Nursing Home Administrator has recommended that bids be solicited for said service,

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for laundry service for Montgomery Meadows, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 36 of 1997 DATED: January 28, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - DIETARY MANAGEMENT
SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton

Seconded by Supervisor: Jubar

RESOLVED, that the Purchasing Agent, in cooperation with the Nursing Home Administrator, hereby is authorized and directed to solicit proposals for Dietary Management Services at Montgomery Meadows, and

FURTHER RESOLVED, that said proposals be for a two-year term.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 37 of 1997 DATED: January 28, 1997
RESOLUTION AUTHORIZING DISBURSEMENT OF SURPLUS DOG LICENSE FUNDS

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

RESOLVED, that the Annual Report of the County Treasurer regarding apportionment of dog license revenue hereby is accepted, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to disburse, to the Towns and to the City of Amsterdam, \$4,669.75 in surplus dog license funds, in proportion to the contribution made by each, collected during 1996.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 38 of 1997 DATED: January 28, 1997
RESOLUTION ADOPTING RECORDS MANAGEMENT PLAN

Resolution by Supervisor: Frasier
Seconded by Supervisor: Paton

WHEREAS, the State Education Department has established criteria for Records Management, which includes a Written Plan, and

WHEREAS, a Written Plan has been recommended by the Records Management Advisory Board of Montgomery County,

RESOLVED, that the Board of Supervisors hereby adopts the Written Plan for Records Management, as recommended by Montgomery County's Records Management Advisory Board, and

FURTHER RESOLVED, that a copy of said Plan shall be attached hereto and made part of this Resolution.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI

RICHARD C. HEALY

cc: County Treasurer
County Administrator
County Clerk
Historian

**
RESOLUTION NO. 39 of 1997 DATED: January 28, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - OFFICE SUPPLIES

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Landon

WHEREAS, funds have been appropriated in the 1997 Operating Budget for the purchase of office supplies for all County departments,

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for office supplies, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**
RESOLUTION NO. 40 of 1997 DATED: January 28, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Landon

WHEREAS, Grant funding has been approved for Montgomery County to administer a Managed Care Program, and

WHEREAS, the Commissioner of Social Services has requested budget amendments to utilize grant funding,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | | |
|-----------------|---------------------|---------------------------------|----|------------|
| Revenue: | A-18-3-3610-00 | State Aid Administration | by | \$2,659.00 |
| | A-18-3-4610-00 | Federal Aid Administration | by | 2,405.00 |
| Appropriations: | A-18-4-6010-00.2226 | Audio Visual & Camera Equipment | by | \$2,100.00 |
| | A-18-4-6010-00.2282 | Copying | by | 2,964.00 |

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: McMahon

RESOLVED, the Board of Supervisors hereby authorizes and directs the Records Management Officer solicit a Local Government Records Management Improvement Fund Grant, in an amount not to exceed \$19,104, from the State Archives and Records Administration, and

FURTHER RESOLVED, that said funding will be used to transfer archival records to the second floor of the Old Court House and to enter said records into a Computer database.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 42 of 1997
RESOLUTION AWARDED BID NO. 19-96-2

DATED: January 28, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Van Kersen

WHEREAS, the Purchasing Agent was authorized by Resolution No. 433 of 1996 to solicit bids for the replacement of three transformers for the Department of Public Works, and

WHEREAS, said bids were opened on January 14, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 19-96-2 to J. Hall, Ltd. of Ravena, New York, in the amount of \$21,850.00.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 43 of 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - VARIOUS MATERIALS (PUBLIC WORKS)

DATED: January 28, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Van Kersen

WHEREAS, the Commissioner of Public Works has requested permission to solicit bids for various materials,

RESOLVED, that the Purchasing Agent hereby is authorized to solicit bids for various material for the Department of Public Works, per provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED with Aye(1726). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1726) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 44 of 1997
RESOLUTION URGING MOSA TO ELIMINATE LANDFILL SITE G

DATED: January 28, 1997

Resolution by Supervisor: Hassan
Seconded by Supervisor: Van Kersen

WHEREAS, the Board of Supervisors often has been requested to provide Montgomery County's MOSA Board members to provide guidance regarding various issues, and

WHEREAS, MOSA cannot afford to proceed with the proposed new landfill in the Town of Charleston, and

WHEREAS, said landfill site is not adequate to make it an economically-viable project,

RESOLVED, that, the Board of Supervisors hereby recommends that Montgomery County's MOSA Board members propose and support a resolution to cease any further consideration of the proposed landfill Site G in the Town of Charleston, and

FURTHER RESOLVED, that copies of the Resolution be forwarded to Montgomery County's representatives on the MOSA Board of Directors.

RESOLUTION DEFEATED with Aye(591). Supervisors Grzyb, Hassan, Keller, Frasier, Van Kersen and Jubar voted aye. Supervisor Paton was absent.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA
MOSA Board of Directors

**

RESOLUTION NO. 45 of 1997
RESOLUTION CLARIFYING MONTGOMERY COUNTY'S POSITION RELATIVE TO OTSEGO COUNTY'S REQUEST TO BUY-OUT FROM MOSA

DATED: January 28, 1997

Resolution by Supervisor: Hassan
Seconded by Supervisor: D'Arcangelis

WHEREAS, an agreement was entered in April, 1989 between the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) and the Counties of Montgomery, Otsego and Schoharie, to formalize the responsibilities of all parties regarding the handling of solid waste generated within the boundaries of the three Counties, and

WHEREAS, the parties pledged to cooperate in effecting the transition of solid waste management responsibilities being assumed by the Authority, and

WHEREAS, said Agreement cannot be modified without the written consent of all parties, along with the consent of the Trustee for the bonds issued on behalf of the Authority, and

WHEREAS, Otsego County has expressed interest in amending the Service Agreement to provide that it would cease to be part of the Authority,

RESOLVED, that the Montgomery County Board of Supervisors cannot approve an amendment to the MOSA Service Agreement, in the absence of a comprehensive financial statement identifying the impact of the proposed Otsego County action upon Montgomery and Schoharie Counties, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors urges the three member Counties to arrange for an evaluation of the options for the handling of solid waste in the three-county area.

RESOLUTION ADOPTED with Aye(1518). Supervisor Grzyb abstained. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1518) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA
MOSA Board Members

**

RESOLUTION NO. 46 of 1997 DATED: January 28, 1997
RESOLUTION DECLARING INTENT TO CONTINUE PARTICIPATION IN THE MONTGOMERY
OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

WHEREAS, questions have been raised regarding Montgomery County's continuing participation as a member of the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

WHEREAS, it has been recommended that Montgomery County formally express its intent to remain an active MOSA member,

RESOLVED, that the Board of Supervisors hereby declares its intent to remain an active, participating member of the Montgomery-Otsego-Schoharie Solid Waste Management Authority, and

FURTHER RESOLVED, that said Board of Supervisors also declares its intent to cooperate in an ongoing effort to help enable MOSA to become a viable organization.

RESOLUTION ADOPTED with Aye(1316). Supervisors Grzyb, Hassan, Frasier and Van Kersen voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1316) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

OTHER

County Administrator Wayne Allen discussed CHIPS, MCEDC, MVEDD, the NYSAC Conference and a proposal for increased liability insurance.

Supervisor Cuozzo requested a status report on the Eastern Region Water and Sewer District.

Supervisor Grzyb said he will sponsor Resolutions regarding quarterly tax payments and an elected County Executive position.

Supervisor Wills requested discussion items on the Revolving Loan Fund, Workfare Program, Item Pricing and Ethics Board.

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor Grzyb to adjourn the meeting, passed with Aye(1726). Supervisor Paton was absent. Chairman Keller declared the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

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|---|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| SPECIAL PRESENTATIONS | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 2 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES 47 Resolution Honoring Memory of Edward B. walker | |
| RES 48 Resolution Authorizing Agreement - Public Health | |
| RES 49 Resolution Authorizing Services - Public Health | |
| RES 50 Resolution Authorizing Schedule - Public Health | |
| RES 51 Resolution Establishing Salary - Community Services | |
| RES 52 Resolution Authorizing Agreement - Disability Program | |
| RES 53 Resolution Regarding Disclosure Statements | |
| RES 54 Resolution Authorizing Agreement - MVEDD | |
| RES 55 Resolution Endorsing Amsterdam Windmill Committee Goals | |
| RES 56 Resolution Establishing Public Hearings - Canal Initiative | |
| RES 57 Resolution Authorizing Agreement - Grant Award - Sheriff | |
| RES 58 Resolution Correcting Tax Rolls | |
| RES 59 Resolution Authorizing Solicitation of Proposal - MOSA | |
| RES 60 Resolution Authorizing Agreement - History | |
| RES 61 Resolution Amending 1997 Operating Budget - History | |
| RES 62 Resolution Authorizing Agreement - Data Processing | |
| RES 63 Resolution Authorizing Agreement - Real Property | |
| RES 64 Resolution Authorizing Solicitation of Proposals - Social Services | |
| RES 65 Resolution Authorizing Restoration of CHIPS Funding | |
| RES 66 Resolution Opposing Removal of Services - DMV | |
| OTHER | 15 |
| ADJOURNMENT | 16 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for February 11, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Barone. Roll call indicated that Supervisor Grzyb was absent. All votes in these minutes reflect his absence.

MOMENT OF SILENCE

Supervisor Barone offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor D'Arcangelis, seconded by Supervisor Van Kersen, to provide for the addition of Resolution No. 65, passed with Aye(1660). Supervisor Grzyb was absent. Motion by Supervisor D'Arcangelis, seconded by Supervisor Van Kersen, to adopt the amended agenda, passed with Aye(1660). Supervisor Grzyb was absent.

PROCLAMATIONS

None.

PUBLIC COMMENT

Debra Couser, Town of Minden, discussed Social Services.

Mayor John Duchessi, City of Amsterdam, thanked the Sheriff's Department for help in conducting recent drug raids.

SPECIAL PRESENTATIONS

Albert Heck, Montgomery County Industrial Development Agency Vice-Chairman, discussed the MCIDA's proposal to administer the County's Revolving Loan Fund.

**

Supervisor Grzyb entered the meeting at 8:10 p.m.

**

Helen Bartone, County Clerk, discussed possible reduction in services and revenue in the Motor Vehicle Department.

Motion by Supervisor McMahon, seconded by Supervisor Barone, to Suspend the Rules of Procedure to allow consideration of Resolution No. 66 after Resolution No. 65, passed with Aye(1304-2/3 majority).

Motion by Supervisor Hassan, seconded by Supervisor Van Kersen, to amend the Minutes of the Regular Meeting of January 28, 1997, correcting Resolution No. 46 to note that Supervisor Van Kersen, not Supervisor Jubar voted nay, and that the Resolution passed, passed with Aye(1868). Motion by Supervisor McMahon, seconded by Supervisor Frasier, to adopt the corrected Minutes of the Regular Meeting of January 28, 1997, passed with Aye(1868).

READING OF COMMUNICATIONS

None.

OLD BUSINESS

**

NEW BUSINESS

**

RESOLUTION NO. 47 of 1997 DATED: February 11, 1997
RESOLUTION HONORING THE MEMORY OF EDWARD B. WALKER

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Edward B. Walker served with distinction as Director of Montgomery County's Veterans Service Agency for 10 years, until his retirement in 1995, and

WHEREAS, Mr. Walker was a 20-year Air Force veteran, with combat service during both the Korean War and the Vietnam War, and

WHEREAS, Mr. Walker, who served five terms as Commander of the James T. Bergan American Legion, Post 701, was a three-term Commander of the American Legion in Montgomery County, a Life Member and former Commander of Veterans of Foreign Wars, Post 55, and a Life Member of the Disabled American Veterans, and

WHEREAS, Mr. Walker was a member of the Amsterdam Zoning Board, Montgomery County Office for the Aging, Amsterdam Knights of Columbus, Council 209, and the Full Gospel Businessmen Fellowship International, and

WHEREAS, Mr. Walker was a communicant of Our Lady of Mount Carmel Roman Catholic Church and a member of its Holy Name and St. Anthony's Societies, and

WHEREAS, Mr. Walker is survived by his wife of 40 years, the former Rosalie Carbone; a son, James Walker of Ballston Spa; four daughters, Maria Troskowski of East Nassau, Carol Lindley of Homer, Loretta LaPorta of Fort Johnson and Linda Givis of Johnstown; a sister, Jacqueline Tippery of Kelso, Washington; 13 grandchildren and a great-grandchild,

RESOLVED, that the Montgomery County Board of Supervisors hereby recognizes the outstanding lifetime achievements of Edward B. Walker, and

FURTHER RESOLVED, that said Board of Supervisors hereby does honor the memory of Mr. Walker and expresses its deepest condolences and heartfelt sympathies to his family upon his passing.

RESOLUTION ADOPTED UNANIMOUSLY.

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

cc: County Treasurer
County Administrator
County Clerk
Family of Edward B. Walker

**

RESOLUTION NO. 48 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EARLY
INTERVENTION/INFANT-CHILD HEALTH ASSESSMENT PROGRAM GRANT (PUBLIC
HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

WHEREAS, the Public Health Director has recommended renewal of the grant contract for the Early Intervention & Infant-Child Health Assessment programs, and

WHEREAS, said contract covers grant funding agreements for the period commencing on October 1, 1996, and ending on September 30, 2001, and

WHEREAS, the current agreement is effective for the period commencing on October 1, 1996 and ending on September 30, 1997,

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 Early Intervention/Infant-Child Health Assessment Program Grant contract and agreement, and

FURTHER RESOLVED, that future agreements during the said contract period may be renewed annually, by addendum, without further legislation action, providing there are no substantive changes.

RESOLUTION ADOPTED with Aye(1719). Supervisor Landon was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 49 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING INTERIM TRANSPORTATION SERVICES (COORDINATED
CHILDREN'S SERVICES)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

WHEREAS, a modified program has been established, for less than full-time pre-school children, at an existing program site, and

WHEREAS, the County is responsible for providing transportation services, for approved children, it is necessary to establish an additional transportation route, on an interim basis, for said site, and

RESOLVED, that Robert E. Brown, Inc., hereby is authorized to provide transportation services, on an interim basis, to all children approved for said modified program, at the Tecler Diagnostic Center, at a cost of \$67.00 per day, and

FURTHER RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for said route.

RESOLUTION ADOPTED with Aye(1719). Supervisor Landon was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 50 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING TRANSPORTATION PAYMENT SCHEDULE - PARENTS OF
SPECIAL EDUCATION CHILDREN (COORDINATED CHILDREN'S SERVICES)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

WHEREAS, the Education Law was amended to require that parents of preschool students with disabilities be encouraged to transport their children at public expense, where cost effective, at a rate per mile or public service fare established by the municipality and approved by the Commissioner of Education,

RESOLVED, that the PHC Coordinator, in consultation with the Public Health Committee, hereby is authorized and directed to establish and implement a schedule of service fees to compensate parents who, by agreement with the County, transport their eligible children to preschool special education service sites, as follows:

| | | Daily Rate |
|--|---------------------------------------|---------------|
| Tecler Diagnostic Center | within the City of Amsterdam | \$ 5.00 |
| | outside/within 10-mile radius | \$ 7.00 |
| | outside/beyond 10-mile radius | \$ 9.00 |
| UCP/Truax site: (either AM or PM session) | within the City of Amsterdam | \$ 5.00 |
| | outside/within 10-mile radius | \$ 7.00 |
| | outside/beyond 10-mile radius | \$ 9.00 |
| Amsterdam Preschool | within the City of Amsterdam | \$ 5.00 |
| | outside/within 10-mile radius | \$ 7.00 |
| | outside/beyond 10-mile radius | \$ 9.00 |
| UCP Ft. Plain (either AM or PM) | within the Village of Ft. Plain | \$ 5.00 |
| | outside/within 10-mile radius | \$ 7.00 |
| | outside/beyond 10-mile radius | \$10.00 |
| JLC, Johnstown | within Villages of Fonda/Fultonville | \$ 8.00 |
| | outside Villages of Fonda/Fultonville | \$10.00 |
| Whispering Pines Cobleskill site: | within a 10-mile radius | \$10.00 |
| | beyond a 10-mile radius | \$15.00 |
| Delanson site: | within a 10-mile radius | \$10.00 |
| | beyond a 10-mile radius | \$15.00 |
| New Meadow Preschool (Scotia site) | within a 40-mile radius | \$0.315/mile* |
| Clover Patch Preschool (Glenville) | within a 40-mile radius | \$0.315/mile* |
| Canajoharie Preschool | within a 10-mile radius | \$ 5.00 |
| Cherry Valley Preschool | within 20 miles of Montgomery County | \$ 5.00 |
| Gloversville Preschool Program | within 25 miles of Montgomery County | \$ 8.00 |
| Fonda/Fultonville Preschool | within a 10-mile radius | \$ 5.00 |
| Fort Plain Preschool | within a 10-mile radius | \$ 5.00 |

within a 10-mile radius \$ 5.00

* (Rounded to nearest dollar, up to a maximum of \$20.00 per day, or the County Bid Rate, if lower.)

, and

FURTHER RESOLVED, that said transportation payment schedules also shall be universally applied to parents providing the same services for their eligible children in the Early Intervention Program and for their children who may qualify in the future for PHCP services.

RESOLUTION ADOPTED with Aye(1719). Supervisor Landon was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 51 of 1997 DATED: February 11, 1997
RESOLUTION ESTABLISHING SALARY - DIRECTOR OF COMMUNITY SERVICES

Resolution by Supervisor: McMahon
Seconded by Supervisor: Frasier

WHEREAS, the Community Services Board has appointed _____ of _____, as Director of Community Services, effective _____, 1997, and

WHEREAS, said Board has recommended the annual salary for said position be _____,

RESOLVED, that the annual salary of the Director of Community Services hereby is established as \$_____.

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Landon, in the second WHEREAS, and the RESOLVED, insert "\$38,665", failed with Aye(444). Supervisors Landon, Barone and Coluni voted aye.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Wills, in the WHEREAS clause, insert "Victor A. Martini" "216 Elmer Avenue, Schenectady, New York 12308" "February 24" and in the second WHEREAS and RESOLVED clause, insert "\$39,500", passed with Aye(1721). Supervisor Barone voted nay.

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

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services
Personnel/Payroll

**

RESOLUTION NO. 52 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - SHORT-TERM
DISABILITY INSURANCE PROGRAM ADMINISTRATION

Resolution by Supervisor: McMahon
Seconded by Supervisor: Mead

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 REMSCO of Syracuse, New York, for a period commencing on January 1, 1997 and ending December 31, 1998, for administration of the Short-Term Disability Insurance Program, and

FURTHER RESOLVED, that said administration shall be provided at a cost not to exceed \$662.50 per month.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer
CSEA

**

RESOLUTION NO. 53 of 1997 DATED: February 11, 1997
RESOLUTION DESIGNATING COUNTY EMPLOYEES AND OFFICIALS REQUIRED TO FILE
ANNUAL FINANCIAL DISCLOSURE STATEMENTS

Resolution by Supervisor: Grzyb
Seconded by Supervisor:

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:

DEPARTMENT HEADS AND DEPUTIES

Members, Montgomery County Board of Supervisors
County Administrator
Deputy County Administrator
Clerk, Board of Supervisors
Director, 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
Nursing Home Administrator
Director of Nursing Service
Assistant Director of Nursing
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
PHC Coordinator
Social Services Attorney
Assistant Social Services Attorneys

ADVISORY BOARDS AND COMMITTEES

Members of Agricultural and Farmland Protection Board
Members of Alcoholic Beverage Control Board
(Montgomery County Appointees)
Members of Alternatives to Incarceration Advisory Board
Members of Arson Advisory Board
Members of Ethics Advisory Board
Members of Community Services Board (Mental Health)
Members of Conditional Release Commission
Members of County Fire Advisory Board
Member of County Jury Board (County Appointee)
Members of County Planning Board
Members of Fish and Wildlife Management Board - Region 4
(County Appointees)
Members of Forest Practice Board - Region 4 (County Appointees)
Members of Fulmont Development Facility Board (County Appointees)
Members of FMCC Board of Trustees (County Appointees)
Members of HUD Revolving Loan Review Committee
Members of Montgomery County Industrial Development Agency
Members of Montgomery County Sewer District No. 1
Members of Montgomery-Otsego-Schoharie
Solid Waste Management Authority (County Appointees)
Members of Physically Handicapped Children's Advisory Committee
Members of Private Industry Council (County Appointees)
Members of Occupancy Tax Advisory Board
Members of Soil and Water Conservation District
Members of Youth Bureau Board of Directors
Members of Traffic Safety Board

, and

FURTHER RESOLVED, that the above employees and officials shall file the financial disclosure statement with the County Administrator no later than February 1 of each year following the adoption of this resolution, 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.

RESOLUTION DIED FOR LACK OF A SECOND.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Employees and Officers Named Above

**

RESOLUTION NO. 54 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOHAWK VALLEY

Resolution by Supervisor: Frasier
Seconded by Supervisor: Jubar

WHEREAS, \$10,000 from the County Revolving Loan Fund has been budgeted to support 1997 operations of the Mohawk Valley Economic Development District (MVEDD),

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 (MVEDD) for the provision of business development and economic improvement services, at a cost not to exceed \$10,000.

RESOLUTION ADOPTED with Aye(1511). Supervisors Landon and Grzyb voted nay.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MVEDD

**

RESOLUTION NO. 55 of 1997 DATED: February 11, 1997
RESOLUTION ENDORSING AMSTERDAM WINDMILL COMMITTEE GOALS

Resolution by Supervisor: Cuozzo
Seconded by Supervisor:

WHEREAS, a group of private citizens formed the Amsterdam windmill Committee to examine the feasibility of constructing a windmill within the City of Amsterdam, and

WHEREAS, said windmill would serve as a source of community pride in Amsterdam's heritage,

RESOLVED, that the Board of Supervisors hereby endorses the goals of the Amsterdam windmill Committee.

RESOLUTION DIED FOR LACK OF A SECOND.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
City of Amsterdam

**

RESOLUTION NO. 56 of 1997 DATED: February 11, 1997
RESOLUTION ESTABLISHING PUBLIC HEARINGS - CANAL CORRIDOR INITIATIVE
PROGRAM APPLICATION

Resolution by Supervisor: Frasier
Seconded by Supervisor: D'Arcangelis

WHEREAS, a Canal Corridor Initiative Program Application is being considered in Montgomery County, and

WHEREAS, federal regulations require that two Public Hearings be conducted, prior to submission of said application,

RESOLVED, that the Board of Supervisors hereby schedules two Public Hearing regarding the proposed use of Canal Corridor Initiative Program grant funds, and

FURTHER RESOLVED, that said Public Hearings shall be held in the

Supervisors' Chambers, County Office Building, Fonda, New York at _____,
_____, _____, and at 7:15 p.m., Tuesday, February 25, 1997, and

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

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor McMahon, in the second FURTHER RESOLVED clause, insert "10:00 a.m. February 24, 1997", passed with Aye(1868)

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**

RESOLUTION NO. 57 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GRANT AWARD
(SHERIFF)

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Sheriff has been advised of a \$25,000 grant authorization from the New York State Division of Criminal Justice Services, and

WHEREAS, said grant funding is part of a proposed \$27,778 project to acquire surveillance equipment for use in dealing with drug-related crimes,

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 Award Agreement with the New York State Division of Criminal Justice Services, and

FURTHER RESOLVED, that said agreement shall approve acceptance of \$25,000 in grant funds and authorize a \$2,778 County contribution to the surveillance equipment acquisition project.

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Wills, to add "
and FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:, passed with Aye(1868).

ADD:

A-15-3-3324-00 Law Enforcement Cost/Drug Enforcement Program

INCREASE:

A-15-3-3324-00 Law Enforcement Cost/
Drug Enforcement Program by \$25,000

A-15-4-3110-00.2226 Sheriff
Audio Visual and Camera Equipment by \$25,000

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

RESOLUTION NO. 58 of 1997 DATED: February 11, 1997
RESOLUTION CORRECTING 1997 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS

Resolution by Supervisor: Frasier
Seconded by Supervisor: McMahon

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 1997 Tax Roll, and

WHEREAS, said Director has investigated and filed a report, pursuant to said statute, confirming existence of said,

RESOLVED, that the 1997 Tax Roll hereby is ordered corrected, as follows:

| APPLICANT: | SLB#: | CORRECTION: |
|---|----------------------------------|--|
| Charities Foundation of Amsterdam Inc. 36 Division St. Amsterdam, New York 12010 | 55.7-1-31 City of Amsterdam | Reduce assessment to \$0. |
| Montgomery County Chapter NYSARC PO Box 639 Route 5S Amsterdam, New York 12010 | 39.11-11-24 City of Amsterdam | Reduce assessment to \$0. |
| Raymond Halgas 11 Cochran Ave. Amsterdam, New York 12010 | 23.-1-27 Amsterdam | Reduce assessment to \$320. |
| Wolf Imperial Enterprises Inc. 2010 William St. Schenectady, New York 12036 | 24.16-1-12 Amsterdam | Reduce assessment to \$87,500. |
| Joanne Kowalczyk Barbara Agrestave Life use for Margaret Sprago 136 Wallins Corners Rd. Amsterdam, New York 12010 | 25.13-1-8 Amsterdam | Apply Veteran's exemption of \$5,000. |
| Russell S. Hoyer Box 173 Ames, New York 13317 | 109.15-1-24 Canajoharie | Remove school relevy. |
| Brian Horton Debbie Bell PO Box 7 Fort Johnson, New York | 128.-1-31 Charleston | Reduce assessment to \$30,000. |
| Ethel Healy Abbot St. Fort Plain, New York | 45.12-2-37 Minden | Apply Aged exemption of \$1,250. |
| Richard & Joanne Kennedy 592 Kahn Rd. Fort Plain, New York 13339 | 32.-1-38.2 Palatine | Reduce assessment to \$26,450. |

FURTHER RESOLVED, that the County Treasurer 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 Treasurer 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 Treasurer shall immediately submit, to the

officers having jurisdiction over the tax roll, and above order, all approved applications, and

FURTHER RESOLVED, that said Treasurer 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 Treasurer and/or the 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 the appropriate school districts that any relevy cancelled by this resolution will not be returned to the school districts such notifications to be made prior to May 1, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 59 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - ARBITRATION SERVICES

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Hassan

WHEREAS, various issues involving the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) and the three sponsoring counties remain unresolved, and

WHEREAS, it is in the best interest of all parties to formulate mutually-satisfactory agreements to said issues, and

WHEREAS, it has been recommended that the sponsoring counties engage the services of a professional arbitrator to negotiate resolutions of said unresolved issues,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes a cooperative venture, with the Counties of Otsego and Schoharie, to solicit proposals for the services of a professional arbitrator to help resolve various issues with the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

FURTHER RESOLVED, that the cost of said services shall be shared equally by the three participating Counties, and

FURTHER RESOLVED, that this Resolution is contingent upon adoption of similar legislation by Otsego and Schoharie Counties.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Jubar, in the first FURTHER RESOLVED, before "and" insert "MOSA and MBIA", passed with Aye(1660). Supervisor Grzyb voted nay.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA
MOSA Board

**

RESOLUTION NO. 60 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RECORDS CONSULTANT
(HISTORY)

Resolution by Supervisor: Barone
Seconded by Supervisor: Hassan

WHEREAS, the Historian/Records Management Officer has recommended that the County secure the services of a Records Consultant,

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 Records Consultant agreement with Alicia Jettner of Canajoharie,

FURTHER RESOLVED, that said Consultant shall be compensated at the rate of \$15.00 per box, not to exceed a total cost of \$2,271.56.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 61 of 1997 DATED: February 11, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (HISTORY)

Resolution by Supervisor: Frasier
Seconded by Supervisor: McMahon

WHEREAS, the Department of History and Archives has been awarded a Historic Preservation grant by the Natural Heritage Trust Fund, and

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD:

| | | |
|----------------|----------------|----------------------------|
| Revenue: | A-22-3-3889.00 | Other Culture & Recreation |
| Appropriation: | A-22-4-7510-00 | |
| | .2252 | Security |
| | .4443 | Drapes and Blinds |
| | .4448 | Construction & Maint. |

INCREASE:

| | | | |
|-----------------|----------------|----------------------------|----------------|
| Revenue: | A-22-3-3889.00 | Other Culture & Recreation | by \$18,000.00 |
| Appropriations: | A-22-4-7510-00 | Historian | |
| | .2252 | Security | by \$ 5,025.00 |
| | .2259 | Computer Equipment | by 3,264.44 |
| | .4434 | Consultants | by 2,271.56 |
| | .4443 | Drapes and Blinds | by 6,385.00 |
| | .4448 | Construction & Maint. | by 1,054.00 |

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 62 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - IBM TELEPHONE
SUPPORT LINE SERVICES (DATA PROCESSING)

Resolution by Supervisor: Wills
Seconded by Supervisor: D'Arcangelis

WHEREAS, the Data Processing Director has requested permission to contract with IBM for AS/400 telephone support line services for one year, 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 IBM for the provision of AS/400 Support Line services for the period commencing on February 15, 1997 and ending on February 14, 1998, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$330 per month, or \$3,960 per year.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Data Processing

**

RESOLUTION NO. 63 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DIGITAL SOIL SURVEY
INFORMATION (REAL PROPERTY TAX SERVICE)

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, the Director of the Real Property Tax Service Agency has recommended entering a cooperative agreement with several agencies to acquire digital soil survey information,

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 cooperative agreement with several agencies for the provision of digital soil survey information, and

FURTHER RESOLVED, that said agreement shall conclude on December 31, 1997, with Montgomery County contributing \$32,720 toward the cost of said digitizing project.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 64 of 1997 DATED: February 11, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - WORKFARE PROGRAM
ADMINISTRATION (SOCIAL SERVICES)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Van Kersen

RESOLVED, that the Purchasing Agent, in cooperation with the Department of Social Services' Director of Administrative Services, hereby is authorized and directed to solicit proposals for the administration of a Workfare Program, and

FURTHER RESOLVED, that said proposals shall be submitted to the Social Services Committee, for review and recommendations.

MOTION TO TABLE by Supervisor D'Arcangelis, seconded by Supervisor Van Kersen, passed with Aye(1868). (2/11/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services
Purchasing Agent

**

RESOLUTION NO. 65 of 1997 DATED: February 11, 1997
RESOLUTION URGING RESTORATION OF CHIPS FUNDING

Resolution by Supervisor: Mead
Seconded by Supervisor: Van Kersen

WHEREAS, Governor Pataki's 1997-98 Executive Budget proposal includes elimination of \$36 million in Consolidated Highway Improvement Program (CHIPS) Operation and Maintenance (O&M) revenue, and

WHEREAS, said proposal would significantly increase highway safety problems and result in additional bridge postings and closings, hampering economic development and eliminating jobs,

RESOLVED, that the Montgomery County Board of Supervisors hereby does strongly oppose any CHIPS Operation and Maintenance Fund budget cuts, without creation of a revenue replacement program, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor Pataki, State Senator Farley and Assemblyman Tonko.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable George E. Pataki
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko
Commissioner of Public Works

**

RESOLUTION NO. 66 of 1997 DATED: February 11, 1997
RESOLUTION OPPOSING REMOVAL OF MAIL-IN SERVICES FROM COUNTY DMV OFFICES

Resolution by: Full Board

Seconded by Supervisor:

WHEREAS, Since 1935, the County Clerk has been an agent for the Commissioner of Motor Vehicles, issuing driver's licenses, permits and registrations, and

WHEREAS, during the past five years, the County Clerk's DMV office assumed responsibility for enforcement transactions, official registrations and financial security transactions, work previously reserved for State District Offices, and

WHEREAS, the Executive Budget provides for County DMV offices to lose mail-in registrations and mail-in licenses, which comprise up to 40 percent of the County Clerk's revenue, and

WHEREAS, the purpose of the local DMV office is to provide service, service which will no longer be possible, if the Executive Budget proposals are implemented,

RESOLVED, that the Board of Supervisors hereby strongly opposes the concept of removing mail-in services from County DMV offices, and

FURTHER RESOLVED, that this Board believes that County operated DMV offices have become an unfunded State mandate, which does not take into consideration the needs of local counties or their residents, and renews its opposition to said mandates, and

FURTHER RESOLVED, that this Board of Supervisors, realizing the importance of the County DMV office and the service it provides, hereby requests that the Governor reconsider his initiative on removing mail-in services, decreasing revenue and otherwise severely damaging the ability of said office to function, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Officials Named Above
County Clerk

OTHER

Supervisor Grzyb requested information on his proposed Resolutions regarding quarterly tax payments and an elected County Executive. He also requested a copy of the Ethics Advisory Board's findings regarding Supervisor D'Arcangelis.

Supervisor McMahon requested a discussion regarding Trim-A-Lawn on February 25, 1997.

Sheriff Emery advised that the report on the Revolving Loan Fund will be delayed for several weeks pending action by federal officials.

Supervisor D'Arcangelis said he will sponsor a Local Law establishing a population threshold for supervisors of 5,000.

Motion by Supervisor Barone, seconded by Supervisor Frasier to adjourn the meeting, passed with Aye(1868). Chairman Keller declared the meeting adjourned at 9:35 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|--|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| SPECIAL PRESENTATIONS | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 2 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| RES 64 Resolution Authorizing Proposals - Workfare Program | |
| NEW BUSINESS | 2 |
| RES 67 Resolution Authorizing Funding - Youth Programs | |
| RES 68 Resolution Amending Resolution No. 357 of 1996 | |
| RES 69 Resolution Authorizing Solicitation of Proposals - Jail | |
| RES 70 Resolution Authorizing Bids Linens- Montgomery Meadows | |
| RES 71 Resolution Authorizing Bids - Medical and Personal Supplies | |
| RES 72 Resolution Authorizing Application - Canal Initiative Program | |
| RES 73 Resolution Appointing Member of Planning Board | |
| RES 74 Resolution Establishing Position - Audit Clerk | |
| RES 75 Resolution Appointing Member Fire Advisory Board | |
| RES 76 Resolution Amending Resolution No. 431 of 1996 | |
| RES 77 Resolution Amending Resolution No. 51 of 1997 | |
| RES 78 Resolution Amending 1997 Operating Budget - Planning | |
| RES 79 Resolution Rescinding Resolution No. 140 of 1990 | |
| RES 80 Resolution Transferring Funds - Legislative Board | |
| RES 81 Resolution Authorizing Charges - FMCC Master Plan Project | |
| RES 82 Resolution Establishing Public Hearing - Intro. Local Law No. 2 of 1997 | |
| RES 83 Resolution Correcting 1997 Tax Rolls | |
| RES 84 Resolution Authorizing Agreement - Office for the Aging | |
| RES 85 Resolution Amending 1997 Operating Budget - Tourism | |
| RES 86 Resolution Amending 1997 operating Budget - Legislative Board | |
| RES 87 Resolution Requesting & Endorsing Investigation - HUD Funds | |
| RES 88 Resolution Authorizing Administration of Revolving Loan Fund | |
| OTHER | 14 |
| ADJOURNMENT | 14 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for February 25, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Coluni. Roll call indicated that all Supervisors were present.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Landon, to provide for the addition of Resolutions No. 87 and 88, passed with Aye(1137). Supervisors Cuzzo, Keller, Paton, Frasier and Jubar voted nay. Motion by Supervisor Wills, seconded by Supervisor Landon to adopt the amended agenda, passed with Aye(1491). Supervisors Keller, D'Arcangelis, Frasier and Jubar voted nay.

PROCLAMATIONS

Proclamation honoring Eric Walker was presented by Supervisor McMahon.

PUBLIC COMMENT

Debra Couser, Town of Minden, discussed Social Services.

Alice Knapik, Town of Glen, discussed the Montgomery County Economic Development Corp.

Nancy Picard, Montgomery County Economic Development Corp. Treasurer, said MCEDC welcomes an investigation into its applications and will provide documentation to HUD.

SPECIAL PRESENTATIONS

Dennis Wilson, Fulmont Executive Director, provided information concerning programs and funding. He noted that the Agency's name has been changed to Fulmont Community Action Agency.

Charles Rice, Montgomery Meadows Administrator, reported on a recent State survey of the facility.

Robert L. Reidy, Social Services Commission, discussed the Food Stamp Waiver Program.

Motion by Supervisor Van Kersen, seconded by Supervisor McMahon, to adopt the Minutes of the Regular Meeting of February 11, 1997, passed with Aye(1868).

READING OF COMMUNICATIONS

None.

OLD BUSINESS

**

RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - WORKFARE PROGRAM
ADMINISTRATION (SOCIAL SERVICES)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Van Kersen

RESOLVED, that the Purchasing Agent, in cooperation with the Department of Social Services' Director of Administrative Services, hereby is authorized and directed to solicit proposals for the administration of a Workfare Program, and

FURTHER RESOLVED, that said proposals shall be submitted to the Social Services Committee, for review and recommendations.

MOTION TO TABLE by Supervisor D'Arcangelis, seconded by Supervisor Van Kersen, passed with Aye(1868). (2/11/97)

MOTION TO REMOVE FROM TABLE, by Supervisor wills, seconded by Supervisor D'Arcangelis, passed with Aye(1868). (2/25/97)

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services
Purchasing Agent

NEW BUSINESS

**

RESOLUTION NO. 67 of 1997 DATED: February 25, 1997
RESOLUTION AUTHORIZING FUNDING - YOUTH PROGRAMS (YOUTH BUREAU)

Resolution by Supervisor: Paton
Seconded by Supervisor: D'Arcangelis

WHEREAS, funds were appropriated in the 1997 Operating Budget for youth programs, and

WHEREAS, the Youth Board of Directors has recommended funding amounts for various programs,

RESOLVED, that the Board of Supervisors hereby authorizes funding of Youth

| PROGRAM | FUNDING |
|--|------------|
| Amsterdam YMCA Boxing Program | \$ 250.00 |
| Children's Services Network Children's Fair | 200.00 |
| Cornell Cooperative Extension Scientific Discovery | 275.00 |
| Fonda-Fultonville Little League | 325.00 |
| Fonda-Fultonville Youth Soccer | 250.00 |
| Fort Hunter Free Library Summer Reading Program | 175.00 |
| Fort Plain Central School Outreach Program | 500.00 |
| Jeff Johnson 3 on 3 Basketball Tournament | 350.00 |
| Mini Braves/Braves Summer Basketball Program | 175.00 |
| | <hr/> |
| | \$2,500.00 |

, and

FURTHER RESOLVED, that said funding shall be administered by the Youth Bureau from appropriation account A-21-4-7310-00.4559, Outreach Program in the 1997 Operating Budget, 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 agreements with the respective funding recipients.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Youth Bureau

**

RESOLUTION NO. 68 of 1997
RESOLUTION AMENDING RESOLUTION NO. 357 OF 1996

DATED: February 25, 1997

Resolution by Supervisor: Paton
Seconded by Supervisor: Jubar

WHEREAS, \$1,302.00 of 1997 New York State Division for Youth Youth Development/Delinquency Prevention Program funds (Municipal Programs) remain to be appropriated, and

WHEREAS, the Youth Board of Directors recommends that said funds be appropriated,

RESOLVED, that Resolution No. 357 of 1996 hereby is amended to provide for appropriation of additional 1997 Youth Development/Delinquency Program funds, as follows:

| | | |
|---|-----------------|---------------|
| City of Amsterdam (Recreation Department) | from \$8,723.00 | to \$8,923.00 |
| Town of Canajoharie (Youth Center) | from \$1,262.00 | to \$1,662.00 |
| Town of Mohawk (Town Recreation) | from \$ 800.00 | to \$1,000.00 |
| Village of Fultonville (Village Recreation) | from \$ 300.00 | to \$ 502.00 |
| Village of St. Johnsville (Village/Town Rec.) | from \$2,245.00 | to \$2,545.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Youth Bureau

**

RESOLUTION NO. 69 of 1997 DATED: February 25, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - DIETICIAN SERVICES
(JAIL)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Jubar

WHEREAS, there is a need for the services of a licensed dietician at the County Jail,

RESOLVED that the Purchasing Agent hereby is authorized and directed to solicit proposals for the services of a licensed dietician at the County Jail, and

FURTHER RESOLVED, that said proposals be for a two-year term.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 70 of 1997 DATED: February 25, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - LINENS (MONTGOMERY MEADOWS)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Van Kersen

WHEREAS, the Purchasing Agent has requested authorization to solicit bids for linens for Montgomery Meadows,

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for linens for Montgomery Meadows, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 71 of 1997 DATED: February 25, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - MEDICAL AND PERSONAL CARE SUPPLIES (VARIOUS DEPARTMENTS)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Jubar

WHEREAS, the Purchasing Agent has requested authorization to solicit bids for medical and personal care supplies, and

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for medical and personal care supplies, per competitive bidding

FURTHER RESOLVED, that the opportunity to participate in said bid solicitation shall be made available to interested Montgomery County Fire Departments and Volunteer Ambulance Units.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 72 of 1997 DATED: February 25, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN APPLICATION - 1997 HUD CANAL
CORRIDOR INITIATIVE

Resolution by Supervisor: Frasier
Seconded by Supervisor: Van Kersen

WHEREAS, the Board of Supervisors has authorized preparation of a HUD Canal Corridor Initiative Application, and

WHEREAS, two Public Hearings have been held on a proposal prepared by the Department of Planning and 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 a Canal Corridor Initiative Application, and

FURTHER RESOLVED, that said application shall seek a grant/loan of \$3.5 million for a multi-year program, and

FURTHER RESOLVED, that the Department of Planning and Development hereby is designated to administer said grant.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**

RESOLUTION NO. 73 of 1997 DATED: February 25, 1997
RESOLUTION APPOINTING MEMBER OF PLANNING BOARD

Resolution by Supervisor: Coluni
Seconded by Supervisor: Wills

WHEREAS, a vacancy exists on the Montgomery County Planning Board,

RESOLVED, that Michael J. Greco of 1 Greco Place, Amsterdam, hereby is appointed a member of the Montgomery County Planning Board, representing the City of Amsterdam's Fifth ward, for a term expiring on June 30, 1999.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Director, Planning

**
RESOLUTION NO. 74 of 1997 DATED: February 25, 1997
RESOLUTION ESTABLISHING POSITION - AUDIT CLERK (COUNTY AUDITOR)

Resolution by Supervisor: Barone
Seconded by Supervisor: Keller

RESOLVED, that the Board of Supervisors hereby authorizes and directs that the position of Audit Clerk be established within the Auditing Department, effective March 3, 1997, and

FURTHER RESOLVED, that the annual salary for said position shall be \$18,342.00, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 operating Budget, as follows:

| | | | |
|-----------|-------------------------|--|-------------|
| ADD: | A-30-4-1320-00.1110(21) | County Auditor Audit Clerk | |
| TRANSFER: | | | |
| From: | A-30-4-1320-00.1120(12) | County Auditor Audit Clerk (pt) | \$4,872.75 |
| | A-01-4-1990-00.4400 | Contingent Account Contractual Expenses | \$15,043.25 |
| To: | A-30-4-1320-00.1110(21) | County Auditor Audit Clerk | \$15,320.00 |
| | A-10-4-9001-00.8810 | Fringe Benefits FICA | \$ 4,596.00 |

RESOLUTION ADOPTED with Aye(1570). Supervisor Cuozzo voted nay. Supervisor Landon was absent.

Duly adopted upon roll call, all members present (1570) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**
RESOLUTION NO. 75 of 1997 DATED: February 25, 1997
RESOLUTION APPOINTING MEMBER OF COUNTY FIRE ADVISORY BOARD

Resolution by Supervisor: Paton
Seconded by Supervisor: Frasier

WHEREAS, a vacancy exists for a Fonda representative on the County Fire Advisory Board,

RESOLVED, that Donald Wagoner, P.O. Box 28, 8 Park Street, Fonda, New York, hereby is appointed a member of the County Fire Advisory Board, representing Fonda, for a term ending on December 31, 1997.

RESOLUTION ADOPTED with Aye(1570). Supervisors Landon and Cuozzo were absent.

Duly adopted upon roll call, all members present (1570) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

| | | |
|-------------------------------|----------------------------------|----------|
| | Retirement | \$520.00 |
| To: A-23-4-8020-00.1110(1207) | Planning Director of Planning | \$520.00 |

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Planning
Personnel/Payroll

**
RESOLUTION NO. 79 of 1997
RESOLUTION RESCINDING RESOLUTION NO. 140 OF 1990

DATED: February 25, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Paton

WHEREAS, the Real Property Tax Law regarding tax foreclosure has been amended, and

WHEREAS, said amending action makes it necessary to rescind Resolution No. 140 of 1990, which established an Auction Policy for Montgomery County,

RESOLVED, that Resolution No. 140 of 1990 hereby is rescinded, effective immediately.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**
RESOLUTION NO. 80 of 1997
RESOLUTION TRANSFERRING FUNDS (LEGISLATIVE BOARD)

DATED: February 25, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Wills

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|---------------------------|--|-------------|
| From: A-01-4-1990-00.4400 | Contingent Account Contractual Expenses | \$15,000.00 |
| To: A-01-4-1010-00.4431 | Legislative Board Attorneys, Account., Audit. | \$15,000.00 |

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Landon, in the TRANSFER section, delete "\$15,000.00" and in its stead, insert "\$20,000.00", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 81 of 1997 DATED: February 25, 1997
RESOLUTION AUTHORIZING CHARGES TO CONTINGENCY ALLOWANCE - CONTRACT NO.
2A (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

RESOLVED, that the Board of Supervisors hereby authorizes the following charge to the Contingency Allowance contained within Contract No. 2A - Swimming Pool Improvements: Mechanical at Fulton-Montgomery Community College:

| | | |
|--|----------|--------------|
| Original Contract Amount | : | \$100,999.00 |
| Original Contingency Allowance | : | \$ 10,000.00 |
| Previously Approved CA-1 (Roof Drain): | \$413.82 | |
| Previously Approved CA-2 (Rewiring) : | 534.00 | |
| Current Balance | : | \$ 9,052.18 |
| Proposed CA-3 (Pool water Piping) | : | \$ 5,004.00 |
| Proposed Balance | : | \$ 4,048.18 |

, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 82 of 1997 DATED: February 25, 1997
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 2
OF 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: D'Arcangelis
Supervisor: Frasier

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 2 of 1997, a Local Law entitled "Sewer Use Law - Montgomery County Sanitary District No. 1 - 1996",

RESOLVED, that Introductory Local Law No. 2 of 1997 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, March 11, 1997, at 7:15 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.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District #1

**
RESOLUTION NO. 83 of 1997 DATED: February 25, 1997
RESOLUTION CORRECTING 1997 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

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 1997 Tax Roll, and

WHEREAS, said Director has investigated and filed a report, pursuant to said statute, confirming existence of said,

RESOLVED, that the 1997 Tax Roll hereby is ordered corrected, as follows:

| APPLICANT: | SLB#: | CORRECTION: |
|---|---------------------------|---|
| Sadie Dworak PO Box 33 Hagaman, New York 12086 | 25.11-1-28 Amsterdam | Apply Aged exemption of \$2,250. |
| Country Club Estates at the Antlers Homeowners Assoc Inc 183 Country Club Lane Fort Johnson, New York 12070 | 38.-2-1.22 Amsterdam | Remove School relevy. |
| Arthur Fleming 23 Smith St. Canajoharie, New York 13317 | 63.17-3-18 Canajoharie | Apply Aged exemption of \$1,500. |
| Gary E. & Edward J. Kline 29 Highland Place Canajoharie, New York 13317 | 63.70-1-32 Canajoharie | Apply Aged exemption of \$1,825. |
| Robert C. Younglove Linda K Laccetti %Robert & Betty Younglove 328 Canal St. Fort Plain, New York 13339 | 46.5-1-28 Minden | Apply Veteran's exemption of \$2,158. |
| Angeline C. Marcellino 78 Otsego St. Canajoharie, New York 13317 | 46.14-1-7 Minden | Apply Veteran's exemption of \$3,000. |
| George & Gail Capece 22 Orchard St. Fort Plain, New York 13339 | 46.37-1-32 Minden | Apply Veteran's exemption of \$850. |
| Dolores Hayes 502 Freysbush Rd. Fort Plain, New York 13339 | 61.-3-1 Minden | Apply agricultural exemption of \$822. |
| Steven P & Linda L Barnes 26 Sherman St. Little Falls, New York 13365 | 76.-1-24 Minden | Reduce assessment to \$7,780. |
| Albert F Sakowicz | 113.-1-32.1 | Apply agricultural exemption |

592 Kahn Rd. Root
One Abbey Place
Yonkers, New York 10701-1715

of \$26,884.

FURTHER RESOLVED, that the County Treasurer 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 Treasurer 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 Treasurer shall immediately submit, to the officers having jurisdiction over the tax roll, and above order, all approved applications, and

FURTHER RESOLVED, that said Treasurer 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 Treasurer and/or the 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 the appropriate school districts that any relevy cancelled by this resolution will not be returned to the school districts such notifications to be made prior to May 1, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 84 of 1997 DATED: February 25, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - OFFICE FOR THE
AGING

Resolution by Supervisor: Paton
Seconded by Supervisor: Wills

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 Montgomery County Office for the Aging, Inc., for provision of case management, home care and legal services to eligible County residents, and

FURTHER RESOLVED, that said Agreement, which shall commence on January 1, 1997 and terminate on December 31, 1997, shall provide for total annual compensation not to exceed \$35,000, and

FURTHER RESOLVED, that said Agreement may be renewed annually, by addendum, without further legislative action, provided there are no substantive modifications.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Office for the Aging

**

RESOLUTION NO. 85 of 1997 DATED: February 25, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (TOURISM)

Resolution by Supervisor: McMahon
Seconded by Supervisor: D'Arcangelis

WHEREAS, it has been recommended that funds be appropriated to help provide for staffing of the Canajoharie Tourism Booth,

RESOLVED, that the Board of Supervisors hereby authorizes the appropriation of \$5,000 to the Montgomery County Chamber of Commerce, said funds to be applied exclusively toward costs of staffing the Canajoharie Tourism Booth, 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 Montgomery County Chamber of Commerce, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|--|------------|
| From: | A-01-4-1990-00.4400 | Contingent Account Contractual Expenses | \$5,000.00 |
| To: | A-01-4-6420-00.4579 | Promotions of Industry Tourism | \$5,000.00 |

RESOLUTION DEFEATED with Aye(870). Supervisors Cuozzo, Wills, McMahon, Hassan, Mead, Keller, D'Arcangelis and Van Kersen voted aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Chamber of Commerce

**

RESOLUTION NO. 86 of 1997 DATED: February 25, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (LEGISLATIVE BOARD)

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahon

WHEREAS, it has been recommended that funds be appropriated in the 1997 Operating Budget to provide for payment of overtime compensation to employees in various Departments,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|--|------------|
| From: | A-01-4-1990-00.4400 | Contingent Account Contractual Expenses | \$2,500.00 |
|-------|---------------------|--|------------|

To: A-01-4-1010-00.1111 Legislative Board
Overtime Pay

\$2,500.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 87 of 1997 DATED: February 25, 1997
RESOLUTION REQUESTING AND ENDORSING A STATE AND FEDERAL INVESTIGATION
INTO THE WHEREABOUTS OF 41.7 MILLION IN UNSUPPORTED HUD LOANS GIVEN
OUT BY THE COUNTY BETWEEN 1993 AND 1997

Resolution by Supervisor: Grzyb
Seconded by Supervisor: McMahon

WHEREAS, the County of Montgomery, New York is in receipt of information from federal authorities about the inadequate, unsupported, unmonitored and deficient administration of approximately \$1.7 million in federal tax money made available to the County since 1993 through the United States Department of Housing and Urban Development (HUD) in grants under Title I of the Housing and Community Development Act of 1974 (Public Law 93-383), as amended, through the Small Cities Community Development Block Grant Programs; and

WHEREAS, such HUD money was given out through the CDBG program and the County Revolving Loan Fund; and

WHEREAS, the Montgomery County Economic Development Corp. was responsible for administering the loans; and

WHEREAS, the MCEDC's own for-profit corporation received three of the unsupported and unmonitored loans, and

WHEREAS, the Montgomery County Board of Supervisors is ultimately responsible for the operation of the CDBG program, and

WHEREAS, one of the penalties faced by the County for the improper administration of the CDBG program is a payback of all unsupported funds, and

WHEREAS, the County's taxpayers have been put at risk of having to pay such HUD funds back out of the County's general fund, and

WHEREAS, the County's future ability to obtain HUD grants is also at risk, and

WHEREAS, the MCEDC has not properly accounted or been made to account to the County for the use of the funds,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests a full investigation and audit by the State Attorney General's Office, the U.S. Attorney and the Federal Bureau of Investigation (FBI) into the use and the whereabouts of such CDBG funds to help ensure that the payback of any monies to HUD comes from the parties responsible and not from the County taxpayers, and

FURTHER RESOLVED, that is such investigation is already in progress, that the Board of Supervisors endorse the investigation and pledge its full support and assistance to investigators in order to see justice done and protect County taxpayers.

RESOLUTION ADOPTED with Aye(1640). Supervisor Keller voted nay. Supervisor Cuozzo abstained.

Duly adopted upon roll call, all members present (1640) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 88 of 1997 DATED: February 25, 1997
RESOLUTION AUTHORIZING THE CHAIRMAN TO ENTER INTO A CONTRACT FOR THE
ADMINISTRATION OF THE COUNTY REVOLVING LOAN FUND

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

WHEREAS, there is ongoing interest and new found interest by organizations
in acquiring loans through the County Revolving Loan Fund, along with
outstanding loans from the fund in need of administration, and

WHEREAS, the administration of the County Revolving Loan Fund requires a
certain level of expertise,

RESOLVED, that the Chairman of the Montgomery County Board of Supervisors
is hereby authorized to enter into a contract for the administration of the
County Revolving Loan Fund with _____, following approval by the County
Attorney for a sum not to exceed _____.

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Landon, in the
RESOLVED clause, insert "Montgomery County Industrial Development Agency"
"\$30,000.00".

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Jubar, passed with
Aye(987). Supervisors Landon, Cuzzo, Barone, Wills, Coluni and McMahon
voted nay. (2/25/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

OTHER

Supervisor Wills discussed the proposed water and sewer agreement between the
County, City of Amsterdam and Town of Florida. He also requested an Item Pricing
presentation by Nicholas Bartosik, Sealer of Weights and Measures at the March 11,
1997 meeting.

Chairman Keller is investigating release of the HUD draft report to the news
media. He will report his findings to the County Ethics Advisory Board.

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor Van Kersen, to adjourn
the meeting, passed with Aye(1868). Chairman Keller declared the meeting
adjourned at 9:30 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|---|----|
| TABLE OF CONTENTS | 1 |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| SPECIAL PRESENTATIONS | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| RES 88 Resolution Authorizing Contract - Revolving Loan Fund Administration | 2 |
| NEW BUSINESS | 2 |
| RES 89 Resolution Adopting Intro. Local Law No. 2 of 1997 | |
| RES 90 Resolution Amending Resolution No. 50 of 1997 | |
| RES 91 Resolution Authorizing Agreement - History | |
| RES 92 Resolution Establishing Position - Coordinated Children's Services | |
| RES 93 Resolution Authorizing Solicitation of Bids - FMCC Master Plan | |
| RES 94 Resolution Authorizing Purchase - FMCC Master Plan | |
| RES 95 Resolution Authorizing Change Order - FMCC Master Plan | |
| RES 96 Resolution Authorizing Charges to Contingency - FMCC Master Plan | |
| RES 97 Resolution Authorizing Change Order- FMCC Master Plan | |
| RES 98 Resolution Authorizing Charges to Contingency - FMCC Master Plan | |
| RES 99 Resolution Authorizing Change Orders - Public Safety Facility | |
| RES100 Resolution Amending Resolution No. 423 of 1996 | |
| RES101 Resolution Awarding Bid No. 01-97 - Public Works | |
| RES102 Resolution Awarding Bid No. 02-97 | |
| RES103 Resolution Awarding Bid No. 03-97 | |
| RES104 Resolution Authorizing Bids - Sale of Property | |
| RES105 Resolution Authorizing Bids - Alternative Energy Systems | |
| RES106 Resolution Correcting 1997 Tax Rolls | |
| RES107 Resolution Authorizing Agreements- Cornell Cooperative Ext. | |
| RES108 Bond Resolution - Glen Business Park | |
| RES109 Resolution Authorizing Agreement - Mental Health | |
| RES110 Resolution Establishing Position - County Auditor | |
| RES111 Resolution Authorizing Implementation Installment Contract | |
| RES112 Resolution Authorizing Submission of Conversion Application | |
| OTHER | 20 |
| ADJOURNMENT | 20 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for March 11, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Grzyb. Roll call indicated that all Supervisors were present.

MOMENT OF SILENCE

Supervisor Barone offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor McMahon, to provide for the addition of Resolutions No. 109, 110, 111, and 112, passed with Aye(1164). Supervisors Landon, Cuzzo, Barone, D'Arcangelis, and Jubar voted nay. Motion by Supervisor Wills, seconded by Supervisor McMahon, to adopt the amended agenda, passed with Aye(1562). Supervisors Landon and D'Arcangelis voted nay.

PROCLAMATIONS

Proclamation honoring Doris Pike as the 1996-97 Montgomery County Older worker of the Year was presented by Supervisor Paton.

PUBLIC COMMENT

Debra Couser, Town of Minden, asked about supervision of the Workfare Program.

Alice Knapik, Town of Glen, discussed the HUD audit report.

Ed Winter, Cornell Cooperative Extension, introduced Zaid Kurdick, Farm Bureau Management Specialist.

SPECIAL PRESENTATIONS

Neil Van Slyke, Amsterdam Memorial Hospital, discussed the proposed 95-unit Senior Housing Complex.

Nick Bartosik, Consumer Affairs, Sealer, reported on Item Pricing.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Barone, seconded by Supervisor Landon, to adopt the Minutes of the Public Hearings of February 24, 1997, and February 25, 1997, and

the Regular Meeting of February 25, 1997, passed with Aye(1660). Supervisor Grzyb voted nay.

READING OF COMMUNICATIONS

OLD BUSINESS

**

RESOLUTION NO. 88 of 1997 DATED: February 25, 1997
RESOLUTION AUTHORIZING THE CHAIRMAN TO ENTER INTO A CONTRACT FOR THE ADMINISTRATION OF THE COUNTY REVOLVING LOAN FUND

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

WHEREAS, there is ongoing interest and new found interest by organizations in acquiring loans through the County Revolving Loan Fund, along with outstanding loans from the fund in need of administration, and

WHEREAS, the administration of the County Revolving Loan Fund requires a certain level of expertise,

RESOLVED, that the Chairman of the Montgomery County Board of Supervisors is hereby authorized to enter into a contract for the administration of the County Revolving Loan Fund with _____, following approval by the County Attorney for a sum not to exceed _____.

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Landon, in the RESOLVED clause, insert "Montgomery County Industrial Development Agency" "\$30,000.00".

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Jubar, passed with Aye(987). Supervisors Landon, Cuzzo, Barone, Wills, Coluni and McMahon voted nay. (2/25/97)

MOTION TO REMOVE FROM TABLE by Supervisor Wills, seconded by Supervisor McMahon, passed with Aye(1503). Supervisor Grzyb voted nay. Supervisor D'Arcangelis abstained. (3/11/97)

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Hassan, failed with Aye(555-2/3 majority). Supervisors Coluni, McMahon, Hassan, Keller, D'Arcangelis, Frasier, Van Kersen and Jubar voted aye.

MOTION (Wills/Landon) failed with Aye(701). Supervisors Barone, Wills, Coluni, McMahon, Hassan and Keller voted aye. Supervisors Landon and D'Arcangelis abstained.

RESOLUTION DIED FOR LACK OF AN AMENDMENT.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

NEW BUSINESS

**

RESOLUTION NO. 89 of 1997 DATED: March 11, 1997
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: D'Arcangelis

WHEREAS, on February 25, 1997, a proposed Local Law for the County of Montgomery, entitled: "Sewer Use Law - Montgomery County Sanitary District No. 1 - 1996", was presented to the Board of Supervisors for consideration, and

WHEREAS, on February 25, 1997, Resolution No. 82 of 1997 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 11th day of March, 1997, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 2 of 1997, entitled: "Sewer Use Law - Montgomery County Sanitary District No. 1 - 1996", hereby is adopted and approved and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file one certified copy 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 Local Law No. 7 of 1996.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District No. 1

COUNTY OF MONTGOMERY

Introductory Local Law No. 2 of 1997

A Local Law Entitled "SEWER USE LAW -
MONTGOMERY COUNTY SANITARY DISTRICT NO. 1 - 1996"

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

A Local Law Repealing "County of Montgomery Local Law Print No. 1, Intro No. 1 of the Year 1971: - a/k/a "A Local Law Regulating the Use of Public and Private Sewers and Drains, Private Sewage Disposal, Installation and Connection of Building Laterals, and the Discharge of Waters and Wastes into the Public Sewer System; and, Providing Penalties for the Violation Thereof in the Montgomery County Sanitary District No. 1, County of Montgomery, State of New York" - and encompassing the required use of public sewers; private wastewater disposal; new sewers and sewer extensions; building laterals, street laterals, connections, and fees; inflow; trucked waste; discharge restrictions; discharge permits and pretreatment requirements; administrative, judicial and miscellaneous enforcement and penalties; sewer use charges; public disclosure of sanitary district operations; and, effluent concentration limits of various toxic and other substances.

Full text copies of this law may be reviewed at the office of the Sewer District in Nelliston, at the offices of the Villages of Fort Plain, Nelliston and Palatine Bridge, at the offices of the Towns of Canajoharie, Minden and Palatine, and at the office of the County Administrator in Fonda.

**

RESOLUTION NO. 90 of 1997
RESOLUTION AMENDING RESOLUTION NO. 50 OF 1997

DATED: March 11, 1997

Resolution by Supervisor: Jubar

Seconded by Supervisor: Hassan

RESOLVED, that Resolution No. 50 of 1997 hereby is amended to provide for addition of the following:

"FURTHER RESOLVED, that the PHC Coordinator hereby is authorized to negotiate and determine reasonable fees for all other sites or special circumstances."

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 91 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LIBERTY ENTERPRISES
(HISTORY)

Resolution by Supervisor: McMahan
Seconded by Supervisor: Landon

WHEREAS, the Historian/Records Management Officer has recommended that the County contract for archival assistance,

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign an agreement with Liberty Enterprises for assistance in maintaining County Archives, and

FURTHER RESOLVED, that said agreement shall provide for compensation at the rate of \$6.00 per hour, not to exceed a total of \$690.00, for the period commencing on March 24, 1997 and ending on May 16, 1997, and

FURTHER RESOLVED, that funding for said assistance has been provided by a contribution from the Arkell Hall Foundation.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 92 of 1997 DATED: March 11, 1997
RESOLUTION ESTABLISHING POSITION (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahan

RESOLVED, that the Board of Supervisors hereby authorizes the establishment of the position of Public Health Program Specialist effective March 17, 1997, at an annual salary of \$25,273.00, and

FURTHER RESOLVED, that the position of Public Health RPN, Line Item (51), hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-16-4-4010-00.1110(27) Public Health Program Specialist

TRANSFER:

From: A-16-4-4010-00.1110(51) Public Health RPN \$20,141.00

To: A-16-4-4010-00.1110(27) Public Health Program Specialist \$20,141.00

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor McMahon, in the Title and in the body of the Resolution, delete "Public Health Program Specialist" and in its stead, insert "Program Specialist - Coordinated Children's Service, passed with Aye(1719). Supervisor Cuzzo was absent.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuzzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Public Health
Personnel/Payroll

**

RESOLUTION NO. 93 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - CONTRACTS 10, 11, 12 AND 13 (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit sealed bids for the New Annex/Classroom Renovation Project (Contracts 10, 11, 12 and 13), which is part of the FMCC Master Plan Project, and

FURTHER RESOLVED, that the Board of Supervisors reserves the right to reject any and all bids, or portions thereof, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 94 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING DORMITORY AUTHORITY TO PURCHASE FURNITURE, FURNISHINGS AND EQUIPMENT (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

WHEREAS, the FMCC Master Plan Project budget contains funding to purchase new furniture, furnishings and equipment, and

WHEREAS, the Saratoga Associates, through its sub-consultant, Design Network, has prepared a listing of items proposed to be purchased as part of said Master Plan Project, and

WHEREAS, the Dormitory Authority (DA), which is providing New York State's

WHEREAS, the DA would:

- Advertise for Bids/Quotes, per New York State Purchasing Regulations.
- Break out bid/quote packages by:
 - Commodity
 - Project
 - Schedule
- Award contracts per New York State purchasing regulations.
- Schedule deliveries.
- Schedule/coordinate installation.

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the purchase of furniture, furnishings and equipment items identified by Design Network, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors authorizes the Dormitory Authority to solicit bids and purchase said items, provided that:

1. The DA strictly adhere to all New York State Purchasing Rules and Regulations.
2. Monthly Status Reports be submitted to both Boards of Supervisors and to FMCC.
3. Total expenditures for Furniture and Furnishings shall not exceed \$375,000.
4. Total expenditures for Equipment shall not exceed \$250,000.

, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby approves the following purchase/payment procedures for said items:

- The DA shall make awards to the lowest, responsible bidders.
- If the DA proposes an award to other than the low bidder, it must submit written justification with both Boards of Supervisors, prior to such an award being made.
- The DA shall execute purchase orders/contracts with the lowest, responsible bidders and provide both Counties with copies of the signed purchase orders/contracts.
- When items are delivered, the DA shall process vendor payments.
- The DA shall deduct each County's 25 percent payment share from appropriate monthly reimbursement requests.

, and

FURTHER RESOLVED, that this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor McMahon, in the first FURTHER RESOLVED clause, delete "\$375,000" and, in its stead, insert "\$325,000", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**
RESOLUTION NO. 95 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER - CONTRACT NO. 4
(FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign change order No. 1 for Contract No. 4 of the FMCC Master Plan Project, and

RESOLVED, that the approval of this Resolution is contingent upon the adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**
RESOLUTION NO. 96 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING CHARGES TO CONTINGENCY ALLOWANCE FOR CONTRACT
NO. 5 (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the following charge to the Contingency Allowance contained within Contract No. 5 of the FMCC Master Plan Project:

| | | |
|--------------------------------|---|---------------------|
| Original Contract Amount | : | \$625,000.00 |
| Original Contingency Allowance | : | \$ 24,000.00 |
| Previously Approved | : | \$ 0.00 |
| Current Balance | : | <u>\$ 24,000.00</u> |
| Proposed CA-1 (Asbestos) | : | <u>\$ 2,582.00</u> |
| Proposed Balance | : | <u>\$ 21,418.00</u> |

, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors

Fulton-Montgomery Community College

**

RESOLUTION NO. 97 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER - CONTRACT NO. 7
(FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: Cuozzo

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign a Change Order, in the amount of \$13,757.78, for Contract No. 7 of the FMCC Master Plan Project, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 98 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING CHARGES TO CONTINGENCY ALLOWANCE FOR CONTRACT
NO. 5A (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: Willis

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the following charge to the Contingency Allowance contained within Contract 5A of the FMCC Master Plan Project:

| | | |
|-------------------------------------|---|--------------------|
| Original Contract Amount | : | \$30,300.00 |
| Original Contingency Allowance | : | \$ 5,000.00 |
| Previously Approved | : | \$ 0.00 |
| Current Balance | : | <u>\$ 5,000.00</u> |
| Proposed CA-1 (Additional Concrete) | : | <u>\$ 4,474.81</u> |
| Proposed Balance | : | <u>\$ 525.19</u> |

, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 99 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING WORK CHANGE ORDERS (PUBLIC SAFETY FACILITY)

Resolution by Supervisor: Barone
Seconded by Supervisor: Mead

WHEREAS, the Construction Manager has recommended approval of work Change Orders at the Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby authorizes implementation of the following Work Change Orders at the Public Safety Facility:

| | | |
|--------|---|-------------|
| No. 8 | - | \$ 8,848.35 |
| No. 23 | - | 13,438.00 |
| No. 25 | - | 9,930.00 |
| No. 26 | - | 6,000.00 |

, and

FURTHER RESOLVED, that the County of Montgomery shall seek reimbursement for any portion of said payments deemed to have resulted from errors or omissions attributable to those individuals and/or firms responsible for said errors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 100 of 1997
RESOLUTION AMENDING RESOLUTION NO. 423 OF 1996

DATED: March 11, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

RESOLVED, that Resolution No. 423 of 1996 hereby is amended, by deleting the first Further Resolved clause and inserting, in its stead, the following:

"FURTHER RESOLVED, that said agreement shall be for the period commencing on December 1, 1996 and ending on December 31, 1996, with compensation not to exceed \$1,000.00, and that a subsequent agreement shall commence on January 1, 1997 and end on December 31, 1997, with compensation not to exceed \$12,000.00, and".

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 101 of 1997
RESOLUTION AWARING BID NO. 01-97 (PUBLIC WORKS)

DATED: March 11, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Landon

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 43 of 1997, to solicit bids for various materials for the Department of Public Works, and

WHEREAS, said bids were publicly opened on February 25, 1997, and

WHEREAS, the 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 bids for materials, as follows:

A-3 CORRUGATED PIPE, CIRCULAR & PIPE ARCHES

Lane Enterprises, Inc.
825 Route 67
Ballston Spa, NY 12020

(All Bidders - Price/Ton + Haul to Determine Vendor)

A-4 CRUSHED STONE
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

Benchmark, NY
404 Court St.
Utica, NY 13502

Cushing Stone
725 Sthwy 5S
Amsterdam, NY 12010-9998

Paul Bradt Contractor
Box 548
Northville, NY 12134

Callanan Industries, Inc.
South St.
South Bethlehem, NY 12161

A-18 REFLECTIVE SHEETING FOR SIGNS
PROPOSAL "A"

Amsign Corp.
749 New Ludlow Rd.
S. Hadley, MA 01075

PROPOSAL "B"

Amsign Corp.
749 New Ludlow Rd.
S. Hadley, MA 01075

PROPOSAL "C"

3M Company
3M Center
Bldg. 225-5S-08, Box 3325
St. Paul, MN 55144-1000

A-27 RETREADING TIRES

Rua & Sons, Inc.
Box 789, Rt 7
Cobleskill, NY 12043

(All Bidders - Price + Haul Cost to Determine Vendor)

A-31 FINE GRAVEL

Santos Construction Co.
39 Gilliland Ave.
Amsterdam, NY 12010

Rifenburg Construction
159 Brick Church Rd.
Troy, NY 12180-9643

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

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

Gorman Bros. (only bidder)
Church St.
Port of Albany
Albany, NY 12202

A-65 LIQUID CALCIUM CHLORIDE

Cady Co.
446 Sthwy 161
Amsterdam, NY 12010

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

Cady Co.
446 Sthwy 161
Amsterdam, NY 12010

A-79 IN-PLACE RECYCLED BASE COURSE WITH CLAY STABILIZER

Gorman Bros. (only bidder)
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

Benchmark, NY
404 Court St.

Utica, NY 13502

Cushing Stone Co., Inc.
725 Sthwy 5S
Amsterdam, NY 12010

Callanan Industries, Inc.
South St.
South Bethlehem, NY 12161

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 102 of 1997
RESOLUTION AWARDDING BID NO. 02-97

DATED: March 11, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Wills

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 39 of 1997,
to solicit bids for office supplies, and

WHEREAS, said bids were publicly opened on February 25, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 02-97 to
Staples Business Advantage of Albany, New York.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 103 of 1997
RESOLUTION AWARDDING BID NO. 03-97

DATED: March 11, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahan

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 35 of 1997,
to advertise for bids for laundry service for Montgomery Meadows RHCF, and

WHEREAS, said bids were opened on February 25, 1997, and

RESOLVED, that the Board of Supervisors hereby awards Bid No. 03-97 to
Robison and Smith, Gloversville, New York, in the amount of \$230,850.00.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis abstained.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 104 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - SALE OF PETERS OIL
COMPANY PROPERTY

Resolution by Supervisor: Wills
Seconded by Supervisor:

RESOLVED, that the Purchasing Agent is authorized and directed to solicit bids for the sale of the Peters Oil Company property in Canajoharie.

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 105 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - ALTERNATE ENERGY SYSTEMS

Resolution by Supervisor: Paton
Seconded by Supervisor: Wills

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids, in the County's designated legal newspapers, for alternate energy systems, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 106 of 1997 DATED: March 11, 1997
RESOLUTION CORRECTING 1997 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS

Resolution by Supervisor: Frasier
Seconded by Supervisor: McMahon

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 1997 Tax Roll, and

WHEREAS, said Director has investigated and filed a report, pursuant to said statute, confirming existence of said,

RESOLVED, that the 1997 Tax Roll hereby is ordered corrected, as follows:

APPLICANT:

SBL#:

CORRECTION:

Nancy Yacobucci
110 Pleasant View Dr

47.18-1-35
Palatine

Remove school relevy.

| | | |
|---|----------------------------|--|
| Kenneth & Marjorie DeBlock RD#2 Fort Plain, NY 13339 | 17.-1-6 Palatine | Apply Agricultural exemption of \$8,942. |
| Kenneth & Marjorie DeBlock RD#2 Fort Plain, NY 13339 | 31.-1-19.1 Palatine | Apply Agricultural exemption of \$13,570. |
| John T & Kathleen A Glynn 866 Indian Rd Fort Plain, NY 13339 | 32.-1-14.1 Palatine | Apply Veteran's exemption of \$4,250. |
| Bareld & Jantze Jonker RD#1 Palatine Bridge, NY 13428 | 33.-2-5.1 Palatine | Apply Agricultural exemption of \$13,003. |
| Bareld & Jantze Jonker RD#1 Palatine Bridge, NY 13428 | 47.-1-6 Palatine | Apply Agricultural exemption of \$27,610. |
| Bareld & Jantze Jonker RD#1 Palatine Bridge, NY 13428 | 47.-1-11 Palatine | Apply Agricultural exemption of \$15,226. |
| Vincent J Valetutti Jr 30 Scott Lane South Salem, NY 10590 | 62.-3-16 Palatine | Reduce assessment to \$10,200. |
| Russell F Henry Cheryl A Henry PO Box 437 Auburn MA 01501-0604 | 113.-1-24 Root | Remove school relevy. |
| Charles A Smith Rosaline A Gordon 208 Main St Fort Plain, NY 13339 | 8.12-1-18 St Johnsville | Apply Veteran's exemption of \$5,685. |

FURTHER RESOLVED, that the County Treasurer 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 Treasurer 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 Treasurer shall immediately submit, to the officers having jurisdiction over the tax roll, and above order, all approved applications, and

FURTHER RESOLVED, that said Treasurer 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 Treasurer and/or the 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 the appropriate school districts that any relevy cancelled by this resolution will not be

returned to the school districts such notifications to be made prior to May 1, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 107 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL
COOPERATIVE EXTENSION ASSOCIATION

Resolution by Supervisor: Keller
Seconded by Supervisor: Wills

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 office space and for appropriation of funds for 1997 services.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Cornell Cooperative Extension

**

RESOLUTION NO. 108 of 1997 DATED: March 11, 1997
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),
DATED MARCH 11, 1997, AUTHORIZING THE ACQUISITION, CONSTRUCTION AND
DEVELOPMENT OF THE GLEN BUSINESS PARK; ESTIMATING THE AGGREGATE COST
THEREOF TO BE \$900,000; APPROPRIATING SAID AMOUNT THEREFORE AND
AUTHORIZING THE ISSUANCE OF \$900,000 SERIAL BONDS OF THE COUNTY TO
FINANCE SAID COST

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahan

WHEREAS, the County seeks to assist in the planning and effectuation of programs, activities and projects in conjunction with the Montgomery County Industrial Development Agency (the "IDA"), for the purpose of creating, improving and expanding job and business opportunities and promoting business within the County, to enhance employment possibilities and expand the tax base,

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 authorizes the project (the "Project") listed below:

Execution of and participation in a series of contractual agreements with the IDA, pursuant to which the County shall lend proceeds of the bonds authorized hereunder to the IDA for the acquisition, construction and development of underlying land, roads and infrastructure for the Glen Business Park located along NYS Route 5S in the Town of Glen, County of Montgomery, New York, in order to enhance the economic, job and business opportunities of the County and for the purposes of creating, improving and expanding job and

business opportunities, promoting business within the County, and enhancing employment possibilities and expanding the tax base (the "Glen Business Park Improvements"), hereby estimating the maximum cost thereof to be \$900,000, appropriating said amount therefore and authorizing said amount therefore and authorizing the issuance of \$900,000 serial bonds to finance such cost.

SECTION 2. It is determined that the period of probable usefulness of the aforesaid specific objects or purposes are as follows:

(a) Glen Business Park Improvements - 30 years pursuant to Section 11.00(a)(73) of the Law.

SECTION 3. The plan of financing includes the issuance of \$900,000 serial bonds and the levy of a tax upon all of the real property in the County to pay the principal of and interest of 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 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 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, 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 and 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 within 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 resolution and the Law, and pursuant to be provisions of (i) Section 30.00 of the Law relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes; and (ii) Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Board of Supervisors relative to (a) the authorization of bond anticipation notes; and (b) the prescription of the terms, form, contents, sale and issuance of the bonds herein authorized and any bond anticipation notes issued or renewed in anticipation of said bonds, are hereby delegated to the

County Treasurer, 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 the 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 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 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(1038-2/3 majority). Supervisors Cuzzo and Grzyb voted nay.

Duly adopted upon roll call, all members present (1038) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning
MCIDA
Town of Glen

**

RESOLUTION NO. 109 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (MENTAL HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Wills

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement with the Mental Health Association of Fulton and Montgomery Counties for the provision of various services, including information, referral and support, and

FURTHER RESOLVED, that said agreement shall commence on January 1, 1997 and terminate on December 31, 1997, at a cost not to exceed a total of \$139,000, and

FURTHER RESOLVED, that said agreement may be renewed, as appropriate, without further legislative approval, should there be no substantive changes in the respective provisions.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Mental Health Department

**

RESOLUTION NO. 110 of 1997
RESOLUTION ESTABLISHING POSITION (COUNTY AUDITOR)

DATED: March 11, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: McMahon

RESOLVED, that the Board of Supervisors hereby authorizes and directs that a position of Senior Account Clerk Typist be established within the Auditing Department, effective March 17, 1997, at an annual salary of \$20,581.00, and

FURTHER RESOLVED, that a position of Senior Account Clerk Typist hereby is abolished in the County Road Fund, Highway Administration, also effective on March 17, 1997, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-30-4-1320-00.1110(329) County Auditor
Sr. Account Clerk Typist

TRANSFER:

From: D-12-4-5010-00.1110(329) Highway Administration

| | | |
|---|------------------------------|-------------|
| D-12-4-9001-00 | Sr. Account Clerk Typist | \$16,402.53 |
| | Fringe Benefits | |
| .8810 | FICA | 1,254.00 |
| .8820 | Retirement | 925.00 |
| .8830 | Worker's Compensation | 228.00 |
| .8850 | Hospital & Medical Insurance | 1,582.00 |
| .8852 | Dental Benefits | 117.00 |
| .8853 | Visual Care Benefits | 50.00 |
| .8854 | Disability Insurance | 185.00 |
| To: A-30-4-1320-00.1110(329) County Auditor | Sr. Account Clerk Typist | \$16,402.53 |
| A-10-4-9001-00 | Fringe Benefits | |
| .8810 | FICA | 1,254.00 |
| .8820 | Retirement | 925.00 |
| .8830 | Worker's Compensation | 228.00 |
| .8850 | Hospital & Medical Insurance | 1,582.00 |
| .8852 | Dental Benefits | 117.00 |
| .8853 | Visual Care Benefits | 50.00 |
| .8854 | Disability Insurance | 185.00 |

DECREASE:

REVENUE: D-12-3-5031-00 Interfund Transfer by \$20,743.53

APPROPRIATION: A-06-4-9900-00.9901 Transfer to Co. Road Fund by \$20,743.53

RESOLUTION ADOPTED with Aye(1354). Supervisors Cuozzo, Grzyb and D'Arcangelis voted nay.

Duly adopted upon roll call, all members present (1354) voting aye.

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
County Auditor
Commissioner of Public Works

**

RESOLUTION NO. 111 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING COUNTY TREASURER TO IMPLEMENT AN INSTALLMENT
CONTRACT PER RESOLUTION NO. 91 OF 1996

Resolution by Supervisor: McMahan
Seconded by Supervisor: D'Arcangelis
Supervisor: McMahan

WHEREAS, the Board of Supervisors passed Resolution No. 91 of 1996 addressing extreme legal and/or medical hardship cases involved in delinquent real property tax situations, and

WHEREAS, there was a committee created to address these situations, first and foremost, including the appropriate Supervisor, evaluate the situation and present specific considerations to the entire Board of Supervisors for approval,

RESOLVED, that a delinquency of this nature exists in the Town of Charleston, SBL #100-.2-24 in the name of Patricia Yozall, and is hereby presented to the Board of Supervisors for authorization to remove this parcel from the May 17th auction and implement a contractual agreement for payment, and

FURTHER RESOLVED, that the County Treasurer is hereby directed to take the necessary steps to remove this parcel and execute the pertinent documents for full satisfaction of this delinquency, including all appropriate interest and penalties due thereon.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 112 of 1997 DATED: March 11, 1997
RESOLUTION AUTHORIZING SUBMISSION OF REVOLVING LOAN FUND CONVERSION
APPLICATION

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Wills

WHEREAS, the Montgomery County Board of Supervisors believes that the creation of industrial sites in the Town of Florida and Glen and improvement of sites in the City of Amsterdam and Town of St. Johnsville are essential for the economic revival of Montgomery County, and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has provided assistance in the form of grants for the purpose of making business loans to improve employment opportunity for County residents, and

WHEREAS, the County believes that the Revolving Loan Fund should be temporarily suspended and its assets, in the entirety, converted for the purpose of creating new industrial sites and improving existing sites,

RESOLVED, that the County Administrator and the Planning Director hereby are authorized and directed to prepare an application, for submission to HUD, requesting authorization for conversion of revolving loan fund assets for acquisition of real property, site improvements and infrastructure improvements

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 application.

RESOLUTION DEFEATED with Aye(535). Supervisors Willis, Grzyb, McMahon and Hassan voted nay. Supervisors Cuzzo, Barone, Coluni, Mead, Keller, D'Arcangelis and Paton abstained. Supervisor Frasier was absent.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

OTHER

Supervisor Willis will sponsor a Resolution providing for the Department of Planning & Development to administer the Revolving Loan Fund on an interim basis.

Supervisor Grzyb said the Revolving Loan Fund should be administered in-house, with the County Attorney proceeding with collection of outstanding loans.

ADJOURNMENT

Motion by Supervisor Barone, seconded by Supervisor Frasier, to adjourn the meeting, passed with Aye(1868). Chairman Keller declared the meeting adjourned at 9:55 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

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| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PUBLIC COMMENT | 1 |
| PROCLAMATIONS | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES113 Resolution Authorizing Agreement - Lead Screening | |
| RES114 Resolution Transferring Funds - Mental Health | |
| RES115 Resolution to Pursue Assistance - Revolving Loan Fund | |
| RES116 Resolution Rescinding Resolution No. 326 of 1996 | |
| RES117 Resolution Directing County Attorney to Recover Funds | |
| RES118 Resolution Authorizing Legal Action to Recover Funds | |
| RES119 Resolution Amending Resolution No. 51 of 1997 | |
| RES120 Resolution Designating Health Insurance Administrator | |
| RES121 Resolution Authorizing Membership - County Attorney | |
| RES122 Resolution Adopting Indigent Burial Policy | |
| RES123 Resolution Correcting 1997 Tax Rolls | |
| RES124 Resolution Authorizing Solicitation of Bids - Sheriff | |
| RES125 Resolution Requesting Audit by NYS Comptroller | |
| RES126 Resolution Establishing Public Hearing - Intro. Local Law No. 3 of 1997 | |
| RES127 Resolution Authorizing Sale of Property | |
| RES128 Resolution Amending 1997 Operating Budget - Sheriff | |
| RES129 Resolution Authorizing Agreement - Sheriff | |
| RES130 Resolution Requesting Home Rule Bill | |
| RES131 Resolution Establishing Public Hearing - Intro. Local Law No. 4 of 1997 | |
| RES132 Resolution Authorizing Agreement - History | |
| RES133 Resolution Re-Establishing Position - Public Health | |
| RES134 Resolution Authorizing Municipal Agreement - MCIDA | |
| RES135 Resolution Authorizing Arbitration Award | |
| RES136 Resolution Designating Administration - Revolving Loan Fund | |
| OTHER | 15 |
| ADJOURNMENT | 15 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for March 25, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Grzyb. Roll call indicated that all Supervisors were present.

MOMENT OF SILENCE

Supervisor Mead offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Hassan, to provide for the addition of Resolutions No. 133, 134, 135, and 136, passed with Aye(1511). Supervisors Cuozzo and Grzyb voted nay. Motion by Supervisor Wills, seconded by Supervisor Hassan, to adopt the amended agenda, passed with Aye(1868).

PUBLIC COMMENT

Debra Couser, Town of Minden, discussed the Consumer Directed Assistance Program.

Stuart Quick, Peter Michalski, Donna Kelly and Peter Kanches, all of the Town of Amsterdam, and Kurt Konieczny and Juliette Konieczny, both of the City of Amsterdam, all spoke against Introductory Local law No. 3 of 1997.

PROCLAMATIONS

Certificate of Merit was presented to Dan Hazzard by Chairman Keller.

**

Chairman Keller called a recess at 7:50 p.m. and reconvened the meeting at 7:55 p.m.

**

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Van Kersen, seconded by Supervisor Paton, to adopt the Minutes of the Public Hearing of March 11, 1997, and the Regular Meeting of March 11, 1997, passed with Aye(1660). Supervisor Grzyb voted nay.

Chairman Keller read the following statement:

"Yesterday, a contingent of Montgomery County officials met with Michael Merrill, Director of Community Planning and Development Division of the U.S. Department of Housing and Urban Development in Buffalo.

"We informed Mr. Merrill that we have ceased our Revolving Loan Administrative relationship with the Montgomery County Economic Development Corporation, and that we are reviewing all aspects of the Revolving Loan portfolio. Also, we advised him that we are preparing a correction plan.

"Tonight, the Board of Supervisors is expected to consider two resolutions designed to demonstrate our resolve to correct the mistakes of the past and to move forward with our economic agenda for the future.

"Within the next 30 days, we will develop a formal response to HUD's Audit Report."

OLD BUSINESS

None.

NEW BUSINESS

**

RESOLUTION NO. 113 of 1997 DATED: March 25, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - LEAD
SCREENING (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahon

WHEREAS, the Public Health Director has recommended the renewal of a contract for lead screening laboratory 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 the 1997-98 contract renewal agreement for lead screening laboratory services, and

FURTHER RESOLVED, that said contract is effective for the period commencing on April 1, 1997 and ending on March 31, 1998, and

FURTHER RESOLVED, that the said agreement may be renewed annually, by addendum, without further legislative action, providing that there are no substantive changes.

MOTION TO AMEND, by Supervisor Wills, seconded by Supervisor Coluni, in the RESOLVED clause, after "services", insert "with Health Research, Inc., Albany Division, of 66 Hackett Boulevard, Albany, New York, at a cost not to exceed \$4,000, annually," passed with Aye(1868)

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Health

**

RESOLUTION NO. 114 of 1997
RESOLUTION TRANSFERRING FUNDS (MENTAL HEALTH)

DATED: March 25, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|--------------------------|---|----------------|
| From: | A-17-4-4310-00.1110(302) | Mental Health Admin. Director Comm. Serv. | by \$ 6,163.00 |
| | A-01-4-1990-00.4400 | Contingent Account Contractual Services | by \$ 5,837.00 |
| To: | A-17-4-4311-00.4555 | Drug Abuse Treat. Prog. Drug Abuse Treatment | by \$12,000.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 115 of 1997
RESOLUTION TO PURSUE ASSISTANCE FOR ECONOMIC DEVELOPMENT AND REVOLVING
LOAN FUND ADMINISTRATION

DATED: March 25, 1997

Resolution by Supervisor: Landon
Seconded by Supervisor: Cuozzo

WHEREAS, it is widely recognized that the need for economic development activity exists in Montgomery County, and

WHEREAS, there presently exists no administrator for the Montgomery County Revolving Loan Fund, and

WHEREAS, it has come to the attention of several supervisors that the Fulton County Economic Development Corporation has successfully engaged in economic development and has administered several business loan programs throughout Fulton county, and

WHEREAS, upon being informally approached as to the possibility of assisting Montgomery County in its economic development efforts, the Fulton County Economic Development Corporation has indicated a possible interest in such an effort,

RESOLVED, that the Montgomery County Board of Supervisors endorses the concept of pursuing the possibility of the Fulton County Economic Development Corporation assisting Montgomery County in economic development efforts, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors endorses the concept of the possibility of the Fulton County Economic Development Corporation assisting in the administration of the Montgomery County Revolving Loan Fund, and

FURTHER RESOLVED, that Supervisors Landon, Cuozzo, Keller and Mead are hereby authorized to enter into non-binding discussions and negotiations with officials of the Fulton County Economic Development Corporation with respect to economic development assistance and administration of the Montgomery County Revolving Loan Fund, with the understanding that any formal agreements or contracts are subject to the review and approval by the Montgomery County Board

RESOLUTION DEFEATED with Aye(576). Supervisors Landon, Cuzzo, Hassan, Mead and Paton voted aye. Supervisor D'Arcangelis abstained. Supervisor Wills voted Present.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County EDC

**

RESOLUTION NO. 116 of 1997 DATED: March 25, 1997
RESOLUTION RESCINDING RESOLUTION NO. 326 OF 1996

Resolution by Supervisor: Barone
Seconded by Supervisor: Jubar

RESOLVED, that Resolution No. 326 of 1996 hereby is rescinded.

RESOLUTION ADOPTED with Aye(1503). Supervisor Grzyb voted nay. Supervisor D'Arcangelis abstained.

Duly adopted upon roll call, all members present (1503) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 117 of 1997 DATED: March 25, 1997
RESOLUTION DIRECTING COUNTY ATTORNEY TO RECOVER CERTAIN FUNDS

Resolution by Supervisor: Keller
Seconded by Supervisor: Barone

WHEREAS, it has been alleged that certain HUD funds, provided as loans and/or administrative grants, may have been misused by recipients, and

WHEREAS, it is incumbent upon the Board of Supervisors, to help assure that any improperly utilized or otherwise outstanding funds be returned and/or repaid by recipients determined not to be in compliance with prevailing regulations,

RESOLVED, that the County Attorney hereby is authorized and directed to take immediate and necessary action to recover any and all HUD funds due and payable to the Montgomery County Revolving Loan Fund, including monies which may have been improperly allocated by recipients, and

FURTHER RESOLVED, that said recovery efforts shall involve administrative fees, rental income, delinquent loan payments, including interest and penalties, collateral and any other fund, as deemed appropriate by said County Attorney, and

FURTHER RESOLVED, that said County Attorney's recovery actions shall be determined, in part, by findings and recommendations contained within the recent report tendered by the HUD Office of Inspector General for Audit.

MOTION TO CALL THE QUESTIONS by Supervisor Grzyb, seconded by Supervisor Cuzzo, failed with Aye(717-2/3 majority). Supervisors Cuzzo, Wills, Grzyb, Hassan, Mead, Paton, Frasier, Van Kersen and Jubar voted aye. Supervisor D'Arcangelis abstained.

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Barone, to add, " and FURTHER RESOLVED, that the County Attorney shall seek proposals from law firms specializing in collections.", passed with Aye(1503). Supervisor Grzyb voted nay. Supervisor D'Arcangelis abstained.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis abstained.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Attorney

**

RESOLUTION NO. 118 of 1997 DATED: March 25, 1997
RESOLUTION AUTHORIZING AND DIRECTING COUNTY ATTORNEY TO COMMENCE LEGAL
ACTION TO RECOVER OVER \$1.7 MILLION FROM THE MONTGOMERY COUNTY
ECONOMIC DEVELOPMENT CORPORATION

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Frasier

WHEREAS, the County of Montgomery, New York is in receipt of information from federal authorities about the inadequate, unsupported, unmonitored and deficient administration of approximately \$1.7 million in federal tax money made available to the County since 1993 through the United States Department of Housing and Urban Development (HUD) in grants under Title I of the Housing and Community Development Act of 1974 (Public Law 93-383), as amended, through the Small Cities Community Development Block Grant Program; and

WHEREAS, such HUD money was given out through the CDBG program and the County Revolving Loan Fund, and

WHEREAS, the Montgomery County Economic Development Corp. was responsible for administering the loan, and

WHEREAS, the MCEDC's own for-profit corporations received three of the unsupported and unmonitored loans, and

WHEREAS, the Montgomery County Board of Supervisors is ultimately responsible for the operation of the CDBG program, and

WHEREAS, one of the penalties faced by the County for the improper administration of the CDBG program is payback of all unsupported funds, and

WHEREAS, the County's taxpayers have been put at risk of having to pay such HUD funds back out of the County's general fund, and

WHEREAS, the County's future ability to obtain HUD grants is also at risk, and

WHEREAS, the MCEDC has not properly accounted or have been made to account to the County for use of the fund,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes and directs the County Attorney to commence legal action against the MCEDC to recover the missing funds plus administrative fees paid to the MCEDC since 1993, and

FURTHER RESOLVED, that legal action also be commenced to recover the money owed to the Revolving Loan Fund by the MCEDC's two corporations, DeGraff Street Development Corp. and MC1 Development Corp., with loans now in default to the County Loan fund.

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Barone, passed with Aye(1103). Supervisors Landon, Cuzzo, Grzyb and Frasier voted nay.
(3/25/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator

**

RESOLUTION NO. 119 of 1997
RESOLUTION AMENDING RESOLUTION NO. 51 OF 1997

DATED: March 25, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Jubar

RESOLVED, that Resolution No. 51 of 1997 hereby is amended to provide for deletion, in the first Whereas clause, of "Victor A. Martini of 216 Elmer Avenue, Schenectady, New York, 12308" and "February 24, 1997", and inserting, in its stead, "Jim Gumaer, 2820 NY 43, Averill Park, New York", and "March 31, 1997".

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Personnel/Payroll
Community Services Board

**

RESOLUTION NO. 120 of 1997
RESOLUTION DESIGNATING HEALTH INSURANCE ADMINISTRATOR

DATED: March 25, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Mead

WHEREAS, it has been recommended that a firm be designated to administer the County's self-insurance health plan,

RESOLVED, that Association Plan Administrators hereby are designed to administer the County's self-insurance health plan, and

FURTHER RESOLVED, that said designation shall be for the period commencing January 1, 1997 and ending December 31, 1997, at a cost not to exceed _____ per participating employee.

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Landon, in the FURTHER RESOLVED clause, insert "\$9.00", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**

RESOLUTION NO. 121 of 1997
RESOLUTION AUTHORIZING ASSOCIATION MEMBERSHIP (COUNTY ATTORNEY)

DATED: March 25, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Wills

WHEREAS, the County Attorney has recommended membership in the County Attorney's Association of the State of New York,

RESOLVED, that the Board of Supervisors hereby authorizes the County Attorney's membership in the County Attorneys' Association of the State of New York,

FURTHER RESOLVED, that said membership is authorized within the limit of funds appropriated annually for said purpose.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Attorney

**

RESOLUTION NO. 122 of 1997
RESOLUTION ADOPTING INDIGENT BURIAL POLICY

DATED: March 25, 1997

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Wills

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts a policy for the burial of indigent County residents for the period of April 1, 1997 to March 31, 1999, a copy of which is attached hereto and made a part of this Resolution, and

FURTHER RESOLVED, that the Board of Supervisors hereby agrees to provide equal payment for burials of indigent Social Services clients and Veterans Service Agency clients in said policy at the current rates, as follows:

SERVICES:

| | |
|---|------------|
| Adult Basic Allowance | \$1,800.00 |
| Child Basic Allowance | 600.00 |
| Stillborn Basic Allowance | 325.00 |
| Direct Cremation Basic and Immediate Burial Allowance | 900.00 |
| Full Service Cremation Basic Allowance | 1,800.00 |
| Outer Receptacle (if required by cemetery) | 475.00 |
| Oversize casket (if required) | 100.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services
Veterans Director

**

RESOLUTION NO. 123 of 1997
RESOLUTION CORRECTING 1997 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS

DATED: March 25, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

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 1997 Tax Roll, and

WHEREAS, said Director has investigated and filed a report, pursuant to said statute, confirming existence of said,

RESOLVED, that the 1997 Tax Roll hereby is ordered corrected, as follows:

| APPLICANT: | SBL#: | CORRECTION: |
|---|---------------------------------|---|
| Donna Lewandowski Wojciech W Lewandowski 12 Union St Amsterdam, NY 12010 | 55.27-1-6 City of Amsterdam | Reduce County 520 Omitted Tax to \$413.19. |
| Bohidan Nauhołnyk Stephaine Nauhołnyk 80 Maple Ave Hagaman, NY 12086 | 25.10-3-20 Town of Amsterdam | Reduce assessment to \$14,200. |
| Elaine Thompson Wayne Hudson 185 Marshville Rd Fort Plain, NY 13339 | 77.-1-13 Minden | Apply Agricultural exemption of \$2,545. |
| Owen & Beverly Christman RD#1 Palatine Bridge, NY 13428 | 46.19-1-10 Palatine | Remove school relevy. |
| Owen & Beverly Christman RD#1 Palatine Bridge, NY 13428 | 46.19-1-11 Palatine | Remove school relevy. |

FURTHER RESOLVED, that the County Treasurer 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 Treasurer 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 Treasurer shall immediately submit, to the officers having jurisdiction over the tax roll, and above order, all approved applications, and

FURTHER RESOLVED, that said Treasurer 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 Treasurer and/or the 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 the appropriate school districts that any relevy cancelled by this resolution will not be returned to the school districts such notifications to be made prior to May 1, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

Real Property Tax Service Director

**

RESOLUTION NO. 124 of 1997 DATED: March 25, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - COMMUNICATION TOWER
(SHERIFF)

Resolution by Supervisor: Barone
Seconded by Supervisor: McMahon

WHEREAS, funds are available in Capital Project 13 for the acquisition of a communications tower for the Public Safety Building,

RESOLVED, that the Purchasing Agent is authorized and directed to solicit bids for this tower, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 125 of 1997 DATED: March 25, 1997
RESOLUTION REQUESTING FINANCIAL AND COMPLIANCE AUDIT BY THE NEW YORK
STATE COMPTROLLER

Resolution by Supervisor: Grzyb
Seconded by Supervisor:

WHEREAS, Montgomery County is in receipt of information about inadequate, uneconomical and unsupported use of \$1.7 million in taxpayer dollars received from the federal government between 1993 and 1996, and

WHEREAS, Montgomery County spends in excess of \$53 million in taxpayer dollars each year, and

WHEREAS, it is the responsibility of the Montgomery County Board of Supervisors to ensure that all taxpayer dollars are used as intended, and in compliance with all federal and state regulations, and

WHEREAS, the recent audit by the Department of Housing and Urban Development has raised serious questions about the County's control and use of taxpayer dollars,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests the New York State Comptroller to do a full financial and compliance audit of Montgomery County for the years 1993 through 1996, and

FURTHER RESOLVED, that a copy of this Resolution be forwarded to said Comptroller, with a letter from the Chairman of the Board of Supervisors, requesting said audit.

RESOLUTION DIED FOR LACK OF A SECOND.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
New York State Comptroller

**

RESOLUTION NO. 126 of 1997 DATED: March 25, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor:

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 3 of 1997, "A Local Law Establishing a Population Threshold of 5,000 for All County Supervisors",

RESOLVED, that Introductory Local Law No. 3 of 1997 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, April 8, 1997, at 7:15 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 WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 127 of 1997 DATED: March 25, 1997
RESOLUTION AUTHORIZING SALE OF FORMER DANIEL C. DUROSS LTD. PROPERTY

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized by Resolution No. 422 of 1996, to solicit bids for the sale of the former Daniel C. Duross Ltd. property in Fultonville, and

WHEREAS, said bids were opened on March 11, 1997,

RESOLVED, that the Board of Supervisors hereby authorizes the sale of the former Daniel C. Duross Ltd. property to Capital Vial, Inc., Fultonville, New York, for \$20,000.00,

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 documents pertaining to said sale.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 128 of 1997 DATED: March 25, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET - SHERIFF

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Sheriff has recommended budget modifications to provide for addition of Revenue and Appropriations items,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD/INCREASE:

Revenue: A-15-3-2626-00 Fines and Forfeitures
Forfet. Criminal Proceeds (Rest.) by
Appropriations: A-15-4-3110-00.4626 Sheriff
Criminal Investigation (Rest.) by

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Grzyb, in the RESOLVED clause, insert "\$2,439.20", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 129 of 1997 DATED: March 25, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COMMUNITY ALERT
NETWORK (SHERIFF)

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Sheriff has recommended that Montgomery County continue its emergency notification contractual affiliation with the Community Alert Network,

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 (CAN), a division of Automated Communications, Inc., 301 Nott Street, Schenectady, New York, and

FURTHER RESOLVED, that said agreement, which shall take effect on June 1, 1997 and terminate on May 31, 1998, provide for payment to CAN by the County, of \$11,000.00 for fees for services, and

FURTHER RESOLVED, that said agreement also provides that the County pay \$60.00 to CAN for each hour of Telephone Line Calling Time (TCLT) used to deliver telephone communications requested by the County, and

FURTHER RESOLVED, that said agreement shall neither be extended nor renewed without the express approval, by Resolution, of the Board of Supervisors.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 130 of 1997 DATED: March 25, 1997
RESOLUTION REQUESTING NEW YORK STATE LEGISLATURE TO ENACT HOME RULE
BILL ALLOWING FOR QUARTERLY PROPERTY TAX PAYMENTS IN MONTGOMERY COUNTY

Resolution by Supervisor: Grzyb
Seconded by Supervisor:

WHEREAS, the City of Amsterdam presently pays property taxes in quarterly installments to the County of Montgomery, and

WHEREAS, Section 928 of Real Property Tax Law provides only for twice-a-year property tax payments in the County, and

WHEREAS, the 10 towns and 10 villages in the County of Montgomery should have the option of adopting quarterly tax payments,

RESOLVED, that the Montgomery County Board of Supervisors requests that State Legislators enact a Home Rule Bill enabling all Montgomery County municipalities to have the option of paying property taxes in quarterly installments without interest or penalties, and

FURTHER RESOLVED, that a copy of this resolution be sent along with a letter to our local legislators, Assemblyman Paul D. Tonko and Senator Hugh T. Farley, requesting their assistance and sponsorship in enacting such a Home Rule Law.

RESOLUTION DIED FOR LACK OF A SECOND.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 131 of 1997 DATED: March 25, 1997
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO 4
OF 1997

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Cuozzo

WHEREAS, a public hearing is required to be held concerning Introductory Local law No. 4 of 1997, a Local Law Establishing the Elective Office of County Executive and Establishing Powers and Duties Pertaining to the Office,

RESOLVED, that Introductory Local Law No. 4 of 1997 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, April 15, 1997 at 7:00 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 Wills, seconded by Supervisor Landon, failed with Aye(833). Supervisors Landon, Cuozzo, Wills, Grzyb, McMahon and Hassan voted aye.

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 132 of 1997 DATED: March 25, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHOTOGRAPHIC
SERVICES (HISTORY)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

WHEREAS, the County Historian/Records Management Officer has recommended that the County contract for photographic services for the History and Archives Department,

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 Douglas Chovit of 226 YMCA Road, Amsterdam, for provision of photographic services for the History and Archives Department, and

FURTHER RESOLVED, that said agreement shall be for the period commencing on April 21, 1997 and ending on May 31, 1997, and provide for payment of \$7.00 per hour, not to exceed a total of \$140.00

RESOLUTION ADOPTED with Aye(1719). Supervisor Landon abstained.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 133 of 1997 DATED: March 25, 1997
RESOLUTION RE-ESTABLISHING POSITION - RPN (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahon

WHEREAS, the Public Health Director has determined the need to re-establish the position of full-time Registered Professional Nurse, and

WHEREAS, said position is needed for more efficient management of program services

RESOLVED, that the position of RPN hereby is re-established, at an annual salary of \$24,738, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|---------------------------------|------------------------|-------------|
| From: A-16-4-4010-00.1110(1106) | Public Health - PHN | \$ 7,820.00 |
| A-16-4-4010-00.1120(103) | Public Health - RPN-PT | 10,132.00 |
| To: A-16-4-4010-00.1110(255) | Public Health - RPN | \$16,630.00 |
| A-10-4-9001-00.8810 | Fringe Benefits - FICA | 1,322.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
Public Health Director

**

RESOLUTION NO. 134 of 1997 DATED: March 25, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MUNICIPAL LOAN AND
REIMBURSEMENT AGREEMENT - TOWN OF GLEN INDUSTRIAL PARK PROJECT (MCIDA)

Resolution by Supervisor: Keller
Seconded by Supervisor: Jubar

WHEREAS, the Montgomery County Industrial Development Agency has adopted a Resolution approving the execution and delivery of a Municipal Loan and Reimbursement Agreement for the Town of Glen Industrial Park Project, and

WHEREAS, it has been recommended that the County of Montgomery be a party 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 a Municipal Loan and Reimbursement Agreement, with the Montgomery County Industrial Development Agency, for the Town of Glen Industrial Park Project.

RESOLUTION ADOPTED with Aye(1293). Supervisors Cuozzo, Grzyb and Van Kersen voted nay. Supervisor D'Arcangelis abstained.

Duly adopted upon roll call, all members present (1293) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA

**

RESOLUTION NO. 135 of 1997 DATED: March 25, 1997
RESOLUTION AUTHORIZING ARBITRATION AWARD PAYMENT - CLIFFORD R. GRAY,
INC. (PUBLIC SAFETY FACILITY)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Wills

WHEREAS, an Arbitrator has determined that payment is due to Clifford R. Gray, Inc. for certain work performed at the Montgomery County Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby authorizes and directs the County Treasurer to make payment to Clifford R. Gray, Inc., in the amount of \$24,076.50, per the decision of a duly-designated Arbitrator, and

FURTHER RESOLVED, that the County also shall pay a portion of administrative fees and other compensation associated with said arbitration.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 136 of 1997 DATED: March 25, 1997
RESOLUTION DESIGNATING THE ADMINISTRATOR OF THE COUNTY REVOLVING LOAN
FUND

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

WHEREAS, there has been continued and new-found interest in acquiring loans from the County Revolving Loan Fund, and

WHEREAS, there are several outstanding loans from the fund in need of administration and that administration requires expertise,

RESOLVED, that the Montgomery County Board of Supervisors does hereby authorize the Montgomery County Department of Planning and Development to

commence administration of the County Revolving Loan Fund.

RESOLUTION ADOPTED with Aye(1354). Supervisors Cuozzo and Grzyb voted nay.
Supervisor D'Arcangelis abstained.

Duly adopted upon roll call, all members present (1354) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Planning Director

OTHER

Chairman Keller will schedule an April Press Conference regarding the County's response to the HUD Audit Report. County Administrator Wayne Allen will request an extension of the response due date.

Supervisor Grzyb will sponsor a Resolution to dissolve MOSA.

Supervisor Hassan will issue a memo regarding the Solid Waste Committee meeting.

ADJOURNMENT

Motion by Supervisor Barone, seconded by Supervisor Frasier, to adjourn the meeting, passed with Aye(1868). Chairman Keller declared the meeting adjourned at 9:58 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

| | |
|--|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| SPECIAL PRESENTATIONS | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| RES118 Resolution Authorizing Legal Action - MCEDC | |
| NEW BUSINESS | 3 |
| RES137 Resolution Appointing Member - Sanitary Sewer District Board | |
| RES138 Resolution Authorizing Membership - Public Health | |
| RES139 Resolution Amending Resolution No. 12 of 1997 | |
| RES140 Resolution Authorizing Work Change Orders - Public Safety Facility | |
| RES141 Resolution Accepting Proposal - Jail | |
| RES142 Resolution Amending 1997 Operating Budget - Tourism | |
| RES143 Resolution Endorsing Senior Housing Complex | |
| RES144 Resolution Awarding Bid No. 01-97 (Public Works) | |
| RES145 Resolution Transferring Funds - Elections | |
| RES146 Resolution Correcting 1997 Town and County Tax Rolls | |
| RES147 Resolution Awarding Bid No. 05-97 | |
| RES148 Resolution Authorizing Revenue Generation Plan to Fund MOSA Subsidy | |
| RES149 Resolution Supporting MOSA Dissolution | |
| RES150 Resolution Authorizing Agreement - Public Safety Facility | |
| RES151 Resolution Amending 1997 Operating Budget - Data Processing | |
| RES152 Resolution Rescinding Resolution No. 84 of 1996 | |
| OTHER | 11 |
| ADJOURNMENT | 11 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for April 8, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Van Kersen. Roll call indicated that all Supervisors were present.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Barone, to provide for the addition of Resolutions No. 150, 151, and 152, passed with Aye(1868). Motion by Supervisor Wills, seconded by Supervisor Hassan, to adopt the amended agenda, passed with Aye(1868).

PROCLAMATIONS

Proclamation declaring April 7 - 12, 1997, as Public Health Week was presented by Supervisor Jubar to Valarie Gryniuk, Public Health Director.

PUBLIC COMMENT

Debra Couser, Town of Minden, discussed various items involving the Social Services Department.

SPECIAL PRESENTATIONS

Suzanne Syzdek, Public Health Specialist, discussed Montgomery County's Pedestrian Injury Prevention Program.

Angela Lamonto, FMCC foundation representative, discussed the foundation's goals and objectives.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Van Kersen, seconded by Supervisor Paton, to adopt the Minutes of the Regular Meeting of March 25, 1997, passed with Aye(1660). Supervisor Grzyb voted nay.

The Ames Volunteer Fire Department requests reinstatement of K-9 Knox.

OLD BUSINESS

**

RESOLUTION NO. 118 of 1997 DATED: March 25, 1997
RESOLUTION AUTHORIZING AND DIRECTING COUNTY ATTORNEY TO COMMENCE LEGAL
ACTION TO RECOVER OVER \$1.7 MILLION FROM THE MONTGOMERY COUNTY
ECONOMIC DEVELOPMENT CORPORATION

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Frasier

WHEREAS, the County of Montgomery, New York is in receipt of information from federal authorities about the inadequate, unsupported, unmonitored and deficient administration of approximately \$1.7 million in federal tax money made available to the County since 1993 through the United States Department of Housing and Urban Development (HUD) in grants under Title I of the Housing and Community Development Act of 1974 (Public Law 93-383), as amended, through the Small Cities Community Development Block Grant Program; and

WHEREAS, such HUD money was given out through the CDBG program and the County Revolving Loan Fund, and

WHEREAS, the Montgomery County Economic Development Corp. was responsible for administering the loan, and

WHEREAS, the MCEDC's own for-profit corporations received three of the unsupported and unmonitored loans, and

WHEREAS, the Montgomery County Board of Supervisors is ultimately responsible for the operation of the CDBG program, and

WHEREAS, one of the penalties faced by the County for the improper administration of the CDBG program is payback of all unsupported funds, and

WHEREAS, the County's taxpayers have been put at risk of having to pay such HUD funds back out of the County's general fund, and

WHEREAS, the County's future ability to obtain HUD grants is also at risk, and

WHEREAS, the MCEDC has not properly accounted or have been made to account to the County for use of the fund,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes and directs the County Attorney to commence legal action against the MCEDC to recover the missing funds plus administrative fees paid to the MCEDC since 1993, and

FURTHER RESOLVED, that legal action also be commenced to recover the money owed to the revolving Loan Fund by the MCEDC's two corporations, DeGraff Street Development Corp. and MCI Development Corp., with loans now in default to the County Loan fund.

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Barone, passed with Aye(1103). Supervisors Landon, Cuzzo, Grzyb and Frasier voted nay.
(3/25/97)

MOTION TO REMOVE FROM TABLE, by Supervisor Grzyb, seconded by Supervisor Frasier, passed with Aye(1019). Supervisors Cuzzo, McMahon, Mead, Paton, VanKersen and Jubar voted nay. Supervisor D'Arcangelis abstained.
(4/8/97)

RESOLUTION ADOPTED with Aye(940). Supervisors Cuzzo, McMahon, Mead, Keller, Paton, Van Kersen and Jubar voted nay. Supervisor D'Arcangelis abstained.
(4/8/97)

Duly adopted upon roll call, all members present (0940) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Attorney

NEW BUSINESS

**

RESOLUTION NO. 137 of 1997 DATED: April 8, 1997
RESOLUTION APPOINTING MEMBER OF SANITARY SEWER DISTRICT BOARD

Resolution by Supervisor: McMahon
Seconded by Supervisor: Frasier

WHEREAS, a vacancy exists for an at-large member of the Sanitary Sewer District Board of Directors,

RESOLVED, that Homer Alkinburgh of Nelliston hereby is appointed as the at-large member of the Board of Directors of Sanitary Sewer District No. 1, and

FURTHER RESOLVED, that such appointment, effective May 1, 1997, shall expire on April 30, 1998.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Sanitary Sewer District No. 1

**

RESOLUTION NO. 138 of 1997 DATED: April 8, 1997
RESOLUTION AUTHORIZING ASSOCIATION MEMBERSHIP - NATIONAL SAFETY BELT COALITION (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Mead

WHEREAS, the Public Health Director has recommended membership in the National Safety Belt Coalition, and

WHEREAS, membership will enable the Public Health Department to receive free educational materials and waiver of shipping charges,

RESOLVED, that the Board of Supervisors hereby authorizes the Public Health Department's membership in the National Safety Belt Coalition, and

FURTHER RESOLVED, that said membership is authorized within the limit of funds appropriated annually for said purpose.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 139 of 1997 DATED: April 8, 1997
RESOLUTION AMENDING RESOLUTION NO. 12 OF 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

RESOLVED, that Resolution No. 12 of 1997 hereby is amended to provide, in the Resolved clause, for designation of John Van Kersen as Landowner Alternate and William Grzyb, Sr. as Landowner Representative.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees
Regional Fish and Wildlife Management Bd

**
RESOLUTION NO. 140 of 1997 DATED: April 8, 1997
RESOLUTION AUTHORIZING WORK CHANGE ORDERS (PUBLIC SAFETY FACILITY)

Resolution by Supervisor: Barone
Seconded by Supervisor: McMahon

WHEREAS, the Construction Manager has recommended approval of work Change Orders at the Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby authorizes implementation of the following work Change Orders at the Public Safety Facility:

| | | |
|--------|---|------------|
| No. 8 | - | \$7,987.90 |
| No. 35 | - | 8,815.00 |

, and

FURTHER RESOLVED, that the County of Montgomery shall seek reimbursement for any portion of said payments deemed to have resulted from errors or omissions attributable to those individuals and/or firms responsible for said errors.

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor Barone, in the RESOLVED clause, insert "No. 9 - \$25,336", passed with Aye(1719). Supervisor Landon was absent.

RESOLUTION ADOPTED with Aye(1511). Supervisor Grzyb voted nay. Supervisor Landon was absent.

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

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 141 of 1997 DATED: April 8, 1997
RESOLUTION ACCEPTING PROPOSAL - DIETICIAN SERVICES (JAIL)

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 69 of 1997, to solicit proposals for Dietician Services for the Jail, and

WHEREAS, said proposals were opened on March 24, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by Amsterdam Memorial Hospital to provide Dietician Services for the County Jail, at a cost of \$25.00 per hour, 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 bid award.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 142 of 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (TOURISM) DATED: April 8, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Mead

WHEREAS, it has been recommended that funds be appropriated to help provide for staffing of the Canajoharie Tourism Booth,

RESOLVED, that the Board of Supervisors hereby authorizes the appropriation of \$4,000 to the Montgomery County Chamber of Commerce, said funds to be applied exclusively toward costs of staffing the Canajoharie Tourism Booth, 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 Montgomery County Chamber of Commerce, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|--|------------|
| FROM: | A-02-4-1990-00.4400 | Contingent Account Contractual Expenses | \$4,000.00 |
| TO: | A-01-4-6420-00.4579 | Promotions of Industry Tourism | \$4,000.00 |

MOTION TO TABLE by Supervisor Wills, seconded by Supervisor Frasier, failed with Aye(855). Supervisors Landon, Barone, Wills, Grzyb, Frasier and Jubar voted aye.

MOTION TO CALL THE QUESTION by Supervisor Mead, seconded by Supervisor Cuzzo, passed with Aye(1304-2/3 majority).

RESOLUTION DEFEATED with Aye(865). Supervisors Cuzzo, McMahon, Hassan, Mead, Keller, D'Arcangelis, Paton and Van Kersen voted aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Chamber of Commerce

**

RESOLUTION NO. 143 of 1997
RESOLUTION ENDORSING SENIOR HOUSING COMPLEX

DATED: April 8, 1997

Resolution by Supervisor: Wills
Seconded by Supervisor: Barone

WHEREAS, Amsterdam Memorial Hospital (AMH) is developing plans for a 95-unit Senior Housing Complex, and

WHEREAS, said facility will be located adjacent to AMH in the Town of Amsterdam, and

WHEREAS, AMH officials outlined said plans during a Special Presentation to the Board of Supervisors,

RESOLVED, that the Board of Supervisors hereby endorses the proposed Senior Housing Complex being planned by Amsterdam Memorial Hospital.

RESOLUTION ADOPTED with Aye(1511). Supervisors Landon and Grzyb abstained.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Neal Van Slyke

**

RESOLUTION NO. 144 of 1997
RESOLUTION AWARDING BID NO. 01-97 (PUBLIC WORKS)

DATED: April 8, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 43 of 1997, to solicit bids for various materials for the Department of Public Works, and

WHEREAS, said bids were publicly opened on February 25, 1997, and

WHEREAS, the Commissioner of Public Works has reviewed the bid documents and recommended that the award for Item A-21 Painting Traffic Lines be made to the lowest responsible bidder meeting specifications,

RESOLVED, that the Board of Supervisors hereby awards the bid for Item A-21 to Chemi-Trol Chemical Co., Gibsonburg, Ohio.

MOTION TO AMEND by Supervisor D'Arcangelis, seconded by Supervisor Jubar, in the RESOLVED clause, delete "Chemi-Trol Chemical Co., Gibsonburg, Ohio" and in its stead, insert "M & S Striping, Mamoroneck, NY", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Barone

WHEREAS, the Election Commissioners have requested a transfer of funds to provide for payment of computer equipment,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|---------------------------------|------------|
| From: | A-11-4-1450-00.4453 | Elections Postage | \$1,140.00 |
| To: | A-11-4-1450-00.2259 | Elections Computer Equipment | \$1,140.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Board of Elections

**

RESOLUTION NO. 146 of 1997
RESOLUTION CORRECTING 1997 TOWN AND COUNTY TAX ROLLS

DATED: April 8, 1997

Resolution by Supervisor: McMahan
Seconded by Supervisor: D'Arcangelis

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 1997 Tax Roll, and

WHEREAS, said Director has investigated and filed a report, pursuant to said statute, confirming existence of said,

RESOLVED, that the 1997 Tax Roll hereby is ordered corrected, as follows:

| APPLICANT: | SBL#: | CORRECTION: |
|--|----------------------|-----------------------|
| Maynard Waite Nancy Nellis 261 Main St Fort Plain, NY 13339 | 63.-1-37 Palatine | Remove school relevy. |

FURTHER RESOLVED, that the County Treasurer 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 Treasurer 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 Treasurer shall immediately submit, to the officers having jurisdiction over the tax roll, and above order, all approved applications, and

FURTHER RESOLVED, that said Treasurer 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 Treasurer and/or the 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 the appropriate school districts that any relevy cancelled by this resolution will not be returned to the school districts such notifications to be made prior to May 1, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, RPTSA

**

RESOLUTION NO. 147 of 1997
RESOLUTION AWARDDING BID NO. 05-97

DATED: April 8, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Paton

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 71 of 1997, to solicit bids for medical and personal care supplies for the Jail, Department of Public Health and Montgomery Meadows, and

WHEREAS, said bids were opened on March 25, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 05-97 to General Medical Corp. of Hartford, Connecticut.

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor D'Arcangelis, in the second RESOLVED clause, after "1997" add "and were reviewed by the Purchasing Agent and the respective Department Heads", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 148 of 1997
RESOLUTION AUTHORIZING REVENUE GENERATION PLAN DEVELOPMENT TO FUND MOSA
SUBSIDY

DATED: April 8, 1997

Resolution by Supervisor: Hassan
Seconded by Supervisor:

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority has voted to increase tipping fees to \$90.00 per ton, and

WHEREAS, it is anticipated that Montgomery County's MOSA subsidy obligation may total approximately \$760,000 in 1997, and

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 46 of 1997, on January 28, 1997, has expressed its support for MOSA,

RESOLVED, that the Board of Supervisors hereby authorizes development of a plan to identify funding sources that may be utilized in making subsidy payments to the Montgomery-Otsego-Schoharie Solid Waste Management Authority.

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 149 of 1997
RESOLUTION SUPPORTING MOSA DISSOLUTION

DATED: April 8, 1997

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Hassan

WHEREAS, the Montgomery-Otsego-Schoharie solid Waste Management Authority has been unable to stabilize Montgomery County's financial liability, and

WHEREAS, proposals have been solicited to secure documentable fiscal data regarding various MOSA issues, and

WHEREAS, continued effort to resolve said issues have been unsuccessful,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses support for dissolution of the Montgomery-Otsego-Schoharie Solid Waste Management Authority, should other proposed solutions not be feasible.

MOTION TO TABLE by Supervisor D'Arcangelis, seconded by Supervisor Barone, failed with Aye(784). Supervisors Barone, McMahon, Mead, Keller, D'Arcangelis, Van Kersen and Jubar voted aye.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor D'Arcangelis, passed with Aye(1221). Supervisors Landon, Cuzzo, Grzyb, Hassan and Frasier voted nay. (4/8/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 150 of 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SINGLE MODE FIBER SERVICE (PUBLIC SAFETY FACILITY)

DATED: April 8, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

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 Citizens Telecom for provision of Single Mode Fiber Service between the County Annex Building and the Public Safety Facility, and

FURTHER RESOLVED, that said agreement shall be for a five-year period, commencing on April 9, 1997, at a cost of \$420.00 per month.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Van Kersen, passed with Aye(1570). Supervisors Landon and Cuozzo voted nay. (4/8/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Data Processing Director

**
RESOLUTION NO. 151 of 1997 DATED: April 8, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (DATA PROCESSING)

Resolution by Supervisor: Wills
Seconded by Supervisor: D'Arcangelis

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|---------------------|--|----------------|
| Revenue: | A-01-3-2680-00 | County Administrator Insurance Recoveries | by \$11,660.00 |
| Appropriations: | A-14-4-1680-00.2259 | Data Processing Computer Equipment | by \$11,660.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Data Processing

**
RESOLUTION NO. 152 of 1997 DATED: April 8, 1997
RESOLUTION RESCINDING RESOLUTION NO. 84 OF 1996

Resolution by Supervisor: Wills
Seconded by Supervisor: Grzyb

WHEREAS, the Montgomery County Revolving Loan Fund has been experiencing repayment problems of late, and

WHEREAS, repayments to the Revolving Loan Fund were to be used as collateral for the loan guarantee agreement,

RESOLVED, that Resolution No. 84 of 1996 is hereby rescinded in the best interest of the County residents.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis abstained.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

Chairman Keller requested Board direction in drafting a response to the HUD Audit.

Supervisor Grzyb requested a Resolution on the Elected County Executive for the April 22, 1997 meeting.

Supervisor McMahon left the meeting at 9:55 p.m.

Supervisor D'Arcangelis left the meeting at 9:59 p.m.

Supervisor Van Kersen said the Social Services Committee meeting on April 15, has been rescheduled from 7:00 p.m. to 5:00 p.m.

ADJOURNMENT

Motion by Supervisor Barone, seconded by Supervisor Jubar, to adjourn the meeting, passed with Aye(1570). Supervisors McMahon and D'Arcangelis were absent. Chairman Keller declared the meeting adjourned at 10:01 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

| | |
|--|---|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| RES149 Resolution Support MOSA Dissolution | |
| RES150 Resolution Authorizing Agreement - Public Safety Facility | |
| NEW BUSINESS | 3 |
| RES153 Resolution Establishing Public Hearing - Intro. Local Law No. 5 | |
| RES154 Resolution Amending 1997 Operating Budget - Historian | |
| RES155 Resolution Amending 1997 Operating Budget - Legislative Board | |
| RES156 Resolution Transferring Funds - Legislative Board | |
| RES157 Resolution Accepting Bid - Spruce Pulpwood Removal | |
| RES158 Resolution Awarding Bid No. 04-97 | |
| RES159 Resolution Authorizing Agreement - Montgomery Meadows | |
| RES160 Resolution Authorizing Sharing of Computer Programs | |
| RES161 Resolution Amending 1997 Operating Budget - Sheriff | |
| RES162 Resolution Requesting Retroactive Retirement System Membership | |
| RES163 Resolution Amending 1997 Operating Budget - Tourism | |
| RES164 Resolution Authorizing Submission of Response to HUD Audit Report | |
| OTHER | 9 |
| ADJOURNMENT | 9 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for April 22, 1997, was called to order at 7:33 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor McMahon. Roll call indicated that Supervisors Barone, Wills and Mead were absent. All votes in these minutes reflect their absence.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Landon, to provide for the addition of Resolutions No. 161, 162, 163 and 164, passed with Aye(1477). Supervisors Barone, Wills and Mead were absent. Motion by Supervisor McMahon, seconded by Supervisor Landon, to adopt the amended agenda, passed with Aye(1477). Supervisors Barone, Wills and Mead were absent.

PROCLAMATIONS

Proclamation declaring April as Community College Month, was presented by Supervisor Landon to Dr. Robert W. Kusek, Vice-President of Fulton-Montgomery Community College.

Proclamation honoring Fulmont Community Action Agency, Inc., was presented by Chairman Keller to Denis Wilson, Executive Director.

Proclamation honoring Montgomery County Soil & Water Conservation District, was previously presented by Chairman Keller.

PUBLIC COMMENT

Alice Knapik, Town of Glen, said she favors an elected County President.

Patrick Mathis, MBIA Credit Analyst, discussed costs associated with MOSA dissolution.

Debra Couser, Town of Minden, asked whether the County received an extension for responding to the HUD Audit Report.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Van Kersen, seconded by Supervisor Landon, to adopt the Minutes of the Regular Meeting of April 8, 1997, passed with Aye(1269). Supervisor Grzyb voted nay. Supervisors Barone, Wills and Mead were absent.

None.

OLD BUSINESS

**

RESOLUTION NO. 149 of 1997
RESOLUTION SUPPORTING MOSA DISSOLUTION

DATED: April 8, 1997

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Hassan

WHEREAS, the Montgomery-Otsego-Schoharie solid Waste Management Authority has been unable to stabilize Montgomery County's financial liability, and

WHEREAS, proposals have been solicited to secure documentable fiscal data regarding various MOSA issues, and

WHEREAS, continued effort to resolve said issues have been unsuccessful,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses support for dissolution of the Montgomery-Otsego-Schoharie Solid waste Management Authority, should other proposed solutions not be feasible.

MOTION TO TABLE by Supervisor D'Arcangelis, seconded by Supervisor Barone, failed with Aye(784). Supervisors Barone, McMahon, Mead, Keller, D'Arcangelis, Van Kersen and Jubar voted aye.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor D'Arcangelis, passed with Aye(1221). Supervisors Landon, Cuzzo, Grzyb, Hassan and Frasier voted nay. (4/8/97)

MOTION TO REMOVE FROM TABLE by Supervisor Grzyb, seconded by Supervisor Hassan, passed with Aye(1477). Supervisors Barone, Wills and Mead were absent. (4/22/97)

RESOLUTION ADOPTED with Aye(1320). Supervisor D'Arcangelis voted nay. Supervisors Barone, Wills and Mead were absent. (4/22/97)

Duly adopted upon roll call, all members present (1320) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 150 of 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SINGLE MODE FIBER SERVICE (PUBLIC SAFETY FACILITY)

DATED: April 8, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

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 Citizens Telecom for provision of Single Mode Fiber Service between the County Annex Building and the Public Safety Facility, and

FURTHER RESOLVED, that said agreement shall be for a five-year period, commencing on April 9, 1997, at a cost of \$420.00 per month.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Van Kersen, passed

with Aye(1570). Supervisors Landon and Cuzzo voted nay. (4/8/97)

MOTION TO REMOVE FROM TABLE by Supervisor McMahon, seconded by Supervisor Van Kersen, passed with Aye(1477). Supervisors Barone, Wills and Mead were absent. (4/22/97)

RESOLUTION ADOPTED with Aye(1477). Supervisors Barone, Wills and Mead were absent. (4/22/97)

Duly adopted upon roll call, all members present (1477) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Data Processing Director

NEW BUSINESS

**

RESOLUTION NO. 153 of 1997 DATED: April 22, 1997
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 5
OF 1997

Resolution by Supervisor: Grzyb
Seconded by Supervisor: D'Arcangelis

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 5 of 1997, a Local Law Establishing the Elective Office of County President and Establishing Powers and Duties Pertaining to the Office,

RESOLVED, that Introductory Local Law No. 5 of 1997 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, May 13, 1997 at 7:00 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.

Supervisor Grzyb withdrew his sponsorship of the Resolution. Supervisor McMahon picked up sponsorship of the Resolution.

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Landon, failed with Aye(492-2/3 majority). Supervisors McMahon, Hassan, Keller, D'Arcangelis, Paton, Frasier and Van Kersen vote aye. Supervisors Barone, Wills and Mead were absent.

MOTION TO TABLE by Supervisor Landon, seconded by Supervisor Mead, failed with Aye(654). Supervisors Landon, Cuzzo, Coluni and Grzyb voted aye. Supervisors Barone, Wills and Mead were absent.

MOTION TO CALL THE QUESTION by Supervisor Landon, seconded by Supervisor Grzyb.

Supervisor McMahon withdrew his sponsorship of the Resolution. Supervisor D'Arcangelis moved to sponsor the Resolution, but the Resolution died for lack of a second.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 154 of 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (HISTORIAN)

DATED: April 22, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Landon

WHEREAS, the Department of History and Archives has received a \$1,000 grant from the Arkell Foundation, and

WHEREAS, said funds will be utilized to pay for photographic and consultant services,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 the 1997 Operating Budget, as follows:

INCREASE:

| | | | | |
|-----------------|---------------------|---------------------------------------|----|------------|
| Revenue: | A-22-3-2705-00 | Miscellaneous Gifts & Donations | by | \$1,000.00 |
| Appropriations: | A-22-4-7510-00.4434 | Historian Consultants | by | \$ 830.00 |
| | A-22-4-7510-00.4449 | Historian Special Supplies & Mat'l | by | 170.00 |

RESOLUTION ADOPTED with Aye(1477). Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1477) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 155 of 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (LEGISLATIVE BOARD)

DATED: April 22, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | | |
|-----------------|---------------------|---|----|-------------|
| Revenue: | A-12-3-2089-00 | Department Income Iroquois Pipeline | by | \$28,000.00 |
| Appropriations: | A-01-4-1010-00.4431 | Legislative Board Attorneys, Account., Audit | by | \$28,000.00 |

RESOLUTION ADOPTED with Aye(1477). Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1477) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 156 of 1997
RESOLUTION TRANSFERRING FUNDS (LEGISLATIVE BOARD)

DATED: April 22, 1997

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|--|------------|
| From: | A-01-4-1990-00.4400 | Contingent Account Contractual Expenses | \$2,000.00 |
| To: | A-01-4-1010-00.4471 | Legislative Board Mileage Allocations | \$2,000.00 |

RESOLUTION ADOPTED with Aye(1477). Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1477) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 157 of 1997
RESOLUTION ACCEPTING BID - SPRUCE PULPWOOD REMOVAL

DATED: April 22, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: McMahan

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 284 of 1995, to solicit bids for removal of spruce pulpwood from the County's reforestation area, and

WHEREAS, said bids were opened on February 25, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the bid of John Witkowski, Cobleskill, New York, in the amount of \$1,700.00, removal of spruce pulpwood from Stand No. 1 in the County's reforestation area.

RESOLUTION ADOPTED with Aye(1477). Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1477) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 158 of 1997
RESOLUTION AWARDED BID NO. 04-97

DATED: April 22, 1997

Resolution by Supervisor: Paton
Seconded by Supervisor: Landon

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 70 of 1997, to solicit bids for linens for Montgomery Meadows, and

WHEREAS, said bids were opened on March 25, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 04-97 to J.T.B. Enterprises of Syracuse, New York, in the amount of \$11,636.14.

RESOLUTION ADOPTED with Aye(1477). Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1477) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 159 of 1997 DATED: April 22, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DIETARY MANAGEMENT SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: D'Arcangelis

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 36 of 1997, 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(1328). Supervisor Landon abstained. Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1328) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 160 of 1997 DATED: April 22, 1997
RESOLUTION AUTHORIZING SHARING OF COMPUTER PROGRAMS

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

WHEREAS, Saratoga County has requested copies of certain Montgomery County computer programs,

RESOLVED, that the Director of Data Processing hereby is authorized to copy certain Real Property Tax Department computer programs for Saratoga County, at no cost, and

FURTHER RESOLVED, that said computer programs be provided to the Saratoga County Data Processing Department, with the following provisions:

- (1) That the County of Montgomery will not assume any liability, should said software prove to be inaccurate or incorrect.
- (2) That Saratoga County waives, in writing, any future claims against the County of Montgomery stemming from its use of said software.
- (3) That Saratoga County will hold the County of Montgomery harmless in this matter.

(4) That Saratoga County agrees not to provide said software to any other municipality, firm, concern, company or corporation.

RESOLUTION ADOPTED with Aye(1477). Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1477) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Data Processing

**

RESOLUTION NO. 161 of 1997 DATED: April 22, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Keller
Seconded by Supervisor: Landon

WHEREAS, the Sheriff has recommended temporary reactivation of a budget item, and

WHEREAS, said reactivation will be from a period commencing on April 28, 1997 and ending on July 6, 1997,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-15-4-3110-00.1110(1116) Sheriff
Deputy Sheriff

TRANSFER:

From: A-15-4-3110-00.1120(145) Sheriff
Sheriff Deputies \$4,796.00

To: A-15-4-3110-00.1110(1116) Sheriff
Deputy Sheriff \$4,796.00

RESOLUTION ADOPTED with Aye(1477). Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1477) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 162 of 1997 DATED: April 22, 1997
RESOLUTION REQUESTING STATE LEGISLATION AUTHORIZING RETROACTIVE
RETIREMENT SYSTEM MEMBERSHIP

Resolution by Supervisor: McMahon
Seconded by Supervisor: Frasier

WHEREAS, Richard C. Healy, a Montgomery County employee, has requested retroactive membership in the New York State and Local Retirement Systems to enable receipt of retirement credit for prior County service, and

WHEREAS, approval of said request will require adoption of legislation by the New York State Legislature,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests

that the New York State Legislature adopt legislation authorizing retroactive membership in the New York State and Local Retirement Systems for Richard C. Healy, and

FURTHER RESOLVED, that said legislation provide that Mr. Healy be deemed to have become a member of said Retirement Systems on January 1, 1978, and

FURTHER RESOLVED, that said legislation provide for granting retirement credit for Mr. Healy's prior County service from January 1, 1978 to December 31, 1985, and

FURTHER RESOLVED, that State Senator Farley and Assemblyman Tonko be requested to introduce said legislation, during the current Legislative Session.

RESOLUTION ADOPTED with Aye(1477). Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1477) voting aye.

KELLI MCCOSKI
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
Personnel Officer

**

RESOLUTION NO. 163 of 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (TOURISM)

DATED: April 22, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: D'Arcangelis

WHEREAS, the Montgomery County Occupancy Tax Advisory Board has recommended that tax receipts be allocated to help provide for staffing of the Canajoharie Tourism Booth,

RESOLVED, that the Board of Supervisors hereby accepts the recommendation of the Occupancy Tax Advisory Board, and authorizes the appropriation of \$3,000 to the Montgomery County Chamber of Commerce, said funds to be applied exclusively toward costs of staffing the Canajoharie Tourism Booth, 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 Montgomery County Chamber of Commerce, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|---------------------|--|---------------|
| Revenue: | A-06-3-1113-00 | Tax Hotel Room Occupancy | by \$3,000.00 |
| Appropriations: | A-01-4-6420-00.4577 | Promotion of Industry Tourism - Bed Tax | by \$3,000.00 |

MOTION TO AMEND by Supervisor Frasier, seconded by Supervisor Van Kersen, in the RESOLVED clause, after "\$3,000", insert "to the Canajoharie-Palatine Chamber of Commerce, which then will provide funding", failed with Aye(529). Supervisors Grzyb, Hassan, Keller, Paton and Van Kersen voted aye. Supervisor Frasier abstained. Supervisors Barone, Wills and Mead were absent.

RESOLUTION ADOPTED with Aye(972). Supervisors Landon, Coluni and Grzyb voted nay. Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (0972) voting aye.

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Chamber of Commerce

**

RESOLUTION NO. 164 of 1997 DATED: April 22, 1997
RESOLUTION AUTHORIZING SUBMISSION OF COUNTY RESPONSE TO HUD AUDIT
REPORT

Resolution by Supervisor: Hassan
Seconded by Supervisor: Keller

WHEREAS, the Chairman of the Board of Supervisors, in cooperation with the County Administrator, has drafted a proposed response to the findings and recommendations contained within the Audit Report prepared by the HUD Inspector General, and

WHEREAS, the Board of Supervisors endorses said response and recommends that it be tendered to HUD, in compliance with submission directives accompanying said Audit Report,

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to arrange for preparation of the final version of the County's response to the HUD Audit Report, as endorsed by the Board of Supervisors, and

FURTHER RESOLVED, that the Chairman also arrange for said response to be forwarded to HUD, in compliance with the timetable established by the Inspector General.

RESOLUTION ADOPTED with Aye(1120). Supervisors Cuzzo and Grzyb voted nay. Supervisors Barone, Wills and Mead were absent.

Duly adopted upon roll call, all members present (1120) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

OTHER

Supervisor Hassan said a meeting is scheduled for April 23, 1997 to review proposals for studying MOSA's finances.

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor Coluni, to adjourn the meeting, passed with Aye(1477). Supervisors Barone, Wills and Mead were absent. Chairman Keller declared the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

REGULAR MEETING

PAGE: 1

| | |
|---|----|
| TABLE OF CONTENTS | 1 |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| SPECIAL PRESENTATIONS | 2 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 2 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES172 Resolution Authorizing Contingency Charges - FMCC | |
| RES173 Resolution Awarding Contracts - FMCC Master Plan Project | |
| RES174 Resolution Authorizing Charge to Contract - FMCC | |
| RES165 Resolution Establishing Public Hearing Into. Local Law No. 6 | |
| RES166 Resolution Establishing Position - Sewer District | |
| RES167 Resolution Designating Third Party Testing Administrator | |
| RES168 Resolution Authorizing Loan Guarantee Payment | |
| RES169 Resolution Support State Legislation - Land Use | |
| RES170 Resolution Establishing Position - Industrial Development | |
| RES171 Resolution Urging Legislative Change for College Trustees | |
| RES175 Resolution Reappointing FMCC Trustee | |
| RES176 Resolution Reinstating K-9 Deputy Knox | |
| RES177 Resolution Authorizing Disbursement of Mortgage Tax Money | |
| RES178 Resolution Transferring Funds - County Administrator | |
| RES179 Resolution Amending 1997 Operating Budget - Planning | |
| RES180 Resolution Authorizing Solicitation of Bids - Public Works | |
| RES181 Resolution Requiring Filing of Financial Disclosure Statements | |
| RES182 Resolution Authorizing Agreement - Solid Waste Study | |
| RES183 Resolution Authorizing MOSA Tipping Fee Subsidy | |
| RES184 Resolution Amending 1997 Operating Budget - Data Processing | |
| RES185 Resolution Transferring Funds - Social Services | |
| RES186 Resolution Authorizing Removal of Property From Auction | |
| RES187 Resolution Authorizing Agreement - Revaluation Project | |
| RES188 Bond Resolution - Revaluation Project | |
| RES189 Bond Resolution - FMCC | |
| RES190 Resolution Awarding Bid No. 06-97 - Radio Tower | |
| RES191 Resolution Amending Resolution No. 159 of 1993 | |
| OTHER | 23 |
| ADJOURNMENT | 23 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for May 13, 1997, was called to order at 7:40 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Cuozzo. Roll call indicated that Supervisor Frasier 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 Wills, to provide for the addition of Resolutions No. 184, 185, 186, 187, 188, 189, 190 and 191, and to consider Resolutions Nos. 172, 173 and 174 first, passed with Aye(1766). Supervisor Frasier was absent. Motion by Supervisor McMahon, seconded by Supervisor Wills, to adopt the amended agenda, passed with Aye(1766). Supervisor Frasier was absent.

PROCLAMATIONS

Proclamation designating May 11 -17, 1997, as "Homes for the Aging Week" was presented by Supervisor Paton to Montgomery Meadows Administrator Charles Rice and Director of Nursing Mark Brownell.

Proclamation honoring Amsterdam High School Marching Band was presented by Supervisors from the City of Amsterdam and from the Towns of Amsterdam, Florida and Mohawk.

Proclamation designating May 18 - 24, 1997 as Emergency Medical Services Week was presented by Supervisor Wills to Edith Noeltner.

Proclamation honoring Montgomery County Fire Departments was presented by Supervisor Wills to Richard L. Hanson, Fire Coordinator.

PUBLIC COMMENT

Jim Ayres, Town of Charleston, discussed MOSA dissolution.

Debra Couser, Town of Minden, asked whether MCEDC had responded to the HUD Audit.

Alice Knapik, Town of Glen, inquired whether public tours of the new Public Safety facility will be conducted.

**

Chairman Keller recessed the Regular Meeting to resume Committee Meetings at 8:12 p.m. and reconvened the Regular Meeting at 9:20 p.m.

**

Ed widman, Quandel Group, provided a status report regarding construction at the Public Safety Facility.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Barone, seconded by Supervisor Van Kersen, to adopt the Minutes of the Regular Meeting of April 22, 1997, passed with Aye(1008). Supervisors Wills and Mead abstained. Supervisor Grzyb voted nay. Supervisor Frasier was absent.

READING OF COMMUNICATIONS

None.

OLD BUSINESS

None.

NEW BUSINESS

**
RESOLUTION NO. 172 of 1997 DATED: May 13, 1997
RESOLUTION AUTHORIZING CHARGES TO CONTINGENCY ALLOWANCES - CONTRACTS 6,
7 AND 8 (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the following charges to the Contingency Allowances contained within the following contracts for the Library Renovation Project of Fulton-Montgomery Community College's Master Plan Project,

Contract 6: Louis Picciano & Sons: Plumbing Contract:

Description of Work: Plumbing modification in Room L008. Additional plumbing rough-ins required for three pieces of equipment (FMCC furnished) relocated from the Classroom Building.

| | |
|--------------------------------|--------------------|
| Contingency Allowance Amount: | \$ 3,000.00 |
| Previously Allotments: | 0.00 |
| Current Balance: | <u>\$ 3,000.00</u> |
| Authorize use for C6-PR1: | 945.26 |
| Contingency Allowance Balance: | <u>\$ 2,045.74</u> |

Contract 7: DiGesare Mechanical: HVAC Contract:

Description of Work: This work was requested by the College and is maintenance related. This work includes replacement of the condensate received tank, pumps and controls as well as replacement of the existing chilled water pump. This equipment is located in the mechanical room in the lower level of the library.

| | |
|-------------------------------|--------------|
| Contingency Allowance Amount: | \$ 10,000.00 |
|-------------------------------|--------------|

| | |
|--------------------------------|--------------|
| Previously Allotments: | 0.00 |
| Current Balance: | \$ 10,000.00 |
| Authorize use for C7-PR2: | 5,900.00 |
| Contingency Allowance Balance: | \$ 4,100.00 |

Contract 8: McCall Electric: Electrical Contract:

Description of Work: Electrical modifications to Room L008 to accommodate FMCC furnished equipment being relocated from Classroom Building.

| | |
|--------------------------------|-------------|
| Contingency Allowance Amount: | \$ 9,000.00 |
| Previously Allotments: | 0.00 |
| Current Balance: | \$ 9,000.00 |
| Authorize use for C7-PR2: | 586.16 |
| Contingency Allowance Balance: | \$ 8,413.84 |

, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon approval of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1558). Supervisor Grzyb voted nay. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1558) voting aye.

KELLI MCCOSKI
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. 173 of 1997 DATED: May 13, 1997
RESOLUTION AWARDDING CONTRACTS 10, 11, 12 AND 13 (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahan

WHEREAS, on April 30, 1997, bids were opened for the Classroom Renovations/New Annex Project for the Fulton-Montgomery Community College Master Plan Project,

RESOLVED, that, based upon the recommendations of the Saratoga Associates, the Chairman of the Board of Supervisors hereby is authorized and directed to sign contracts with the following successful bidders for Contracts 10, 11, 12 and 13 for the Classroom Renovations/New Annex Project of the Fulton-Montgomery Community College Master Plan Project:

Contract 10: Building Construction:

| | |
|---|----|
| De Paolo & Son Building Contractors 196 Morris Road Schenectady, NY 12303 | \$ |
| Contract includes Base Bid | |

Contract 11: Plumbing Contractor:

| | |
|---|----|
| General Mechanical Systems, Inc. 138 Sicker Road P.O. Box 1226 Latham, NY 12110-1226 | \$ |
|---|----|

Contract 12: HVAC Contractor:

General Mechanical Systems, Inc.
138 Sicker Road
P.O. Box 1226
Latham, NY 12110-1226 \$

Contract 13: Electrical Contractor

Gross Electric, Inc.
399A Big Bay Road
Queensbury, NY 12804 \$

Contract includes Base Bid

, and

FURTHER RESOLVED, that financing for said project shall be provided by the State University of New York, Montgomery County and Fulton County, and

FURTHER RESOLVED, that this Resolution is contingent upon passage of a similar Resolution by the Fulton County Board of Supervisors.

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Wills to add: Contract 10 "5,968,000" and after "Bid" add "and Alternates Nos. 1 - 8", Contract 11 "276,520", Contract 12 "1,148,000", Contract 13 "787,000", passed with Aye(1776). Supervisor Frasier was absent.

RESOLUTION ADOPTED with Aye(1558). Supervisor Grzyb voted nay. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1558) voting aye.

KELLI MCCOSKI 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. 174 of 1997 DATED: May 13, 1997
RESOLUTION AUTHORIZING CHARGE TO CONTRACT 4 (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

WHEREAS, Contract 4 of the FMCC Master Plan Project includes an \$18,000 allowance to purchase new signs, and

WHEREAS, the Saratoga Associates have recommended that a total charge of \$15,497.72 be approved against said allowance,

RESOLVED, that the Montgomery County Board of Supervisors hereby approves a \$15,457.72 charge against the sign allowance in Contract 4 of the FMCC Master Plan Project, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon approval of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1558). Supervisor Grzyb voted nay. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1558) voting aye.

KELLI MCCOSKI 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. 165 of 1997 DATED: May 13, 1997
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 6
OF 1997

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Wills

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 6 of 1997, a Local Law Establishing the Elective Office of County President and Establishing Powers and Duties Pertaining to the Office,

RESOLVED, that Introductory Local Law No. 6 of 1997 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, May 27, 1997 at 7:00 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 DEFEATED with Aye(801). Supervisors Landon, Cuzzo, Wills, Coluni and Grzyb voted aye. Supervisor Barone abstained. Supervisor Frasier was absent.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 166 of 1997 DATED: May 13, 1997
RESOLUTION ESTABLISHING POSITION - SUPERINTENDENT (SEWER DISTRICT)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Wills

WHEREAS, Local Law No. 2 of 1997 references a position of Superintendent at Montgomery County Sanitary Sewer District No. 1,

RESOLVED, that the position of Superintendent hereby is established at Montgomery County Sanitary Sewer District No. 1, effective April 28, 1997, at an annual salary of \$41,157, and

FURTHER RESOLVED, that the position of Chief Sewage Treatment Plant Operator hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

| | | | |
|-----------|--------------------------|-----------------------------------|-------------|
| ADD: | G-26-4-8120-00.1110(54) | Sanitary Sewers Superintendent | |
| TRANSFER: | | | |
| From: | G-26-4-8120-00.1110(584) | Sanitary Sewers Chief Operator | \$28,068.81 |
| To: | G-26-4-8120-00.1110(54) | Sanitary Sewers Superintendent | \$28,068.81 |

RESOLUTION ADOPTED with Aye(1766). Supervisor Frasier was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District No. 1
Personnel/Payroll

**

RESOLUTION NO. 167 of 1997 DATED: May 13, 1997
RESOLUTION DESIGNATING THIRD PARTY DRUG AND ALCOHOL TESTING
ADMINISTRATOR

Resolution by Supervisor: Barone
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that Newport Alliance again be designated to administer the County's Drug and Alcohol Testing Program,

RESOLVED, that Newport Alliance of Newport, Rhode Island, hereby is designated to administer the County's Drug and Alcohol Testing Program, for the period commencing January 1, 1997 and ending December 31, 1997, at a cost not to exceed \$4,000.

RESOLUTION ADOPTED with Aye(1766). Supervisor Frasier was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 168 of 1997 DATED: May 13, 1997
RESOLUTION AUTHORIZING LOAN GUARANTEE PAYMENT

Resolution by Supervisor: Jubar
Seconded by Supervisor: Mead

WHEREAS, the County of Montgomery executed a guarantee on August 10, 1995, wherein it guaranteed payment of eighty percent (80%) of the amount borrowed by Continental Marketing Group, LLC from BSB Bank and Trust Company or One Hundred Twenty Thousand Dollars (\$120,000.00) whichever is less, and

WHEREAS, the County has been notified that Continental Marketing Group borrowed One Hundred and Fifty Thousand Dollars (\$150,000.00) and is in default on the payments and that BSB Bank and Trust Company has requested that Montgomery County honor its guarantee in the amount of One Hundred Twenty Thousand Dollars (\$120,000.00) which is 80% of the One Hundred Fifty Thousand Dollars (\$150,000.00) to Continental Marketing Group, LLC,

RESOLVED, that the County Treasurer is hereby authorized and directed to make payment in the amount of One Hundred Twenty Thousand (\$120,000.00) to BSB Bank and Trust Company in full satisfaction of the guarantee, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor Van Kersen, in the Further Resolved Clause, insert "INCREASE: Revenue: A-01-3-2690-00 Sale of Property & Comp. for Loss Other Comp. for Loss by \$120,000 Appropriations: A-01-4-1010-00.4433 Legislative Board Court Related Fees by \$120,000", passed with Aye(1103). Supervisor Grzyb voted nay. Supervisor D'Arcangelis abstained. Supervisor Frasier was absent.

RESOLUTION ADOPTED with Aye(1103). Supervisors Landon, Cuozzo and Grzyb voted nay. Supervisor D'Arcangelis abstained. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1103) voting aye.

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 169 of 1997 DATED: May 13, 1997
RESOLUTION SUPPORTING STATE LEGISLATION AMENDING GENERAL OBLIGATION LAW
REGARDING USE OF LANDS FOR RECREATIONAL ACTIVITIES

Resolution by Supervisor: Grzyb
Seconded by Supervisor: McMahon

WHEREAS, the New York State Legislature is considering amending the General Obligations Law regarding use of lands for recreational activities, and

WHEREAS, passage of said legislation would amend Section 9-103 of the General Obligations Law, and encourage owners of large tracts to make such lands available for public recreational activities, and

WHEREAS, the New York State Fish and Wildlife Board, the New York State Conservation Council, Farm Bureau and the State Grange have agreed that said amendments are needed,

RESOLVED, that the Montgomery County Board of Supervisors hereby urges passage of Senate Bill S.2803 and Assembly Bill A.4793, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors is directed to forward copies of this Resolution to Governor Pataki, State Senator Farley and Assemblyman Tonko.

RESOLUTION ADOPTED with Aye(1331). Supervisors Barone, Wills, Hassan and Jubar voted nay. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1331) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable George Pataki
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko

**

RESOLUTION NO. 170 of 1997 DATED: May 13, 1997
RESOLUTION ESTABLISHING POSITION - INDUSTRIAL DEVELOPMENT DIRECTOR

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: McMahon
Supervisor: Mead

WHEREAS, it has been recommended that a position be established to provide for promotion of economic development in Montgomery County, including marketing of industrial parks, and

WHEREAS, it also has been recommended that said position report to the Board of Supervisors, the appointing authority, and to the Board of Directors of the Montgomery County Industrial Development Agency (MCIDA), and

WHEREAS, it has been suggested that said position might also interact as the official staff for the Amsterdam Industrial Development Agency, in the capacity of Executive Director,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the position of Industrial Development Director, at an annual salary of _____, and

FURTHER RESOLVED, that said position be filled by appointment of the Board

of Supervisors for a term of _____ years, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-01-4-1010-00.1110() Legislative Board
Industrial Development Director

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account \$
Contractual Expenses

To: A-01-4-1010-00.1110() Legislative Board \$
Industrial Development Director

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Paton, passed with Aye(935). Supervisors Landon, Cuozzo, Willis, Coluni, McMahon and Mead voted nay. Supervisor Frasier was absent. (5/13/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 171 of 1997 DATED: May 13, 1997
RESOLUTION URGING NEW YORK STATE LEGISLATURE TO CHANGE TERM OF OFFICE
FOR COMMUNITY COLLEGE TRUSTEES

Resolution by Supervisor: Barone
Seconded by Supervisor: Landon

WHEREAS, NYS Education Law, Section 6306, sets the term of office for Community College Trustees at nine years, and

WHEREAS, the length of said term has created difficulties for Trustee appointees, over the years, and

WHEREAS, both County Sponsors and New York State experience difficulty in identifying interested and qualified Trustee candidates willing to commit to nine-year terms, and

WHEREAS, a five-year term would be a more appropriate term of office for Community College Trustees,

RESOLVED, that the Montgomery County Board of Supervisors hereby urges the New York State Legislature to amend Section 6306 of the Education Law, to change the term of Community college Trustees to five years, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor Pataki, State Senator Farley and Assemblyman Tonko.

RESOLUTION ADOPTED with Aye(1766). Supervisor Frasier was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable George Pataki
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko
Fulton-Montgomery Community College
Fulton County Board of Supervisors

**

RESOLUTION NO. 175 of 1997 DATED: May 13, 1997
RESOLUTION REAPPOINTING MEMBER OF BOARD OF TRUSTEES OF FULTON-
MONTGOMERY COMMUNITY COLLEGE

Resolution by Supervisor: Paton
Seconded by Supervisor: Landon

RESOLVED, that Thomas Myles of Tribes Hill, New York, hereby is reappointed a member of the Board of Trustees of Fulton-Montgomery Community College for a nine-year term commencing on July 1, 1997 and ending on June 30, 2006.

RESOLUTION WITHDRAWN.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 176 of 1997 DATED: May 13, 1997
RESOLUTION REINSTATING K-9 DEPUTY KNOX

Resolution by Supervisor: Jubar
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that K-9 Deputy Knox be reinstated in the Sheriff's Department,

RESOLVED, that the Sheriff arrange for reinstatement of K-9 Deputy Knox to active duty, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From:

To:

MOTION TO TABLE by Supervisor Wills, seconded by Supervisor Van Kersen, passed with Aye(1476). Supervisors Cuzzo, Hassan and Jubar voted nay. (5/13/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 177 of 1997 DATED: May 13, 1997
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Paton

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from October 1, 1996, through March 31, 1997, 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(1766). Supervisor Frasier was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 178 of 1997
RESOLUTION TRANSFERRING FUNDS (COUNTY ADMINISTRATOR)

DATED: May 13, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

WHEREAS, a transfer of funds is needed to provide payment for vacation buybacks,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|--------------------------|---|------------|
| From: | A-01-4-1910-00.4489 | Unallocated Insurance Countywide Insurance | \$1,343.71 |
| To: | A-01-4-1011-00.1125(327) | County Administrator Other Compensation | \$1,343.71 |

RESOLUTION ADOPTED with Aye(1766). Supervisor Frasier was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**

RESOLUTION NO. 179 of 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (PLANNING)

DATED: May 13, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahon

WHEREAS, the Town of Amsterdam contracts for services with the Montgomery County Department of Planning and Development, and

WHEREAS, said Town will contract for an additional \$2,500 in services, with the Planning Director recommending said funds be appropriated to help meet overtime costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE;

| | | | |
|-----------------|--------------------------|---|---------------|
| Revenue: | A-23-3-2372-00 | Home and Community Planning Services | by \$2,500.00 |
| Appropriations: | A-23-4-8020-00.1111(439) | Planning Overtime | by \$2,500.00 |

RESOLUTION ADOPTED with Aye(1558). Supervisor Grzyb abstained. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1558) voting aye.

KELLI MCCOSKI

RICHARD C. HEALY

cc: County Treasurer
County Administrator
County Clerk
Director, Planning
Personnel/Payroll

**

RESOLUTION NO. 180 of 1997 DATED: May 13, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, the Commissioner of Public Works has requested permission to solicit bids for an elevator and a walkway canopy,

RESOLVED, that the Purchasing Agent, in cooperation with the Commissioner of Public Works, hereby is authorized and directed to solicit bids for a walkway canopy for the New Court House and an elevator for the Annex Building, per provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED with Aye(1766). Supervisor Frasier was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 181 of 1997 DATED: May 13, 1997
RESOLUTION DESIGNATING COUNTY EMPLOYEES AND OFFICIALS REQUIRED TO FILE
ANNUAL FINANCIAL DISCLOSURE STATEMENTS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Keller

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:

DEPARTMENT HEADS AND DEPUTIES

Members, Montgomery County Board of Supervisors
County Administrator
Deputy County Administrator
Clerk, Board of Supervisors
Director, 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
PHC Coordinator
Social Services Attorney
Assistant Social Services Attorneys

ADVISORY BOARDS AND COMMITTEES

Members of Agricultural and Farmland Protection Board
Members of Alcoholic Beverage Control Board
(Montgomery County Appointees)
Members of Alternatives to Incarceration Advisory Board
Members of Arson Advisory Board
Members of Ethics Advisory Board
Members of Community Services Board (Mental Health)
Members of Conditional Release Commission
Members of County Fire Advisory Board
Member of County Jury Board (County Appointee)
Members of County Planning Board
Members of Fish and Wildlife Management Board - Region 4
(County Appointees)
Members of Forest Practice Board - Region 4 (County Appointees)
Members of Fulmont Community Action Agency (County Appointees)
Members of FMCC Board of Trustees (County Appointees)
Members of HUD Revolving Loan Review Committee
Members of Montgomery County Industrial Development Agency
Members of Montgomery County Sewer District No. 1
Members of Montgomery-Otsego-Schoharie
Solid Waste Management Authority (County Appointees)
Members of Physically Handicapped Children's Advisory Committee
Members of Private Industry Council (County Appointees)
Members of Occupancy Tax Advisory Board
Members of Soil and Water Conservation District
Members of Youth Bureau Board of Directors
Members of Traffic Safety 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 June 15, 1997, 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 Barone, seconded by Supervisor McMahon, passed with Aye(1409). Supervisors Cuzzo and Grzyb voted nay. Supervisor Frasier was absent. (5/13/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Employees and Officers Named Above

**

RESOLUTION NO. 182 of 1997 DATED: May 13, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SOLID WASTE STUDY

Resolution by Supervisor: Hassan
Seconded by Supervisor: Van Kersen

WHEREAS, it has been recommended that a study be conducted for the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

WHEREAS, it also has been recommended that Montgomery County share in the cost of said study, and

WHEREAS, nine study proposals were received and reviewed,

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 Cashin/Cahill Joint Venture of Hauppauge, New York, to perform a Solid Waste Study for the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

FURTHER RESOLVED, that the total cost of said study shall not exceed \$60,000, which shall be paid equally by the three sponsoring counties, MOSA and MBIA, and

FURTHER RESOLVED, that this Resolution shall be contingent upon approval by the other study participants, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Hassan to add: "TRANSFER: From: A-01-4-1990-00.4400 Contingency Account, Contractual Expenses by \$12,000 To: A-01-4-1010-00.4434 Legislative Board Consultants by \$12,000" failed with Aye(736). Supervisors Landon, Cuzzo, Hassan, Keller, D'Arcangelis, Van Kersen and Jubar voted aye. Supervisor Frasier was absent.

MOTION TO RECONSIDER AMENDMENT by Supervisor Barone, seconded by Supervisor Mead, passed with Aye(1269). Supervisors Wills and Grzyb voted nay. Supervisor Frasier was absent.

MOTION TO AMEND (Van Kersen/Hassan), passed with Aye(1269). Supervisors Wills and Grzyb voted nay. Supervisor Frasier was absent.

RESOLUTION ADOPTED with Aye(1121). Supervisors Wills, Coluni and Grzyb voted nay. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1121) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 183 of 1997
RESOLUTION AUTHORIZING MOSA TIPPING FEE SUBSIDY

DATED: May 13, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Jubar

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) has established a tipping fee of \$99.00 per ton, and

WHEREAS, Montgomery County's 1997 Gross Annual Tonnage (GAT) obligation is 37,539 tons, with 18,000 tons expected to be delivered by June 30, 1997, and

WHEREAS, it is projected that the increased tipping fee will result in a reduction of Montgomery County tonnage being delivered to MOSA, increasing the GAT shortfall, and

WHEREAS, it has been recommended that Montgomery County help reduce its GAT shortfall liability of \$99.00 per ton, by subsidizing tonnage delivered to MOSA by County municipalities,

RESOLVED, that the Board of Supervisors authorizes payment of a \$39.00 per ton subsidy of the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) \$99.00 per ton tipping fee, and

FURTHER RESOLVED, that said subsidy shall reduce, to \$60 per ton, the amount payable by Montgomery County municipalities directing all of their respective solid waste tonnages to MOSA, and

FURTHER RESOLVED, that said subsidy program shall be effective on July 1, 1997, and

FURTHER RESOLVED, that the cost of said subsidy program shall total approximately \$754,236 in 1997, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor Van Kersen, in the fourth Further Resolved Clause, insert: "INCREASE: Revenue: A599 Unappropriated Fund Balance by \$754,236 Appropriations: A-01-4-1010-00.4460 Legislative Board Other Programs by \$754,236".

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Van Kersen, to delete the Resolved Clause and first Further Resolved clause, amend the second Further Resolved Clause to be the Resolved Clause and after "that" delete "said" and insert, in its stead, "a Montgomery County" and in the Further Resolved Clause, delete "total approximately \$754,236" and insert, in its stead, "not to exceed \$500,000", and in the fourth Further Resolved insert "INCREASE: Revenue: A599 Unappropriated Fund Balance by \$500,000 Appropriations: A-01-4-1010-00.4460 Legislative Board Other Programs by \$500,000" "failed with Aye(210). Supervisors Cuozzo and Van Kersen voted aye. Supervisor Barone abstained. Supervisor Frasier was absent.

MOTION TO AMEND (Jubar/Van Kersen), passed with Aye(1262). Supervisors Landon and Grzyb voted nay. Supervisor Barone abstained. Supervisor Frasier was absent.

RESOLUTION ADOPTED with Aye(1411). Supervisors Wills and Grzyb voted nay. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1411) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator

**

RESOLUTION NO. 184 of 1997 DATED: May 13, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (DATA PROCESSING)

Resolution by Supervisor: Wills
Seconded by Supervisor: Paton

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-14-4-1680-00.1110(17) Data Processing
Micro Computer Technician

INCREASE:

Revenue: A-14-3-2228-00 Intergovernmental
Data Processing Fees by \$ 14,714.00

Appropriations: A-14-4-1680-00.1110(17) Data Processing
Micro Computer Tech. by \$ 14,714.00

RESOLUTION ADOPTED with Aye(1766). Supervisor Frasier was absent.

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

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Data Processing Director
Personnel/Payroll

**

RESOLUTION NO. 185 of 1997 DATED: May 13, 1997
RESOLUTION TRANSFERRING FUNDS (SOCIAL SERVICES)

Resolution by Supervisor: Wills
Seconded by Supervisor: Paton

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From: A-18-4-6010-00 Social Services Admin.
.1110(95) Caseworker \$ 5,000.00
.1110(349) Community Services Aide \$ 5,000.00
.1110(354) Account Clerk Typist \$ 4,714.00

To: A-18-4-6010-00.4439 Social Services Admin
Other Service Fees \$14,714.00

RESOLUTION ADOPTED with Aye(1766). Supervisor Frasier was absent.

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

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services
Personnel/Payroll

**

RESOLUTION NO. 186 of 1997 DATED: May 13, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION

Resolution by Supervisor: Mead
Seconded by Supervisor: McMahon

WHEREAS, the owner's representative has offered to redeem a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for May 17, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the redemption offer tendered by a representative of the owner of property at 612 Pattersonville Road in the Town of Florida, identified as Tax Map No. 89.1-13, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment no later than 4:00 p.m., Thursday, May 15, 1997, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on May 17, 1997.

RESOLUTION ADOPTED with Aye(1119). Supervisors Landon, Wills, Van Kersen and Jubar voted nay. Supervisors Cuzzo and Hassan abstained. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1119) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Services

**
RESOLUTION NO. 187 of 1997 DATED: May 13, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - REAL PROPERTY
REVALUATION PROJECT

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

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 Sabre Systems and Service of Johnston, Rhode Island for a Real Property Revaluation Project in the Towns of Canajoharie, Glen, Minden and Palatine, and

FURTHER RESOLVED, that said agreement shall provide for payment not to exceed \$300,000, and

FURTHER RESOLVED, that the Towns of Canajoharie, Glen, Minden and Palatine shall reimburse the County of Montgomery for the cost of this Capital Project.

RESOLUTION ADOPTED with Aye(1558). Supervisor Grzyb voted nay. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1558) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**
RESOLUTION NO. 188 of 1997 DATED: May 13, 1997
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),
DATED MAY 13, 1997, AUTHORIZING THE PREPARATION OF A COUNTY COORDINATED
DATA COLLECTION AND REVALUATION OF REAL PROPERTY IN THE TOWNS OF

CANAJOHARIE, GLEN, MINDEN AND PALATINE FOR THE REAL PROPERTY TAX SERVICE AGENCY; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$300,000; APPROPRIATING SAID AMOUNT THEREFORE AND AUTHORIZING THE ISSUANCE OF \$300,000 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

WHEREAS, the Board of Supervisors has heretofore approved a certain capital project of the County, including the preparation of a County Coordinated Data Collection and Revaluation of Real Property in the Towns of Canajoharie, Glen, Minden, Mohawk, Root and St. Johnsville for the Real Property Tax Service Agency (the "Revaluation of Property") at a cost not to exceed \$556,000, all as more particularly described in Resolution No. 102 of 1996, dated March 12, 1996 (the "Prior Resolution") and Resolution No. 194 of 1996, dated May 14, 1996 (the "Bond Resolution") (the Prior Resolution and the Bond Resolution are hereinafter collectively referred to as the "Resolution"), and

WHEREAS, certain conditions have arisen which require the amendment of (a) the amount previously approved, and (b) the participant towns involved in the Revaluation of Property previously approved by the Board of Supervisors in the Resolution,

RESOLVED, by the Montgomery County Board of Supervisors (by a favorable vote of not less than two-thirds of all of its members), as follows:

SECTION 1

Pursuant to Section 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 preparation of a County Coordinated Data Collection and Revaluation of Real Property in the Towns of Canajoharie, Glen, Minden, and Palatine for the Real Property Tax Service Agency (the "Revaluation of Real Property"), the maximum cost thereof being hereby estimated to be \$300,000, appropriating said amounts therefore and authorizing the issuance of \$300,000 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: Revaluation of Real Property - 5 years pursuant to Section 11.00(a)(53) of the Law.

SECTION 3

The plan of financing includes the issuance of \$300,000 serial bonds and the levy of a tax upon all of the real property in the County to pay the principal of and interest of 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 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

PAGE: 18

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 and 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 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 bond 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 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 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(1084-2/3 majority). Supervisor Grzyb voted nay. Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1084) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 189 of 1997 DATED: May 13, 1997
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),
DATED MAY 13, 1997, AUTHORIZING THE RENOVATION AND RECONSTRUCTION OF
CERTAIN BUILDINGS AND ASSOCIATED SITE WORK, INCLUDING BUT NOT LIMITED
TO THE LIBRARY RENOVATION PROJECT, THE NEW ANNEX AND CLASSROOM PROJECT,
SPECIAL CAPITAL PROJECTS AND MISCELLANEOUS PROFESSIONAL FEES ASSOCIATED
THEREWITH OF THE FULTON-MONTGOMERY COMMUNITY COLLEGE; ESTIMATING THE
AGGREGATE COST THEREOF TO BE \$1,739,838; APPROPRIATING SAID AMOUNT
THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,739,838 SERIAL BONDS OF
THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

WHEREAS, the Board of Supervisors has heretofore approved certain capital projects of the County, including the renovation and reconstruction of certain buildings and associated site work at the Fulton-Montgomery Community College (the "FMCC Renovation and Reconstruction Project"), all as more particularly described in a prior resolution (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 FMCC Renovation and Reconstruction Project,

RESOLVED, by the Montgomery County Board of Supervisors (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 authorizes the renovation and reconstruction of certain buildings and associated site work, including but not limited to the library renovation project, the new annex and classroom renovation project, special capital projects and miscellaneous professional fees associated therewith of the Fulton-Montgomery Community College (the "FMCC Renovation and Reconstruction Project"), the maximum cost thereof being hereby estimated to be \$1,739,838, appropriating said amounts therefore and authorizing the issuance of \$1,739,838 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: FMCC Renovation and Reconstruction Project - 20 years pursuant to Section 11.00(a)(12)(a)(1) of the Law.

SECTION 3

The plan of financing includes the issuance of \$1,739,838 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 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 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, 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 and 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

PAGE: 21

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 anticipations 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 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 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

This 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(1084-2/3 majority). Supervisor Grzyb voted nay.
Supervisor Frasier was absent.

Duly adopted upon roll call, all members present (1084) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 190 of 1997
RESOLUTION AWARING BID NO. 06-97

DATED: May 13, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 124 of 1997 to solicit bids for a radio communication tower and antennas for the Public Safety Facility, and

WHEREAS, said bids were opened on April 22, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 06-97 to Leonard Communications, 1382 Crane Street, Schenectady, New York, in the amount of \$69,950.00.

RESOLUTION ADOPTED with Aye(1766). Supervisor Frasier was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 191 of 1997
RESOLUTION AMENDING RESOLUTION NO. 159 OF 1993

DATED: May 13, 1997

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

RESOLVED, that Resolution No. 159 of 1993 hereby is amended to provide for the deletion, in the second Further Resolved, of "regardless of whether or not he/she served a full term or any portion thereof," and inserting, in its stead, "providing that said trustee has served a full term".

RESOLUTION WITHDRAWN BY SPONSOR.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

ADJOURNMENT

Motion by Supervisor Van Kersen, seconded by Supervisor Wills, to adjourn the meeting, passed with Aye(1766). Supervisor Frasier was absent. Chairman Keller declared the meeting adjourned at 11:45 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

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| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| RES170 Resolution Establishing Position - Industrial Development Director | |
| RES176 Resolution reinstating K-9 Deputy Knox | |
| RES181 Resolution Designating Filing of Financial Disclosure Statements | |
| NEW BUSINESS | 5 |
| RES205 Resolution Accepting Auction Bids | |
| RES204 Resolution Amending 1997 Operating Budget - Tourism | |
| RES207 Resolution Endorsing Mohawk Valley Heritage Management Plan | |
| RES192 Resolution Amending Resolution No. 159 of 1993 | |
| RES193 Resolution Opposing Distribution of Off-Track Betting Revenue | |
| RES194 Resolution Rescinding Resolution No. 326 of 1996 | |
| RES195 Resolution Supporting Medical Co-Payments by Inmates | |
| RES196 Resolution Reappointing Members of Planning Board | |
| RES197 Resolution Authorizing Acceptance of Grant Funds - Public Health | |
| RES198 Resolution Authorizing Agreement- Public Health | |
| RES199 Resolution Rescinding Resolution No. 131 of 1996 | |
| RES200 resolution Authorizing Solicitation of Bids- Computer Equipment | |
| RES201 Resolution Authorizing Solicitation of Bids - Sheriff | |
| RES202 Resolution Authorizing Solicitation of Bids- Transportation | |
| RES203 Resolution Approving Capital Projects - 1997 | |
| RES206 Resolution Authorizing Home Rule Request | |
| RES208 Resolution Requesting Completion of Ag District Review Profile | |
| RES209 Resolution Endorsing Bike Trail through Village of Canajoharie | |
| RES210 Resolution Approving Capital Projects - Social Services | |
| OTHER | 16 |
| ADJOURNMENT | 16 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for May 27, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Jubar. Roll call indicated that Supervisors D'Arcangelis and Van Kersen were absent. All votes in these minutes reflect their absence.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Grzyb, to provide for the addition of Resolutions No. 205, 206, 207, 208 and 209, and to consider Resolutions Nos. 205, 204 and 207 before Resolution No. 192, passed with Aye(1650). Supervisors D'Arcangelis and Van Kersen were absent. Motion by Supervisor McMahon, seconded by Supervisor Grzyb, to adopt the amended agenda, passed with Aye(1650). Supervisors D'Arcangelis and Van Kersen were absent.

PROCLAMATIONS

Proclamation designating May, 1997, as "Senior Citizens' Month" was presented by Supervisor Paton to the members of the Office of the Aging Advisory Council.

PUBLIC COMMENT

John W. Hayes, Deputy Sheriff, and John Hayes, Sr., urged reinstatement of K9 Knox.

Karl Gustafson, Jan Quitsal, Tammy Peters and Paul Patel, spoke in support of Resolution No. 204.

**

Supervisor Van Kersen entered the meeting at 7:40 p.m.

**

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Paton, seconded by Supervisor Mead, to adopt the Minutes of the Regular Meeting of May 13, 1997, passed with Aye(1401). Supervisor Grzyb voted nay. Supervisor Frasier abstained. Supervisor D'Arcangelis was absent.

None.

OLD BUSINESS

**

RESOLUTION NO. 170 of 1997 DATED: May 13, 1997
RESOLUTION ESTABLISHING POSITION - INDUSTRIAL DEVELOPMENT DIRECTOR

Resolution by Supervisor: Cuozzo
Seconded by Supervisor: McMahon
Supervisor: Mead

WHEREAS, it has been recommended that a position be established to provide for promotion of economic development in Montgomery County, including marketing of industrial parks, and

WHEREAS, it also has been recommended that said position report to the Board of Supervisors, the appointing authority, and to the Board of Directors of the Montgomery County Industrial Development Agency (MCIDA), and

WHEREAS, it has been suggested that said position might also interact as the official staff for the Amsterdam Industrial Development Agency, in the capacity of Executive Director,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the position of Industrial Development Director, at an annual salary of _____, and

FURTHER RESOLVED, that said position be filled by appointment of the Board of Supervisors for a term of _____ years, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-01-4-1010-00.1110() Legislative Board
Industrial Development Director

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account \$
Contractual Expenses

To: A-01-4-1010-00.1110() Legislative Board \$
Industrial Development Director

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Paton, passed with Aye(935). Supervisors Landon, Cuozzo, Wills, Coluni, McMahon and Mead voted nay. Supervisor Frasier was absent. (5/13/97)

RESOLUTION DIED ON THE TABLE. (5/27/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 176 of 1997 DATED: May 13, 1997
RESOLUTION REINSTATING K-9 DEPUTY KNOX

Resolution by Supervisor: Jubar
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that K-9 Deputy Knox be reinstated in the Sheriff's Department,

RESOLVED, that the Sheriff arrange for reinstatement of K-9 Deputy Knox to active duty, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From:

To:

MOTION TO TABLE by Supervisor Wills, seconded by Supervisor Van Kersen, passed with Aye(1476). Supervisors Cuzzo, Hassan and Jubar voted nay. (5/13/97)

MOTION TO REMOVE FROM TABLE by Supervisor Jubar, seconded by Supervisor Frasier, passed with Aye(1711). Supervisor D'Arcangelis was absent. (5/27/97)

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 181 of 1997 DATED: May 13, 1997
RESOLUTION DESIGNATING COUNTY EMPLOYEES AND OFFICIALS REQUIRED TO FILE
ANNUAL FINANCIAL DISCLOSURE STATEMENTS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Keller

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:

DEPARTMENT HEADS AND DEPUTIES

Members, Montgomery County Board of Supervisors
County Administrator
Deputy County Administrator
Clerk, Board of Supervisors
Director, 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
PHC Coordinator
Social Services Attorney
Assistant Social Services Attorneys

ADVISORY BOARDS AND COMMITTEES

Members of Agricultural and Farmland Protection Board
Members of Alcoholic Beverage Control Board
(Montgomery County Appointees)
Members of Alternatives to Incarceration Advisory Board
Members of Arson Advisory Board
Members of Ethics Advisory Board
Members of Community Services Board (Mental Health)
Members of Conditional Release Commission
Members of County Fire Advisory Board
Member of County Jury Board (County Appointee)
Members of County Planning Board
Members of Fish and Wildlife Management Board - Region 4
(County Appointees)
Members of Forest Practice Board - Region 4 (County Appointees)
Members of Fulmont Community Action Agency (County Appointees)
Members of FMCC Board of Trustees (County Appointees)
Members of HUD Revolving Loan Review Committee
Members of Montgomery County Industrial Development Agency
Members of Montgomery County Sewer District No. 1
Members of Montgomery-Otsego-Schoharie
Solid Waste Management Authority (County Appointees)
Members of Physically Handicapped Children's Advisory Committee
Members of Private Industry Council (County Appointees)
Members of Occupancy Tax Advisory Board
Members of Soil and Water Conservation District
Members of Youth Bureau Board of Directors
Members of Traffic Safety 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 June 15, 1997, 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 Barone, seconded by Supervisor McMahon, passed with Aye(1409). Supervisors Cuzzo and Grzyb voted nay. Supervisor Frasier was absent. (5/13/97)

MOTION TO REMOVE FROM TABLE by Supervisor Wills, seconded by Supervisor Grzyb, failed with Aye(666). Supervisors Wills, Coluni, Grzyb, Van Kersen and Jubar voted aye. (5/27/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Employees and Officers Named Above

NEW BUSINESS

**
RESOLUTION NO. 205 of 1997
RESOLUTION ACCEPTING AUCTION BIDS

DATED: May 27, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: Mead

WHEREAS, an open-bid auction of certain County-owned real property was held Saturday, May 17, 1997, and

WHEREAS, the respective successful bidders were, as follows:

| BIDDER | LOT # | DESCRIPTION | PRICE |
|--------------------------|-------|---------------------------------------|-----------|
| Robert Pickering | 23 | 56-58 Walnut St., Canajoharie | 2,000.00 |
| " " | 64 | 4601 State Route 5 | 2,500.00 |
| " " | 72 | 8 Union St., St. Johnsville | 3,600.00 |
| " " | 76 | 13 W. Main St., St. Johnsville | 6,000.00 |
| John Pollitt | 70 | Northerly Side Pine Grove Rd | 4,300.00 |
| Carol Smith | 55 | 253 Main St., Fort Plain | 6,500.00 |
| " " | 56 | Keesler Corners Road | 2,800.00 |
| Richard Zielinski | 8 | Lorraine Blvd. | 900.00 |
| Paul R. Bateholts | 20 | Easterly Side Regina Lane | 25.00 |
| " " | 21 | Northerly Side State Rte 5 | 50.00 |
| " " | 34 | On County Line, W. State Rte 30 | 25.00 |
| Stephen Marks | 27 | Mapletown Rd at CR-94 | 8,000.00 |
| Shelly Hume | 50 | 6 Abbott St., Fort Plain | 2,500.00 |
| Russ A. Stearns | 3 | W. Side Ft. Johnson Ave., Ft. Johnson | 3,500.00 |
| Russell Harteau | 46 | 192 River Road | 7,500.00 |
| Frederick M. Kaczor | 6 | Lorraine Blvd. | 500.00 |
| Patrick J. Boles | 5 | Lorraine Blvd. | 650.00 |
| Cheryl Sebastian | 79 | 87 Main St., St. Johnsville | 2,500.00 |
| Thomas Loucks | 98 | Lorraine Blvd. | 1,500.00 |
| Michael S. Smith | 16 | E. Side Brant Ave., Ft. Johnson | 100.00 |
| M.F. Bradshaw, Jr. | 15 | W Side Lepper Rd., Ft. Johnson | 300.00 |
| Phyllis O. Lambert | 45 | 760 River Road | 5,500.00 |
| Hale Dingman | 58 | Clinton Road & Quinn Road | 1,200.00 |
| Scott Morey | 4 | W. Side State Rte 67, Ft. Johnson | 4,500.00 |
| Jeanne Boudreau | 67 | W. Side Railroad St., Nelliston | 2,500.00 |
| Peter Pizzani | 32 | Off Burtonville Road | 5,000.00 |
| " " | 33 | Off Burtonville Road | 5,000.00 |
| Nicola A. Pizzani | 35 | State Rte 30 at Dunlap Road | 6,500.00 |
| Roberta Rossi | 12 | North Side Hammonds Road | 100.00 |
| Frederick H. Quist | 1 | North Side Waters Road | 14,000.00 |
| Susan Conklin | 31 | Gillen Road | 500.00 |
| David Hewett | 11 | 22 Scenic Drive, Hagaman | 15,000.00 |
| Jerome & Pamela Bowerman | 24A | west of Buel Rd (CR-84) | 300.00 |

| | | | |
|----------------------|----|------------------------------------|-----------|
| Eugene Greco | 9A | Lorraine Boulevard | 1,800.00 |
| Nancy Hubbell | 65 | Southerly Side State Rte 67 | 10,000.00 |
| Richard D. Burroughs | 14 | E. Side Highland Ave., Ft. Johnson | 700.00 |
| Carl Nurnberger | 47 | 6929 State Route 5S | 3,750.00 |
| Michael Lais | 62 | North of Elizabeth Street | 300.00 |
| Raymond Selah | 71 | Northerly Side Pine Grove Rd | 1,200.00 |
| Donald Schmidtman | 19 | Pioneer Street | 300.00 |
| Larry Chaplinski | 48 | Southerly Side Garfield St., Ext. | 16,000.00 |
| Donna Hayes | 40 | South Side State Rte 5S | 2,300.00 |
| Jeffrey Odell | 25 | 497 Dygert Road | 18,000.00 |
| Russell Moore | 13 | E. Side Highland Ave., Ft. Johnson | 11,000.00 |
| " | 18 | 64 E. Main St., Ft. Johnson | 4,200.00 |
| Susan Hayes | 22 | Southerly Side Happy Hollow Rd | 2,100.00 |
| Arthur G. Adams | 52 | 7 Garfield St., Fort Plain | 100.00 |
| Patrick Emrick | 49 | 54 Reid St., Fort Plain | 2,500.00 |
| " | 51 | 81 Reid St., Fort Plain | 7,000.00 |
| Claude Bradt | 60 | Easterly Side Old Trail Rd | 7,500.00 |
| Robert Bertholde | 53 | 98 Canal St., Fort Plain | 16,000.00 |
| William Walsh | 24 | N. Side Orchard St., Canajoharie | 500.00 |
| " | 66 | Off State Route 5 | 200.00 |
| " | 74 | 37 Main St., St. Johnsville | 500.00 |
| " | 78 | 73 E. Main St., St. Johnsville | 7,000.00 |

, and

WHEREAS, successful bids meet the terms and conditions of auction, as set forth in the auction booklet, and have been reviewed by the County Treasurer and 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 name of the successful bidder, or designee, 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 designees, that within 30 days of the date of notification all additional monies of the accepted bid, taxes levied on the property after the date of auction, search fee, advertising charges and any outstanding monies that may be owed, shall be paid to the County Treasurer, 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 of the recorded second bidder to determine interest in said property, and

FURTHER RESOLVED, that any changes resulting from non-compliance shall be presented for consideration by the Board of Supervisors.

MOTION TO AMEND by Supervisor Grzyb, seconded by Supervisor Barone, to remove Lots # 5, 6, 8, 9A and 9B.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Wills, in the Resolved clause, add, "provided that the successful bidder brings all property taxes, on property owned in Montgomery County, up-to-date, and", passed with Aye(1868).

MOTION TO AMEND (Grzyb/Barone), failed with Aye(496). Supervisors Barone, Grzyb and McMahon voted aye. Supervisors Hassan and Mead abstained.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property Tax Service Agency

**

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: Wills

WHEREAS, the Montgomery County Chamber of Commerce (MCCC) administers the County's tourism promotion program, and

WHEREAS, the County's 1997 Operating Budget contains a \$7,500 appropriation to help defray costs of administering said program, and

WHEREAS, MCCC has reported that said funding has been depleted, and

WHEREAS, MCCC has advised that the tourism program will be in jeopardy, unless additional administrative funding is appropriated for 1997,

RESOLVED, that the Board of Supervisors hereby authorizes an increase in 1997 tourism program administration funding from \$7,500 to \$24,000, and

FURTHER RESOLVED, that a contract be developed to provide for allocation of \$2,000 per month to the Montgomery County Chamber of Commerce for administration of said program, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating budget, as follows:

TRANSFER:

| | | |
|---------------------------|--|-------------|
| From: A-01-4-1990-00.4400 | Contingent Account - Contractual Expenses | \$16,500.00 |
| To: A-01-4-6420-00.4579 | Promotion of Industry - Tourism | \$16,500.00 |

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Frasier, to delete the second Further Resolved clause and insert, in its stead, "FURTHER RESOLVED, that the Occupancy Tax Advisory Board hereby is requested to provide the Board of Supervisors with a recommendation to provide \$16,500 from the Hotel/Motel Occupancy Tax to fund said administration costs." passed with Aye(1465). Supervisors Cuzzo, Mead and D'Arcangelis voted nay.

RESOLUTION ADOPTED with Aye(1622). Supervisors Cuzzo and Mead voted nay.

Duly adopted upon roll call, all members present (1622) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Chamber of Commerce

**

RESOLUTION NO. 207 of 1997
RESOLUTION ENDORSING MOHAWK VALLEY HERITAGE MANAGEMENT PLAN

DATED: May 27, 1997

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Heritage Areas Act, as amended, designates the Mohawk Valley as an historic setting to be included in the statewide system of heritage areas, and

WHEREAS, the County of Montgomery is identified in said Act as being part of the Mohawk Valley, and

WHEREAS, Heritage Areas are designed to pursue economic development, preserve natural and historical resources, educate residents and visitors about heritage resources and protect the environment, and

WHEREAS, the mission of the Mohawk Valley Heritage Corridor is to preserve, promote, and celebrate our natural, cultural and historic strengths in order to enhance the quality of life and stimulate economic vitality throughout the Corridor, and

WHEREAS, said Act provides benefits to communities participating in the implementation of the Corridor management plan, including possible financial and technical assistance to further Management Plan objectives, and

WHEREAS, the objective of said Plan is to invest in preservation and community redevelopment capital projects to advance utilization of heritage tourism as a component of the economic development strategy of communities throughout the Mohawk Valley,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses the mission and goals of the Mohawk Valley Heritage Corridor Planning Commission, and

FURTHER RESOLVED, that the Board of Supervisors also approves the Mohawk Valley Heritage Corridor Management Plan and expresses its intent to participate in the implementation of said Plan.

MOTION by Supervisor Barone, seconded by Supervisor Van Kersen, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Mohawk Valley Heritage Corridor

**

RESOLUTION NO. 192 of 1997
RESOLUTION AMENDING RESOLUTION NO. 159 OF 1993

DATED: May 27, 1997

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

RESOLVED, that Resolution No. 159 of 1993 hereby is amended to provide for the deletion, in the second Further Resolved, of "regardless of whether or not he/she served a full term or any portion thereof," and inserting, in its stead, "providing that said trustee has served a full term".

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Wills, to add: "and, FURTHER RESOLVED, that this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.", passed with Aye(1868).

RESOLUTION ADOPTED with Aye(1456). Supervisors Grzyb, Frasier and Jubar voted nay.

Duly adopted upon roll call, all members present (1456) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 193 of 1997
RESOLUTION OPPOSING LEGISLATION CHANGING DISTRIBUTION OF STATUTORY
REVENUE BY OFF-TRACK BETTING CORPORATION

DATED: May 27, 1997

Resolution by: Full Board

Seconded by Supervisor:

WHEREAS, the New York State Legislature is considering changing the distribution plan of statutory revenue of the Capital District Regional Off-Track Betting Corporation, and

WHEREAS, said legislation, would increase statutory revenue to Albany County and reduce shares to the remaining 15 participating counties and to the City of Schenectady,

RESOLVED, that the Board of Supervisors urges its representatives in the State Legislature to maintain the present plan for distributing statutory revenue of the Capital District Regional Off-Track Betting Corporation and to oppose legislation which would reduce Montgomery County's share, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to State Senator Farley and Assemblyman Tonko.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Senator Farley
Assemblyman Tonko
Vincent Russo
Capital District OTB

**

RESOLUTION NO. 194 of 1997 DATED: May 27, 1997
RESOLUTION RESCINDING RESOLUTION NO. 326 OF 1996

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Wills

RESOLVED, that Resolution No. 326 of 1996 hereby is rescinded.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCEDC

**

RESOLUTION NO. 195 of 1997 DATED: May 27, 1997
RESOLUTION SUPPORTING LEGISLATION REQUIRING MEDICAL CO-PAYMENTS BY
INMATES

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the New York State Legislature is considering legislation that would enable counties to charge co-payments for certain medical and dental visits initiated by Jail inmates,

RESOLVED, that the Board of Supervisors hereby urges the New York State Legislature to adopt legislation authorizing counties to assess a fee of \$2.00 for each inmate-initiated medical or dental visit, and

FURTHER RESOLVED, that copies of this Resolution be provided to State Senator Farley and Assemblyman Tonko.

MOTION by Supervisor Barone, seconded by Supervisor Van Kersen, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Senator Farley
Assemblyman Tonko

**

RESOLUTION NO. 196 of 1997 DATED: May 27, 1997
RESOLUTION REAPPOINTING MEMBERS OF PLANNING BOARD OF DIRECTORS

Resolution by Supervisor: Jubar
Supervisor: Keller
Seconded by Supervisor: Frasier

RESOLVED, that John Thomas and George Jubar, representing the Towns of Glen and St. Johnsville, respectively, hereby are reappointed to three-year terms as members of the Montgomery County Planning Board of Directors, and

FURTHER RESOLVED, that said terms shall commence on July 1, 1997 and terminate on June 30, 2000.

RESOLUTION ADOPTED with Aye(1727). Supervisor McMahon abstained.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Planning

**

RESOLUTION NO. 197 of 1997 DATED: May 27, 1997
RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FUNDS - PUBLIC HEALTH
PRIORITY PARTNERSHIP INITIATIVE (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

WHEREAS, the Public Health Director has recommended the acceptance of a New York State Department of Health Grant to develop and mobilize Public Health Priority Partnership in the County

RESOLVED, that the Board of Supervisors hereby accepts a \$10,000 Public Health Priorities Partnership Initiative Grant, and

FURTHER RESOLVED, that said grant agreement shall be for a term commencing on April 1, 1997 and ending March 30, 1998, with a provision for extension by written agreement of both parties, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-16-4-4010-08 Grant
.4434 Consultants
.4452 Printing
.4453 Postage
.4472 Food & Lodging

INCREASE:

| | | | |
|-----------------|----------------|---------------------|----------------|
| Revenue: | A-16-3-3401-08 | Public Health Grant | by \$10,000.00 |
| Appropriations: | A-16-4-4010-08 | Grant | |
| | .4434 | Consultants | by \$5,000.00 |
| | .4452 | Printing | by 400.00 |
| | .4453 | Postage | by 200.00 |
| | .4454 | Central Purchasing | by 700.00 |
| | .4471 | Mileage | by 258.00 |
| | .4472 | Food & Lodging | by 3,442.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 198 of 1997 DATED: May 27, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

WHEREAS, the Public Health Director has recommended that a consultant be designated to administer the Public Health Priorities Partnership Initiative Grant,

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 BONMED, Inc. of 235 Guy Park Avenue, Amsterdam, New York, to administer the Public Health Priorities Partnership Initiative Grant for Montgomery County, and

FURTHER RESOLVED, that said consultant shall be compensated in an amount not to exceed \$5,000.00.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Health Director

**

RESOLUTION NO. 199 of 1997 DATED: May 27, 1997
RESOLUTION RESCINDING RESOLUTION NO. 131 OF 1996

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

RESOLVED, that Resolution No. 131 of 1996 hereby is rescinded.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 200 of 1997 DATED: May 27, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - PERSONAL COMPUTER
EQUIPMENT (VARIOUS DEPARTMENTS)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor:

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for personal computer equipment, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**
RESOLUTION NO. 201 of 1997 DATED: May 27, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - UNIFORMS AND FOOTWEAR
(SHERIFF)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Wills

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for uniforms and footwear for the Sheriff's Department, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**
RESOLUTION NO. 202 of 1997 DATED: May 27, 1997
RESOLUTION AUTHORIZING SOLICITATION OF TRANSPORTATION BIDS (COUNTY
COORDINATED CHILDREN'S SERVICES)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Wills

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for transportation for County Coordinated Children's Services for the 1997-98 school year, per competitive bidding provisions of the General Municipal Law and the State Education Law.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Public Health Director

**

RESOLUTION NO. 203 of 1997
RESOLUTION APPROVING CAPITAL PROJECTS - 1997

DATED: May 27, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, it has been recommended that various Capital Projects to be undertaken during 1997 be financed through bonding,

RESOLVED, that the Board of Supervisors hereby approves the following Capital Projects for 1997:

1. Department of Public Works - Acquisition of vehicles and miscellaneous equipment, at a cost not to exceed \$214,000.
2. Department of Public Works - Acquisition of computer hardware and software, at a cost not to exceed \$23,000.
3. Department of Public Works - Road and Bridge Programs, at a cost not to exceed \$550,000.
4. Department of Social Services - PC Network upgrade and expansion, at a cost not to exceed \$220,186.
5. Department of Social Services - Document Storage and Retrieval System, at a cost not to exceed \$40,000.

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

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor McMahon, Item No. 1, delete "\$214,000", and in its stead, insert "\$282,500".

MOTION TO AMEND by Supervisor Mead, seconded by Supervisor Wills, Item #2, delete "\$23,000", and in its stead, insert "\$14,000", passed with Aye(1719). Supervisor Cuzzo voted nay.

MOTION (Wills/McMahon), passed with Aye(1868).

MOTION TO AMEND by Supervisor D'Arcangelis, seconded by Supervisor McMahon, to delete Items No. 4 and 5, passed with Aye(1364). Supervisors Cuzzo and Wills voted nay. Supervisor Grzyb abstained.

RESOLUTION ADOPTED with Aye(1262): Supervisors Cuzzo, Wills and Jubar voted nay. Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1262) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 206 of 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN HOME RULE REQUEST

DATED: May 27, 1997

Resolution by Supervisor: Frasier
Seconded by Supervisor: Wills

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 162 of 1997, has requested the State Legislature to authorize retroactive membership for Richard C. Healy in the New York State and Local Employees' Retirement System, and

WHEREAS, special authorizing legislation has been introduced by Senator Farley and by Assemblyman Tonko, and

WHEREAS, this matter refers to Assembly Bill No. 7970 and Senate Bill No. 5331, and

WHEREAS, before said legislation is considered by the State Legislature, a Home Rule Request must be received from the Board of Supervisors,

RESOLVED, that the Chairman of the Montgomery County Board of Supervisors hereby is authorized and directed to sign a Home Rule Request in the matter of Assembly Bill No. 7970 and Senate Bill No. 5331, and

FURTHER RESOLVED, that certified copies of said Home Rule Request be forwarded to Senator Farley and to Assemblyman Tonko.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Senator Farley
Assemblyman Tonko

**

RESOLUTION NO. 208 of 1997 DATED: May 27, 1997
RESOLUTION REQUESTING COMPLETION OF AGRICULTURAL DISTRICT REVIEW
PROFILE

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, per Article 25AA of the Agriculture and markets Law, an Agricultural Review Profile is required to complete the review of all Agricultural Districts, and

WHEREAS, the Amended Montgomery County Agricultural District No. 3 report is complete, except for said Agricultural Review Profile, and

WHEREAS, the Montgomery County Soil and Water Conservation District has information needed to complete said Profile,

RESOLVED, that the Board of Supervisors hereby requests that the Soil and Water District complete an Agricultural Review Profile and provide said Profile to the Montgomery County Ag & Farmland Protection Board and to the Montgomery County Planning Board to complete the Amended Agricultural District No. 3.

MOTION by Supervisor D'Arcangelis, seconded by Supervisor Grzyb, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Ag & Farmland Protection Board
Planning Department
Soil & Water

**

RESOLUTION NO. 209 of 1997 DATED: May 27, 1997
RESOLUTION ENDORSING COMPLETION OF BIKE TRAIL THROUGH VILLAGE OF
CANAJOHARIE

Resolution by Supervisor: McMahon
Seconded by Supervisor: Van Kersen

WHEREAS, the Village of Canajoharie Planning Board has been working to bring the bike trail through the Village, and

WHEREAS, a Federal ISTEAA grant of \$240,000 has become available for this project, and

WHEREAS, the State Department of Transportation has secured an additional \$300,000 in Federal funding to help complete said project, and

WHEREAS, said project also provides for refinishing of a railroad bridge, including removal of lead paint exposure, and

WHEREAS, said project, to be done at no cost to local taxpayers, requires approval by the Village Board of Trustees,

RESOLVED, that the Board of Supervisors hereby urges the Canajoharie Village Board of Trustees to adopt a resolution approving completion of the Village segment of the bike trail.

RESOLUTION ADOPTED with Aye(1503). Supervisor Grzyb abstained. Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1503) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 210 of 1997 DATED: May 27, 1997
RESOLUTION APPROVING CAPITAL PROJECTS - 1997 (SOCIAL SERVICES)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that various Capital projects to be undertaken during 1997 be financed through bonding,

RESOLVED, that the Board of Supervisors hereby approves the following Capital Projects for 1997:

1. Department of Social Services - PC Network upgrade and expansion, at a cost not to exceed \$220,186.
2. Department of Social Services - Document Storage and Retrieval System, at a cost not exceed \$40,000.

MOTION TO TABLE, by Supervisor Barone, seconded by Supervisor Coluni, passed with Aye(1719). Supervisor Cuzzo voted nay. (5/27/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor Coluni, to adjourn the meeting, passed with Aye(1868). Chairman Keller declared the meeting adjourned at 10:02 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

| | | |
|--|---|----|
| PAGE: | i | |
| TABLE OF CONTENTS | | |
| CALL TO ORDER | | 1 |
| MOMENT OF SILENCE | | 1 |
| ADOPTION OF THE AGENDA | | 1 |
| PROCLAMATIONS | | 1 |
| SPECIAL PRESENTATION | | 1 |
| PUBLIC COMMENT | | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | | 1 |
| READING OF COMMUNICATIONS | | 2 |
| OLD BUSINESS | | 2 |
| RES210 Resolution Approving Capital Projects - 1997 (Social Services) | | 2 |
| NEW BUSINESS | | 2 |
| RES211 Resolution Authorizing Agreement - Public Health | | |
| RES212 Resolution Accepting Proposal - Public Health | | |
| RES213 Bond Resolution for County of Montgomery | | |
| RES214 Resolution Authorizing Solicitation of Bids - Public Works | | |
| RES215 Resolution Transferring Funds - Veterans | | |
| RES216 Resolution transferring Funds - Legislative Board | | |
| RES217 Resolution Authorizing Solicitation of Bids - Public Works | | |
| RES218 Resolution Authorizing Work Change Orders- Public Safety Facility | | |
| RES219 Resolution Authorizing Closeout - FMCC Master Plan Contracts | | |
| RES220 Resolution Requiring Annual Financial Disclosure Statements | | |
| RES221 Resolution Amending Resolution No. 91 of 1997 | | |
| RES222 Resolution Amending Resolution No. 60 of 1997 | | |
| RES223 Resolution Reappointing member of Planning Board | | |
| RES224 Resolution Appointing Member of Fulmont Facilities Board | | |
| RES225 Resolution Honoring Memory of Edythe Meserand | | |
| RES226 Resolution Honoring Memory of Daniel Haberek | | |
| RES227 Resolution Amending 1997 Operating Budget - Legislative Board | | |
| OTHER | | 15 |
| ADJOURNMENT | | 15 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for June 10, 1997, was called to order at 7:35 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Cuzzo. Roll call indicated that Supervisors McMahon and Van Kersen were absent. All votes in these minutes reflect their absence.

MOMENT OF SILENCE

Supervisor Barone offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Coluni, to provide for the addition of Resolutions No. 225, 226, and 227, and to allow for the addition of "Special Presentations" after "Proclamations", passed with Aye(1666). Supervisors McMahon and Van Kersen were absent. Motion by Supervisor Wills, seconded by Supervisor Coluni, to adopt the amended agenda, passed with Aye(1666). Supervisors McMahon and Van Kersen were absent.

PROCLAMATIONS

Proclamation declaring June, 1997, as Dairy Month in Montgomery County was presented by Supervisor Grzyb to Stacey Keith and Mindy Molin.

SPECIAL PRESENTATION

Davis Etkin, OTB Chairman and Vince Russo, OTB Director, discussed OTB changes and revenue projections.

PUBLIC COMMENT

Thomas Wolocen, City of Amsterdam, questioned civil service appointment procedures.

John Thomas, MCIDA Chairman and Linda Petrosino, MCIDA Vice-Chairman, requested funding to help promote County Business Parks.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Paton, seconded by Supervisor Mead, to adopt the Minutes of the Regular Meeting of May 13, 1997, passed with Aye(1401). Supervisor Grzyb voted nay. Supervisor Frasier abstained. Supervisor D'Arcangelis was absent.

None.

OLD BUSINESS

**

RESOLUTION NO. 210 of 1997 DATED: May 27, 1997
RESOLUTION APPROVING CAPITAL PROJECTS - 1997 (SOCIAL SERVICES)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that various Capital projects to be undertaken during 1997 be financed through bonding,

RESOLVED, that the Board of Supervisors hereby approves the following Capital Projects for 1997:

1. Department of Social Services - PC Network upgrade and expansion, at a cost not to exceed \$220,186.
2. Department of Social Services - Document Storage and Retrieval System, at a cost not exceed \$40,000.

MOTION TO TABLE, by Supervisor Barone, seconded by Supervisor Coluni, passed with Aye(1719). Supervisor Cuzzo voted nay. (5/27/97)

MOTION TO REMOVE FROM TABLE by Supervisor Wills, seconded by Supervisor D'Arcangelis, passed with Aye(1458). Supervisor Grzyb voted nay. Supervisors McMahon and Van Kersen were absent. (6/10/97)

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Jubar, in the RESOLVED clause, Item No. 1, delete "\$220,186" and insert, in its stead, "\$201,521", passed with Aye(1666). Supervisors McMahon and Van Kersen were absent.

RESOLUTION ADOPTED with Aye(1018). Supervisors Landon, Cuzzo, Grzyb and Paton voted nay. Supervisors McMahon and Van Kersen were absent. (6/10/97)

Duly adopted upon roll call, all members present (1018) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**

Supervisor Van Kersen entered the meeting at 8:25 p.m.

**

NEW BUSINESS

**

RESOLUTION NO. 211 of 1997 DATED: June 10, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SMOKE DETECTOR PROJECT (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

WHEREAS, the Public Health Director has recommended participation in a project to provide smoke detectors to low-income families,

RESOLVED, 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 Health Research, Inc., to provide for participation in the Smoke Detector Project developed by HRI for the State Department of Health.

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

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director Public Health

**

RESOLUTION NO. 212 of 1997 DATED: June 10, 1997
RESOLUTION ACCEPTING PROPOSAL - RABIES VETERINARY SERVICES (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Coluni

WHEREAS, the Purchasing Agent was authorized to solicit proposals for rabies veterinary services for the Public Health Department, and

WHEREAS, said proposals were opened on June 6, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the following proposal(s) submitted by:

, 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 Jubar, seconded by Supervisor D'Arcangelis, in the RESOLVED clause, insert "Fort Plain Animal Hospital, 13 River Street, Fort Plain, NY 13339 at a cost of \$60.00 per animal", 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 213 of 1997 DATED: June 10, 1997
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),
DATED JUNE 10, 1997, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS;
ESTIMATING THE AGGREGATE COST THEREOF TO BE \$846,500; APPROPRIATING
SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$846,500 SERIAL
BONDS OF THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: Mead
Seconded by Supervisor: Paton

WHEREAS, the Board of Supervisors has heretofore approved certain capital projects of the County, all as more particularly described in Resolution No. 203

WHEREAS, the Board of Supervisors desires to expand upon the Prior Resolution and approve the method of financing the costs of such capital project,

RESOLVED, by the Montgomery County Board of Supervisors (by a favorable vote of not less than two-thirds of all of its members), as follows:

SECTION 1

Pursuant to Section 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 capital improvements and projects (the "Project") listed below:

- (a) The acquisition of (i) one (1) 10-wheel dump truck; (ii) one (1) crawler-excavator; and (iii) one (1) backhoe/loader for the Department of Public Works (the "DPW Equipment"), the maximum cost thereof being hereby estimated to be \$282,500, appropriating said amount therefor and authorizing the issuance of \$282,500 serial bonds to finance such costs;
- (b) The resurfacing of County road (the "DPW Highway Improvements"), the maximum cost thereof being hereby estimated to be \$300,000, appropriating said amount therefor and authorizing the issuance of \$300,000 serial bonds to finance such costs;
- (c) The rehabilitation and renovation of County bridges (the "DPW Bridge Improvements"), the maximum cost thereof being hereby estimated to be \$250,000, appropriating said amount therefor and authorizing the issuance of \$250,000 serial bonds to finance such costs;
- (d) The acquisition and installation of computer hardware for the Department of Public Works to automate highway inventories, bridge inventories and sign inventories for managing the County's assets (the "DPW Computer Hardware"), the maximum cost thereof being hereby estimated to be \$7,000, appropriating said amount therefor and authorizing the issuance of \$7,000 serials bonds to finance such costs; and
- (e) The acquisition and installation of computer software for the Department of Public Works to automate highway inventories, bridge inventories and sign inventories for managing the County's assets (the "DPW Computer Software"), the maximum cost thereof being hereby estimated to be \$7,000, appropriating said amount therefor and authorizing the issuance of \$7,000 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 Equipment -
 - (1) 10-wheel Dump Truck - 15 years pursuant to Section 11.00(a)(28) of the Law.
 - (2) Crawler-Excavator - 5 years pursuant to Section 11.00(a)(32) of the Law.
 - (3) Backhoe/Loader - 5 years pursuant to Section 11.00(a)(32) of the Law.
- (b) DPW Highway Improvements - 10 years pursuant to Section 11.00(a)(20)(b) of the Law.
- (c) DPW Bridge Improvements - 10 years pursuant to Section 11.00(a)(10) of the Law.
- (d) DPW Computer Hardware - 10 years pursuant to Section 11.00(a)(81)(a) of the Law.
- (e) DPW Computer Software - 5 years pursuant to Section 11.00(a)(81)(a) of the Law.

SECTION 3

The plan of financing includes the issuance of \$846,500 serial bonds and the levy of a tax upon all of the real property in the County to pay the principal of and interest of 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 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 and 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 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 bond 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

PAGE: 6

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 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 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 DEFEATED with Aye(823-2/3 majority). Supervisor Grzyb abstained. Supervisors Landon, McMahon and D'Arcangelis were absent. (6/10/97)

MOTION TO RECONSIDER by Supervisor D'Arcangelis, seconded by Supervisor Wills, passed with Aye(1519). Supervisor Grzyb abstained. Supervisor McMahon was absent. (6/10/97)

RESOLUTION ADOPTED WITH Aye(1041). Supervisor Grzyb abstained. Supervisor McMahon was absent. (6/10/97)

Duly adopted upon roll call, all members present (1041) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Commissioner of Public Works

**

RESOLUTION NO. 214 of 1997 DATED: June 10, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - EQUIPMENT (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Paton

WHEREAS, the Commissioner of Public Works has recommended that bids be solicited for various equipment,

RESOLVED, that the Purchasing Agent, in cooperation with the Commissioner of Public Works, hereby is authorized and directed to solicit bids for one crawler/excavator, one dump truck and one backhoe/loader, per competitive bidding provisions of Section 103 of the General Municipal Law.

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

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 215 of 1997 DATED: June 10, 1997
RESOLUTION TRANSFERRING FUNDS (VETERANS)

Resolution by Supervisor: Paton
Seconded by Supervisor: wills

WHEREAS, the Director of Veterans Services has requested a transfer of funds to provide for payment of indigent burial costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|---------------------------|----------------------|-------------|
| From: A-01-4-1990-00.4400 | Contingent Account | |
| | Contractual Expenses | \$15,000.00 |
| To: A-19-4-6510-00.4439 | Veterans Services | |
| | Other Service Fees | \$15,000.00 |

MOTION TO AMEND by Supervisor Paton, seconded by Supervisor Jubar, in the RESOLVED clause, delete "\$15,000.00" and insert, in its stead, "\$5,000.00", 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Veterans Service Agency

**

RESOLUTION NO. 216 of 1997 DATED: June 10, 1997
RESOLUTION TRANSFERRING FUNDS (LEGISLATIVE BOARD)

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|--|-------------|
| From: | A-01-4-1990-00.4400 | Contingent Account Contractual Expenses | \$20,000.00 |
| To: | A-01-4-1010-00.4431 | Legislative Board Attorneys, Account., Audit. | \$20,000.00 |

RESOLUTION ADOPTED with Aye(1519). Supervisor Grzyb voted nay. Supervisor McMahan was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 217 of 1997 DATED: June 10, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - BRIDGE REPAIR (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Paton

WHEREAS, the Commissioner of Public Works has recommended that bids be solicited for repair of two bridges,

RESOLVED, that the Purchasing Agent, in cooperation with the Commissioner of Public Works, hereby is authorized and directed to solicit bids for repair of the Fisher Road Bridge, BIN 3310010, and the Chuctanunda Street Bridge, BIN 3310240.

RESOLUTION ADOPTED with Aye(1519). Supervisor Grzyb abstained. Supervisor McMahan was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 218 of 1997 DATED: June 10, 1997
RESOLUTION AUTHORIZING WORK CHANGE ORDERS (PUBLIC SAFETY FACILITY)

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Construction Manager has recommended approval of work Change Orders at the Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby authorizes implementation of the following work Change Orders at the Public Safety Facility:

| | | |
|--------|---|------------|
| No. 41 | - | \$9,157.00 |
| No. 42 | - | 8,227.00 |

FURTHER RESOLVED, that the County of Montgomery shall seek reimbursement for any portion of said payments deemed to have resulted from errors or omissions attributable to those individuals and/or firms responsible for said errors.

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

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 219 of 1997 DATED: June 10, 1997
RESOLUTION AUTHORIZING CLOSE-OUT OF CONTRACTS (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes close-out of the following contracts and release of all retainage due, pending receipt of written notification from The Saratoga Associates that all punchlist items have been completed:

Contract 1: Water/Wastewater Plant Improvements
Contractor: Delaney Construction

| | |
|--------------------------------------|---------------|
| Original Contract Amount | : \$55,955.00 |
| Contingency Allowance | : \$10,000.00 |
| Total Contingency Allowance Utilized | : \$ 5,833.30 |
| Change Order 1: Credit Unused CA | : 4,166.70 |

Contract 2: Swimming Pool Improvements: Building Construction
Contractor: Voss & Associates

| | |
|--------------------------------------|----------------|
| Original Contract Amount | : \$143,644.00 |
| Change Order 1 | : \$ 14,459.69 |
| Revised Contract Amount | : \$158,193.69 |
| Total Contingency Allowance | : \$ 8,000.00 |
| Total Contingency Allowance Utilized | : \$ 6,808.50 |
| Change Order 2: Credit Unused CA | : 1,191.50 |

Contract 2A: Swimming Pool Improvements: Mechanical
Contractor: Adirondack Mechanical, Inc.

| | |
|--------------------------------------|----------------|
| Original Contract Amount | : \$100,999.00 |
| Contingency Allowance | : \$ 10,000.00 |
| Total Contingency Allowance Utilized | : \$ 6,536.37 |
| Change Order 1: Credit Unused CA | : 3,463.63 |

Contract 3: Oil Storage Tank Removal
Contractor: Kleen Resources

| | |
|--------------------------------------|----------------|
| Original Contract Amount | : \$ 50,585.00 |
| Change Order 1 & 2 | : \$ 19,366.70 |
| Revised Contract Amount | : \$ 69,951.70 |
| Total Contingency Allowance | : \$ 7,500.00 |
| Total Contingency Allowance Utilized | : \$ 7,500.00 |
| Balance | : .00 |

Contract 5A: Library Water Infiltration Remediation
Contractor: Voss & Associates

| | |
|--------------------------------------|---------------|
| Original Contract Amount | : \$30,300.00 |
| Contingency Allowance | : \$ 5,000.00 |
| Total Contingency Allowance Utilized | : \$ 4,474.81 |

Change Order 1: Credit Unused CA

: 525.19

, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign the above-referenced change orders, and

FURTHER RESOLVED, that this Resolution is contingent upon passage of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1519). Supervisor Grzyb abstained. Supervisor McMahon was absent.

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

KELLI MCCOSKI
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. 220 of 1997 DATED: June 10, 1997
RESOLUTION DESIGNATING INDIVIDUALS REQUIRED TO FILE ANNUAL FINANCIAL
DISCLOSURE STATEMENTS

Resolution by Supervisor: wills
Seconded by Supervisor: Cuozzo

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:

DEPARTMENT HEADS AND DEPUTIES

Members, Montgomery County Board of Supervisors
County Administrator
Deputy County Administrator
Clerk, Board of Supervisors
Director, 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
PHC Coordinator
Social Services Attorney
Assistant Social Services Attorneys

ADVISORY BOARDS AND COMMITTEES

Members of Alcoholic Beverage Control Board
(Montgomery County Appointees)
Members of Ethics Advisory Board
Member of County Jury Board (County Appointee)
Members of County Planning Board
Members of Fulmont Community Action Agency (County Appointees)
Members of FMCC Board of Trustees (County Appointees)
Members of HUD Revolving Loan Review Committee
Members of Montgomery County Industrial Development Agency
Members of Montgomery County Sewer District No. 1
Members of Montgomery-Otsego-Schoharie
Solid Waste Management Authority (County Appointees)
Members of Physically Handicapped Children's Advisory Committee
Members of Private Industry Council (County Appointees)
Members of Occupancy Tax Advisory 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 June 15, 1997, 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 AMEND by Supervisor Van Kersen, seconded by Supervisor Jubar, in the first Further Resolved clause, delete "June 15, 1997" and insert, in its stead, "June 30, 1997".

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Van Kersen, to delete all Advisory Boards and Committees, except members of the Montgomery County Industrial Development Agency and members of the Ethics Advisory Board."

MOTION TO TABLE by Supervisor Coluni, seconded by Supervisor Frasier, failed with Aye(250). Supervisors Coluni and Frasier voted aye. Supervisor McMahon was absent.

MOTION TO AMEND (Barone/Van Kersen), passed with Aye(1230. Supervisors Coluni, Grzyb Hassan and Jubar voted nay. Supervisor McMahon was absent.

MOTION TO AMEND (Van Kersen/Jubar), passed with Aye(1727). Supervisor McMahon was absent.

RESOLUTION ADOPTED with Aye(1688). Supervisor Hassan voted nay. Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1688) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Employees and Officers Named Above

**

RESOLUTION NO. 221 of 1997
RESOLUTION AMENDING RESOLUTION NO. 91 OF 1997

DATED: June 10, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Landon

RESOLVED, that Resolution No. 91 of 1997 hereby is amended to provide, in the first Further Resolved clause, for deletion of "May 16, 1997" and inserting, in its stead, "June 30, 1997".

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Coluni, to add: ", and FURTHER RESOLVED, that Resolution No. 91 of 1997 hereby is amended to provide, in the first Further Resolved clause, for the deletion of "\$690.00" and inserting, in its stead, "\$1,320.00", 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 222 of 1997
RESOLUTION AMENDING RESOLUTION NO. 60 OF 1997

DATED: June 10, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Hassan

RESOLVED, that Resolution No. 60 of 1997 hereby is amended to provide, in the Further Resolved clause, for deletion of "\$2,271.56" and inserting, in its stead, "\$5,628.45, with said agreement to terminate on June 30, 1997".

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

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 223 of 1997
RESOLUTION REAPPOINTING MEMBER OF PLANNING BOARD OF DIRECTORS

DATED: June 10, 1997

Resolution by Supervisor: Frasier
Seconded by Supervisor: Van Kersen

RESOLVED, that Catherine Wohlberg, representing the Town of Palatine, hereby is reappointed to a three-year term as a member of the Montgomery County Planning Board of Directors, and

FURTHER RESOLVED, that said term shall commence on July 1, 1997 and terminate on June 30, 2000.

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

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Planning
Appointee

**

RESOLUTION NO. 224 of 1997 DATED: June 10, 1997
RESOLUTION APPOINTING MEMBER OF FULMONT DEVELOPMENT FACILITY, INC.
BOARD OF DIRECTORS

Resolution by Supervisor: Keller
Seconded by Supervisor:

RESOLVED, that _____ hereby is appointed a member of the Fulmont Development Facility, Inc. Board of Directors to fill an unexpired term ending on December 31, 1997.

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Fulmont Development Facility, Inc.

**

RESOLUTION NO. 225 of 1997 DATED: June 10, 1997
RESOLUTION HONORING THE MEMORY OF EDYTHE MESERAND

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Edythe Meserand served with distinction as Historian for the Town of Charleston, and

WHEREAS, Miss Meserand, a 45-year Esperance resident, was a founding member of the Charleston Historical Society and a leader in the successful effort to restore the First Baptist Church in Charleston, and

WHEREAS, Miss Meserand received the Medal of Honor from the National Society of the Daughters of the American Revolution, in recognition of her work with the Charleston Historical Society, and

WHEREAS, Miss Meserand was designated "woman of the Year", in 1990, by the Business and Professional Women's Club of Amsterdam - Mohawk Valley, and

WHEREAS, Miss Meserand, who began a distinguished 25-year broadcasting career in 1926, including over 15 years with WOR Radio, was the recipient of numerous awards for her outstanding service, and

WHEREAS, Miss Meserand moved to Esperance in 1952, following her retirement from WOR, and operated an advertising agency until 1985, and

WHEREAS, Miss Meserand was a founding member of American Women in Radio and Television, serving as its first national president, and was honored by the organization's Capital District Chapter, in 1976, for her 50 years in the industry,

RESOLVED, that the Board of Supervisors of Montgomery County hereby recognizes the outstanding lifetime achievements of Edythe Meserand, and

FURTHER RESOLVED, that the Board of Supervisors hereby honors the memory of Miss Meserand and expresses its deepest condolences upon her passing.

MOTION by Supervisor Wills, seconded by Supervisor D'Arcangelis, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Family of Edythe Meserand

**

RESOLUTION NO. 226 of 1997 DATED: June 10, 1997
RESOLUTION HONORING THE MEMORY OF DANIEL "VINCE" HABEREK

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Daniel "Vince" Haberek established H & H Dairy in 1934 and operated the Amsterdam business until his retirement in 1976, and

WHEREAS, Mr. Haberek, a Fort Johnson native, was a communicant of St. Stanislaus Church and a member of its Holy Name and Sacred Heart Societies, and

WHEREAS, Mr. Haberek is survived by his wife of 68 years, the former Jane Harzewski, a son, Daniel H. Haberek of Amsterdam, four daughters, Dorothy Sakadolsky of Northville, Loretta Rossi of Monroe, Connecticut, Rosalie Fratianni of Zionsville, Indiana, and Tessie Haberek of Amsterdam; 16 grandchildren and 11 great-grandchildren,

RESOLVED, that the Board of Supervisors hereby honors the memory of Daniel "Vince" Haberek and expresses its deepest condolences and heartfelt sympathies to his family upon his passing.

MOTION by Supervisor Wills, seconded by Supervisor D'Arcangelis, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Family of Daniel "Vince" Haberek

**

RESOLUTION NO. 227 of 1997 DATED: June 10, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (LEGISLATIVE BOARD)

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD/INCREASE

| | | | |
|-----------------|---------------------|-------------------------------------|----------------|
| Revenue: | A-01-3-2414-00 | Rental of Equipment | by \$69,950.00 |
| Appropriations: | A-01-3-1010-00.2251 | Legislative Board Communications | by \$69,950.00 |

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

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

OTHER

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor Barone, to adjourn the meeting, passed with Aye(1727). Supervisor McMahan was absent. Chairman Keller declared the meeting adjourned at 9:25 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|---|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 1 |
| OLD BUSINESS | 1 |
| NEW BUSINESS | 2 |
| RES228 Resolution Authorizing Agreement - Mental Health | |
| RES229 Resolution Authorizing Agreement - Public Health | |
| RES230 Resolution Appointing Director of Public Health | |
| RES231 Resolution Authorizing Agreement - Data Processing | |
| RES232 Resolution Authorizing Agreement - Data Processing | |
| RES233 Bond Resolution for County of Montgomery | |
| RES234 Resolution Authorizing Solicitation of Bids - Social Services | |
| RES235 Resolution Amending Resolution No. 204 of 1997 | |
| RES236 Resolution Authorizing Audit of Utility Bills | |
| RES237 Resolution Liquidating Retirement Liability | |
| RES238 Resolution Authorizing Agreement - Mass Transportation | |
| RES239 Resolution Transferring Funds - Sewer Fund | |
| RES240 Resolution Authorizing Solicitation of Proposal - Public Works | |
| RES241 Resolution Transferring Funds - Legislative Board | |
| RES242 Resolution Endorsing MCIDA Advisory Committee | |
| RES243 Resolution Scheduling Public Hearing - FMCC Budget 1997-98 | |
| OTHER | 13 |
| ADJOURNMENT | 13 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for June 24, 1997, was called to order at 7:32 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor McMahon. Roll call indicated that Supervisors Cuozzo and D'Arcangelis were absent. All votes in these minutes reflect their absence.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Landon, seconded by Supervisor Wills, to provide for the addition of Resolutions No. 240, 241, 242, and 243, passed with Aye(1562). Supervisors Cuozzo and D'Arcangelis were absent. Motion by Supervisor Landon, seconded by Supervisor Wills, to adopt the amended agenda, passed with Aye(1562). Supervisors Cuozzo and D'Arcangelis were absent.

PROCLAMATIONS

Proclamation honoring Elkanah Corbin was read.

PUBLIC COMMENT

None.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Barone, seconded by Supervisor Landon, to adopt the Minutes of the Regular Meeting of June 10, 1997, passed with Aye(1562). Supervisor Grzyb voted nay. Supervisors Cuozzo and D'Arcangelis were absent.

READING OF COMMUNICATIONS

None.

OLD BUSINESS

None.

RESOLUTION NO. 228 of 1997 DATED: June 24, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS (MENTAL HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Coluni

WHEREAS, the Montgomery County Community Services Board has recommended that the Mental Health Department enter into agreements for provision of various services,

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

| PROVIDER: | COST: |
|--|-----------|
| St. Mary's CMHAC (Alcoholism Clinic Services) | \$220,731 |
| St. Mary's CMHAC (Community Support Services-Local Assistance) (Intensive Case Management Program) | 740,000 |
| St. Mary's CMHAC (Alcohol Counselor) | 38,707 |
| St. Mary's CMHAC (Clinic Services Office) | 21,528 |

, and

FURTHER RESOLVED, that all said agreements shall commence on January 1, 1997 and terminate on December 31, 1997, and

FURTHER RESOLVED, that said agreements may be renewed, as appropriate, without further legislative approval, should there be no substantive changes in the respective provisions.

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 229 of 1997 DATED: June 24, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PEDESTRIAN INJURY
PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

WHEREAS, the Public Health Department has been awarded a Pedestrian Injury Prevention Grant, and

WHEREAS, total grant funding for the period commencing on February 1, 1997 and ending September 30, 1997 has been decreased from \$10,000.00 to \$7,000.00,

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 Pedestrian Injury Prevention Grant Contract, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

DECREASE:

Revenue: A-16-3-3401-06 Public Health Grant by \$3,000.00

Appropriations: A-16-4-4010-06.4454 Grant
Central Purchasing by \$3,000.00

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 230 of 1997
RESOLUTION APPOINTING DIRECTOR OF PUBLIC HEALTH

DATED: June 24, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahon

RESOLVED, that Susan Duross hereby is appointed Director of Public Health at an annual salary of \$_____, and

FURTHER RESOLVED, that said appointment shall be effective on July 15, 1997, and

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

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor McMahon, in the RESOLVED clause, insert "\$40,000".

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor Frasier, in the RESOLVED clause, insert "\$38,500", failed with Aye(710). Supervisors Landon, Hassan, Mead, Keller, Paton, Frasier and Jubar voted aye. Supervisors Cuzzo and D'Arcangelis were absent.

MOTION (Wills/McMahon), passed with Aye(1216). Supervisors Paton, Frasier and Jubar voted nay. Supervisors Cuzzo and D'Arcangelis were absent.

RESOLUTION ADOPTED with Aye(1358). Supervisors Frasier and Jubar voted nay. Supervisors Cuzzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1358) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 231 of 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - CITY OF
AMSTERDAM (DATA PROCESSING)

DATED: June 24, 1997

Resolution by Supervisor: Wills
Seconded by Supervisor: Landon

WHEREAS, the Data Processing Director has recommended renewal of a contract to provide data processing services to the City of Amsterdam, and

WHEREAS, said contract will generate annual revenue of approximately \$21,425.00, and

WHEREAS, said services 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 the review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement to provide data processing services to the City of Amsterdam for the period commencing on July 1, 1997 and ending on June 30, 1998.

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuozzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Data Processing

**

RESOLUTION NO. 232 of 1997 DATED: June 24, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - CITY OF
JOHNSTOWN (DATA PROCESSING)

Resolution by Supervisor: Wills
Seconded by Supervisor: Landon

WHEREAS, the Director of Data Processing has recommended renewal of a contract to provide payroll services to the City of Johnstown, and

WHEREAS, said contract will generate annual revenue of approximately \$8,400,00, 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 to provide data processing payroll services to the City of Johnstown, for the period commencing on July 1, 1997 and ending on June 30, 1998.

RESOLUTION ADOPTED with Aye(1413). Supervisors Landon, Cuozzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1413) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Data Processing

**

RESOLUTION NO. 233 of 1997 DATED: June 24, 1997
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),
DATED JUNE 24, 1997, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS;
ESTIMATING THE AGGREGATE MAXIMUM COST THEREOF TO BE \$241,521;
APPROPRIATING THE SUM OF \$241,521 THEREFORE AND AUTHORIZING THE
ISSUANCE OF \$241,521 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Wills

WHEREAS, the Board of Supervisors has heretofore approved certain capital projects of the County, all as more particularly described in Resolution No. 210 of 1997, dated June 10, 1997 (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 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 authorizes the capital improvements and projects (the "Projects") listed below:

- (a) The acquisition and installation of equipment to upgrade the County Department of Social Services PC Network (the "DSS PC Network Upgrade"), the maximum cost thereof being hereby estimated to be \$201,521, appropriating said amount therefore and authorizing the issuance of \$201,521 serial bonds to finance such costs; and
- (b) The acquisition and installation of an electronic document storage and retrieval system for the Department of Social Services so as to save time on record retrieval as well as reducing filing space (the "DSS Electronic Document Storage and Document Retrieval"), the maximum cost thereof being hereby estimated to be \$40,000, appropriating said amount therefor and authorizing the issuance of \$40,000 serials 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) DSS PC Network Upgrade - 10 years pursuant to Section 11.00(a)(81)(a) of the Law.
- (b) DSS Electronic Document Storage and Retrieval System - 5 years pursuant to Section 11.00(a)(72) of the Law.

SECTION 3

The plan of financing includes the issuance of \$201,521 serial bonds or bond anticipation notes, 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. Furthermore, the County expects to be reimbursed for its initial payment of a portion of the costs of the Projects with the proceeds of certain Federal and State aid in the aggregate amount of \$108,684, which aid will be used by the County to pay debt service on the aforesaid serial bonds or bond anticipation notes.

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 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 State 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, 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 and 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 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 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.

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 with 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 DEFEATED with Aye(715-2/3 majority). Supervisors Landon, Grzyb and Paton voted nay. Supervisors Cuozzo and D'Arcangelis were absent.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**

RESOLUTION NO. 234 of 1997 DATED: June 24, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - COMPUTER EQUIPMENT
(SOCIAL SERVICES)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Van Kersen

WHEREAS, a PC Networking program for the Department of Social Services has been approved as a 1997 Capital Project,

RESOLVED, that the Purchasing Agent, in cooperation with the Commissioner of Social Services, hereby is authorized and directed to solicit bids for computer equipment needed for the PC Networking Program.

RESOLUTION ADOPTED with Aye(1063). Supervisors Landon, Grzyb and Paton voted nay. Supervisors Cuozzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1063) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services
Purchasing Agent

**

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

WHEREAS, the Occupancy Tax Advisory Board, complying with a request contained within Resolution No. 204 of 1997, has recommended the allocation of \$16,500, from Hotel/Motel Occupancy Tax revenue, to provide additional 1997 tourism program administration funding to the Montgomery County Chamber of Commerce, and

WHEREAS, said Advisory Board has attached certain stipulations to its recommendation,

RESOLVED, that Resolution No. 204 of 1997 hereby is amended to add, after the Second Further Resolved clause, the following:

", and

"FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

"INCREASE:

"Revenue: A-06-3-1113-00 Tax
Hotel Room Occupancy by \$16,500.00

"To: A-01-4-6420-00.4577 Promotion of Industry
Tourism - Bed Tax by \$16,500.00

", and

"FURTHER RESOLVED, that the Board of Supervisors also hereby acknowledges the recommendation of the Occupancy Tax Advisory Board providing for appointment of a committee to coordinate the County's tourism promotion effort, with said Committee to be comprised of the Director of Planning, two representatives of the Hotel/Motel Industry, a designee of the Board of Supervisors and the Montgomery County Chamber of Commerce, (MCCC), 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 MCCC setting forth payment terms and conditions."

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuozzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Chamber of Commerce

**

RESOLUTION NO. 236 of 1997
RESOLUTION AUTHORIZING AUDIT OF UTILITY BILLS

DATED: June 24, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: Landon

WHEREAS, the audit of County gas, electric, and telecommunications bills may identify errors and overcharges to the County at a cost not to exceed 50% of the refund due the County,

RESOLVED, that the Purchasing Agent hereby is authorized and directed to secure services to provide for the audit of County utility bills, 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 agreements involving said services.

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Wills, in the WHEREAS clause, delete "50%" and, in its stead, insert "40%", passed with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent.

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 237 of 1997 DATED: June 24, 1997
RESOLUTION LIQUIDATING RETIREMENT LIABILITY OF MONTGOMERY MEADOWS TO
MONTGOMERY COUNTY GENERAL FUND

Resolution by Supervisor: Paton
Seconded by Supervisor: Landon

WHEREAS, Chapter 62 of the Laws of 1989 eliminated the lag in retirement contribution payments by participating local government employers and amortized the 22-month liability over a 17-year period, with the first 1/17th installment included in the December 1989 bill, and

WHEREAS, Chapter 210 of the Laws of 1990 changed the method used to fund the Retirement System, from an Aggregate Cost Method (AC) to a Projected Unit Credit Method (PUC), which ultimately was ruled unconstitutional by the Court of Appeals, and

WHEREAS, in January, 1996, Montgomery County was informed of a change, effective April 1, 1996, in the application of interest on the amount due from municipalities which would exceed interest being applied to the credit balance, and

WHEREAS, the Board of Supervisors agreed with the County Treasurer that it would be in the best interest of the County to retire the entire amount due, utilizing the credit balance to reduce the liability, and

WHEREAS, the General Fund fronted the entire amount due, recording the appropriate liabilities as being due to the General Fund, and

WHEREAS, Montgomery Meadows has claimed the liability, each year, for the entire amount, per Enterprise accounting procedures, and has received all applicable Federal and State reimbursement,

RESOLVED, that the Board of Supervisors hereby authorizes elimination of Montgomery Meadows Retirement asset and liability items from Montgomery County's General Fund records.

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 238 of 1997 DATED: June 24, 1997

Resolution by Supervisor: Wills
Seconded by Supervisor: Landon

WHEREAS, the Board of Supervisors is requesting a grant from the New York State Department of Transportation and the United States Department of Transportation, for a project to provide public mass transportation services for Montgomery County through Brown Coach, Inc., for 1997, and

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

RESOLVED, that the Chairman of the Board of Supervisors, following the review and approval by the County Attorney, hereby is authorized and directed to sign any contracts or agreements necessary to complete said project.

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuozzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1354) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 239 of 1997
RESOLUTION TRANSFERRING FUNDS (SEWER FUND)

DATED: June 24, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Wills

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|----------------------------------|------------|
| From: | G-26-4-1990-00.4400 | Sewer Fund Contingent Account | \$6,556.40 |
| To: | G-26-4-9001-00 | Sewer Fund | |
| | .8850 | Hosp & Med Insurance | \$5,800.00 |
| | .8851 | Hosp & Med Payback | 36.40 |
| | .8854 | Disability Insurance | 720.00 |

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuozzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District No. 1

**

RESOLUTION NO. 240 of 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - ARCHITECTURAL
SERVICES (PUBLIC WORKS)

DATED: June 24, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, there is a need for the services of a licensed architect to assist the Commissioner of Public Works in the design, specifications, bidding and contract administration for installation of an elevator in the County Annex Building,

RESOLVED, that the Purchasing Agent, in cooperation with the Commissioner of Public Works, hereby is authorized and directed to solicit proposals for architectural services associated with installation of an elevator in the County Annex Building.

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 241 of 1997
RESOLUTION TRANSFERRING FUNDS (LEGISLATIVE BOARD)

DATED: June 24, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: Wills

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4489 Unallocated Insurance
Countywide Insurance \$750.00

To: A-01-4-1010-00.4454 Legislative Board
Central Purchasing \$750.00

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 242 of 1997
RESOLUTION ENDORSING MCIDA ADVISORY COMMITTEE

DATED: June 24, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahon

WHEREAS, Article 18A, Section 895-d of the General Municipal Law establishes the Montgomery County Industrial Development Agency, and

WHEREAS, Articles 18-A. Section 856.2. establishes the membership of this agency as not less than three nor more than seven members thus allowing no additional members at this date, and

WHEREAS, James Ottati and John Boshart have served the agency well but in recent months have encountered difficulty remaining active participating members,

RESOLVED, that Montgomery County creates a Montgomery County Industrial

Development Agency Advisory Committee which will accord members all courtesies and rights to participate in all agency matters except voting on issues and further attendance of members of advisory committee at official meetings of the MCIDA will neither add or reduce the quorum needed by the Montgomery County Industrial Development Agency and further appointments to this committee may be made by the Montgomery County Industrial Development Agency, and

FURTHER RESOLVED, that James Ottati of Amsterdam and John Boshart of Fonda are hereby appointed first members of the Montgomery County Industrial Development Agency Advisory Committee and upon appointment of new members they will be removed from the official seven members of the Montgomery County Industrial Development Agency, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors extends congratulations to Mr. Ottati and Mr. Boshart on their appointment to the Advisory Council and extends sincere thanks to them for their many years of service to the Montgomery County Industrial Development Agency.

MOTION TO AMEND by Supervisor Mead, seconded by Supervisor Landon, in the RESOLVED clause, after "Advisory Committee", insert "not to exceed three members".

MOTION TO TABLE by Supervisors Wills, seconded by Supervisor Barone, passed with Aye(1169). Supervisors Landon, Paton and Jubar voted nay. Supervisors Cuzzo and D'Arcangelis were absent. (6/24/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
James Ottati
John Boshart

**
RESOLUTION NO. 243 of 1997 DATED: June 24, 1997
RESOLUTION SCHEDULING PUBLIC HEARING - TENTATIVE 1997-98 OPERATING
BUDGET (FMCC)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

WHEREAS, a Public Hearing is required to be held concerning the Tentative Budget of Fulton-Montgomery Community College for the fiscal year commencing September 1, 1997 and ending August 31, 1998,

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposed 1997-98 Operating Budget of Fulton-Montgomery Community College for 6 p.m., Tuesday, July 8, 1997, in the Supervisors' Chambers, County Office Building, Route 30-A (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 with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
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

Supervisor Barone said dedication of the new Public Safety Center is scheduled for 1:00 p.m., August 22, 1997.

Supervisor Keller will sponsor a resolution at the July 8 meeting supporting the Planning Department's proposal for economic development.

County Attorney McCoski said Trim-A-Lawn has indicated its intent to repay the \$120,000 loan guarantee payment made by Montgomery County.

ADJOURNMENT

Motion by Supervisor Barone, seconded by Supervisor Frasier, to adjourn the meeting, passed with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent. Chairman Keller declared the meeting adjourned at 8:31 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

TABLE OF CONTENTS

| | |
|--|---|
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| STATEMENT OF PURPOSE OF MEETING | 1 |
| ROLL CALL | 1 |
| ACTION ON BUSINESS | 1 |
| RES244 resolution Authorizing Agreement - MOSA | |
| RES245 Resolution Authorizing Agreement - Haulers/Municipalities | |
| ADJOURNMENT | 2 |

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for July 1, 1997 was called to order at 7:00 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Grzyb.

MOMENT OF SILENCE

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to consider two resolutions authorizing the Chairman to sign tipping fee Subsidization Agreements.

ROLL CALL

Roll Call indicated that Supervisors Landon, Cuzzo, Barone, Mead, Paton Frasier and Van Kersen were absent and that a quorum was lacking.

**

Supervisor Frasier arrived at 7:03 p.m.

Supervisor Cuzzo arrived at 7:09 p.m.

Supervisor Paton arrived at 7:16 p.m.

A second Roll Call indicated that Supervisors Landon, Barone, Mead and Van Kersen were absent, and the meeting was convened at 7:31 p.m.

**

ACTION ON BUSINESS

**

RESOLUTION NO. 244 of 1997 DATED: July 1, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SUBSIDIZATION AGREEMENT - MOSA

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Jubar

WHEREAS, the Board of Supervisors has agreed to a \$39.00 per ton subsidization of the Montgomery-Otsego-Schoharie Solid Waste Management Authority's tipping fee,

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 Agreement with the Montgomery-Otsego-Schoharie Solid Waste Management Authority, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on July 1, 1997 and ending on December 31, 1997.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Coluni, to add: ", and FURTHER RESOLVED, that aid agreement shall be terminated upon

attainment of Montgomery County's Gross Annual tonnage obligation and upon implementation of a revised MOSA tipping fee of \$60.00 per ton."

MOTION TO AMEND by Supervisor Cuzzo, seconded by Supervisor Wills, to add: ", and FURTHER RESOLVED, that haulers providing over 10,000 tons, per year be subsidized at the rate of \$45.00 per ton.", failed with Aye(444). Supervisors Cuzzo, Wills and Coluni voted aye. Supervisors Landon, Barone, Mead and Van Kersen were absent.

MOTION TO AMEND (Hassan/Coluni), failed with Aye(470). Supervisors Coluni, Hassan, Keller, Frasier and Jubar voted aye. Supervisors Landon, Barone, Mead and Van Kersen were absent.

Supervisor D'Arcangelis left the meeting at 8:26 p.m.

RESOLUTION DEFEATED with Aye(613). Supervisors Cuzzo, McMahon, Keller, Paton and Jubar voted aye. Supervisors Landon, Barone, Mead, D'Arcangelis and Van Kersen were absent.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 245 of 1997 DATED: July 1, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SUBSIDIZATION AGREEMENTS -
MUNICIPALITIES/HAULERS

Resolution by Supervisor:
Seconded by Supervisor:

WHEREAS, the Board of Supervisors has agreed to subsidize the Montgomery-Otsego-Schoharie Solid Waste Management Authority's tipping fee at the rate of \$39.00 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 Subsidization Agreements with municipalities and commercial haulers transporting solid waste to the Montgomery-Otsego-Schoharie Solid Waste Management Authority, and

FURTHER RESOLVED, that said agreements shall be for a period commencing on July 1, 1997 and ending on December 31, 1997.

RESOLUTION WITHDRAWN.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

ADJOURNMENT

Motion by Supervisor Coluni, seconded by Supervisor Frasier, to adjourn the Special Meeting, passed with Aye(1414). Supervisors Landon, Barone, Mead, D'Arcangelis and Van Kersen were absent. Chairman Keller declared the Meeting adjourned at 8:34 p.m.

Respectfully submitted,

Richard C. Healy

Clerk of the Board

RCH/sa

PAGE: 1

| | |
|--|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 1 |
| OLD BUSINESS | 2 |
| RES242 Resolution Endorsing MCIDA Advisory Committee | |
| NEW BUSINESS | 2 |
| RES246 Resolution Transferring Funds - Public Health | |
| RES 247 Resolution Establishing Public Hearing Into. Local Law No. 7 | |
| RES248 Resolution Adopting Local retirement Incentive Program | |
| RES249 Resolution Authorizing NYS County Clerk Association Membership | |
| RES250 Resolution Amending Resolution No. 404 of 1996 - Youth Bureau | |
| RES251 Resolution Authorizing Solicitation of Proposals - Montgomery Meadows | |
| RES252 Resolution Authorizing Solicitation of Proposals - Jail | |
| RES253 Resolution Authorizing Solicitation of Bids - Data Processing | |
| RES254 Resolution Accepting Proposal - workfare Program Administration | |
| RES255 Resolution Authorizing Solicitation of Bids - Food Service | |
| RES256 Resolution Amending 1997 Operating Budget - History | |
| RES257 Resolution Authorizing Application - Grant | |
| RES258 Resolution Endorsing Continuation of Existing Service | |
| RES259 Resolution Endorsing workfare Development Steering Committee | |
| RES260 Resolution Endorsing PIC Application | |
| RES261 Resolution Endorsing Economic Development Proposal Concept | |
| OTHER | 11 |
| ADJOURNMENT | 11 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for July 8, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Wills. Roll call indicated that Supervisors Barone and D'Arcangelis were absent. All votes in these minutes reflect their absence.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Coluni, to provide for the addition of Resolutions No. 255, 256, 257, 258, 259, 260, 261, and 262, passed with Aye(1564). Supervisors Barone and D'Arcangelis were absent. Motion by Supervisor Wills, seconded by Supervisor Coluni, to adopt the amended agenda, passed with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

PROCLAMATIONS

None.

PUBLIC COMMENT

Mike Cole, Neal Thomas, Carston Pank and Chris Harshman supported the Farm Bureau's recommendation for appointment of a County Agricultural Coordinator.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Van Kersen, seconded by Supervisor Landon, to adopt the Minutes of the Regular Meeting of June 24, 1997, passed with Aye(1356). Supervisor Grzyb voted nay. Supervisors Barone and D'Arcangelis were absent.

READING OF COMMUNICATIONS

Amsterdam Mayor John Duchessi discussed a proposal providing for County payment of tipping fees, if subsidies are not instituted.

Planning Department personnel presented an Economic Development Administration proposal.

PAGE: 2
OLD BUSINESS

RESOLUTION NO. 242 of 1997
RESOLUTION ENDORSING MCIDA ADVISORY COMMITTEE

DATED: June 24, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahon

WHEREAS, Article 18A, Section 895-d of the General Municipal Law establishes the Montgomery County Industrial Development Agency, and

WHEREAS, Articles 18-A. Section 856.2. establishes the membership of this agency as not less than three nor more than seven members thus allowing no additional members at this date, and

WHEREAS, James Ottati and John Boshart have served the agency well but in recent months have encountered difficulty remaining active participating members,

RESOLVED, that Montgomery County creates a Montgomery County Industrial Development Agency Advisory Committee which will accord members all courtesies and rights to participate in all agency matters except voting on issues and further attendance of members of advisory committee at official meetings of the MCIDA will neither add or reduce the quorum needed by the Montgomery County Industrial Development Agency and further appointments to this committee may be made by the Montgomery County Industrial Development Agency, and

FURTHER RESOLVED, that James Ottati of Amsterdam and John Boshart of Fonda are hereby appointed first members of the Montgomery County Industrial Development Agency Advisory Committee and upon appointment of new members they will be removed from the official seven members of the Montgomery County Industrial Development Agency, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors extends congratulations to Mr. Ottati and Mr. Boshart on their appointment to the Advisory Council and extends sincere thanks to them for their many years of service to the Montgomery County Industrial Development Agency.

MOTION TO AMEND by Supervisor Mead, seconded by Supervisor Landon, in the RESOLVED clause, after "Advisory Committee", insert "not to exceed three members".

MOTION TO TABLE by Supervisors Wills, seconded by Supervisor Barone, passed with Aye(1169). Supervisors Landon, Paton and Jubar voted nay. Supervisors Cuzzo and D'Arcangelis were absent. (6/24/97)

RESOLUTION DIED ON THE TABLE.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
James Ottati
John Boshart

NEW BUSINESS

**

RESOLUTION NO. 246 of 1997
RESOLUTION TRANSFERRING FUNDS - EI/ICHAP GRANT (PUBLIC HEALTH)

DATED: July 8, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

WHEREAS, the Public Health Director has requested a fund transfer to provide for certain EI/ICHAP Grant payments, per the approved grant budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|-----------------------------|------------|
| From: | A-16-4-4010-01.4454 | Grant Central Purchasing | \$9,217.00 |
| To: | A-16-4-4010-01 | Grant | |
| | .2223 | Files & Cabinets | \$3,550.00 |
| | .4438 | Misc. Service Fees | 600.00 |
| | .4439 | Other Service Fees | 977.00 |
| | .4472 | Food & Lodging | 1,400.00 |
| | .4473 | Registration Fees | 1,390.00 |
| | .4478 | Other (Trains, Bus, Taxi) | 1,000.00 |
| | .4493 | Educ. & Train. Pub. | 300.00 |

RESOLUTION ADOPTED with Aye(1564) Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 247 of 1997 DATED: July 8, 1997
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 7
OF 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Barone

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 7 of 1997, a Local Law Electing a Retirement Incentive Program as Authorized by Chapter 41, Laws of 1997,

RESOLVED, that Introductory Local Law No. 7 of 1997 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, August 12, 1997 at 7:00 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(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer
CSEA
MCDSA

**

RESOLUTION NO. 248 of 1997 DATED: July 8, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Barone

WHEREAS, the County of Montgomery has developed a Retirement Incentive Program for its employees, and

WHEREAS, the Montgomery County Office, Public Works and Infirmary Units, Civil Service Employee's Association, Inc., has expressed acceptance of said proposed program,

RESOLVED, that employees who are eligible for retirement, pursuant to the provisions of the New York State Retirement and Social Security Law, shall receive a lump-sum incentive payment of \$4,000, if the following conditions are satisfied:

1. The employee, on or before September 1, 1997, must provide written notification, to the County Personnel Officer, of intent to participate in the local Retirement Incentive Program.
2. No later than December 19, 1997, the employee must retire from employment with the County of Montgomery and be eligible to receive a pension from the New York State Employee's Retirement System.
3. The employee must be retired and removed from the Montgomery County payroll no later than December 19, 1997.
4. Employees shall not be eligible to receive unemployment insurance benefits based upon the employee's employment with the County of Montgomery.

, and

FURTHER RESOLVED, that said Program be administered by the Personnel Officer, with a retirement incentive line item to be established to provide funds to pay for said early retirement incentive.

RESOLUTION ADOPTED with Aye(1565). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
CSEA
MCDSA

**

RESOLUTION NO. 249 of 1997 DATED: July 8, 1997
RESOLUTION AUTHORIZING MEMBERSHIP IN NEW YORK STATE ASSOCIATION OF
COUNTY CLERKS

Resolution by Supervisor: Wills
Seconded by Supervisor: Keller

RESOLVED, that the Board of Supervisors hereby determines that membership in the New York State Association of County Clerks will benefit the County, and

FURTHER RESOLVED, that the Board of Supervisors hereby authorizes said membership and payment of dues within the limits of funds appropriated annually for such purposes.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 250 of 1997 DATED: July 8, 1997
RESOLUTION AMENDING RESOLUTION NO. 404 OF 1996 (YOUTH BUREAU)

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahan

WHEREAS, Montgomery County will receive an additional \$2,500.00 in special Delinquency Prevention Program-B fund for 1997, for the Montgomery County Probation Department (Juvenile Field Project),

RESOLVED, that Resolution No. 404 of 1996 hereby is amended to delete \$8,605.00" and insert, in its stead, "\$11,105.00", and

FURTHER RESOLVED, that the 1997 Resource Allocation Plan total hereby is increased to \$123,596.00.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Youth Bureau

**

RESOLUTION NO. 251 of 1997 DATED: July 8, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - PHARMACY MANAGEMENT SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Coluni

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit proposals for pharmacy management services at Montgomery Meadows, and

FURTHER RESOLVED, that said solicitation shall seek proposals for a three-year period.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 252 of 1997 DATED: July 8, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - PHARMACY SERVICES (JAIL)

Resolution by Supervisor: D'Arcangelis

Seconded by Supervisor: Wills

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit proposals for pharmacy services at the Montgomery County Jail, and

FURTHER RESOLVED, that said solicitation shall seek proposals for a two-year period.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 253 of 1997 DATED: July 8, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - COMPUTER EQUIPMENT
MAINTENANCE AND SERVICE (DATA PROCESSING)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for computer equipment maintenance and service, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Director of Data Processing

**

RESOLUTION NO. 254 of 1997 DATED: July 8, 1997
RESOLUTION ACCEPTING PROPOSAL - WORKFARE PROGRAM ADMINISTRATION (SOCIAL
SERVICES)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Wills

WHEREAS, the Purchasing Agent was authorized to solicit proposals for administration of a Workfare Program for the Department of Social Services,

RESOLVED, that the Board of Supervisors hereby accepts the workfare Program Administration proposal submitted by _____, 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 documents relating to said proposal.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Coluni, in the RESOLVED clause, insert "the Fulton, Montgomery and Schoharie Counties Private Industry Council", passed with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Commissioner of Social Services

**

RESOLUTION NO. 255 of 1997 DATED: July 8, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - FOOD SERVICE AND CLEANING
SUPPLIES

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Wills

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for food service and cleaning supplies, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 256 of 1997 DATED: July 8, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (HISTORY)

Resolution by Supervisor: Keller
Seconded by Supervisor: D'Arcangelis

WHEREAS, the Department of History and Archives has been awarded a New York State Department of Education Grant,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

Revenue: A-22-3-3802-00 State Aid History Grant by \$145.00

Appropriations: A-22-4-7510-00.2217 Historian Bookcases and Shelving by \$145.00

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
History and Archives

**

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the New York state Task Force on School-Community Collaboration will award grants not to exceed \$10,000 per school district, with a maximum of \$50,000 per County, and

WHEREAS, said grants will provide funds to help resolve difficulties relating to children with serious emotional needs, and

WHEREAS, said grants will not require local government funding,

RESOLVED, the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign applications for School-Community collaboration Grants.

MOTION by Supervisor Wills, seconded by Supervisor Paton, to have the Clerk of the Board cast one unanimous vote in favor of the Resolution, passed with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Community Services
Director, Youth Bureau

**

Resolution by Supervisor: Wills
Seconded by Supervisor: Paton

WHEREAS, the Counties of Fulton, Montgomery and Schoharie joined together, in 1983, to create a Service Delivery Area (SDA), in accordance with the Job Training Partnership Act, and

WHEREAS, said Counties formed a Private Industry Council to deliver employment and training services, and

WHEREAS, said three-county SDA has worked to the benefit of the residents of said Counties,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses continuation of the existing Service Delivery Area, in cooperation with Fulton and Schoharie Counties.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Private Industry Council

**

DATED: July 8, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: Wills

WHEREAS, the Montgomery County Board of Supervisors supports continued delivery of efficient employment and training services, and

WHEREAS, said support includes establishment of a Workforce Development Steering Committee, to help ensure the integrated delivery of quality employment and training programs,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses creation of a Workforce Development Steering Committee, and

FURTHER RESOLVED, that the Board of Supervisors hereby appoints Montgomery County members of the Private Industry Council to serve as members of said Steering Committee.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Private Industry Council

**

RESOLUTION NO. 260 of 1997 DATED: July 8, 1997
RESOLUTION ENDORSING PRIVATE INDUSTRY COUNCIL SUBMISSION OF ONE-STOP
CAREER CENTER APPLICATION

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, New York State has developed a Policy Framework for a Workforce Development System, and

WHEREAS, said State will receive additional federal funding to help create an integrated service delivery system in various areas throughout the State, and

WHEREAS, the Montgomery County Board of Supervisors endorses development of "One-Stop Career Centers" by the Private Industry Council,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses the Private Industry Council's submission of a "One-Stop" Career Center application to the New York State Department of Labor.

RESOLUTION ADOPTED with Aye(1564). Supervisors Barone and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1564) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Private Industry Council

**

Supervisor D'Arcangelis entered the meeting at 8:58 p.m.

**

RESOLUTION NO. 261 of 1997 DATED: July 8, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: Wills

WHEREAS, the Board of Supervisors has expressed interest in implementing an economic development program in Montgomery County, and

WHEREAS, the Department of Planning and Development has prepared a proposed activity package for economic development, and

WHEREAS, said proposal is supported by the Montgomery County Planning Board, and

WHEREAS, said proposal recommends that the Department of Planning and Development be designated to implement said development program,

RESOLVED, that the Board of Supervisors hereby endorses the economic development concept contained within the activity package prepared by the Department of Planning and Development.

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor McMahon, to add ", and that Department hereby is directed to commence implementation of the economic development program.", passed with Aye(1059) Supervisors Cuzzo, Coluni, Grzyb and D'Arcangelis voted nay. Supervisor Barone was absent.

RESOLUTION ADOPTED with Aye(1216). Supervisors Cuzzo, Coluni and Grzyb voted nay. Supervisor Barone was absent.

Duly adopted upon roll call, all members present (1216) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Planning

**

RESOLUTION NO. 262 of 1997 DATED: July 8, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SUBSIDIZATION AGREEMENTS -
MUNICIPALITIES/HAULERS

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Jubar

WHEREAS, the Board of Supervisors has agreed to subsidize the Montgomery-Otsego-Schoharie Solid Waste Management Authority's tipping fee at the rate of \$39.00 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 Subsidization Agreements with municipalities and commercial haulers transporting solid waste to the Montgomery-Otsego-Schoharie Solid Waste Management Authority, and

FURTHER RESOLVED, that said agreements shall be for a period commencing on July 1, 1997 and ending on December 31, 1997.

RESOLUTION ADOPTED with Aye(1372). Supervisors Grzyb, Hassan and Frasier voted nay. Supervisor Barone was absent.

Duly adopted upon roll call, all members present (1372) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

OTHER

Chairman Keller advised that two candidates are needed for appointment to the MCIDA Board.

ADJOURNMENT

Motion by Supervisor Landon, seconded by Supervisor Frasier, to adjourn the meeting, passed with Aye(1721). Supervisor Barone was absent. Chairman Keller declared the meeting adjourned at 9:45 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

| | |
|---|---|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ROLL CALL | 1 |
| STATEMENT OF PURPOSE OF MEETING | 1 |
| ACTION ON BUSINESS | 1 |
| RES263 Resolution Authorizing Chairman to Sign Agreement - TPI Plastics | |
| ADJOURNMENT | 2 |

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for July 15, 1997 was called to order at 6:00 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Chairman Keller.

MOMENT OF SILENCE

ROLL CALL

Roll Call indicated that Supervisors Barone, Coluni, D'Arcangelis and Van Kersen were absent.

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to consider a resolution authorizing the Chairman to sign Revolving Loan Fund Agreement.

ACTION ON BUSINESS

**

RESOLUTION NO. 263 of 1997 DATED: July 15, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT -
TPI PLASTICS (USA), INC.

Resolution by Supervisor: Willis
Seconded by Supervisor: McMahon

WHEREAS, Montgomery County administers a Revolving Loan Fund for economic development purposes, and

WHEREAS, the Montgomery County Industrial Development Agency has recommended making a business loan to TPI Plastics (USA), Inc., which is scheduled to locate in the City of Amsterdam, and

WHEREAS, TPI has requested \$150,000 from the Montgomery County Revolving Loan Fund for working capital to establish 100 to 160 jobs, and

WHEREAS, it is necessary to enter into an agreement with the project principals to properly consummate said business loan,

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 loan agreement, and any necessary legal documents, to process an economic development loan in a principal amount not to exceed \$150,000 to TPI Plastics (USA), Inc., and

FURTHER RESOLVED, that said loan shall be payable in 60 monthly installments, with interest of 5.5 percent per annum, and

FURTHER RESOLVED, that said loan shall not be made until TPI has fulfilled its responsibility to NY State Bank and provided written documentation of such, and

FURTHER RESOLVED, that said loan shall be due in full immediately upon either 25 percent reduction of employment or closure of TPI's Montgomery County facility.

RESOLUTION ADOPTED with Aye(998); Supervisors Cuzzo and Grzyb abstained. Supervisors Barone, Coluni, D'Arcangelis and Van Kersen were absent.

Duly adopted upon roll call, all members present (0998) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Planning Department
MCIDA

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor Jubar, to adjourn the Special Meeting, passed with Aye(1355). Supervisors Barone, Coluni, D'Arcangelis and Van Kersen were absent. Chairman Keller declared the Meeting adjourned at 6:29 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

REGULAR MEETING

PAGE: 1

TABLE OF CONTENTS

| | |
|--|---|
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES264 Resolution Adopting Introductory Local Law No. 7 of 1997 | |
| RES265 Resolution Authorizing Open Air Pavilion - Meadows | |
| RES266 Resolution Memorializing NYS Legislature to Adopt Law | |
| RES267 Resolution Awarding Bid No. 7-97 | |
| RES268 Resolution Authorizing Agreement - Children Transportation Services | |
| RES269 Resolution Authorizing Minimum Wage Increases | |
| RES270 Resolution Establishing Position - Real Property | |
| RES271 Resolution Transferring Funds - Legislative Board | |
| RES272 Resolution Authorizing Agreement - Sheriff | |
| RES273 Resolution Awarding Bid No. 8-97 | |
| RES274 Resolution Awarding Bid No. 9-97 | |
| RES275 Resolution Awarding Bid No. 10-97 | |
| RES276 Resolution Authorizing Solicitation of Bids - Computer Equipment | |
| RES277 Resolution Amending 1997 Operating Budget - Social Services | |
| RES278 Resolution Awarding Bid No. 13-97 | |
| RES279 Resolution Amending Resolution No. 309 of 1996 | |
| RES280 Resolution Accepting Proposal - Public Works | |
| RES281 Resolution Awarding Bid No. 11-97 | |
| RES282 Resolution Awarding Bid No. 12-97 | |
| RES283 Resolution Accepting Pharmacy Services Proposal - Jail | |
| RES284 Resolution Authorizing Implementation of Installment Contract | |
| RES285 Resolution Designating Official Offices | |
| RES286 Resolution Appointing Member of MCIDA | |
| RES287 Resolution Establishing Mobil Command Post Deployment Policy | |
| RES288 Resolution Authorizing Solicitation of Bids - Sheriff | |
| RES289 Resolution Amending 1997 Operating Budget - Emergency Management | |
| RES290 Resolution Amending 1995-96 Operating Budget - FMCC | |
| RES291 Resolution Amending 1996-97 Operating Budget - FMCC | |
| RES292 Resolution Adopting 1997-98 Operating Budget - FMCC | |
| RES293 Resolution Authorizing Solicitation of Bids - FMCC | |
| RES294 Resolution Authorizing Roof Replacement | |
| RES295 Resolution Authorizing Eaton Corners Bridge Project | |

TABLE OF CONTENTS

| | | |
|-------------|---|----|
| RES296 | Resolution Authorizing Submission of Farmland Protection Plan Grant | |
| RES297 | Resolution Opposing Financial Reporting Model | |
| RES298 | Resolution Exempting Clothing From Sales Tax | |
| RES299 | Resolution Expressing Support of International Brotherhood of Teamsters | |
| OTHER | | 20 |
| ADJOURNMENT | | 21 |
| RES300 | Resolution Naming Public Safety Facility | |
| RES301 | Resolution Authorizing Agreement - MCIDA | |
| RES302 | Resolution Authorizing Floor Application - Public Safety Facility | |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for August 12, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Barone. Roll call indicated that Supervisor D'Arcangelis 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 Barone, seconded by Supervisor Landon, to provide for return to committee meetings and for the addition of Resolutions No. 297, 298, 299, and 300, passed with Aye(1531). Supervisors McMahon and Hassan voted nay. Supervisor D'Arcangelis was absent. Motion by Supervisor Barone, seconded by Supervisor Landon, to adopt the amended agenda, passed with Aye(1711). Supervisor D'Arcangelis was absent.

PROCLAMATIONS

None.

PUBLIC COMMENT

Larry Coddington, Town of Glen, expressed support for legislative districts and an elected County Executive.

Alice Knapik, Town of Glen, discussed various topics.

Scott Earl, County waste, opposes implementation of a solid waste user fee.

Amsterdam Mayor John Duchessi, said the City will not accept a user fee.

Mayor Dan Szabo, Village of Fultonville, urged Supervisors to attend the Committee-of-the-whole meeting on August 14, 1997.

James Arey, CAMP spokesman, said the organization opposes a user fee.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Landon, seconded by Supervisor Coluni, to adopt the Minutes of the Special Meeting of July 1, 1997, the Public Hearing of July 8, 1997, the Regular meeting of July 8, 1997 and the Special Meeting of July 15, 1997 passed with Aye(1503). Supervisor Grzyb voted nay. Supervisor D'Arcangelis was absent.

None.

OLD BUSINESS
**

None.

NEW BUSINESS
**

RESOLUTION NO. 264 of 1997 DATED: August 12, 1997
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 7 OF 1997

Resolution by Supervisor: Willis
Seconded by Supervisor: Jubar

WHEREAS, on July 8, 1997, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Electing a Retirement Incentive Program, AS Authorized by Chapter 41, Laws of 1997", was presented to the Board of Supervisors for consideration, and

WHEREAS, on July 8, 1997, Resolution No. 247 of 1997 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 12th day of August, 1997, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 7 of 1997, entitled: "A Local Law Electing a Retirement Incentive Program, AS Authorized by Chapter 41, Laws of 1997", hereby is adopted and approved 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(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer
CSEA
MCDSA

County of Montgomery
Local Law No. 5 of 1997

A Local Law Electing a Retirement Incentive Program as
Authorized by Chapter 41, Laws of 1997

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

SECTION 1. The County of Montgomery hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 41, Laws of 1997 as amended.

SECTION 2. The commencement date of the retirement incentive program shall be September 3, 1997.

SECTION 3. The open period during which eligible employees may retire and receive the additional retirement benefit, shall be 90 days in length.

SECTION 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Montgomery for each employee who receives the retirement benefits payable under this local law.

SECTION 5. This act shall take effect September 3, 1997.

**

RESOLUTION NO. 265 of 1997 DATED: August 12, 1997
RESOLUTION AUTHORIZING OPEN AIR PAVILION (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Jubar

WHEREAS, the Administrator of Montgomery Meadows Residential Health Care Facility has recommended that an open air pavilion be constructed for the benefit of the residents,

RESOLVED, that the Board of Supervisors hereby authorizes construction and siting of an open air pavilion on property of the Montgomery Meadows Residential Health Care Facility.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 266 of 1997 DATED: August 12, 1997
RESOLUTION MEMORIALIZING NYS LEGISLATURE TO ADOPT S.2088/A.3378

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, farm milk prices have dropped to 1978 levels, and

WHEREAS, unless the farm price for milk increases, many dairy farms will go out of business and the rural economy will be devastated, and

WHEREAS, dairy production is a large portion of Montgomery County's economy, and

WHEREAS, Congress approved the Northeast Interstate Dairy Compact in the 1996 Farm Bill, and

WHEREAS, six New England States belong to said Compact, and

WHEREAS, New York dairy farmers who ship milk into the New England States will enjoy the benefits of the Compact, while those who ship elsewhere will not receive the higher price, and

WHEREAS, New York State is eligible to join said Compact, and

WHEREAS, the Compact can help increase prices in farm milk immediately, and

WHEREAS, the Compact recognizes that problems of New York's dairy industry can best be addressed on a regional basis,

RESOLVED, that the Board of Supervisors hereby memorializes the New York State Legislature adopt S.2088 and A.3378, authorizing New York State's membership in the Northeast Interstate Dairy Compact, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor Pataki, State Senator Farley and Assemblyman Tonko.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable George Pataki
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko

**

RESOLUTION NO. 267 of 1997 DATED: August 12, 1997
RESOLUTION AWARING BID NO. 07-97 (COORDINATED CHILDREN'S SERVICES PROGRAM)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 202 of 1997, to solicit bids for 1997-98 transportation for Coordinated Children's Services Program, and

WHEREAS, said bids were opened on July 8, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 07-97, as follows:

Routes 1,2, and 9 - Brown Transportation, Inc.,
Routes 3,4,5,6,7, and 8 - Paul Nezneke, Inc.,

, 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 agreements pertaining to said awards.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 268 of 1997 DATED: August 12, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TRANSPORTATION SERVICES (COUNTY COORDINATED CHILDREN'S SERVICES)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

WHEREAS, it was necessary to provide additional transportation services to meet the pre-school special education needs of the County Coordinated Children's Services Program, and

WHEREAS, the PHC Coordinator has reviewed quotes for provision of said services and has recommended an interim provider,

RESOLVED, that Brown Transportation Company, Inc., hereby is authorized to provide transportation services to New Meadow Preschool, Scotia, at the rate of \$111.00 per day, for the 1997 summer session, 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 Brown Transportation Company, Inc. for said services.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Health Director
PHC Coordinator

**

RESOLUTION NO. 269 of 1997
RESOLUTION AUTHORIZING MINIMUM WAGE INCREASES

DATED: August 12, 1997

Resolution by Supervisor: McMahan
Seconded by Supervisor: Wills

WHEREAS, the Personnel Officer has recommended adjustments in hourly pay rates for certain parttime employees, to assure compliance with Federal Minimum Wage requirements,

RESOLVED, that the rate of pay for parttime Food Service Helpers hereby is increased to \$5.15 per hour, and

FURTHER RESOLVED, that the rate of pay for parttime Clerk Typists hereby is increased to \$5.25 per hour, and

FURTHER RESOLVED, that said increases are effective on September 1, 1997.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**

RESOLUTION NO. 270 of 1997
RESOLUTION ESTABLISHING POSITION - GRAPHIC INFORMATION SYSTEM
SPECIALIST (REAL PROPERTY)

DATED: August 12, 1997

Resolution by Supervisor: McMahan
Seconded by Supervisor: Frasier

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the position of Graphic Information System Specialist in the Real Property Tax Department, at an annual salary of \$23,650.00, and

FURTHER RESOLVED, that the position of Graphic Information System Coordinator hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-07-4-1355-00.1110(55) Real Property
Graphics Info. Sys. Spec.

TRANSFER:

From: A-07-4-1355-00.1110(1034) Real Property
Graphics Info. Sys. Coord. \$8,880.08

To: A-07-4-1355-00.1110(55) Real Property
Graphic Info. Sys. Spec. \$8,880.08

, and

FURTHER RESOLVED, that said changes shall be effective on August 18, 1997.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property Tax Service Agency
Personnel/Payroll

**

RESOLUTION NO. 271 of 1997 DATED: August 12, 1997
RESOLUTION TRANSFERRING FUNDS (LEGISLATIVE BOARD)

Resolution by Supervisor: Keller
Seconded by Supervisor: Barone

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account
Contractual Expenses \$1,533.20

To: A-01-4-1010-00.4433 Legislative Board
Court Related Fees \$1,533.20

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI RICHARD C. HEALY
County Attorney Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 272 of 1997 DATED: August 12, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT (SHERIFF)

Resolution by Supervisor: Mead
Seconded by Supervisor: Landon

WHEREAS, the Sheriff has been awarded a \$21,368.00 "COPS MORE GRANT" from the U.S. Department of Justice, and

WHEREAS, the Sheriff's 1997 Operating Budget contains \$7,123.00 to be used as the local matching share of said grant, and

WHEREAS, said funds will be used to purchase computer equipment for the new Public Safety Center,

RESOLVED, that the Board of Supervisors hereby accepts a \$21,368.00 "COPS MORE GRANT" from the U.S. Department of Justice and authorizes allocation of \$7,123.00 in local matching funds, 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 acknowledging said acceptance.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 273 of 1997
RESOLUTION AWARDDING BID NO. 08-97

DATED: August 12, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Landon

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 201 of 1997, to solicit bids for uniforms and footwear for the Sheriff's Office and Jail, and

WHEREAS, said bids were opened on July 8, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 08-97 to North Eastern Uniforms and Equipment, Inc., of Pittsburgh, Pennsylvania.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 274 of 1997
RESOLUTION AWARDDING BID NO. 09-97

DATED: August 12, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 180 of 1997, to solicit bids for a walkway canopy for the New Court House, and

WHEREAS, said bids were opened on July 8, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 09-97 to Handi-Hut of Passaic, New Jersey, for \$11,150.00.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Purchasing Agent
Commissioner of Public Works

**

RESOLUTION NO. 275 of 1997
RESOLUTION AWARDING BID NO. 10-97

DATED: August 12, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 214 of 1997, to solicit bids for one International dump truck, and

WHEREAS, said bids were opened on July 8, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 10-97 to Dunn Truck Sales, Inc. of Amsterdam, New York, for a net total of \$61,991.00.

RESOLUTION ADOPTED with Aye(1609). Supervisor Jubar voted nay. Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1609) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 276 of 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - COMPUTER EQUIPMENT

DATED: August 12, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, the Sheriff has recommended that bids be solicited for computer equipment to be purchased with grant funds,

RESOLVED, that the Purchasing Agent, in cooperation with the Sheriff, hereby is authorized and directed to solicit bids for computer equipment, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 277 of 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (SOCIAL SERVICES)

DATED: August 12, 1997

Resolution by Supervisor: Van Kersen
Seconded by Supervisor:

WHEREAS, the Commissioner of Social Services has been notified of approval of a \$21,711.00 Work Now Program award, and

WHEREAS, said award will provide additional federal funding for the period

WHEREAS, it is necessary to amend the 1997 Operating Budget to provide for inclusion of the \$9,869.00 to be allocated this year,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | | |
|-----------------|---------------------|--|----|------------|
| Revenue: | A-18-3-4610-00 | Federal Aid Social Services Admin. | by | \$9,869.00 |
| Appropriations: | A-18-4-6010-00.4439 | Social Services Admin. Other Service Fees | by | \$9,869.00 |

, and

FURTHER RESOLVED, that the balance of the federal award, \$11,842.00, will be included in the 1998 Operating Budget.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**

RESOLUTION NO. 278 of 1997
RESOLUTION AWARDED BID NO. 13-97

DATED: August 12, 1997

Resolution by Supervisor: Paton
Seconded by Supervisor: Landon

WHEREAS, the Purchasing Agent was authorized by Resolution No. 105 of 1997, to solicit bids for a wind energy system for Montgomery Meadows, and

WHEREAS, said bids were opened on July 30, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 13-97 to

MOTION TO AMEND by Supervisor Paton, seconded by Supervisor Grzyb, in the RESOLVED clause, add "Bannertown Power & Light, Mayfield, NY for an amount not to exceed \$30,000.00", passed with Aye(1711). Supervisor D'Arcangelis was absent.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 279 of 1997
RESOLUTION AMENDING RESOLUTION NO. 309 OF 1996

DATED: August 12, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Wills

WHEREAS, funding authorized by Resolution 309 of 1996 did not provide for

RESOLVED, that Resolution No. 309 of 1996 hereby is amended to provide for deletion of "\$36,800.00", in both Further Resolved clauses, and inserting, in its stead, "\$38,800.00".

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**

RESOLUTION NO. 280 of 1997 DATED: August 12, 1997
RESOLUTION ACCEPTING PROPOSAL - ARCHITECTURAL SERVICES (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Barone

WHEREAS, the Purchasing Agent was authorized to solicit proposals for architectural services, for the Department of Public works, regarding installation of an elevator in the County Annex Building, and

WHEREAS, said proposals were opened on July 21, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by Broadway Design Group of Saratoga Springs, New York, in the amount of \$2,700.00, 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 documents pertaining to said award.

RESOLUTION ADOPTED with Aye(1562). Supervisors Cuozzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 281 of 1997 DATED: August 12, 1997
RESOLUTION AWARDING BID NO. 11-97

Resolution by Supervisor: Mead
Seconded by Supervisor: Barone

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 217, of 1997 to solicit bids for the rehabilitation of the Chuctununda Street bridge, and

WHEREAS, said bids were opened on July 21, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 11-97 to Stephen Miller, General Contractors, Inc. of Mayfield, New York in the amount of \$96,699.88, and

FURTHER RESOLVED, that the Commissioner of Public works hereby is authorized to approve work change orders up to 10 percent of the estimated quantities, 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 documents pertaining to said award.

RESOLUTION ADOPTED with Aye(1354). Supervisor Grzyb abstained. Supervisors Cuozzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1354) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 282 of 1997
RESOLUTION AWARDING BID NO. 12-97

DATED: August 12, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 217 of 1997 to solicit bids for the rehabilitation of the Fisher's Road bridge, and

WHEREAS, said bids were opened on July 21, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 12-97 to Jack Pollitt Welding, Inc. of St. Johnsville, New York, in the amount of \$56,083.00, and

FURTHER RESOLVED, that the Commissioner of Public Works hereby is authorized to approve work change orders up to 10 percent of the estimated quantities, 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 documents pertaining to said award.

RESOLUTION ADOPTED with Aye(1354). Supervisor Grzyb abstained. Supervisors Cuozzo and D'Arcangelis were absent.

Duly adopted upon roll call, all members present (1354) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 283 of 1997
RESOLUTION ACCEPTING PROPOSALS - PHARMACY SERVICES (JAIL)

DATED: August 12, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Purchasing Agent was authorized to solicit proposals for pharmacy services for the Jail, and

WHEREAS, said proposals were opened on July 28, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by

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 documents pertaining to said award.

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Coluni, in the RESOLVED clause, insert "Vyner's Pharmacy Services, the low bidder" passed with Aye(1711). Supervisor D'Arcangelis was absent.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 284 of 1997 DATED: August 12, 1997
RESOLUTION AUTHORIZING COUNTY TREASURER TO IMPLEMENT AN INSTALLMENT
CONTRACT PER RESOLUTION NO. 91 OF 1996

Resolution by Supervisor: Frasier
Seconded by Supervisor: McMahon

WHEREAS, the Board of Supervisors passed Resolution No. 91 of 1996 addressing extreme legal and/or medical hardship cases involved in delinquent real property tax situations, and

WHEREAS, there was a committee created to address these situations, first and foremost, including the appropriate Supervisor, evaluate the situation and present specific considerations to the entire Board of Supervisors for approval,

RESOLVED, that a delinquency of this nature exists in the Village of Palatine, SBL #63.10-2-12 in the name of Arnold & Mary Ann Starke, and is hereby presented to the Board of Supervisors for authorization to remove this parcel from the September 20th auction and implement a contractual agreement for payment, and

FURTHER RESOLVED, that the County Treasurer is hereby directed to take the necessary steps to remove this parcel and execute the pertinent documents for full satisfaction of this delinquency, including all appropriate interest and penalties due thereon.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 285 of 1997 DATED: August 12, 1997
RESOLUTION DESIGNATING OFFICIAL OFFICES (EMERGENCY MANAGEMENT AND FIRE SERVICE)

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

RESOLVED, the County Office Building on Route 30A, Fonda, New York, is hereby designated as the official offices for the County Emergency Management Office and Fire Service Office.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Emergency Management
Fire Coordinator

**

RESOLUTION NO. 286 of 1997 DATED: August 12, 1997
RESOLUTION APPOINTING MEMBER OF THE MONTGOMERY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

RESOLVED, that _____ hereby is
appointed to the Montgomery County Industrial Development Agency, and

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

MOTION TO AMEND by Supervisor Keller, seconded by Supervisor Wills, to add in
the RESOLVED clause, "Harold Wheeler, 348 Caswell Road, Palatine Bridge,
NY", passed with Aye(1354). Supervisors Cuzzo and D'Arcangelis abstained.
Supervisor D'Arcangelis was absent.

RESOLUTION ADOPTED with Aye(1354). Supervisors Cuzzo and Grzyb abstained.
Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1354) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County IDA
Appointee

**

RESOLUTION NO. 287 of 1997 DATED: August 12, 1997
RESOLUTION ESTABLISHING MOBILE COMMAND POST DEPLOYMENT POLICY
(EMERGENCY MANAGEMENT)

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Wills

WHEREAS, the Director of Emergency Management has recommended establishment
of a policy governing use of the Mobile Command Post,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of
the Mobile Command Post Deployment Policy proposed by the Director of Emergency
Management, and

FURTHER RESOLVED, that a copy of said policy shall be attached hereto and
made part of this Resolution.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Emergency Management Director

**
RESOLUTION NO. 288 of 1997 DATED: August 12, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - INVESTIGATION EQUIPMENT

Resolution by Supervisor: Mead
Seconded by Supervisor: Barone

WHEREAS, the Sheriff has recommended that bids be solicited for investigation equipment to be purchased from funds from a Local Law Enforcement Block Grant,

RESOLVED, that the Purchasing Agent, in cooperation with the Sheriff, hereby is authorized and directed to solicit bids for investigation equipment, per competitive bidding provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**
RESOLUTION NO. 289 of 1997 DATED: August 12, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Mead
Seconded by Supervisor: Barone

WHEREAS, the Emergency Management Director has reported receipt of a federal award for reimbursement for services provided by volunteers during November, 1996, flooding,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|---------------------|---|---------------|
| Revenue: | A-02-3-3960-00 | State Aid Emergency Disaster Assistance by | \$ 244.00 |
| | A-02-3-4960-00 | Federal Aid Emergency Management | by \$1,260.00 |
| Appropriations: | A-02-4-3640-00.2259 | Emergency Management Computer Equipment | by \$1,504.00 |

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Emergency Management

**
RESOLUTION NO. 290 of 1997 DATED: August 12, 1997
RESOLUTION AMENDING 1995-96 OPERATING BUDGET OF FULTON-MONTGOMERY
COMMUNITY COLLEGE - STATE AID

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

WHEREAS, the Fulton-Montgomery Community College has requested that its 1995-96 Operating Budget be amended to increase revenue and appropriations by \$94,770.00, and

WHEREAS, said increase will be fully-funded through receipt of additional State Aid and will not require any additional contribution by the County of Montgomery,

RESOLVED, that the 1995-96 Operating Budget of Fulton-Montgomery Community College hereby is amended to provide for receipt of additional State Aid in the amount of \$94,770.00, 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 said State Aid, to assure that additional funds will not be required from the sponsoring counties, and

FURTHER RESOLVED, that this Resolution shall take effect following adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 291 of 1997 DATED: August 12, 1997
RESOLUTION AMENDING 1996-97 OPERATING BUDGET OF FULTON-MONTGOMERY
COMMUNITY COLLEGE - RECEIPT OF GRANT REVENUE

Resolution by Supervisor: Landon
Seconded by Supervisor: Cuzzo

WHEREAS, the Fulton-Montgomery Community College has requested that its 1996-97 Operating Budget be amended to increase revenue and appropriations by \$196,831.27, and

WHEREAS, said increase will be fully-funded through receipt of grants and will not require any additional contribution by the County of Montgomery,

RESOLVED, that the 1996-97 Operating Budget of Fulton-Montgomery Community College hereby is amended to include the following:

GRANTS:

| | |
|----------------------|--------------|
| Bridge | \$ 25,650.00 |
| Bridge | 105,074.00 |
| Child Development | 6,000.00 |
| Natural Resources | 750.00 |
| Tech Prep | 693.27 |
| PIC Summer Youth | 9,352.00 |
| Fulton County DSS | 40,000.00 |
| EOP Academic Support | 9,312.00 |

Total \$196,831.27

, 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 said grants, to assure that additional funds will not be required from the sponsoring counties, and

FURTHER RESOLVED, that this Resolution shall take effect following adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 292 of 1997 DATED: August 12, 1997
RESOLUTION ADOPTING 1997-98 OPERATING BUDGET (FMCC)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahan

WHEREAS, the Fulton-Montgomery Community College Operating Budget for the 1997-98 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, 1997, and ending August 31, 1998, with appropriations totaling \$_____, hereby is accepted and approved, and

FURTHER RESOLVED, that the amount to be appropriated by the County of Montgomery, as it's sponsor share of said Budget, shall be \$1,085,821, and

FURTHER RESOLVED, that said sponsor's share shall be included in the Montgomery County Operating Budget for 1998, 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 Landon, seconded by Supervisor McMahan, in the RESOLVED clause, insert "\$10,605,274.00", passed with Aye(1299). Supervisors Grzyb, Frasier and Jubar voted nay. Supervisor D'Arcangelis was absent.

RESOLUTION ADOPTED with Aye(1299). Supervisors Grzyb, Frasier and Jubar voted nay. Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1299) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 293 of 1997 DATED: August 12, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - PHONE SYSTEM (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit bids for the New Phone System Special Capital Project, which is part of the FMCC Master Plan 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(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
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. 294 of 1997
RESOLUTION AUTHORIZING ROOF REPLACEMENT

DATED: August 12, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: Van Kersen

WHEREAS, the Commissioner of Public Works has recommended replacement of a portion of the New County Court House roof, and

WHEREAS, proposals have been received for said work,

RESOLVED, that Moisture Barriers, Inc. of Altamont, New York, hereby is awarded a contract to replace a portion of the New County Court House roof, at a cost not to exceed \$16,362.00.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 295 of 1997
RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF EATON CORNERS
BRIDGE PROJECT

DATED: August 12, 1997

Resolution by Supervisor: Hassan
Seconded by Supervisor: Van Kersen

WHEREAS, a Project for the Bridge Replacement of the Eaton Corners Bridge over the Schoharie Creek, P.I.L. 1753-11, is eligible for funding under Title 23 U.S. Code, as amended, which provides for program costs to be borne at the ratio of 80 percent Federal funds and 20 percent non-Federal funds, and

WHEREAS, the Counties of Montgomery and Schenectady desire to advance said project by sharing 50 percent of the non-Federal share of Construction costs, or portions thereof, with the Federal share to be applied directly by the New York State Department of Transportation, pursuant to Agreement,

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the Eaton Corners Bridge Replacement Project, and

FURTHER RESOLVED, that said Board of Supervisors authorizes County payment of 50 percent of the non-Federal share of construction costs for said Project, or portions thereof, and

FURTHER RESOLVED, that the sum of \$273,700.20 hereby is appropriated to cover the cost of said participation, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to deposit, with the State Comptroller, the sum of \$273,700.20, including \$68,425.05 from CHIPS Capital Project funds with the balance of \$205,275.15 to be advanced from the General Fund, and that appropriate accounts receivable recordings be established to record the Marchiselli Aid Reimbursements of \$205,275.15, and

FURTHER RESOLVED, that should the non-Federal share of said Project costs exceed the amount appropriated, the Board of Supervisors shall convene, as soon as possible, to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation, and

FURTHER RESOLVED, that the Commissioner of Public Works hereby is authorized to execute all necessary Agreements, certifications and/or reimbursement requests for Federal Aid and/or Marchiselli Aid, on behalf of the County of Montgomery, with NYSDOT, regarding the advancement or approval of said Project and providing for the administration of said Project and the municipality's first instance funding of the non-federal share 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 said Project, and

FURTHER RESOLVED, this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1503). Supervisor Grzyb abstained. Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1503) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 296 of 1997 DATED: August 12, 1997
RESOLUTION AUTHORIZING SUBMISSION OF AGRICULTURE AND FARMLAND
PROTECTION PLANNING GRANT APPLICATION

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Executive Director of Cornell Cooperative Extension of Fulton and Montgomery Counties has recommended submission of an Agriculture and Farmland Protection Planning Grant Application, and

WHEREAS, said application will require that Montgomery County provide local matching share contributions of cash and in-kind services, and

WHEREAS, said application also provides for in-kind services to be provided by Cornell Cooperative Extension and by the Montgomery County Soil and Water Conservation District,

RESOLVED, that the Board of Supervisors hereby authorizes submission of an application seeking a \$50,000 Agriculture and Farmland Protection Planning Grant, and

FURTHER RESOLVED, that said Board of Supervisors also commits to appropriate \$10,000, in the 1998 Operating Budget, as the local cash matching funds required for said grant, and

FURTHER RESOLVED, that said Board of Supervisors also authorizes commitment of \$21,522 of in-kind services by the Department of Planning and Development to help meeting local matching fund requirements, and

FURTHER RESOLVED, that in-kind services also shall be provided by Cornell Cooperative Extension, in the amount of \$13,765, and by Montgomery County Soil

and Water District, in the amount of \$5,643, 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 grant application.

RESOLUTION ADOPTED with Aye(1711). Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1711) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Cornell Cooperative Extension
Soil and Water Conservation District
Director, Planning

**

RESOLUTION NO. 297 of 1997 DATED: August 12, 1997
RESOLUTION OPPOSING FINANCIAL REPORTING MODEL PROPOSED BY THE
GOVERNMENTAL ACCOUNTING STANDARDS BOARD

Resolution by Supervisor: McMahan
Seconded by Supervisor: Van Kersen

WHEREAS, the County Treasurer has reviewed the proposed Financial Reporting Model being considered by the Governmental Accounting Standards Board, (GASB), and

WHEREAS, the County Treasurer previously advised the Board of Supervisors that said Financial Reporting Model would require all local governments to issue two sets of financial reports, one similar to that currently being completed for business purposes, and another similar to that currently completed for governmental purposes, and

WHEREAS, the County Treasurer indicated that the volume of work would be overwhelming, considering the new statements, the entity-wide fund concept and full accrual basis of accounting that would be required for said reports, and

WHEREAS, the County Treasurer also reported that the County's Fund Balance would be affected, because of the need to depreciate expenses each year, and one of the most significant concerns is accounting for infrastructure, because of the time involved with such a project,

RESOLVED, that the Board of Supervisors hereby expresses it's opposition to the new Financial Reporting Model for State and Local Governments being proposed by the Governmental Accounting Standards Board, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to forward copies of this Resolution to Governor Pataki, State Senator Farley, Assemblyman Tonko, the New York Association of Counties, the County Legislators and Supervisors Association and the Governmental Accounting Standards Board.

RESOLUTION ADOPTED with Aye(1503). Supervisor Grzyb abstained. Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1503) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Officials Named Above

**

RESOLUTION NO. 298 of 1997 DATED: August 12, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: Wills

RESOLVED, that receipts from sales of and consideration given, or contracted to be given, for purchases of clothing exempt from state sales and compensating use taxes, pursuant to paragraph 30 of subdivision (a) of section 1115 of the 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 immediately and shall apply to sales made and uses occurring during the period commencing September 1, 1997, and ending September 7, 1997, although made or occurring under a prior contract.

RESOLUTION ADOPTED with Aye(1562). Supervisor Landon voted nay. Supervisor D'Arcangelis was absent.

Duly adopted upon roll call, all members present (1562) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 299 of 1997 DATED: August 12, 1997
RESOLUTION EXPRESSING SUPPORT OF THE INTERNATIONAL BROTHERHOOD OF
TEAMSTERS

Resolution by Supervisor: Barone
Seconded by Supervisor: Coluni

WHEREAS, the International Brotherhood of Teamsters is engaged in a job action against the United Parcel Service in a concerted effort to protect the union pension and enhance the status of part-time employees,

RESOLVED, that the Montgomery County Board of Supervisors expresses its support of the International Brotherhood of Teamsters, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to forward certified copies of this resolution to Local 294 of the International Brotherhood of Teamsters.

RESOLUTION DEFEATED with Aye(476). Supervisors Barone, Coluni, Keller and Jubar voted aye. Supervisors Wills, Grzyb, McMahon, Hassan, Mead, Paton, Frasier and Van Kersen abstained. Supervisor D'Arcangelis was absent.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Local 294 Inter. Brotherhood of Teamster

OTHER

Chairman Keller said funds are needed for payment of various costs, including Florida Business Park Land Options, Assigned Counsel Fees and GAT shortfall.

Supervisor Cuozzo requested information regarding payments made to the County's Bond Counsel.

County Administrator Allen said Supervisors may want to consider a contract

between the MCIDA and the County Planning Department for administration of the
Glen Canal View Business Park EDA Grant.

ADJOURNMENT

Motion by Supervisor Jubar, seconded by Supervisors Wills and Barone, to
recess the meeting until 12:30 p.m., Friday, August 22, 1997, at the Public Safety
Facility, passed with Aye(1711). Supervisor D'Arcangelis was absent. Chairman
Keller declared the meeting recessed at 9:45 p.m.

Chairman Keller reconvened the meeting at 12:33 p.m., August 22, 1997, at the
Public Safety Facility. Roll call indicated that Supervisors Cuzzo, Grzyb and
McMahon were absent.

**

RESOLUTION NO. 300 of 1997 DATED: August 22, 1997
RESOLUTION NAMING MONTGOMERY COUNTY PUBLIC SAFETY FACILITY IN HONOR OF
SHERIFF RONALD R. EMERY

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Ronald R. Emery has served as Montgomery County Sheriff since
1974, having been associated with the Department since 1962, and

WHEREAS, Sheriff Emery, has demonstrated outstanding leadership during his
23-year tenure as the County's Chief Law Enforcement Officer, and

WHEREAS, it is appropriate that Sheriff Emery's dedicated and invaluable
service be recognized,

RESOLVED, that the Board of Supervisors hereby directs that the Montgomery
County Public Safety Facility be named in honor of Sheriff Ronald R. Emery, and

FURTHER RESOLVED, that appropriate signage be installed to identify said
site as the "Ronald R. Emery Public Safety Facility".

MOTION by Supervisor Wills, seconded by Supervisor Frasier, to have the Clerk of
the Board cast one unanimous vote in favor of the Resolution, passed with
Aye(1370). Supervisors Cuzzo, Grzyb and McMahon were absent.

RESOLUTION ADOPTED with Aye(1370). Supervisors Cuzzo, Grzyb and McMahon were
absent.

Duly adopted upon roll call, all members present (1370) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Ronald R. Emery, Sheriff

**

Motion by Supervisor Wills, seconded by Supervisor Jubar, to Suspend the
Rules of Procedure to allow for the introduction of Resolutions No. 301 and 302,
passed with Aye(934-2/3 majority). Supervisors Cuzzo, Grzyb and McMahon were
absent.

**

RESOLUTION NO. 301 of 1997 DATED: August 22, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PLANNING SERVICES
(MCIDA)

Resolution by Supervisor: Keller

Seconded by Supervisor: Willis

WHEREAS, the Glen Canal View Business Park requires oversight and grant management, as a development project, from August, 1997, to December, 1997, and

WHEREAS, the Montgomery County Industrial Development Agency has proposed contracting with the Department of Planning and Development to secure 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 an agreement with the Montgomery County Industrial Development Agency (MCIDA), regarding oversight and grant management services to be provided for the Glen Canal View Business Park by the Department of Planning and Development, and

FURTHER RESOLVED, that said agreement shall provide for payment of \$14,400.00 by MCIDA for services from August, 1997 to December, 1997, and

FURTHER RESOLVED, that said payment shall provide for \$8,500.00 to be appropriated for overtime compensation for Department of Planning and Development personnel providing services required by said agreement, and

FURTHER RESOLVED, that said payment also shall provide for appropriation of \$3,500.00 as direct compensation for the Director of the Department of Planning and Development, who is not eligible to receive overtime compensation, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | | |
|-----------------|--------------------------|---|----|-------------|
| Revenue: | A-23-3-2372-00 | Home and Community Planning Services | by | \$14,400.00 |
| Appropriations: | A-23-4-8020-00.1111(439) | Planning Overtime | by | \$ 8,500.00 |
| | A-23-4-8020-00.1125(226) | Planning Other Comp./Raises | by | 3,500.00 |
| | A-10-409001-00.8810 | Fringe Benefits | by | 1,800.00 |
| | A-10-4-9001-00.8820 | FICA Fringe Benefits Retirement | by | 600.00 |

RESOLUTION ADOPTED with Aye(1370). Supervisors Cuozzo, Grzyb and McMahon were absent.

Duly adopted upon roll call, all members present (1370) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning
MCIDA

**

Supervisor McMahon entered the meeting at 12:45 p.m.

**

RESOLUTION NO. 302 of 1997 DATED: August 22, 1997
RESOLUTION AUTHORIZING FLOORING APPLICATION - PUBLIC SAFETY FACILITY

Resolution by Supervisor: Jubar
Seconded by Supervisor: Coluni

WHEREAS, it has been recommended that additional flooring be applied to certain areas within the Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby approves the application of additional flooring in the Public Safety Facility, per Option _____, as

PAGE: 23

contained within the proposal tendered by Malone & Tate Builders, Inc. of Schenectady, New York, at a cost not to exceed _____.

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor Van Kersen, in the RESOLVED clause, after "Option" insert "1" and after "exceed", insert "\$78,505.70" and add ", and FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows: INCREASE: A-599, Unappropriated Fund Balance, by \$78,505.70 Appropriations: A-9900-00.9950, Capital Project Fund, by \$78,505.70", passed with Aye(1511). Supervisors Cuozzo and Grzyb were absent.

RESOLUTION ADOPTED with Aye(1511). Supervisors Cuozzo and Grzyb were absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

Motion by Supervisor wills, seconded by Supervisor Jubar, to adjourn the meeting, passed with Aye(1511). Supervisors Cuozzo and Grzyb were absent. Chairman Keller declared the meeting adjourned at 12:50 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

| | |
|--|---|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| STATEMENT OF PURPOSE OF MEETING | 1 |
| ROLL CALL | 1 |
| ACTION ON BUSINESS | 1 |
| RES303 Resolution Authorizing Development of User Fee System | |
| RES304 Resolution Authorizing Subsidization Agreement Renewal - MOSA | |
| RES305 Resolution Supporting Dissolution of MOSA | |
| ADJOURNMENT | 3 |

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for September 2, 1997 was called to order at 7:03 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Landon.

MOMENT OF SILENCE

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to consider three resolutions regarding MOSA.

ROLL CALL

Roll Call indicated that Supervisor Paton was absent.

ACTION ON BUSINESS

**
RESOLUTION NO. 303 of 1997 DATED: September 2, 1997
RESOLUTION AUTHORIZING DEVELOPMENT OF SOLID WASTE USER FEE SYSTEM

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Jubar

WHEREAS, it has been recommended that Montgomery County implement a Solid Waste User Fee System as a revenue source to help offset costs of the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

WHEREAS, said User Fee System will be designed to help lessen the burden placed upon real property taxpayers,

RESOLVED, that the Board of Supervisors hereby agrees to work with Otsego and Schoharie Counties to develop a uniform User Fee System as a source of funding the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), 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 Cashin/Cahill Joint venture for a study to develop a classification system regarding said User Fee System, and

FURTHER RESOLVED, that said study shall be conducted at a total cost of \$61,000, to be shared equally by Montgomery, Otsego and Schoharie Counties, MOSA and MBIA.

MOTION TO CALL THE QUESTION, by Supervisor Grzyb, seconded by Supervisor Landon, passed with Aye(981-2/3 majority). Supervisors Cuzzo and D'Arcangelis voted nay. Supervisor Paton was absent.

RESOLUTION defeated with Aye(532). Supervisors Cuzzo, Wills, Keller and D'Arcangelis voted aye. Supervisor Paton was absent.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

Supervisor Paton entered the meeting at 7:09 p.m.

**

RESOLUTION NO. 304 of 1997 DATED: September 2, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SUBSIDIZATION AGREEMENT RENEWAL
- MOSA

Resolution by Supervisor: Hassan
Seconded by Supervisor: Keller

WHEREAS, it has been recommended that the Board of Supervisors authorize continuance of a \$39.00 per ton subsidization of the Montgomery-Otsego-Schoharie Solid Waste Management Authority's tipping fee,

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 Agreement Renewal with the Montgomery-Otsego-Schoharie Solid Waste Management Authority, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on January 1, 1998 and ending on December 31, 1998, and

FURTHER RESOLVED, that an appropriation of \$1.5 million from the 1998 County tax levy shall be included within the 1998 Operating Budget to provide for payment of said subsidy.

MOTION TO CALL THE QUESTION by Supervisor D'Arcangelis, seconded by Supervisor Cuozzo, failed with Aye(821-2/3 majority). Supervisors Landon, Cuozzo, Coluni, Grzyb, Mead, D'Arcangelis, Frasier, Van Kersen and Jubar voted aye. Supervisor Paton was absent.

RESOLUTION ADOPTED with Aye(1105). Supervisors Cuozzo, Wills, Grzyb, D'Arcangelis and Frasier voted nay.

Duly adopted upon roll call, all members present (1105) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 305 of 1997 DATED: September 2, 1997
RESOLUTION SUPPORTING THE DISSOLUTION OF MOSA

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hassan

WHEREAS, it has been proposed that Montgomery County terminate its affiliation with the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA),

RESOLVED, that the Board of Supervisors hereby supports the dissolution of the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), 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 any and all documents necessary to enable said dissolution pursuant to

all terms and conditions as stated in the New York State Public Authority's Law and MOSA's Service Agreement and any and all other applicable laws and statutes, and

FURTHER RESOLVED, that said Chairman, in cooperation with the Solid Waste Committee, County Administrator, County Treasurer and County Attorney, hereby is directed to develop a plan designed to assure payments of Montgomery County's share of MOSA's fiscal obligations through the issuance of long term bonds subject to the approval of the New York State Legislature, and

FURTHER RESOLVED, said dissolution shall be effective on December 31, 1997.

RESOLUTION ADOPTED with Aye(1483). Supervisors Keller and D'Arcangelis voted nay. Supervisor Cuozzo abstained.

Duly adopted upon roll call, all members present (1483) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA
Solid Waste Committee

ADJOURNMENT

Motion by Supervisor Landon, seconded by Supervisor Frasier, to adjourn the Special Meeting, passed with Aye(1868). Chairman Keller declared the Meeting adjourned at 8:16 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | | |
|---|--|----|
| TABLE OF CONTENTS | | |
| CALL TO ORDER | | 1 |
| MOMENT OF SILENCE | | 1 |
| ADOPTION OF THE AGENDA | | 1 |
| PROCLAMATIONS | | 1 |
| SPECIAL PRESENTATION | | 1 |
| PUBLIC COMMENT | | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | | 1 |
| READING OF COMMUNICATIONS | | 2 |
| OLD BUSINESS | | 2 |
| NEW BUSINESS | | 2 |
| RES306 | Resolution Authorizing Association Membership (Public Health) | |
| RES307 | Resolution Authorizing Solicitation of Proposal - Public Health | |
| RES308 | Resolution Reestablishing Position - Public Health | |
| RES309 | Resolution Authorizing Payment - Public Safety Facility | |
| RES310 | Resolution Authorizing Solicitation of Bids - Signage | |
| RES311 | Resolution Authorizing Agreement - Sheriff | |
| RES312 | Resolution Authorizing Topsoil Sale | |
| RES313 | Resolution Amending 1997 Operating Budget - History | |
| RES314 | Resolution Authorizing Land Option Funding | |
| RES315 | Resolution Transferring Funds - Public Works | |
| RES316 | Resolution Amending Resolution No. 198 of 1997 | |
| RES317 | Resolution Awarding Bid No. 14-97 | |
| RES318 | Resolution Designating Tourism Promotion Agency | |
| RES319 | Resolution Authorizing Solicitation of Bids - Public Works | |
| RES320 | Resolution Amending Resolution No. 263 of 1997 | |
| RES321 | Resolution Transferring Funds - Legislative Board | |
| RES322 | Resolution Authorizing Removal of Property from Auction | |
| RES323 | Resolution Authorizing Removal of Property from Auction | |
| RES324 | Resolution Authorizing Auction of Surplus Property | |
| RES325 | Resolution Authorizing Removal of Property from Auction | |
| RES326 | Resolution Authorizing Removal of Property from Auction | |
| RES327 | Resolution Authorizing Agreement - Professional Labor Services | |
| RES328 | Resolution Directing Replacement of Guard Rails - Swart Hill Rd. | |
| RES329 | Resolution Directing Repair of Certain Town of Amsterdam Roads | |
| RES330 | Resolution Authorizing Removal of Property from Auction | |
| RES331 | Resolution Authorizing Removal of Property from Auction | |
| RES332 | Resolution Authorizing Removal of Property from Auction | |
| RES333 | Resolution Amending 1997 Operating Budget - Tourism | |
| OTHER | | 16 |
| ADJOURNMENT | | 16 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for September 9, 1997, was called to order at 7:35 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Mead. Roll call indicated that Supervisors Coluni, D'Arcangelis and Van Kersen were absent. All votes in these minutes reflect their absence.

MOMENT OF SILENCE

Social Services Commissioner, Robert L. Reidy, offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Landon, to provide for the addition of Resolutions No. 330, 331, 332, and 333, passed with Aye(1563). Supervisors Coluni, D'Arcangelis and Van Kersen were absent. Motion by Supervisor Wills, seconded by Supervisor Landon, to adopt the amended agenda, passed with Aye(1563). Supervisors Coluni, D'Arcangelis and Van Kersen were absent.

PROCLAMATIONS

None.

SPECIAL PRESENTATION

Maria L. Fibiger, Interim Director/Project Manger, Montgomery County Chamber of Commerce, discussed the "I Love New York Tourism" Program.

**

Supervisor Van Kersen entered the meeting at 7:40 p.m.

Supervisor D'Arcangelis entered the meeting at 8:09 p.m.

PUBLIC COMMENT

James Olyer, Sister Patricia Ann, Administrator of Mount Loretto Nursing Home, and Tom Andrejewski discussed the need for guardrails along Swart Hill Road.

Mario Cassella discussed conditions on Lepper Road.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Landon, seconded by Supervisor Van Kersen, to adopt the Minutes of the Public Hearing of August 12, 1997 and the Regular Meeting of August

PAGE: 2

12, 1997, passed with Aye(1512). Supervisor Grzyb voted nay. Supervisor Coluni was absent.

READING OF COMMUNICATIONS

None.

**

Motion by Supervisor Jubar, seconded by Supervisor Van Kersen, to enter into Executive Session, at 8:32 p.m., for the purpose of discussing pending litigation as permitted by Article 7 of the Public Officers Law, passed with Aye(1720). Supervisor Coluni was absent.

Motion by Supervisor Van Kersen, seconded by Supervisor Jubar, to conclude the Executive Session at 9:15 p.m., passed with Aye(1720). Supervisor Coluni was absent.

**

OLD BUSINESS

**

None.

NEW BUSINESS

**

RESOLUTION NO. 306 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING ASSOCIATION MEMBERSHIP (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahon

WHEREAS, the Public Health Director has recommended membership in the New York State Federation of Professional Health Educators,

RESOLVED, that the Board of Supervisors hereby authorizes the Public Health Department to apply for membership in the New York State Federation of Professional Health Educators, and

FURTHER RESOLVED, that said membership is authorized within the limit of funds appropriated annually for said purpose.

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 307 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - MEDICAL SERVICES
(PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

WHEREAS, the Director of Public Health has recommended that proposals be solicited for medical services,

RESOLVED, that the Purchasing Agent, in cooperation with the Director of Public Health, hereby is authorized and directed to solicit proposals for medical services for Montgomery County's Tuberculosis Program.

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 308 of 1997
RESOLUTION REESTABLISHING POSITION (PUBLIC HEALTH)

DATED: September 9, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

RESOLVED, that the Board of Supervisors hereby authorizes the reestablishment of the position of RPN effective _____, 1997, at an annual salary of \$24,682.00, and

FURTHER RESOLVED, that the position of Public Health Nurse, Line Item (1107), hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|---------------------------------|--|-------------|
| From: A-16-4-4010-00.1110(1107) | Public Health Public Health Nurse | \$12,274.43 |
| To: A-16-4-4010-00.1110(51) | Public Health RPN | \$ 3,331.00 |
| A-01-4-1990-00.4400 | Contingent Account Contractual Expenses | 8,943.43 |

MOTION TO AMEND by Supervisor Jubar, seconded on Supervisor D'Arcangelis, in the RESOLVED clause, insert "September 15, 1997", passed with Aye(1720). Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Public Health
Personnel/Payroll

**

RESOLUTION NO. 309 of 1997
RESOLUTION AUTHORIZING PAYMENT - SWEET ASSOCIATES (PUBLIC SAFETY FACILITY)

DATED: September 9, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, it has been determined that payment is due to Sweet Associates for certain work performed at the Montgomery County Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby authorizes and directs the County Treasurer to make payment to Sweet Associates, in the amount of _____.

MOTION TO AMEND by Supervisor D'Arcangelis, seconded by Supervisor Jubar, in the RESOLVED clause, insert "\$145,000", passed with Aye(1512). Supervisor Grzyb voted nay. Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1512). Supervisor Grzyb voted nay. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1512) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 310 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - PUBLIC SAFETY FACILITY
SIGNAGE

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

RESOLVED, that the Purchasing Agent, in cooperation with the County Administrator, hereby is authorized and directed to solicit bids for external signage for the Public Safety Facility, per provisions of Section 103 of the General Municipal Law.

RESOLUTION ADOPTED with Aye(172). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 311 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CRIMNET ACCESS
(SHERIFF)

Resolution by Supervisor: Barone
Seconded by Supervisor: McMahon

WHEREAS, the Sheriff has recommended that Montgomery County acquire direct access to computerized criminal records maintained by the State of New York,

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 Criminal Justice Services for the use of "Crimnet Access".

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI

RICHARD C. HEALY

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 312 of 1997
RESOLUTION AUTHORIZING TOPSOIL SALE

DATED: September 9, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor:

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) has advised that a quantity of topsoil is needed to provide for final grading and seeding at the Glen Canal View Business Park, and

WHEREAS, a topsoil stockpile exists at the site of the Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby authorizes the sale of _____ tons of topsoil, stockpiled at the Public Safety Facility, to the Montgomery County Industrial Development Agency (MCIDA) for use at the Glen Canal View Business Park, and

FURTHER RESOLVED, that said sale shall be at the rate of _____ per ton, with the MCIDA to arrange for loading and delivery.

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
Director, Planning

**
RESOLUTION NO. 313 of 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (HISTORY)

DATED: September 9, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Paton

WHEREAS, the Department of History and Archives has been awarded a Local Government Records Improvement Fund grant,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|----------------|-----------------------------------|---------------|
| Revenue: | A-22-3-3889-00 | Other Culture & Recreation | by \$4,734.00 |
| Appropriations: | A-22-4-7510-00 | Historian | |
| | | .4434 Consultants | by \$4,300.00 |
| | | .4449 Special Supplies & Material | by 434.00 |

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**
RESOLUTION NO. 314 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING LAND OPTIONS FUNDING ADVANCE - FLORIDA BUSINESS
PARK

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, the Montgomery County Industrial Development Agency has requested an advance of funds to provide for payment of options on certain Florida Business Park land,

RESOLVED, that the Board of Supervisors hereby authorizes the advance of \$50,000 to the Montgomery County Industrial Development Authority to provide for continued maintenance of payments for land options for the proposed Florida Business Park, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|---------------------|-------------------------------------|----------------|
| Revenue: | A-599 | Appropriated Fund Balance | by \$50,000.00 |
| Appropriations: | A-01-4-1010-00.4460 | Legislative Board Other Programs | by \$50,000.00 |

RESOLUTION ADOPTED with Aye(1512). Supervisor Grzyb abstained. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1512) voting aye.

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning
MCIDA

**
RESOLUTION NO. 315 of 1997 DATED: September 9, 1997
RESOLUTION TRANSFERRING FUNDS (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: McMahon

WHEREAS, the Commissioner of Public works has requested a transfer of funds to provide for payment of labor costs associated with maintenance of the Recreational Trailway,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|--------------------------|---|------------|
| From: | A-12-4-1620-00.1110(149) | Buildings Hourly Employees | \$1,500.00 |
| To: | A-12-4-7180-00.1110(290) | Special Recreation Facility Rec. Fac. Maint. - Bike Path | \$1,500.00 |

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

Commissioner of Public Works
Personnel/Payroll

**

RESOLUTION NO. 316 of 1997
RESOLUTION AMENDING RESOLUTION NO. 198 OF 1997

DATED: September 9, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahan

RESOLVED, that Resolution No. 198 of 1997 hereby is amended to provide for deletion, in the Further Resolved clause, of "\$5,000.00", and to insert, in its stead, "\$10,000.00".

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Health Director

**

RESOLUTION NO. 317 of 1997
RESOLUTION AWARDING BID NO. 14-97

DATED: September 9, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahan

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 253, to solicit bids for computer equipment maintenance and service, and

WHEREAS, said bids were opened on August 12, 1997,

RESOLVED, that the Board of Supervisors hereby awards a three-year contract for computer equipment maintenance and service to Decision One of Albany, New York, in the amount of \$16,517.40, annually, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, hereby is authorized and directed to execute documents pertaining to said bid award.

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Director of Data Processing

**

RESOLUTION NO. 318 of 1997
RESOLUTION DESIGNATING MONTGOMERY COUNTY CHAMBER OF COMMERCE AS
OFFICIAL TOURISM PROMOTION AGENCY

DATED: September 9, 1997

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Board of Supervisors encourages and supports promotion of tourism within Montgomery County,

RESOLVED, that the Board of Supervisors hereby designates the Montgomery County Chamber of Commerce as the official Tourism Promotion Agency for Montgomery County for the period from October 1, 1997 to September 30, 1998.

MOTION by Supervisor D'Arcangelis, seconded by Supervisor Barone, to have the Clerk of the Board cast one unanimous vote in favor of the Resolution, passed with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Chamber of Commerce

**

RESOLUTION NO. 319 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - PULPWOOD (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Landon

WHEREAS, bids were solicited for removal of spruce pulpwood from the County's Reforestation Area in the Town of Charleston, and

WHEREAS, no bids were received,

RESOLVED, that the Purchasing Agent, in cooperation with the Commissioner of Public Works, hereby is authorized and directed to re-solicit for bids for the removal and sale of spruce pulpwood from the County's Reforestation Area.

RESOLUTION ADOPTED with Aye (1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 320 of 1997 DATED: September 9, 1997
RESOLUTION AMENDING RESOLUTION NO. 263 OF 1997

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahan

RESOLVED, that Resolution No. 263 of 1997 hereby is amended to add:

", and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|----------------------|--------------------------|------------------|
| Revenue: | CD-01-3-2170-00 | Home & Comm. Services | |
| | | Comm. Development Income | by \$150,000.00 |
| Appropriations: | CD-01-4-8668-93.4510 | Home & Comm. Services | |
| | | Revolving Loans | by \$150,000.00" |

RESOLUTION ADOPTED with Aye(1355). Supervisors Grzyb and D'Arcangelis abstained. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1355) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning
MCIDA

**

RESOLUTION NO. 321 of 1997
RESOLUTION TRANSFERRING FUNDS (LEGISLATIVE BOARD)

DATED: September 9, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Landon

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account
Contractual Expenses \$2,000.00

To: A-01-4-1010-00.4434 Legislative Board
Consultants \$2,000.00

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 322 of 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(5.17-1-3)

DATED: September 9, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahon

WHEREAS, the owner has offered to redeem a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the \$13,226.68 redemption offer tendered by the owner of property at Allen Heights Road in the Town of St. Johnsville, identified as Tax Map No. 5.17-1-3, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment no later than 4:00 p.m., Thursday, September 11, 1997, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor D'Arcangelis, in the first FURTHER RESOLVED clause, after "full payment", insert "including any and all costs and charges associated with preparing this parcel for auction" and after "1997", insert "and under no circumstances are any payments to be received after that date and time," passed with Aye(1720). Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1363). Supervisors Landon, Wills and Van Kersen voted nay. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1363) voting aye.

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Services

**

RESOLUTION NO. 323 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(8.51-3-18)

Resolution by Supervisor: Jubar
Seconded by Supervisor: D'Arcangelis

WHEREAS, an offer has been received to purchase a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the \$10,500.00 offer to purchase property at 9 Liberty Street in the Village of St. Johnsville, identified as Tax Map No. 8.51-3-18, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment no later than 4:00 p.m., Thursday, September 11, 1997, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor D'Arcangelis, in the first FURTHER RESOLVED clause, after "full payment", insert "including any and all costs and charges associated with preparing this parcel for auction" and after "1997", insert "and under no circumstances are any payments to be received after that date and time,", passed with Aye(1720). Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1363). Supervisors Landon, Wills and Van Kersen voted nay. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1363) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Services

**

RESOLUTION NO. 324 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING AUCTION OF SURPLUS PROPERTY AND SOLICITATION OF
AUCTIONEERING SERVICES PROPOSALS

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor:

WHEREAS, Montgomery County has accumulated surplus property for disposal at public auction, and

WHEREAS, the services of an auctioneer are required to conduct said auction,

RESOLVED, that the Board of Supervisors hereby authorizes disposal of surplus property at public auction, and

FURTHER RESOLVED, that the Purchasing Agent hereby is authorized and directed to solicit sealed proposals from qualified auctioneers to conduct said

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Director, Real Property Tax Services

**

RESOLUTION NO. 325 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(63.18-3-29)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

WHEREAS, the owner's representative has offered to redeem a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the redemption offer tendered by the owner of property at 16 Abeling Street in the Village of Canajoharie, identified as Tax Map No. 63.18-3-29, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment no later than 4:00 p.m., _____, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Grzyb, in the first FURTHER RESOLVED clause, after "full payment", insert "including any and all costs and charges associated with preparing this parcel for auction" and after "4:00 p.m.", insert "September 26, 1997, and under no circumstances are any payments to be received after that date and time", passed with Aye(1720). Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1363). Supervisors Landon, Wills and Van Kersen voted nay. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1363) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Services

**

RESOLUTION NO. 326 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(108.1-54)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

WHEREAS, the owner's representative has offered to redeem a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the redemption offer tendered by the owner of property on Buel Road in the Town of Canajoharie,

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment no later than 4:00 p.m., _____, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor D'Arcangelis, in the first FURTHER RESOLVED clause, after "full payment", insert "including any and all costs and charges associated with preparing this parcel for auction" and after "4:00 p.m.", insert "September 11, 1997, and under no circumstances are any payments to be received after that date and time", passed with Aye(1720). Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1363). Supervisors Landon, Wills and Van Kersen voted nay. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1363) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Services

**

RESOLUTION NO. 327 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PROFESSIONAL LABOR
RELATIONS LEGAL SERVICES

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, it has been recommended that Montgomery County contract with a professional labor relations legal firm for provision of collective negotiating and consultation 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 Roemer Wallens and Mineaux LLP of Albany, New York for the provision of labor relations services, and

FURTHER RESOLVED, that said agreement shall be for the period commencing on January 1, 1998 and ending on December 31, 2000, and

FURTHER RESOLVED, that annual compensation for services specifically covered by said agreement shall be \$30,000 in 1998, \$31,200 in 1999 and \$32,400 in 2000.

RESOLUTION ADOPTED with Aye(1720). Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1720) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 328 of 1997 DATED: September 9, 1997
RESOLUTION DIRECTING REPAIR OR REPLACEMENT OF GUIDE RAILS - SWART HILL
ROAD

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Mead

WHEREAS, by letter dated July 11, 1997, the Mount Loretta Nursing Home Administrator notified the County of a safety issue regarding guide rails on Swart Hill Road in the Town of Amsterdam, and

WHEREAS, numerous motorists, including approximately 225 Mount Loretto Nursing Home employees, use Swart Hill Road,

RESOLVED, that the Board of Supervisors authorizes and directs that the Commissioner of Public Works arrange for repair or replacement of guide rails on Swart Hill Road,

FURTHER RESOLVED, that the cost of said work shall be paid with a transfer from the unappropriated Fund Balance.

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Grzyb, to delete the first and second WHEREAS clauses and the FURTHER RESOLVED clause, and in the RESOLVED clause, delete "and directs", passed with Aye(1424). Supervisors D'Arcangelis and Paton abstained. Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1421). Supervisors D'Arcangelis and Paton abstained. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1421) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 329 of 1997 DATED: September 9, 1997
RESOLUTION DIRECTING REPAIR OF CERTAIN ROADS IN THE TOWN OF AMSTERDAM

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Landon

WHEREAS, by letter dated July 10, 1997, a resident of the Village of Fort Johnson notified the County of a potential hazardous condition on Lepper Road, north of the Village of Fort Johnson, and

WHEREAS, said condition may affect the safety of motorists and children being transported on school buses, and

WHEREAS, Lepper Road, Morrow Road and Jones Road are in such deplorable condition that the routine winter maintenance of said roads will adversely affect the pavement, to the extent that reconstruction of the sub-base will be required, if, in fact, said roads are not repaired and resurfaced this Fall,

RESOLVED, that the Board of Supervisors hereby authorizes and directs that the Commissioner of Public Works arrange for the repair and resurfacing of Lepper Road, Morrow Road and Jones Road in the Town of Amsterdam, and

FURTHER RESOLVED, that the cost of said work shall be paid with a transfer from the unappropriated Fund Balance.

MOTION TO AMEND by Supervisor Grzyb, seconded by Supervisor Landon, to delete the first, second and third WHEREAS clauses and the FURTHER RESOLVED clause, and in the RESOLVED clause, delete "and directs", passed with Aye(1421). Supervisors D'Arcangelis and Paton abstained. Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1421). Supervisors D'Arcangelis and Paton abstained. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1421) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 330 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(63.63-2-7 AND 63.71-1-17)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Cuzzo

WHEREAS, the owner's representative has offered to redeem a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the redemption offer tendered by a representative of the owner of property at 20 Rock Street and 112 Moyer Street in the Town of Canajoharie, identified as Tax Map Nos. 63.63-2-7 and 63.71-1-17, respectively, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment no later than 4:00 p.m., _____, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said properties will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Grzyb, in the first FURTHER RESOLVED clause, after "full payment", insert "including any and all costs and charges associated with preparing this parcel for auction" and after "4:00 p.m." insert "September 11, 1997, and under no circumstances are any payments to be received after that date and time", passed with Aye(1720). Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1512). Supervisors Wills and Van Kersen voted nay. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1512) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 331 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(15.-1-8)

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahon

WHEREAS, an offer has been received to purchase a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the offer to purchase property on Star Route 5 in the Town of St. Johnsville, identified as Tax Map No. 15.-1-8, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment no later than 4:00 p.m., Thursday, September 11, 1997, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor McMahon, in the first FURTHER RESOLVED clause, after "full payment" insert "including any and all costs and charges associated with preparing this parcel for auction" and after "1997" insert "and under no circumstances are any payments to be received after that date and time," passed with Aye(1720). Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1512). Supervisors Wills and Van Kersen voted nay. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1512) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 332 of 1997 DATED: September 9, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(65.-2-15)

Resolution by Supervisor: Paton
Seconded by Supervisor: Grzyb.

WHEREAS, the owner's representative has offered to redeem a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the redemption offer tendered by a representative of the owner of property at 4563 State Route 5 in the Town of Mohawk, identified as Tax Map No. 65.-2-15, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment no later than 4:00 p.m., Thursday, September 11, 1997, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

MOTION TO AMEND by Supervisor Paton, seconded by Supervisor Grzyb, in the first FURTHER RESOLVED clause, after "full payment", insert "including any and all costs and charges associated with preparing this parcel for auction" and after "1997", insert "and under no circumstances are any payments to be received after that date and time," passed with Aye(1720). Supervisor Coluni was absent.

RESOLUTION ADOPTED with Aye(1512). Supervisors Wills and Van Kersen voted nay. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1512) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 333 of 1997 DATED: September 9, 1997

Resolution by Supervisor: Cuzzo
Seconded by Supervisor: McMahon

WHEREAS, it has been proposed that a total of \$30,000.00 be allocated as Montgomery County's local share contribution in the 1997-98 New York State Tourism Matching Funds Program, and

WHEREAS, \$5,000 has been appropriated for said purpose, in the 1997 Operating Budget,

RESOLVED, that the Board of Supervisors hereby authorizes the allocation of \$30,000 as Montgomery County's local share contribution in the 1997-98 New York State Tourism Matching Funds Program, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | | |
|-----------------|---------------------|----------------------------------|----|-------------|
| Revenue: | A-599 | Appropriated Fund Balance | by | \$25,000.00 |
| Appropriations: | A-01-4-6420-00.4579 | Promotion of Industry Tourism | by | \$25,000.00 |

TRANSFER:

| | | | | |
|-------|---------------------|--|--|-------------|
| From: | A-01-4-6420-00.4577 | Promotion of Industry Tourism - Bed Tax | | \$ 5,000.00 |
| To: | A-01-4-6420-00.4579 | Promotion of Industry Tourism | | \$ 5,000.00 |

RESOLUTION ADOPTED with Aye(1119). Supervisors Landon, Paton and Frasier voted nay. Supervisor Grzyb abstained. Supervisor Coluni was absent.

Duly adopted upon roll call, all members present (1119) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Chamber of Commerce

OTHER

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor D'Arcangelis, to adjourn the meeting, passed with Aye(1720). Supervisor Coluni was absent. Chairman Keller declared the meeting adjourned at 10:58 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|---|---|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| STATEMENT OF PURPOSE OF MEETING | 1 |
| ROLL CALL | 1 |
| ACTION ON BUSINESS | 1 |
| RES334 Resolution Authorizing Proposed Change in County Government Form | |
| ADJOURNMENT | 2 |

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for September 19, 1997 was called to order at 5:07 p.m. by Vice-Chairman Landon. The Pledge of Allegiance to the Flag was led by Supervisor Coluni.

MOMENT OF SILENCE

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to consider a Resolution Authorizing Public Referendum Regarding Proposed Change in County Government Form.

ROLL CALL

Roll Call indicated that Supervisors Cuozzo, Barone, McMahon, Mead, Keller, D'Arcangelis, Paton, Frasier and Jubar were absent and that a quorum was lacking.

ACTION ON BUSINESS

RESOLUTION NO. 334 of 1997 DATED: September 19, 1997
RESOLUTION AUTHORIZING PUBLIC REFERENDUM REGARDING PROPOSED CHANGE IN
COUNTY GOVERNMENT FORM

Resolution by Supervisor: Wills
Seconded by Supervisor: Landon

WHEREAS, by the approval of Resolution No. 52 of 1990, the Board of Supervisors adopted recommendations of the Montgomery County Governmental Operations Commission regarding establishment of a County Legislature, with representatives from election districts of roughly equal population under the one-man, one-vote concept and an elected County Executive to serve as the chief elected official, and

WHEREAS, it has been proposed that nine elected districts be established, with territorial boundaries to be created by a Committee comprised of the Majority and Minority Leaders of the Board of Supervisors, three persons representing the 10 Villages, two representatives from City government and four members from the public, and

WHEREAS, the composition of the nine election districts will be voted upon during a 1998 Public Referendum, and

WHEREAS, County Legislators shall be elected for two-year terms, and

WHEREAS, the term of the elected County Executive shall be four years, and

WHEREAS, the duties and responsibilities of the County Legislature and County Executive shall be governed by General Municipal Law, County Law and Alternative County Government Law of the State of New York, and

WHEREAS, according to Section 652 of the Alternative County Government Law of the State of New York, a change in the form of County government can be approved by County voters only during a general election, occurring in an

odd-numbered year, which takes place less than 45 days after adoption of a resolution by the Board of Supervisors authorizing a public referendum,

RESOLVED, that the Board of Supervisors hereby authorizes that a mandatory referendum be conducted on November 4th, 1997, regarding whether the Board of Supervisors form of government should be changed to a County Legislature, with nine equal legislative districts to be approved at a subsequent public referendum, with an elected County Executive, and

FURTHER RESOLVED, that the question to be asked of the electorate will be: "Shall the County of Montgomery abandon its present form of government and adopt a County Legislature with Nine Legislative Districts and an elected County Executive?", and

FURTHER RESOLVED, that said change of government, if approved by the voters, will take effect in the year 2000.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Board of Elections

**

No action was taken due to lack of quorum.

**

ADJOURNMENT

Vice-Chairman Landon declared the Meeting adjourned at 5:09 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|---|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| SPECIAL PRESENTATIONS | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 2 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES358 Resolution Authorizing Work Change Orders - Public Safety Facility | |
| RES335 Resolution Adopting Records Management Policy | |
| RES336 Resolution Supporting Creation of Economic Development Zone | |
| RES337 Resolution Authorizing Lease Agreement - Probation | |
| RES338 Resolution Removing Property from Tax Auction | |
| RES339 Resolution Authorizing Charges to Contingency - FMCC Master Plan | |
| RES340 Resolution Authorizing Agreement - Historian | |
| RES341 Resolution Amending 1997 Operating Budget - County Road Fund | |
| RES342 Resolution Amending Resolution No. 160 of 1995 | |
| RES343 Resolution Authorizing Association Membership - Emergency Management | |
| RES344 Resolution Removing Property from Tax Auction | |
| RES345 Resolution Removing Property from Tax Auction | |
| RES346 Resolution Amending 1997 Operating Budget - Public Works | |
| RES347 Resolution Removing Property from Tax Auction | |
| RES348 Resolution Seeking Modification of MOSA Service Agreement | |
| RES349 Resolution Removing Property from Tax Auction | |
| RES350 Resolution Removing Property from Tax Auction | |
| RES351 Resolution Authorizing Topsoil Sale | |
| RES352 Resolution Transferring Funds - Sheriff/Jail | |
| RES353 Resolution Removing Property from Tax Auction | |
| RES354 Resolution Authorizing Creation of Economic Development Zone | |
| RES355 Resolution Memorializing Legislature - Sales Tax Revenue | |
| RES356 Resolution Removing Property from Tax Auction | |
| RES357 Resolution Transferring Funds - Public Defense | |
| OTHER | 15 |
| ADJOURNMENT | 15 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for September 23, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Mead. Roll call indicated that all Supervisors were present.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Landon, seconded by Supervisor McMahon, to provide for return to committee meetings and for the addition of Resolutions No. 349, 350, 351, 352, 353, 354, 355, 356 and 357, passed with Aye(1868). Motion by Supervisor Landon, seconded by Supervisor McMahon, to adopt the amended agenda, passed with Aye(1868).

PROCLAMATIONS

None.

PUBLIC COMMENT

Debra Couser, Town of Minden, proposed County-wide busing.

Alice Knapik, Town of Glen, discussed various topics.

SPECIAL PRESENTATIONS

Davis Etkin, President and CEO of Capital District OTB, provided a 1997 financial update.

County Treasurer, Norma Palmer, discussed HUD's demand for repayment of \$377,000.

**

Motion by Supervisor Jubar, seconded by Supervisor Landon, to enter into Executive Session at 8:23 p.m., to discuss pending litigation, as permitted by Article 14 of the Public Officers Law, passed with Aye(1660). Supervisor Grzyb voted nay.

Motion by Supervisor Landon, seconded by Supervisor Jubar, to conclude the Executive Session at 9:18 p.m., passed with Aye(1868).

**

Motion by Supervisor Van Kersen, seconded by Supervisor D'Arcangelis, to adopt the Minutes of the Special Meeting of September 2, and the Regular meeting of September 9, 1997, passed with Aye(1660). Supervisor Grzyb voted nay.

READING OF COMMUNICATIONS

None.

OLD BUSINESS
**

None.

NEW BUSINESS
**

Motion by Supervisor Landon, seconded by Supervisor McMahon, to Suspend the Rules of Procedure to allow for the introduction of Emergency Resolution No. 358, passed with Aye(1145-2/3 majority). Supervisor Grzyb voted nay.

**
RESOLUTION NO. 358 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING WORK CHANGE ORDERS (PUBLIC SAFETY FACILITY)

Resolution by Supervisor: Jubar
Seconded by Supervisor: D'Arcangelis

WHEREAS, it has been recommended that work change orders at the Public Safety Facility be approved,

RESOLVED, that the Board of Supervisors hereby authorizes implementation of the following work change orders at the Public Safety Facility to Weathergurad:

| | |
|---------------------------------|--------------|
| 1. Retainage | \$21,573.40 |
| Subtotal | \$21,573.40 |
| 2. Furnish/install metal fascia | \$ 5,361.00 |
| Metal roof insulation | 48,691.00 |
| Expansion joint covers | 16,900.00 |
| Tapered edge, cant. strip | 9,235.00 |
| Furnish/install fascia | 3,404.00 |
| Roofing coil modifications | 5,085.34 |
| Tapered edge | 7,653.00 |
| Roof membrane | 982.00 |
| Roof drain | 600.00 |
| Roof blocking | 815.00 |
| 4/97 work orders | 4,762.16 |
| Unplugged roof drain | 392.00 |
| Repair work 8/97 letter | 3,240.00 |
| Subtotal | 107,120.50 |
| Total | \$128,693.90 |

RESOLUTION ADOPTED with Aye(1511). Supervisor Grzyb voted nay. Supervisor Cuozzo abstained.

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

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Weatherguard

**

Motion by Supervisor Landon, seconded by Supervisor Van Kersen, to consider Resolutions No. 338, 344, 345, 349, 350, 253 and 356 on one vote, passed with Aye(1868).

**
RESOLUTION NO. 335 of 1997 DATED: September 23, 1997
RESOLUTION ADOPTING RECORDS MANAGEMENT POLICY AND PROCEDURE MANUAL

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

WHEREAS, the State Education Department criteria for Records Management includes a Policy and Procedure Manual, and

WHEREAS, a Policy and Procedure Manual has been recommended by the Records Management Advisory Board of Montgomery County,

RESOLVED, that the Board of Supervisors hereby adopts the Records Management Policy and Procedure Manual recommended by Montgomery County's Records Management Advisory Board, and

FURTHER RESOLVED, that a copy of said Policy and Procedure Manual shall be attached hereto and made part of this Resolution.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**
RESOLUTION NO. 336 of 1997 DATED: September 23, 1997
RESOLUTION SUPPORTING CREATION OF AMSTERDAM ECONOMIC DEVELOPMENT ZONE

Resolution by Supervisor: Mead
Seconded by Supervisor: Landon

WHEREAS, the City of Amsterdam intends to apply for designation by the New York State Department of Economic Development as an Economic Development Zone, and

WHEREAS, this program seeks to attract new business and development to this specially designated zone and promote existing businesses to expand through a variety of financial incentives and economic development benefits, thereby creating jobs improving the economic condition of this region, and

WHEREAS, this proposed Economic Development Zone would include the most economically distressed neighborhoods in the City of Amsterdam and proposed industrial parks in the towns of Glen and Florida, and

WHEREAS, the County of Montgomery seeks to promote responsible and targeted economic development to create new jobs, promote urban revitalization, and improve the quality of life for all citizens in Montgomery County, and does, by the adoption of this Resolution, pledge the assistance of its human service departments and agencies in job training and placement services,

RESOLVED, that the Montgomery County Board of Supervisors, pursuant to the request from the City of Amsterdam, hereby expresses its support for the idea of the creation of an Economic Development Zone, and

FURTHER RESOLVED, that the human service agencies and departments of the County of Montgomery shall assist residents in obtaining jobs, day care job training and placement services and other necessary services in order to make this Economic Development Zone a viable reality.

RESOLUTION ADOPTED with Aye(1581). Supervisors Grzyb and Keller voted nay.

Duly adopted upon roll call, all members present (1581) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**

RESOLUTION NO. 337 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEASE AGREEMENT - SATELLITE
OFFICE (PROBATION DEPARTMENT)

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

WHEREAS, the Probation Department has operated a satellite office in the Amsterdam Public Safety Building, since 1990, at no cost to the County, and

WHEREAS, the Amsterdam Police Department has advised that the Probation Department, effective October 1, 1997, no longer will be authorized to use said office space, and

WHEREAS, it is necessary that the Probation Department continue to maintain a satellite office in the City of Amsterdam,

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 lease agreement, with the Amsterdam Riverfront Center, to provide for a satellite office for the Probation Department, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on October 1, 1997 and ending on September 30, 1998, at a rental rate of \$385.00 per month, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

| | | | |
|-----------|---------------------|--|------------|
| ADD: | A-27-4-3140-00.4421 | Probation Department Real Property Rent/Lease | |
| TRANSFER: | | | |
| From: | A-01-4-1990-00.4400 | Contingent Account Contractual Expenses | \$1,155.00 |
| To: | A-27-4-3140-00.4421 | Probation Department Real Property Rent/Lease | \$1,155.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

Director, Probation

**

RESOLUTION NO. 338 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(56.4-1-18.1)

Resolution by Supervisor: Grzyb
Seconded by Supervisor: Wills

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 91 of 1996, provided for extreme legal and/or medical hardship cases involved in delinquent real property tax foreclosures,

RESOLVED, that a hardship delinquency existing in the Town of Amsterdam, SBL 56.4-1-18.1, hereby is ordered removed from the September 27, 1997 auction, with the stipulation that all taxes and related expenses will be paid in full.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 339 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING CHARGES TO CONTINGENCY ALLOWANCES - CONTRACT 6
(FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor:

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the following charges to the Contingency Allowances contained within the following contract:

Contract 6: Louis Picciano & Sons: Plumbing Contract:

CA 6-2. Relocate Roof leader (CCD 6-1)
CA 6-3. Modify Sinks LO12 & LO16 (CCD 6-3)

| | | |
|-------------------------------|---|--------------------|
| Contingency Allowance Amount | : | \$ 3,000.00 |
| Previously Charges (CA 6-1) | : | 945.00 |
| Current Balance | : | <u>\$ 2,054.74</u> |
| CA 6-2 and CA 6-3 | : | <u>\$ 1,413.35</u> |
| Contingency Allowance Balance | : | <u>\$ 641.39</u> |

, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
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. 340 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RECORDS CONSULTANT
(HISTORIAN)

Resolution by Supervisor: Wills
Seconded by Supervisor: Keller

WHEREAS, Montgomery County has been awarded a grant from the New York State Archives and Records Administration to hire a consultant to implement a records 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 providing for Tricia Shaw to serve as a Consultant to assist in maintaining County records, and

FURTHER RESOLVED, that said Agreement shall provide for compensation at the rate of \$9.00 per hour, not to exceed at total of \$9,034.00, for the period commencing on September 17, 1997 and ending June 30, 1998.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**
RESOLUTION NO. 341 of 1997 DATED: September 23, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (COUNTY ROAD FUND)

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, the final allocations of State Consolidated Highway Improvement Program funds have been clarified, it is necessary to adjust the County Road Fund to reflect a funding increase,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|---------------------|--|----------------|
| Revenue: | D-12-3-3501-00 | Consolidated Highway Aid | by \$53,425.10 |
| Appropriations: | D-12-4-9900-00.9950 | Interfund Transfer Transfer Cap. Proj. Fund | by \$51,184.72 |
| | D-12-4-5020-00.2212 | Engineering Chairs and Stools | by \$ 2,240.38 |

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 342 of 1997 DATED: September 23, 1997
RESOLUTION AMENDING RESOLUTION NO. 160 OF 1995

RESOLVED, that Resolution No. 160 of 1995 hereby is amended to provide for deletion, in the resolved clause, of "at an annual membership cost of \$30.00", and insertion, in its stead, of "within the limit of funds appropriated annually for said purpose".

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 343 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING ASSOCIATION MEMBERSHIP (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Willis
Seconded by Supervisor: Barone

WHEREAS, the Emergency Management Director has requested membership in the New York State Association of Safety Officers,

RESOLVED, that membership in the New York State Association of Safety Officers' hereby is authorized for the Emergency Management Director, in his capacity as OSHA Safety Officer for Montgomery County, within the limit of funds appropriated annually for said purpose.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Emergency Management

**

RESOLUTION NO. 344 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(100.-4-11, 100.-4-12, 100.-4-13)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Van Kersen

WHEREAS, an offer has been received to purchase tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the owner's offer to redeem property in the Town of Charleston, identified as Tax Map No. 100.-4-11, 100.-4-12 and 100.-4-13, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment, including any and all costs and charges associated with preparing these parcels for auction, no later than 4:00 p.m., Thursday, September 25, 1997, and, under no circumstances are any payments to be received after that date and time, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed

properties to be sold at public auction on September 27, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 345 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(138.1-1-8)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Wills

WHEREAS, an offer has been received to purchase a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the owner's offer to redeem property at 2043 Burtonville Road in the Town of Charleston, identified as Tax Map No. 138.1-1-8, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment, including any and all costs and charges associated with preparing this parcel for auction, no later than 4:00 p.m., Thursday, September 25, 1997, and, under no circumstances are any payments to be received after that date and time, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 346 of 1997 DATED: September 23, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor:

WHEREAS, the Department of Public Works has purchased a used bucket truck, as part of its 1996 Capital Program, and

WHEREAS, said vehicle is an addition to the Department's fleet, and

WHEREAS, the Commissioner of Public Works has requested that said vehicle be listed on the County's insurance policy as an additional fleet vehicle,

RESOLVED, that the Board of Supervisors hereby authorizes addition of the recently-purchased used bucket truck to the Department of Public Works' vehicle fleet and inclusion of said vehicle on the County's insurance policy.

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 347 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(85.-1-27.1)

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahon

WHEREAS, an offer has been received to purchase a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the owner's offer to redeem property at 132 Mill Point Lane in the Town of Glen, identified as Tax Map No. 85.-1-27.1, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment, including any and all costs and charges associated with preparing this parcel for auction, no later than 4:00 p.m., Thursday, September 25, 1997, and, under no circumstances are any payments to be received after that date and time, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 348 of 1997 DATED: September 23, 1997
RESOLUTION SEEKING MODIFICATION OF MOSA SERVICE AGREEMENT AND
RESCINDING RESOLUTION NO. 304 OF 1997

Resolution by Supervisor: Wills
Seconded by Supervisor: Van Kersen

WHEREAS, one of the main purposes of the Guaranteed Annual Tonnage (GAT) levied on Montgomery County is to assure a set amount of funding to guarantee the repayment of the outstanding debt service, and

WHEREAS, by Resolution No. 305 of 1997, the Montgomery County Board of Supervisors voted by a great majority to dissolve MOSA by the end of this fiscal year 1997, and

WHEREAS, since 1989 when all three Counties, Montgomery, Otsego and Schoharie, entered into a 25-year service agreement with MOSA not one of these Counties thoroughly complied with Section 4.1 and 8 of the Service Agreement and no remedial action was taken by the MOSA Board of Directors, and

WHEREAS, Montgomery County acknowledges its obligation to MOSA's debt service incurred while providing solid waste disposal service and to Section 6 of the Service Agreement, and

WHEREAS, as of January 1, 1998, Montgomery County no longer wishes to avail itself of MOSA's solid waste disposal service but remains committed to assisting MOSA in retiring its debt,

RESOLVED, that Montgomery County requests that the Service Agreement entered into by and between MOSA, Montgomery, Schoharie and Otsego County be modified to provide that each year Montgomery County shall pay 36 percent of the amount budgeted for repayment of original debt by MOSA and shall no longer be obligated to guarantee any tonnage to MOSA, and

FURTHER RESOLVED, that Montgomery County hereby notifies MOSA that it will no longer avail itself of its solid waste disposal service as of January 1, 1998 so that MOSA can budget itself for 1998 accordingly, and

FURTHER RESOLVED, that Resolution No. 304 of 1997 is hereby rescinded.

RESOLUTION ADOPTED with Aye(1220). Supervisor Grzyb voted nay. Supervisors Hassan, D'Arcangelis, Paton and Frasier abstained.

Duly adopted upon roll call, all members present (1220) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 349 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(132.-3-15)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor:

WHEREAS, an offer has been received to purchase a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the owner's offer to redeem property at Melick Road in the Town of Root, identified as Tax Map No. 132.-3-15, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment, including any and all costs and charges associated with preparing this parcel for auction, no later than 4:00 p.m., Thursday, September 25, 1997, and, under no circumstances are any payments to be received after that date and time, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 350 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(80.-3-6)

WHEREAS, an offer has been received to purchase a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the owner's offer to redeem property at 363 State Route 162 in the Town of Root, identified as Tax Map No. 80.-3-6, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment, including any and all costs and charges associated with preparing this parcel for auction, no later than 4:00 p.m., Thursday, September 25, 1997, and, under no circumstances are any payments to be received after that date and time, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 351 of 1997
RESOLUTION AUTHORIZING TOPSOIL SALE

DATED: September 23, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: D'Arcangelis

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) has advised that a quantity of topsoil is needed to provide for final grading and seeding at the Glen Canal View Business Park, and

WHEREAS, a topsoil stockpile exists at the site of the Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby authorizes the sale of _____ cubic yards of topsoil, stockpiled at the Public Safety Facility, to the Montgomery County Industrial Development Agency (MCIDA) for use at the Glen Canal View Business Park, and

FURTHER RESOLVED, that said sale shall be at the rate of _____ per cubic yard, with the MCIDA to arrange for loading and delivery.

MOTION TO TABLE by Supervisor Landon, seconded by Supervisor Barone, passed with Aye(1433). Supervisors Mead, D'Arcangelis and Jubar voted nay. Supervisor Keller abstained. (9/23/97)

MOTION TO RECONSIDER by Supervisor McMahon, seconded by Supervisor Barone, passed with Aye (1660). Supervisor Grzyb abstained. (9/23/97)

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Jubar, in the RESOLVED clause insert "up to 3,000" and in the FURTHER RESOLVED clause, insert "\$6.00", passed with Aye(1660). Supervisor Grzyb abstained.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
Director, Planning

**

RESOLUTION NO. 352 of 1997
RESOLUTION TRANSFERRING FUNDS (SHERIFF/JAIL)

DATED: September 23, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Keller

WHEREAS, the Sheriff has requested fund transfers to provide for payment of various costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|----------------------|-----------------------|-------------|
| From: A-15-4-3150-00 | Jail | |
| .1110(63) | Cook | \$10,000.00 |
| .1110(260) | Struct. Maint. Super. | 10,000.00 |
| .1110(155) | Correction Officer | 5,000.00 |
| .1110(156) | Correction Officer | 5,000.00 |
| .1110(389) | Correction Officer | 1,044.00 |
| .1110(154) | Correction Officer | 2,420.00 |
| .1110(415) | Correction Officer | 7,000.00 |
| .1113(1176) | Shift Differential | 10,460.00 |
| To: A-15-4-3110-00 | Sheriff | |
| .1110(429) | Deputy Sheriff | \$ 2,420.00 |
| .1113(1213) | Shift Differential | 10,460.00 |
| .1120(145) | Sheriff Deputies - PT | 5,000.00 |
| .1130(396) | Temp. Employees | 6,044.00 |
| A-15-4-3150-00 | Jail | |
| .1120(296) | Correction - PT | \$ 7,000.00 |
| .4436 | Medical Fees | 10,000.00 |
| .4446 | Food | 10,000.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 353 of 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(100.-1-10)

DATED: September 23, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: Van Kersen

WHEREAS, an offer has been received to purchase a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the owner's offer to redeem property at 4142 State Highway 30A in the Town of Glen, identified as Tax Map No. 100.-1-10, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment, including any and all costs and charges associated with preparing this parcel for auction, no later than 4:00 p.m., Thursday, September 25, 1997, and, under no circumstances are any payments to be received after that date and time, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 354 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING CREATION OF AN ECONOMIC DEVELOPMENT ZONE

Resolution by Supervisor: Keller
Seconded by Supervisor:

WHEREAS, an Economic Development Zone shall be created in the County of Montgomery, City of Amsterdam, Town of Florida and Town of Glen, and

WHEREAS, application is being made for lands in Montgomery County, City of Amsterdam, Town of Florida and Town of Glen, and

WHEREAS, it is the intent of this Resolution to authorize the County of Montgomery, City of Amsterdam, Town of Florida and Town of Glen to prepare and submit an application for designation of an area within the County of Montgomery, City of Amsterdam, Town of Florida and Town of Glen as an Economic Development Zone,

RESOLVED, an Economic Development Administrative Board for the Economic Development Zone shall be created and responsible for the oversight of the day-to-day operations of the Economic Development Zone and its programs, and

FURTHER RESOLVED, the Economic Development Administrative Board shall consist of twelve members, three shall be appointed by the City of Amsterdam Common Council, three shall be appointed by the Montgomery County Board of Supervisors, three shall be appointed by the Town of Florida Town Board and three shall be appointed by the Town of Glen Town Board, and

FURTHER RESOLVED, that a Local Zone Certifying Officer shall be appointed by the Economic Development Zone Administrative Board and will be the person responsible for certifying with the State the eligibility of local businesses for tax benefits available under the Economic Development Zone program, and the Chairman will be an officer or employee of one of these municipalities, and

FURTHER RESOLVED, that an Economic Development Zone Administration Coordinator shall be appointed by the Economic Development Zone Administration Board and shall be the organization or person expected to carry out most of the administrative functions of the Economic Development Zone.

RESOLUTION WITHDRAWN BY SPONSOR.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

Director, Planning

**

RESOLUTION NO. 355 of 1997 DATED: September 23, 1997
RESOLUTION MEMORIALIZING NEW YORK STATE LEGISLATURE TO AUTHORIZE
TEMPORARY ASSIGNMENT OF PARTIAL SALES TAX REVENUE

Resolution by Supervisor: Barone
Seconded by Supervisor: Landon

WHEREAS, Montgomery County is required to partially fund a number of costly programs mandated by the State of New York, and

WHEREAS, said mandated payment obligations severely impair the County's capability to fund other needed programs, and

WHEREAS, it is vital that the State of New York assist the County by providing additional revenue sources to help fund certain local programs, both capital and operational, and

WHEREAS, said assistance would include funding of the County's new Public Safety Facility and costs associated with dissolving the Montgomery-Otsego-Schoharie Solid Waste Management Authority,

RESOLVED, that the Board of Supervisors hereby petitions the New York State Legislature and Governor Pataki to enact and implement legislation authorizing the assignment of one percent of the State's Sales Tax, collected in Montgomery County, to fund certain County projects, and

FURTHER RESOLVED, that said assignment shall apply specifically and exclusively to payment of all costs associated with the Ronald R. Emery Public Safety Facility and with dissolution of the Montgomery-Otsego-Schoharie Solid Waste Management Authority, and

FURTHER RESOLVED, that said assignment shall remain in effect for such period of time as may be necessary to pay all costs of said projects.

RESOLUTION ADOPTED with Aye(974). Supervisors Cuzzo and Jubar voted nay. Supervisors Grzyb, Hassan, Mead, D'Arcangelis and Paton abstained.

Duly adopted upon roll call, all members present (0974) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable George Pataki
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko

**

RESOLUTION NO. 356 of 1997 DATED: September 23, 1997
RESOLUTION AUTHORIZING REMOVAL OF PROPERTY FROM REAL ESTATE AUCTION
(117.9-1-34, 117.9-1-35, 117.9-1-12)

Resolution by Supervisor: Mead
Seconded by Supervisor:

WHEREAS, an offer has been received to purchase a tax-foreclosure property listed on Montgomery County's Real Estate Auction scheduled for September 27, 1997,

RESOLVED, that the Board of Supervisors hereby accepts the owner's offer to redeem property in the Town of Florida, identified as Tax Map No. 117.9-1-34, 117.9-1-35 and 117.9-1-12, and

FURTHER RESOLVED, that acceptance of said offer, which provides for payment to the County of all delinquent taxes and associated costs, shall be contingent upon the County's receipt of full payment, including any and all costs and charges associated with preparing this parcel for auction, no later than 4:00

PAGE: 15

p.m., Thursday, September 25, 1997, and, under no circumstances are any payments to be received after that date and time, and

FURTHER RESOLVED, that, subject to the previously stated payment terms and conditions, said property will be removed from the listing of tax-foreclosed properties to be sold at public auction on September 27, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

Duly adopted upon roll call, all members present (0974) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Real Property Tax Service

**

RESOLUTION NO. 357 of 1997
RESOLUTION TRANSFERRING FUNDS (PUBLIC DEFENSE)

DATED: September 23, 1997

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|---------------------------------|----------------------------|------------|
| From: A-28-4-1170-00.1120(1240) | Public Defense | |
| | Asst. Public Defender-PT | \$9,994.98 |
| To: A-28-4-1170-00.4431 | Public Defense | |
| | Attorneys, Account., Audit | \$9,994.98 |

RESOLUTION ADOPTED with Aye(1789). Supervisor Keller voted nay.

Duly adopted upon roll call, all members present (1789) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Defender

OTHER

Supervisor D'Arcangelis will sponsor a resolution allowing former MOSA employees to be placed on a preference list for County employment.

ADJOURNMENT

Motion by Supervisor Landon, seconded by Supervisor Frasier, to adjourn the meeting, passed with Aye(1868). Chairman Keller declared the meeting adjourned at 10:35 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

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| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| SPECIAL PRESENTATIONS | 2 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES359 Resolution Amending 1997 Operating Budget - Social Services | |
| RES360 Resolution Authorizing Work Change Order - Public Safety Facility | |
| RES361 Resolution Authorizing Renewal Agreements - Data Processing | |
| RES362 Resolution Amending 1997 Operating Budget - Sealer | |
| RES363 Resolution Awarding Bid No. 15-97 | |
| RES364 Resolution Awarding Bid No. 16-97 | |
| RES365 Resolution Transferring Funds - Veterans Services | |
| RES366 Resolution Authorizing Agreement - FMCC Master Plan | |
| RES367 Resolution Authorizing Sale of Surplus Equipment | |
| RES368 Resolution Authorizing Grant Agreement - Probation | |
| RES369 Resolution Increasing Sales Tax | |
| RES370 Resolution Accepting Auction Bids | |
| RES371 Resolution Recommending MOSA Service Agreement Amendment | |
| RES372 Resolution Authorizing Agreement - Montgomery Meadows | |
| RES373 Resolution Authorizing Brownsfield Application | |
| RES374 Resolution Authorizing State of Emergency | |
| RES375 Resolution Authorizing Sign Purchase | |
| ADJOURNMENT | 11 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for October 14, 1997, was called to order at 7:34 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Wills. Roll call indicated that Supervisors Coluni and Frasier were absent. All votes in these minutes reflect their absence.

MOMENT OF SILENCE

Supervisor Barone offered a prayer and requested a moment of silence in memory of Hilda Coluni, wife of Supervisor Coluni.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Van Kersen, to provide for the addition of Resolutions Nos. 372, 373, 374, and 375, and to provide for a Special Presentation after "Approval of Minutes of Previous Sessions", passed with Aye(1618). Supervisors Coluni and Frasier were absent. Motion by Supervisor Wills, seconded by Supervisor Van Kersen, to adopt the amended agenda, passed with Aye(1618). Supervisors Coluni and Frasier were absent.

PROCLAMATIONS

Proclamations declaring October 12-18, 1997, as Archives Week and honoring St. Stanislaus School's Centennial, were presented previously.

PUBLIC COMMENT

Alice Knapik, Town of Glen, discussed the Sheriff's retirement party.

David Smith, President of the Deputy Sheriff's Association, said his organization wants to meet with the Personnel and Public Safety Committees.

Mike Cole, Farm Bureau President, discussed the drought situation in western Montgomery County.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Wills, seconded by Supervisor Van Kersen, to adopt the Minutes of the Special Meeting of September 19, 1997, and the Regular Meeting of September 23, 1997, passed with Aye(1410). Supervisor Grzyb voted nay. Supervisors Coluni and Frasier were absent.

Russell Dupont, Fleet Bank Mobile Branch Manager, discussed possible use of the mobile unit.

READING OF COMMUNICATIONS

County Administrator Allen said Supervisor Jubar had presented him with petitions requesting an increase in OFA funding.

OLD BUSINESS
**

NEW BUSINESS
**

County Administrator Allen discussed newspaper reports involving the tourism program administered by the Montgomery County Chamber of Commerce.

Maria Fibiger, MCCC Interim Director/Project Manager, responded.

**
RESOLUTION NO. 359 of 1997 DATED: October 14, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (SOCIAL SERVICES PROGRAM)

Resolution by Supervisor: VanKersen
Seconded by Supervisor: Paton

WHEREAS, there has been a change in accounting for Inter-governmental transfer dollars, funneling through the County's Medicaid and Montgomery Meadows accounts as additional revenue, during September and December,

RESOLVED, that the 1997 Budget be amended as follows:

INCREASE:

| | | | |
|-----------------|------------------|---|-------------------|
| Revenue: | A-18-3-2772-00 | Social Services Programs Intergovernmental | by \$3,124,338.00 |
| Appropriations: | A-18-4-6011.6102 | Social Services Programs Medical Assistance | by \$3,124,338.00 |

RESOLUTION ADOPTED with Aye(1618). Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1618) voting aye.

KELLI MCCOSKI 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. 360 of 1997 DATED: October 14, 1997
RESOLUTION AUTHORIZING WORK CHANGE ORDER - PUBLIC SAFETY FACILITY

Resolution by Supervisor: Barone

Seconded by Supervisor: Landon

WHEREAS, the Construction Manager has recommended approval of a work Change Order at the Public Safety Facility,

RESOLVED, that the Board of Supervisors hereby authorizes implementation of work Change Order No. 47 at the Public Safety Facility, in the amount of \$11,039.32, and

FURTHER RESOLVED, that the County of Montgomery shall seek reimbursement for any portion of said payments deemed to have resulted from errors or omissions attributable to those individuals and/or firms responsible for said errors.

RESOLUTION ADOPTED with Aye(1410). Supervisor Grzyb voted nay. Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1410) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 361 of 1997 DATED: October 14, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENTS (DATA PROCESSING)

Resolution by Supervisor: Wills
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 renewal agreements for the provision of data processing services to Fulmont Community Action Agency, Inc. and to the Fulton-Montgomery-Schoharie Private Industry Council, and

FURTHER RESOLVED, that said renewal agreements shall be for the period commencing on January 1, 1998 and ending on December 31, 1998, and

FURTHER RESOLVED, that revenue from said agreements is estimated at \$1,400 and \$8,200, respectively.

RESOLUTION ADOPTED with Aye(1618). Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1618) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Data Processing

**

RESOLUTION NO. 362 of 1997 DATED: October 14, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (SEALER)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

Revenue: A-20-3-1962-00 Departmental Income

Weights and Measures by \$1,400.00

Appropriations: A-20-4-6610-00.2260 Sealer
Other Equipment by \$1,400.00

RESOLUTION ADOPTED with Aye(1618). Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1618) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sealer of Weights & Measures

**

RESOLUTION NO. 363 of 1997 DATED: October 14, 1997
RESOLUTION AWARDDING BID NO. 15-97

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Landon

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 288 of 1997, to solicit bids for Investigations Equipment for the Sheriff's Department, and

WHEREAS, said bids were opened on September 9, 1997,

RESOLVED, that Bid No. 15-97 hereby is awarded to Law Enforcement Associates of Youngsville, North Carolina, in the amount of \$9,255.00.

RESOLUTION ADOPTED with Aye(1618). Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1618) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Sheriff

**

RESOLUTION NO. 364 of 1997 DATED: October 14, 1997
RESOLUTION AWARDDING BID NO. 16-97

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 276 of 1997, to solicit bids for Computer Equipment for the Sheriff's Department, and

WHEREAS, said bids were opened on September 9, 1997,

RESOLVED, that Bid No. 16-97 hereby is awarded to Micro Max Inc. of Whippany, New Jersey, in the amount of \$21,612.00, for personal and notebook computers, and to Amsterdam Computers of Amsterdam, in the amount of \$6,950.00, for printers.

RESOLUTION ADOPTED with Aye(1618). Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1618) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 365 of 1997 DATED: October 14, 1997
RESOLUTION TRANSFERRING FUNDS (VETERANS SERVICES)

Resolution by Supervisor: Paton
Seconded by Supervisor: Wills

WHEREAS, the Director of Veterans Services has requested a transfer of funds to provide for payment of indigent burial costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|--|------------|
| From: | A-01-4-1990-00.4400 | Contingent Account Contractual Expenses | \$5,000.00 |
| To: | A-19-4-6510-00.4439 | Veterans Services Other Service Fees | \$5,000.00 |

RESOLUTION ADOPTED with Aye(1618). Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1618) voting aye.

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Veterans Affairs

**

RESOLUTION NO. 366 of 1997 DATED: October 14, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CONTRACT NO. 14
(FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

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 Citizens Communications, for Contract No. 14 of the FMCC Master Plan Project, and

FURTHER RESOLVED, that said agreement shall be in the amount of \$154,565, which includes the Base Bid and Alternate No. 1, and

FURTHER RESOLVED, that approval is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1410). Supervisor Grzyb abstained. Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1410) voting aye.

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 367 of 1997 DATED: October 14, 1997
RESOLUTION AUTHORIZING SALE OF SURPLUS EQUIPMENT - TOWN OF GLEN

Resolution by Supervisor: Barone
Seconded by Supervisor: Paton

WHEREAS, the County has received an offer from the Town of Glen to purchase surplus equipment,

RESOLVED, that the Board of Supervisors hereby authorizes the sale of surplus equipment, consisting of four wood file drawers and three metal file cabinets, to the Town of Glen for a total price of \$60.00.

RESOLUTION ADOPTED with Aye(1618). Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1618) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 368 of 1997 DATED: October 14, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT (PROBATION)

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Probation Department will be awarded a legislative grant,

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 agreement to provide for receipt of a \$15,500 award to purchase a van for transporting participants in the Kids in Community Services Program.

RESOLUTION ADOPTED with Aye(1410). Supervisor Grzyb abstained. Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1410) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Probation

**

RESOLUTION NO. 369 of 1997 DATED: October 14, 1997
RESOLUTION MEMORIALIZING STATE LEGISLATURE AND GOVERNOR TO ENACT AND SIGN LEGISLATION INCREASING SALES TAX

Resolution by Supervisor: McMahon
Seconded by Supervisor: Keller

WHEREAS, Montgomery County continues to be negatively impacted by increasing local share costs of Federal and State mandates, and

WHEREAS, said mandate funding obligations have resulted in dramatic increases in real property taxes, and

WHEREAS, it is necessary that other revenue sources be made available to help ease the tax burden on real property owners, and

WHEREAS, it is recommended that the sales tax be increased to help offset real property levies,

RESOLVED, that the Board of Supervisors hereby memorializes the New York State Legislature and Governor Pataki to enact and sign legislation amending Section 1210 of the State Tax Law to permit Montgomery County to increase the sales tax from seven percent to eight percent, with the additional one percent to be retained by the County of Montgomery, and

FURTHER RESOLVED, that revenue generated from said increase shall be assigned to a dedicated fund, with payments from said fund limited to capital improvements, debt service and County costs associated with the Montgomery-Otsego-Schoharie Solid Waste Management Authority.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Wills, failed with Aye(294). Supervisors Barone and Wills voted aye. Supervisors Coluni and Frasier were absent.

RESOLUTION DEFEATED with Aye(825). Supervisors Landon, McMahon, Hassan, Mead, Keller, D'Arcangelis, Van Kersen and Jubar voted aye. Supervisors Coluni and Frasier were absent.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable George Pataki
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko

**

RESOLUTION NO. 370 of 1997
RESOLUTION ACCEPTING AUCTION BIDS

DATED: October 14, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: Van Kersen

WHEREAS, an open-bid auction of certain County-owned real property was held Saturday, September 27, 1997, and

WHEREAS, the respective successful bidders were, as follows:

| BIDDER | LOT # | DESCRIPTION | PRICE |
|-----------------------|-------|---------------------------------|-------------|
| Paul Kilmartin | 44 | 48-48 1/2 Division Street | \$ 2,000.00 |
| Paul R. Dion | 50 | N & S Sides State Route 5 | 3,400.00 |
| Lisa Bowman | 10 | 150 Otsego Street | 12,000.00 |
| Robert J. Dziedic | 4 | East Side Brant Avenue | 100.00 |
| Charles J. Ruff | 25 | 2173 Burtonville Rd (CR-127) | 54,000.00 |
| Louis Pietrocola | 48 | North East Side Hessville Rd | 100.00 |
| Central Ntl Bank | 52 | Off State Route 5 (Allen Cir.) | 20,000.00 |
| Drew Fisher | 47 | 101 Pickle Hill Road | 1,800.00 |
| Edward Ratynski | 7 | E of Regina Ln, N of Clizbe Ave | 100.00 |
| Ralph A. Gaetano, Jr. | 6 | South Side Wallins Corners Rd | 3,000.00 |
| Brett Goldsmith | 18 | West Side Blain Road | 4,500.00 |
| * Fred Case | 62 | 36 Hough Street | 11,600.00 |
| Gregory Mueller | 58 | East Side Melick Road | 2,900.00 |
| Albert LaPlante, Sr. | 60 | 9 Sanders Street | 4,500.00 |
| Dean E. Blair | 56 | 363 State Route 162 | 13,000.00 |
| Gerald Dorety | 38 | 54 Reid Street | 3,000.00 |
| * Richard Dodson | 43 | 31-33 Crouse Street | 16,000.00 |
| Robert Folts | 57 | West Side Melick Road | 2,100.00 |
| Jacqueline Sikorski | 9 | N Side State Route 5 | 100.00 |
| Larry Larowe | 28 | On County Line, W of SR-30 | 25.00 |
| Kathleen Tison | 26 | West Side Burtonville Road | 5,500.00 |
| * Holly Dotterer | 35 | 659 Logtown Road | 17,000.00 |
| Richard Lais | 29 | S E Side Church Street | 500.00 |
| George Rothar | 12 | 44 Mill Street | 7,000.00 |
| " | 13 | 181 Mohawk Street | 3,500.00 |
| David Pewarski | 46 | North Side Freybush Road | 350.00 |
| " | 53 | Off Krutz Road | 1,100.00 |
| John Mazzarella | 55 | East of Brower Road | 2,100.00 |
| Danny Yannantuono | 62A | 13 West Main Street | 5,000.00 |
| Delfin F. Moniz | 39 | 58 Reid Street | 9,750.00 |
| " | 41 | 9 Kellogg Street | 2,500.00 |
| " | 42 | 121 Mohawk Street | 14,000.00 |
| Robert Flint | 14 | 131 Mohawk Street | 6,500.00 |
| Brian J. Devendorf | 30 | West Side Devendorf Road | 20,000.00 |
| Kyle Williams | 15 | 36 Cliff Street | 3,100.00 |

PAGE: 8

| | | | |
|---------------------|-----|------------------------------|-----------|
| Kyle Williams | 63 | 91 Main Street | 3,100.00 |
| " " | 64 | 87 Main Street | 1,600.00 |
| " " | 65 | W Side Averill Street | 3,800.00 |
| Donna Hayes | 34 | South of State Route 5S | 600.00 |
| Gabriel J. Vertucci | 2 | North East Side Young Avenue | 375.00 |
| * Richard C. Crews | 54 | Off Krutz Road | 800.00 |
| Melody Vaneps | 68 | North Side Pine Grove Street | 300.00 |
| Gary & Bonnie Payne | 51 | 4563 State Route 5 | 6,000.00 |
| Thomas Hayes | 3 | East Side Brant Avenue | 125.00 |
| " " | 23 | E of Corbin Hill Road | 500.00 |
| " " | 40 | 7 Garfield Street | 100.00 |
| " " | 45 | East Side Fordsbush Road | 600.00 |
| " " | 49 | Off Main St (Thompson Rd) | 200.00 |
| * Russ A. Stearns | 1 | 90 Fort Johnson Ave. (SR-67) | 3,300.00 |
| Wesley Dibble | 14A | 56-58 Walnut Street | 13,000.00 |
| * Billi Paro | 24 | West Side State Route 162 | 900.00 |
| Lia Marrero | 66 | E Side Davis Road | 700.00 |

* Delinquent taxes owing and/or special situations involved.

, and

WHEREAS, successful bids meet the terms and conditions of said auction, and have been reviewed by the County Treasurer and 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 name of the successful bidder, or designee, 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 designees, that within 30 days of the date of notification all additional monies of the accepted bid, taxes levied on the property after the date of auction, search fee, advertising charges and any outstanding monies that may be owed, shall be paid to the County Treasurer, 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 of the recorded second bidder to determine interest in said property, and

FURTHER RESOLVED, that any changes resulting from non-compliance shall be presented for consideration by the Board of Supervisors.

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Van Kersen, in the second WHEREAS clause, delete Lot #62, passed with Aye(1618). Supervisors Coluni and Frasier were absent.

RESOLUTION ADOPTED with Aye(1331). Supervisors Grzyb and Keller voted nay. Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1331) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property Tax Service Agency

**

RESOLUTION NO. 371 of 1997 DATED: October 14, 1997
RESOLUTION RECOMMENDING MOSA SERVICE AGREEMENT AMENDMENT

Resolution by Supervisor: Hassan
Seconded by Supervisor: Barone

WHEREAS, Montgomery County participated in a Solid Waste Study to review operations of the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

WHEREAS, said study recommended several actions, including amending the Service Agreement to provide the counties with the power to veto any future capital borrowing or any annual budget increase of five percent, or more, by MOSA, without prior approval of the legislative boards of all three counties, and

WHEREAS, Montgomery County believes it is essential that the three counties become more involved with MOSA's actions and their financial implications,

RESOLVED, that the Montgomery County Board of Supervisors hereby urges that the Service Agreement be amended to increase county oversight over the budgetary process of the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

FURTHER RESOLVED, that the three counties be granted veto power over any future capital borrowing, or any annual budget increase of one percent or more, by MOSA, without prior approval of the legislatures of all three counties, and

FURTHER RESOLVED, that Otsego County and Schoharie County be urged to support this proposal and begin the process of amending said Service Agreement.

RESOLUTION ADOPTED with Aye(1410). Supervisor Grzyb abstained. Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1410) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 372 of 1997 DATED: October 14, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SOLAR ELECTRIC
GRANT PROGRAM (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Landon

WHEREAS, Montgomery Meadows has been awarded a Solar Electric Grant by the New York State Power Authority,

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 Solar Electric Grant Program award for Montgomery Meadows, from the New York State Power Authority.

RESOLUTION ADOPTED with Aye(1618). Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1618) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 373 of 1997 DATED: October 14, 1997
RESOLUTION AUTHORIZING ITEMS PURSUANT TO THE CLEAN WATER/CLEAN AIR
BOND ACT OF 1996

Resolution by Supervisor: Jubar
Seconded by Supervisor: D'Arcangelis

WHEREAS, Montgomery County, after thorough consideration of the various aspects of the problem and study of the data available, hereby determines that

certain work as described in its application and attachment herein called the "Former Tryon Oil Property Brownsfield Investigation Application" and referred to in the Resolution as the "Project", is desirable in the public interest and regarded in order to implement the Project, and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith,

RESOLVED, that the Montgomery County Board of Supervisors authorizes and directs the Chairman of the Board to sign application and execute the State Assistance contract, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors authorizes the Director of Planning to act as the authorized official on behalf of the Montgomery County Board of Supervisors in the matter related to State Assistance under ECC Article 56, Title 5 and is authorized to submit project documentation and act in matters related to this Project and State Assistance, and

FURTHER RESOLVED, that Montgomery County agrees that it will fund its portion of the cost of the PROJECT and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation, and

FURTHER RESOLVED, that one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance, and

FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1469). Supervisor Landon abstained. Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1469) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 374 of 1997 DATED: October 14, 1997
RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE CERTAIN
MEASURES REGARDING DECLARED STATE OF EMERGENCY IN MONTGOMERY COUNTY

Resolution by Supervisor: Keller
Seconded by Supervisor: D'Arcangelis

WHEREAS, a State of Emergency will be declared, due to drought conditions that currently exist in part of Montgomery County, and

WHEREAS, many County residents, including those operating farms, have reached a point where it has become necessary to have water brought in from outside resources,

RESOLVED, that the County Administrator hereby is authorized to lease up to two vehicles to assist in drawing, transporting and delivering water to those citizens of Montgomery County who have requested same, in an amount not to exceed _____ without Board approval, said funds to be take from the _____, and

FURTHER RESOLVED, that the County Administrator is authorized to arrange for any necessary tests regarding the water drawn, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget as follows:

MOTION TO AMEND by Supervisor Grzyb, seconded by Supervisor D'Arcangelis, in the RESOLVED clause, insert "\$25,000" and "Unappropriated Fund Balance", passed

with Aye(1618). Supervisors Coluni and Frasier were absent.

RESOLUTION ADOPTED with Aye(1175). Supervisors Landon, Barone and wills abstained. Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1175) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
SEMO
State Officials
NYS Department of State
NYS Department of Health
City, Town & Village Clerks
Sheriff & Emergency Management Director

**

RESOLUTION NO. 375 of 1997 DATED: October 14, 1997
RESOLUTION AUTHORIZING ENTRANCE SIGN PURCHASE (PUBLIC SAFETY FACILITY)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Jubar

RESOLVED, that Prime Signs, Inc. of Fonda hereby is awarded a contract to install an entrance sign at the Ronald R. Emery Public Safety Facility, and

FURTHER RESOLVED, that said contract shall provide for payment of an amount not to exceed a total of \$12,000.

RESOLUTION ADOPTED with Aye(1268). Supervisors Grzyb and Paton abstained. Supervisors Coluni and Frasier were absent.

Duly adopted upon roll call, all members present (1268) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Purchasing Agent

Supervisor D'Arcangelis left the meeting at 9:30 p.m.

**

Motion by Supervisor Van Kersen, seconded by Supervisor Jubar, to Suspend the Rules of Procedure to allow for the introduction of emergency Resolutions No. 376 and 377, failed with Aye(381-2/3 majority). Supervisors McMahon, Hassan, Keller, Paton, Van Kersen and Jubar voted aye. Supervisors Coluni, D'Arcangelis and Frasier were absent.

**

ADJOURNMENT

Motion by Supervisor Grzyb, seconded by Supervisor Landon, to adjourn the meeting, passed with Aye(1461). Supervisors Coluni D'Arcangelis and Frasier were absent. Chairman Keller declared the meeting adjourned at 9:40 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|--|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| SPECIAL PRESENTATIONS | 2 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES376 Resolution Transferring Funds - Montgomery Meadows | |
| RES377 Resolution Authorizing Appointment of Outside Counsel | |
| RES378 Resolution Requesting Reimbursement for Tobacco-Related Costs | |
| RES379 Resolution Awarding Bid No. 03-97 | |
| RES380 Resolution Authorizing Chairman to Sign Easement - FMCC | |
| RES381 Resolution Establishing Temporary Position - Treasurer | |
| RES386 Bond Resolution - County Improvements | |
| RES382 Resolution Awarding Bid No. 17-97 | |
| RES383 Resolution Authorizing Closeout of Contract - FMCC | |
| RES384 Resolution Authorizing Closeout of Contract - FMCC | |
| RES385 Resolution Amending Resolution No. 374 of 1997 | |
| RES387 Resolution Transferring Funds - Public Defender | |
| RES388 Resolution Authorizing Employment Preference | |
| OTHER | 11 |
| ADJOURNMENT | 11 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for October 28, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Hassan. Roll call indicated that Supervisors Cuozzo and Van Kersen were absent. All votes in these minutes reflect their absence.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Jubar, seconded by Supervisor Landon, to provide for the addition of Resolutions Nos. 386, 387, and 388, to consider Resolution No. 386 after Resolution No. 381, and to provide for an Executive Session after "Special Presentations", passed with Aye(1450). Supervisor Grzyb voted nay. Supervisors Cuozzo and Van Kersen were absent. Motion by Supervisor Jubar, seconded by Supervisor Landon, to adopt the amended agenda, passed with Aye(1450). Supervisors Cuozzo and Van Kersen were absent.

PROCLAMATIONS

Proclamation honoring retired Sheriff Ronald R. Emery was presented by County Administrator Allen, on behalf of the Board of Supervisors.

**

Supervisors Cuozzo and Van Kersen entered the meeting at 7:35 p.m.

**

PUBLIC COMMENT

Anna Weitz, Fulton-Montgomery Community College, urged participation in an Economic Development Seminar.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Landon, seconded by Supervisor Barone, to adopt the Minutes of the Regular Meeting of October 14, 1997, passed with Aye(1660). Supervisor Grzyb voted nay.

Phyllis Andrews, Interim Executive Director, requested tourism promotion funding for Leatherstocking Country, N.Y.

READING OF COMMUNICATIONS

OLD BUSINESS

**

NEW BUSINESS

**

RESOLUTION NO. 376 of 1997 DATED: October 28, 1997
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Landon

WHEREAS, the Nursing Home Administrator requested a transfer of funds to provide for the purchase of a floor burnisher,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|----------------------|--|------------|
| From: | EH-34-4-6020-00.4443 | Montgomery Meadows Drapes and Blinds | \$1,805.00 |
| To: | EH-34-4-6020-00.2255 | Montgomery Meadows Building-Custodial | \$1,805.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 377 of 1997 DATED: October 28, 1997
RESOLUTION AUTHORIZING APPOINTMENT OF OUTSIDE COUNSEL

Resolution by Supervisor: Keller
Seconded by Supervisor: McMahan

WHEREAS, the County of Montgomery has been sued for money damages, and

WHEREAS, the Plaintiff is a former client of the County Attorney and would give rise to a conflict of interest should she represent the County in this matter,

RESOLVED, that the County Attorney hereby is authorized and directed to retain William E. Lorman of Amsterdam as outside counsel to represent the County

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Attorney

**

RESOLUTION NO. 378 of 1997 DATED: October 28, 1997
RESOLUTION REQUESTING REIMBURSEMENT FOR TOBACCO-RELATED COSTS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, numerous state and local governments brought suit against tobacco companies in an effort to improve the public's health and recoup tax dollars expended for tobacco-related illnesses, Medicaid costs, tobacco sale enforcement and tobacco education, and

WHEREAS, an historic agreement was reached as numerous state attorneys general, plaintiff lawyers, local governments, public health groups and the nation's cigarette companies forged a long awaited pact, and

WHEREAS, if this agreement is approved by Congress and the President, New York State will receive at least \$480 million in the first year alone, and a lump sum cash payment of up to \$800 million upon approval, and

WHEREAS, New York State is the only state that makes counties pay a portion of the non-federal share of Medicaid costs, and

WHEREAS, this Medicaid money represents, in some part, costs the counties have paid and continue to pay for tobacco-related illnesses, and

WHEREAS, local taxpayers deserve reimbursement from tobacco companies that have made large profits while counties have paid billions to treat tobacco-related illnesses, enforce tobacco sale restrictions and educate the public about the hazards of tobacco use,

RESOLVED, that the Montgomery County Board of Supervisors hereby strongly encourages the President, the Congress, the Governor and the Legislature to ensure that counties will secure their share of any and all payments received by the State, as a result of this historic settlement, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor Pataki, Attorney General Vacco, State Senator Farley and Assemblyman Tonko.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Officials Named Above

**

RESOLUTION NO. 379 of 1997 DATED: October 28, 1997
RESOLUTION AWARDING BID NO. 03-97

Resolution by Supervisor: Mead
Seconded by Supervisor: Paton

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 319 of 1997, to solicit bids for removal of spruce pulpwood from the County's reforestation area in the Town of Charleston, and

WHEREAS, said bids were opened on October 14, 1997,

RESOLVED, that Bid No. 03-97 hereby is awarded to John Witkowski of Cobleskill, in the amount of \$1,800.00.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 380 of 1997 DATED: October 28, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN EASEMENT (FMCC)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

WHEREAS, Citizens Telecom has proposed establishing a building on the Fulton-Montgomery Community College Campus to improve its ability to provide optimum telephone service, and

WHEREAS, the College will benefit by the availability of new equipment and additional trunk lines,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to execute an easement agreement for the County of Montgomery, as co-trustee with Fulton County, for the uses and purposes of Fulton-Montgomery Community College.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
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. 381 of 1997 DATED: October 28, 1997
RESOLUTION ESTABLISHING TEMPORARY POSITION (TREASURER)

Resolution by Supervisor: McMahon
Seconded by Supervisor: D'Arcangelis

WHEREAS, the County Treasurer has identified the need for establishment of a Temporary Account Clerk Typist position,

RESOLVED, that the position of Account Clerk Typist (Temporary) hereby is established in the County Treasurer's office, at an annual salary of \$18,342, effective October 29, 1997, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-06-4-1325-00.1130(649) Treasurer
Acct. Clerk Typist (Temp.)

TRANSFER:

| | | | |
|-------|--------------------------|---|------------|
| From: | A-06-4-1325-00.1110(6) | Treasurer Sr. Acct. Clerk Typist | \$3,232.65 |
| To: | A-06-4-1325-00.1130(649) | Treasurer Acct. Clerk Typist (Temp.) | \$3,232.65 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**

RESOLUTION NO. 386 of 1997 DATED: October 28, 1997
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),
DATED OCTOBER 28, 1997, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS;
ESTIMATING THE AGGREGATE MAXIMUM COST THEREOF TO BE \$152,991;
APPROPRIATING THE SUM OF \$152,991 THEREFORE AND AUTHORIZING THE
ISSUANCE OF \$152,991 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: McMahon
Seconded by Supervisor: D'Arcangelis

WHEREAS, the Board of Supervisors has heretofore approved certain capital projects of the County, all as more particularly described in Resolution No. 210 of 1997, dated June 10, 1997 (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 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 authorizes the capital improvements and projects (the "Projects") listed below:

- (a) The acquisition and installation of equipment to upgrade the County Department of Social Services PC Network (the "DSS PC Network Upgrade"), the maximum cost thereof being hereby estimated to be \$152,991, appropriating said amount therefore and authorizing the issuance of \$152,991 serial bonds to finance such costs; and

SECTION 2

It is determined that the period of probable usefulness of the aforesaid specific objects or purposes are as follows:

- (a) DSS PC Network Upgrade - 10 years pursuant to Section 11.00(a)(81)(a) of the Law.

SECTION 3

The plan of financing includes the issuance of \$152,991 serial bonds or bond anticipation notes, 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. Furthermore, the County expects to be reimbursed for its initial payment of a portion of the costs of the Projects with the proceeds of certain Federal and State aid in the aggregate amount of \$82,615, which aid will be used by the County to pay debt service on the aforesaid serial bonds or bond

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 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 State 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, 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 and 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 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 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 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(1038-2/3 majority). Supervisors Cuozzo and Grzyb voted nay.

Duly adopted upon roll call, all members present (1038) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**

RESOLUTION NO. 382 of 1997
RESOLUTION AWARDED BID NO. 17-97

DATED: October 28, 1997

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahan

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 234 of 1997, to solicit bids for a personal computer network for the Social Services Department, and

WHEREAS, said bids were opened on October 14, 1997,

RESOLVED, that Bid No. 17-97 hereby is awarded to R.G. Data, Incorporated/Frontier Network Systems of Latham in a total amount not to exceed \$152,991.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Commissioner of Social Services

**

RESOLUTION NO. 383 of 1997 DATED: October 28, 1997
RESOLUTION AUTHORIZING CLOSEOUT OF CONTRACT NO. 6 - LIBRARY
RENOVATIONS - PLUMBING (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

RESOLVED, that the Board of Supervisors hereby authorizes closeout of Contract No. 6, Library Renovations-Plumbing, with Louis N. Picciano and Son, Inc., with release of all retainage due, upon receipt of written notification from The Saratoga Associates that all punchlist items have been completed, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign Change Order No. 1 to credit the Contingency Allowance balance, resulting in a contract total of \$133,358.61, and

FURTHER RESOLVED, that approval of 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.

KELLI MCCOSKI
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. 384 of 1997 DATED: October 28, 1997
RESOLUTION AUTHORIZING CLOSEOUT OF CONTRACT NO. 4 - CAMPUS ENTRY AND
PARKING LOT SITE WORK (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: Landon
Seconded by Supervisor:

RESOLVED, that the Board of Supervisors hereby approves the following charges to the Contingency allowances contained within Contract 4 - Campus Entry and Parking Lot Site Work, awarded to Luizzi Brothers:

Total Contingency Allowance \$35,000.00

CA-1 Install two catch basins in Courtyard 952.60
CA-2 Raise concrete walkway to match Courtyard 466.40

PAGE: 9

| | | |
|------|---|----------|
| CA-3 | Install additional shrubs in planting bed | 390.50 |
| CA-4 | Install drains under brick pavers in Courtyard | 1,959.10 |
| CA-5 | Remove tree near sidewalk | 967.32 |
| CA-6 | Add grading west of Courtyard for drainage | 1,394.80 |
| CA-7 | Provide two additional light fixtures at Entrance | 5,757.40 |

\$11,888.12

Unused Balance

\$23,111.88

, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign the following credit Change Orders for Contract 4:

| | | |
|------|--|-------------|
| CO-1 | Unused Contingency Allowance | \$23,111.88 |
| CO-2 | Delete electrical conduit to tower | 2,900.00 |
| CO-3 | Change curb from 6" to 5" | 1,600.00 |
| CO-4 | Delete angled brick | 150.00 |
| CO-5 | Unused sign allowance | 2,542.28 |
| CO-6 | Reused stormwater pipe in lieu of new piping | 495.53 |
| CO-7 | Delete concrete foundation for Campus directory sign | 1,184.70 |
| CO-8 | Partial, not entire, removal of Sculpture Base | 500.00 |

Total

\$32,484.39

| | |
|--------------------------|--------------|
| Original Contract Amount | \$716,330.00 |
| Total Change Orders | 32,484.39 |

| | |
|-----------------------|---------------------|
| Final Contract Amount | <u>\$683,845.61</u> |
|-----------------------|---------------------|

, and

FURTHER RESOLVED, that the Board of Supervisors hereby authorizes closeout of said contract and release all retainage, upon receipt of written notification from The Saratoga Associates that all punchlist items have been completed, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION WITHDRAWN BY SPONSOR.

KELLI MCCOSKI
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. 385 of 1997
RESOLUTION AMENDING RESOLUTION NO. 374 OF 1997

DATED: October 28, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: Wills

RESOLVED, that Resolution No. 374 of 1997, adopted on October 14, 1997, hereby is amended to provide for deletion of "up to two" in the Resolved Clause.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

Emergency Management Director

**

RESOLUTION NO. 387 of 1997
RESOLUTION TRANSFERRING FUNDS (PUBLIC DEFENDER)

DATED: October 28, 1997

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

WHEREAS, the Public Defender has requested a transfer of funds to provide for payment of various personnel and contractual costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|-----------------------------|-------------|
| From: | A-01-4-1990-00.4400 | Contingent Account | |
| | | Contractual Expenses | \$10,000.00 |
| To: | A-28-4-1170-00 | Public Defense (Indigent) | |
| | .1120(1240) | Asst. Public Defender - PT | \$ 3,100.00 |
| | .1120(440) | Confidential Secretary - PT | 2,650.00 |
| | .4431 | Attorneys, Account Audit | 4,250.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Defender
Personnel/Payroll

**

RESOLUTION NO. 388 of 1997
RESOLUTION AUTHORIZING EMPLOYMENT PREFERENCE FOR FORMER MOSA EMPLOYEES
RESIDING IN MONTGOMERY COUNTY

DATED: October 28, 1997

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, MOSA has laid off most of its employees, and

WHEREAS, said employees, who are Montgomery County residents have indicated interest in consideration for County government employment, and

WHEREAS, said persons should be given preference when applying for position non-competitive or labor class positions,

RESOLVED, that former MOSA employees, who are Montgomery County residents, shall be given employment preference, when possible, when seeking County government positions, and appointing authorities shall consider such applicants, providing they meet minimum qualifications.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

Motion by Supervisor Jubar, seconded by Supervisor Coluni, to enter into Executive Session, at 8:40 p.m., to discuss pending litigation, as permitted by Article 7 of the Public Officers Law, passed with Aye(1660). Supervisor Grzyb voted nay.

Motion by Supervisor Hassan, seconded by Supervisor Jubar, to conclude the Executive Session at 10:09 p.m., passed with Aye(1868).

ADJOURNMENT

Motion by Supervisor Jubar, seconded by Supervisor Hassan, to adjourn the meeting, passed with Aye(1868). Chairman Keller declared the meeting adjourned at 10:10 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|--|----|
| TABLE OF CONTENTS | 1 |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| SPECIAL PRESENTATIONS | 1 |
| READING OF COMMUNICATIONS | 2 |
| OLD BUSINESS | 2 |
| NEW BUSINESS | 2 |
| RES389 Resolution Authorizing Agreement - Emergency Management | |
| RES390 Resolution Authorizing Cargo Trailer Purchase - Fire Service | |
| RES391 Resolution Authorizing Auction of Surplus Property | |
| RES392 Resolution Awarding Bid No. 19-97 | |
| RES393 Resolution Authorizing Closeout of Contract-FMCC Master Plan | |
| RES394 Resolution Authorizing Change Order - FMCC Master Plan | |
| RES395 Resolution Liquidating Retirement Liability | |
| RES396 Resolution Authorizing Closure of Capital Projects | |
| RES397 Resolution Authorizing Agreement - Mental Health | |
| RES398 Resolution Authorizing Agreement - Mental Health | |
| RES399 Resolution Authorizing Membership - Mental Health | |
| RES400 Resolution rescinding Resolution No. 348 of 1997 | |
| RES402 Resolution Recommending MOSA Service Agreement Amendment | |
| RES401 Resolution Rescinding Resolution No. 371 of 1997 | |
| RES403 Resolution to Enact Sales Tax Increase | |
| RES404 Resolution Authorizing Agreement - NYSAC | |
| RES405 Resolution Transferring Funds - Sheriff | |
| RES406 Resolution Authorizing work Change Order - Public Safety Facility | |
| RES407 Resolution Authorizing Agreement - Outside Waste - MOSA | |
| RES408 Resolution Authorizing Repairs - FMCC | |
| OTHER | 13 |
| RES409 Resolution Authorizing Agreement - Fleet Bank | |
| ADJOURNMENT | 14 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for November 11, 1997, was called to order at 7:35 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Frasier. Roll call indicated that all Supervisors were present.

MOMENT OF SILENCE

Supervisor Mead offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Hassan, to provide for the addition of Resolutions Nos. 404, 405, 406, 407, and 408, and to consider Resolution No. 402 after Resolution No. 400, passed with Aye(1868). Motion by Supervisor Wills, seconded by Supervisor Hassan, to adopt the amended agenda, passed with Aye(1868).

PROCLAMATIONS

Proclamation honoring Steven J. Conti was presented by Supervisor Paton.

PUBLIC COMMENT

Melanie Shuster and Donna Shuster, Town of St. Johnsville, urged support of agribusiness and the Northeast Compac.

Brian Dievendorf, Town of Florida, discussed County auction policy.

Alice Knapik, Town of Glen, urged reduction of the 1998 tentative budget.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Barone, seconded by Supervisor Van Kersen, to adopt the Minutes of the Regular Meeting of October 28, 1997, passed with Aye(1660). Supervisor Grzyb voted nay.

SPECIAL PRESENTATIONS

Russell Dupont, Fleet Mobile Unit Branch Manager, proposed periodic siting of the bank's mobile unit in the County Office Building parking lot.

OLD BUSINESS
**

NEW BUSINESS
**

RESOLUTION NO. 389 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN INTERMUNICIPAL AGREEMENTS -
HAZARDOUS MATERIALS EMERGENCY RESPONSE TEAM

Resolution by Supervisor: Wills
Seconded by Supervisor: Barone

WHEREAS, it has been recommended that Montgomery County enter into agreements with Fulton and Herkimer Counties to provide for mutual aid assistance by Hazardous Materials Emergency Response Teams,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed, to sign Intermunicipal Agreements with Fulton and Herkimer Counties to establish mutual aid assistance in hazardous materials emergency incidents.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Emergency Management

**

RESOLUTION NO. 390 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING CARGO TRAILER PURCHASE (FIRE)

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Fire Coordinator has requested authorization to purchase a cargo trailer and tools for use by the County's HazMat Team,

RESOLVED, that the Board of Supervisors hereby authorizes the Fire Service to purchase a cargo trailer from Circle L Trailer Sales, Inc. of Mayfield, for a total not to exceed \$3,895.00, and

FURTHER RESOLVED, that the Fire Service also is authorized to purchase a non-sparking combination box/open-end wrench set and a non-sparking square drive socket set, for \$478.00 and \$675.00, respectively, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-03-4-3410-00.2244 Fire Protection
Auxiliary Vehicles

TRANSFER:

From: A-03-4-3410-00.4449 Fire Protection
Spec. Supplies & Materials \$5,048.00

| | | | |
|-----|---------------------|---------------------------------------|------------|
| To: | A-03-4-3410-00.2244 | Fire Protection Auxiliary Vehicles | \$3,895.00 |
| | A-03-4-3410-00.2263 | Dept. Special Operating | 1,153.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fire Coordinator

**

RESOLUTION NO. 391 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING AUCTION OF SURPLUS PROPERTY AND SOLICITATION OF
PROPOSALS

Resolution by Supervisor: Keller
Seconded by Supervisor: Van Kersen

WHEREAS, the Purchasing Agent has requested permission to hold an auction
of surplus County-owned property, and

WHEREAS, the services of an auctioneer are required to conduct said
auction,

RESOLVED, that the Purchasing Agent hereby is authorized and directed to
solicit proposals from qualified auctioneers to conduct a sale of surplus
County-owned property.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 392 of 1997 DATED: November 11, 1997
RESOLUTION AWARDING BID NO. 19-97

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 80 of 1996,
to solicit bids for commercial kitchen equipment for Montgomery Meadows, and

WHEREAS, said bids were opened on October 28, 1997,

RESOLVED, that Bid No. 19-97 hereby is awarded to G & G Equipment of
Schenectady, in the amount of \$28,660.00, including \$450.00 for installation.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

Purchasing Agent
Nursing Home Administrator

**

RESOLUTION NO. 393 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING CLOSEOUT OF CONTRACT NO. 4 - CAMPUS ENTRY AND
PARKING LOT SITE WORK (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Van Kersen

RESOLVED, that the Board of Supervisors hereby approves the following charges to the Contingency allowances contained within Contract 4 - Campus Entry and Parking Lot Site Work, awarded to Luizzi Brothers:

| | |
|--|-------------|
| Total Contingency Allowance | \$35,000.00 |
| CA-1 Install two catch basins in Courtyard | 952.60 |
| CA-2 Raise concrete walkway to match Courtyard | 466.40 |
| CA-3 Install additional shrubs in planting bed | 390.50 |
| CA-4 Install drains under brick pavers in Courtyard | 1,959.10 |
| CA-5 Remove tree near sidewalk | 967.32 |
| CA-6 Add grading west of Courtyard for drainage | 1,394.80 |
| CA-7 Provide two additional light fixtures at Entrance | 5,757.40 |
| | <hr/> |
| | \$11,888.12 |
| Unused Balance | \$23,111.88 |

, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign the following credit Change Orders for Contract 4:

| | |
|---|-------------|
| CO-1 Unused Contingency Allowance | \$23,111.88 |
| CO-2 Delete electrical conduit to tower | 2,900.00 |
| CO-3 Change curb from 6" to 5" | 1,600.00 |
| CO-4 Delete angled brick | 150.00 |
| CO-5 Unused sign allowance | 2,542.28 |
| CO-6 Reused stormwater pipe in lieu of new piping | 495.53 |
| CO-7 Delete concrete foundation for Campus directory sign | 1,184.70 |
| CO-8 Partial, not entire, removal of Sculpture Base | 500.00 |
| | <hr/> |
| Total | \$32,484.39 |

| | |
|--------------------------|--------------|
| Original Contract Amount | \$716,330.00 |
| Total Change Orders | 32,484.39 |
| Final Contract Amount | <hr/> |
| | \$683,845.61 |

, and

FURTHER RESOLVED, that the Board of Supervisors hereby authorizes closeout of said contract and release all retainage, upon receipt of written notification from The Saratoga Associates that all punchlist items have been completed, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Wills, passed with Aye(1868). (11/11/97)

KELLI MCCOSKI
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

**

DATED: November 11, 1997

Resolution by Supervisor: Landon
Seconded by Supervisor: Wills

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign the following Change Orders with DePaolo & Son Building Contractors, Inc. for Contract No. 10: Classroom Renovation/New Annex Project (FMCC Master Plan Project):

| CHANGE ORDER | DESCRIPTION | AMOUNT |
|--------------|--|-----------------------|
| 10-1 | CCD#1: Change Elevation of Structural Beams | \$ 0 |
| 10-2 | CCD#2: Add Steel plates at all beam pockets | (+) 1,683.93 |
| 10-3 | CCD#3: Modify lintel schedule | (-) 13,669.56 |
| 10-4 | CCD#4: Provide additional rebar in new wall for Annex | (+) 995.23 |
| 10-5 | CCD#5: Provide 65 lf. of 8" DIP water main to connect new to existing main | (+) 5,631.76 |
| 10-6 | CCD#6: Remove & replace asphalt in parking lot | (+) 2,195.60 |
| 10-7 | CCD#7: Provide 4" to 8" cast iron to PVC adapter at Classroom Bldg. to connect roof drain to perimeter drain | (+) 193.84 |
| 10-8 | CCD#8: Provide additional steel roof decking for new roof top units on Annex | (+) 673.20 |
| 10-9 | CCD#9 Provide new sewer manhole behind Classroom Bldg. | (+) 1,519.47 |
| 10-10 | CCD#10 Provide ceiling soffit in C027 | (+) 193.84 |
| 10-11 | CCD#11 Delete face brick and all EIFS | (-) 1,528.12 |
| 10-12 | CCD#12 Provide additional steel supports for Catwalk | (+) 498.30 |
| 10-13 | CCD#13 Change EIFS type for Annex | (-) 6,200.00 |
| 10-14 | CCD#14 Provide new ceilings in Rooms C237 and C227 | (+) 2,120.55 |
| 10-15 | CCD#15 Provide New Door C212 | (+) 575.08 |
| | Original Contract Amount | \$5,968,000.00 |
| | Net Change 10-1 thru 10-15 | (-) 5,116.88 |
| | Revised Contract Amount | <u>\$5,962,883.12</u> |

, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**

RESOLUTION NO. 395 of 1997 DATED: November 11, 1997
RESOLUTION LIQUIDATING RETIREMENT LIABILITY OF COUNTY ROAD FUND TO
GENERAL FUND

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, Chapter 62 of the Laws of 1989 eliminated the lag in retirement contribution payments by participating local government employers and amortized the 22-month liability over a 17-year period, with the first 1/17th installment included in the December, 1989, bill, and

WHEREAS, Chapter 210 of the laws of 1990 changed the method used to fund the Retirement System, from an Aggregate Cost Method (AC) to a Project6 Unit Credit Method (PUC), which ultimately was ruled unconstitutional by the Court of Appeals, and

WHEREAS, in January, 1996, Montgomery County was informed of a change, effective April 1, 1996, in the application of interest on the amount due from municipalities which would exceed interest being applied to the credit balance, and

WHEREAS, the Board of Supervisors agreed with the County Treasurer that it would be in the best interest of the County to retire the entire amount due, utilizing the credit balance to reduce the liability, and

WHEREAS, the General Fund fronted the entire amount due, recording the appropriate liabilities as being due to the General Fund, and

WHEREAS, the County Road Fund claimed the liability in 1996 for the entire amount, on State Claims, and has received all applicable Federal and State reimbursement, and

WHEREAS, although the General Fund has been subsidizing the County Road Fund each year, there is no financial benefit to continue with the recording of this condition,

RESOLVED, the Board of Supervisors hereby authorizes elimination of the County Road Fund's retirement liability and the General Fund's asset accounts from the Montgomery County balance sheets, effective December 31, 1997.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 396 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING CLOSURE OF CAPITAL PROJECTS

Resolution by Supervisor: Jubar
Seconded by Supervisor: Landon

WHEREAS, the County Treasurer has been advised that various Capital Projects are now complete,

RESOLVED, that the County Treasurer hereby is authorized and directed to disburse balances, and close-out the following Capital Projects, pending receipt of any outstanding receivables:

| | |
|------------------------|----------------------------|
| Capital Project No. 16 | Continuation of GIS System |
| Capital Project No. 27 | Purchase of M.E.R.V. |

County Clerk
Director of Community Services

**

RESOLUTION NO. 399 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING CONSORTIUM MEMBERSHIP (MENTAL HEALTH)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Frasier

WHEREAS, the Director of Community Services has requested authorization to participate in a consortium comprised of Central New York Counties, and

WHEREAS, members of said consortium combine resources to address New York State Office of Mental Health requirements associated with placement of mentally ill persons in managed care plans, and

WHEREAS, said consortium uses member-provided funding to purchase legal and financial consulting services and to pay for meeting expenses,

RESOLVED, that the Board of Supervisors hereby authorizes Montgomery County's membership in the Central New York Behavioral Health Consortium (CNYBHC), and

FURTHER RESOLVED, that the Board of Supervisors also authorizes a \$10,000 contribution to CNYBHC for Montgomery County's 1998 membership, with said payment to be tendered in 1997 from unexpended Reinvestment Award funds.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 400 of 1997 DATED: November 11, 1997
RESOLUTION RESCINDING RESOLUTION NO. 348 OF 1997

Resolution by Supervisor: Wills
Seconded by Supervisor: D'Arcangelis

RESOLVED, that Resolution No. 348 of 1997, adopted on September 23, 1997, hereby is rescinded.

RESOLUTION ADOPTED with Aye(1560). Supervisors Grzyb, Hassan and Van Kersen abstained.

Duly adopted upon roll call, all members present (1560) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 402 of 1997 DATED: November 11, 1997
RESOLUTION RECOMMENDING MOSA SERVICE AGREEMENT AMENDMENT

Resolution by Supervisor: Hassan
Seconded by Supervisor: Cuzzo

WHEREAS, Montgomery County participated in a Solid Waste Study to review operations of the Montgomery-Otsego-Schoharie Solid Waste Management Authority

WHEREAS, said study recommended several actions, including amending the Service Agreement to provide the counties with the power to veto any future capital borrowing or any annual budget increase of five percent or more, by MOSA, without prior approval of the legislative boards of all three counties, and

WHEREAS, Montgomery County believes it is essential that the three counties become more involved with MOSA's actions and their financial implications,

RESOLVED, that the Montgomery County Board of Supervisors hereby urges that the Service Agreement be amended to increase county oversight over the budgetary process of the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

FURTHER RESOLVED, that the three counties be granted veto power over any future capital borrowing, or any annual budget increase of five percent or more, by MOSA, without prior approval of the legislatures of all three counties, and

FURTHER RESOLVED, that Otsego County and Schoharie County be urged to support this proposal and begin the process of amending said Service Agreement.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA
Schoharie County
Otsego County

**

RESOLUTION NO. 401 of 1997
RESOLUTION RESCINDING RESOLUTION NO. 371 OF 1997

DATED: November 11, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: Wills

RESOLVED, that Resolution No. 371 of 1997, adopted on October 14, 1997, hereby is rescinded.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 403 of 1997
RESOLUTION MEMORIALIZING STATE LEGISLATURE AND GOVERNOR TO ENACT AND
SIGN LEGISLATION INCREASING SALES TAX

DATED: November 11, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Barone

WHEREAS, Montgomery County continues to be negatively impacted by increasing local share costs of Federal and State mandates, and

WHEREAS, said mandate funding obligations have resulted in dramatic increases in real property taxes, and

WHEREAS, it is necessary that other revenue sources be made available to help ease the tax burden on real property owners, and

WHEREAS, it is recommended that the sales tax be increased to help offset real property levies,

RESOLVED, that the Board of Supervisors hereby memorializes the New York State Legislature and Governor Pataki to enact and sign legislation amending Section 1210 of the State Tax Law to permit Montgomery County to increase the sales tax from seven percent to eight percent, with the additional one percent to be retained by the county of Montgomery, and

FURTHER RESOLVED, that revenue generated from said increase shall be assigned to a dedicated fund, with payments from said fund limited to capital improvements, debt service and County costs associated with the Montgomery-Otsego-Schoharie Solid Waste Management Authority.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Landon, passed with Aye(1195). Supervisors Cuzzo, McMahon, Hassan, Keller, Frasier, Van Kersen and Jubar voted nay. (11/11/97)

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable George Pataki
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko

**

RESOLUTION NO. 404 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYSAC

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Keller

WHEREAS, Montgomery County has been cited, along with 20 other counties and the new York State Department of Health, in litigation filed by eight managed care organizations, and

WHEREAS, it has been recommended that Montgomery County participate in a unified response to said litigation, and

WHEREAS, it also has been recommended that the New York State Association of Counties be designated as lead agency in coordinating activity for the 21 counties,

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 designating the New York State Association of Counties as lead agency in coordinating a 21-county response to litigation filed by eight managed care organizations regarding previous rate reductions, and

FURTHER RESOLVED, that NYSAC's participation will include providing assistance in selecting a defense counsel, with costs to be shared by the participating counties.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
NYSAC

**

RESOLUTION NO. 405 of 1997 DATED: November 11, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Landon

WHEREAS, the Sheriff has requested fund transfers to provide for payment of various expenses,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1998 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|-------------------------------------|-------------|
| From: | A-15-4-1115-00 | Security Service Courts | |
| | .1110(433) | Deputy Sheriff | \$ 1,312.00 |
| | .1113(259) | Shift Differential | 7,313.00 |
| | .1120(849) | Court Attendant - PT | 13,215.00 |
| To: | A-15-4-1115-00.4447 | Security Service Courts Clothing | \$ 1,750.00 |
| | A-15-4-3110-00.2259 | Sheriff Computer Equipment | 1,532.76 |
| | A-15-4-3150-00 | Jail | |
| | .2258 | Kitchen/Food | 1,500.00 |
| | .4436 | Medical Fees | 10,000.00 |
| | .4445 | Medical | 7,057.24 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Personnel officer

**

RESOLUTION NO. 406 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING WORK CHANGE ORDERS (PUBLIC SAFETY FACILITY)

Resolution by Supervisor: Barone
Seconded by Supervisor: Coluni

WHEREAS, the Construction Manager has recommended approval of work Change Orders at the Public Safety Facility,

Resolved, that the Board of Supervisors hereby authorizes implementation of Change Order No. 48, at the Public Safety Facility, in the total amount of \$20,852.52, and

FURTHER RESOLVED, that the County of Montgomery shall seek reimbursement for any portion of said payments deemed to have resulted from errors or omissions attributable to those individuals and/or firms responsible for said errors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

RESOLUTION NO. 407 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SUBSIDIZATION AGREEMENT -
OUTSIDE WASTE (MOSA)

Resolution by Supervisor: Wills
Seconded by Supervisor: Van Kersen

WHEREAS, it is anticipated that Montgomery County's 1997 Guaranteed Annual Tonnage (GAT) shortfall will be approximately 4,100 tons, and

WHEREAS, said shortfall would result in a penalty, based upon a tipping fee of \$99.00 per ton, of \$405,900.00, and

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) Service Agreement permits outside waste to be credited to a County's shortfall, and

WHEREAS, MOSA will agree to credit Montgomery County with outside waste, to help its GAT for 1997, and

WHEREAS, MOSA wants Montgomery County to agree to sign a written agreement before December 31, 1997, permitting outside waste, the Board of Supervisors recognizing the 1997 GAT shortfall, and the County agree to subsidize MOSA's tipping fee for 1998,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign a Subsidization Agreement for outside waste with the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

FURTHER RESOLVED, Montgomery County agrees to the MOSA conditions to allow outside waste to Montgomery County's shortfall in 1997, and

FURTHER RESOLVED, that said subsidization agreement shall be for a period ending on December 31, 1997, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Coluni, in the first WHEREAS clause, delete "\$4,100" and insert, in its stead, "\$3,500", and, in the RESOLVED clause, delete, after "Agreement", the word "for" and insert, in its stead, "involving up to 3,500 tons", and after "(MOSA)", delete the word "and" adding in its stead, "at the rate of \$45.00 per ton, for a total amount not to exceed \$157,500, and", and, in the third FURTHER RESOLVED clause, delete "TRANSFER" and insert, in its stead, "INCREASE: Revenue A-599 Unappropriated Fund Balance by \$157,500" and "Appropriations: A-01-4-1010-00.4460 Legislative Board, Other Programs, by \$157,500".

MOTION TO CALL THE QUESTION by Supervisor D'Arcangelis, seconded by Supervisor Jubar, passed with Aye(932-2/3 majority). Supervisors Wills and Coluni voted nay. Supervisor Grzyb abstained.

MOTION TO AMEND (Landon/Wills), passed with Aye(1621). Supervisor Hassan voted nay. Supervisor Grzyb abstained.

RESOLUTION ADOPTED with Aye(1621). Supervisor Hassan voted nay. Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1621) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

RESOLUTION NO. 408 of 1997

DATED: November 11, 1997

RESOLUTION AUTHORIZING PANEL REPAIRS - LIBRARY BUILDING (FMCC)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes replacement of exterior limestone panels, at the Fulton-Montgomery Community College (FMCC) Library Building, with a lightweight insulation board system, and

FURTHER RESOLVED, that said repairs be made by DePaolo and son at a cost not to exceed \$21,000, and

FURTHER RESOLVED, that said costs be paid from the FMCC Master Plan Program's Miscellaneous/Contingency Account, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fulton County Board of Supervisors
Fulton-Montgomery Community College

OTHER

Motion by Supervisor McMahon, seconded by Supervisor Van Kersen, to suspend the rules of procedure to allow for the introduction of emergency Resolution No. 409, passed with Aye(1304-2/3 majority).

**

RESOLUTION NO. 409 of 1997

DATED: November 11, 1997

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FLEET BANK MOBILE
BRANCH

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 sign an agreement with Fleet Bank providing for the periodic sitings of its Mobile Branch in the County Office Building Parking Lot, and

FURTHER RESOLVED, that said sitings shall be on November 20, December 4 and December 18, 1997, between the hours of 10:00 a.m. and 3:00 p.m.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fleet Bank

Motion by Supervisor Frasier, seconded by Supervisor Jubar, to adjourn the meeting, passed with Aye(1868). Chairman Keller declared the meeting adjourned at 9:20 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

| | |
|--|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| ADOPTION OF THE AGENDA | 1 |
| PROCLAMATIONS | 1 |
| PUBLIC COMMENT | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | 1 |
| READING OF COMMUNICATIONS | 1 |
| OLD BUSINESS | 2 |
| RES393 Resolution Authorizing Closeout of Contract - FMCC | |
| RES403 Resolution Increasing Sales Tax | |
| NEW BUSINESS | 3 |
| RES410 Resolution Authorizing Grant Agreement - Public Health | |
| RES411 Resolution Authorizing Application - Public Health | |
| RES412 Resolution Authorizing Acceptance of Public Health Grant | |
| RES413 Resolution Ratifying Memorandum of Agreement - FMCC | |
| RES414 Resolution Establishing Public Hearing - 1998 Budget | |
| RES415 Resolution Authorizing Disbursement of Mortgage Tax Money | |
| RES416 Resolution Transferring Funds - Public Works | |
| RES417 Resolution Amending Operating Budget - Social Services | |
| RES418 Resolution Transferring Funds - Sewer Fund | |
| RES419 Resolution Amending Operating Budget - Judgement & Claims | |
| RES420 Resolution Authorizing Agreement - UPS Warranty | |
| RES421 Resolution Transferring Funds - Treasurer | |
| RES422 Resolution Amending Operating Budget - Social Services | |
| RES423 Resolution Awarding Bid No. 18-97 | |
| RES424 Resolution Authorizing Agreement - Montgomery Meadows | |
| RES425 Resolution Transferring Funds - Capital Projects | |
| RES426 Resolution Authorizing Commencement of Litigation | |
| OTHER | 12 |
| RES427 Resolution Authorizing Payment to Construction Manager | |
| ADJOURNMENT | 13 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for November 25, 1997, was called to order at 7:30 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Frasier. Roll call indicated that Supervisor Grzyb 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 Landon, seconded by Supervisor McMahon, to provide for the addition of Resolution No. 426, passed with Aye(1503). Supervisor Grzyb was absent. Supervisor D'Arcangelis abstained. Motion by Supervisor Jubar, seconded by Supervisor Barone, to hold an Executive Session after "Other", passed with Aye(1511). Supervisor Cuzzo voted nay. Supervisor Grzyb was absent. Motion by Supervisor Landon, seconded by Supervisor McMahon, to adopt the amended agenda, passed with Aye(1660). Supervisor Grzyb was absent.

PROCLAMATIONS

Proclamation honoring Edward Sadjak was presented by Supervisor Mead.

PUBLIC COMMENT

Alice Knapik, Town of Glen, urged cuts in the proposed Tentative budget.

Sharon Pawling, Fulton-Montgomery Community College, discussed the COCAL Program.

Edward Winter, Executive Director, Cornell Cooperative Extension, discussed installation of a satellite link for educational programs.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Van Kersen, seconded by Supervisor Wills, to adopt the Minutes of the Regular Meeting of November 11, 1997, passed with Aye(1660). Supervisor Grzyb was absent.

READING OF COMMUNICATIONS

A retirement party for Supervisor Frasier will be held on December 2, 1997 at the Elks Club, Nelliston.

OLD BUSINESS
**

RESOLUTION NO. 393 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING CLOSEOUT OF CONTRACT NO. 4 - CAMPUS ENTRY AND
PARKING LOT SITE WORK (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: McMahan
Seconded by Supervisor: Van Kersen

RESOLVED, that the Board of Supervisors hereby approves the following charges to the Contingency allowances contained within Contract 4 - Campus Entry and Parking Lot Site Work, awarded to Luizzi Brothers:

| | |
|--|-------------|
| Total Contingency Allowance | \$35,000.00 |
| CA-1 Install two catch basins in Courtyard | 952.60 |
| CA-2 Raise concrete walkway to match Courtyard | 466.40 |
| CA-3 Install additional shrubs in planting bed | 390.50 |
| CA-4 Install drains under brick pavers in Courtyard | 1,959.10 |
| CA-5 Remove tree near sidewalk | 967.32 |
| CA-6 Add grading west of Courtyard for drainage | 1,394.80 |
| CA-7 Provide two additional light fixtures at Entrance | 5,757.40 |
| | <hr/> |
| | \$11,888.12 |
| Unused Balance | \$23,111.88 |

, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign the following credit Change Orders for Contract 4:

| | |
|---|-------------|
| CO-1 Unused Contingency Allowance | \$23,111.88 |
| CO-2 Delete electrical conduit to tower | 2,900.00 |
| CO-3 Change curb from 6" to 5" | 1,600.00 |
| CO-4 Delete angled brick | 150.00 |
| CO-5 Unused sign allowance | 2,542.28 |
| CO-6 Reused stormwater pipe in lieu of new piping | 495.53 |
| CO-7 Delete concrete foundation for Campus directory sign | 1,184.70 |
| CO-8 Partial, not entire, removal of Sculpture Base | 500.00 |
| | <hr/> |
| Total | \$32,484.39 |

| | |
|--------------------------|--------------|
| Original Contract Amount | \$716,330.00 |
| Total Change Orders | 32,484.39 |
| Final Contract Amount | <hr/> |
| | \$683,845.61 |

, and

FURTHER RESOLVED, that the Board of Supervisors hereby authorizes closeout of said contract and release all retainage, upon receipt of written notification from The Saratoga Associates that all punchlist items have been completed, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Wills, passed with Aye(1868). (11/11/97)

MOTION TO REMOVE FROM TABLE by Supervisor Wills, seconded by Supervisor Van Kersen, passed with Aye(1512). Supervisor Coluni voted nay. Supervisor Grzyb was absent. (11/25/97)

MOTION TO TABLE by Supervisor Landon, seconded by Supervisor Van Kersen, passed

PAGE: 3

with Aye(1519). Supervisor McMahon abstained. Supervisor Grzyb was absent. (11/25/97)

KELLI MCCOSKI
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. 403 of 1997 DATED: November 11, 1997
RESOLUTION MEMORIALIZING STATE LEGISLATURE AND GOVERNOR TO ENACT AND
SIGN LEGISLATION INCREASING SALES TAX

Resolution by Supervisor: McMahon
Seconded by Supervisor: Barone

WHEREAS, Montgomery County continues to be negatively impacted by increasing local share costs of Federal and State mandates, and

WHEREAS, said mandate funding obligations have resulted in dramatic increases in real property taxes, and

WHEREAS, it is necessary that other revenue sources be made available to help ease the tax burden on real property owners, and

WHEREAS, it is recommended that the sales tax be increased to help offset real property levies,

RESOLVED, that the Board of Supervisors hereby memorializes the New York State Legislature and Governor Pataki to enact and sign legislation amending Section 1210 of the State Tax Law to permit Montgomery County to increase the sales tax from seven percent to eight percent, with the additional one percent to be retained by the County of Montgomery, and

FURTHER RESOLVED, that revenue generated from said increase shall be assigned to a dedicated fund, with payments from said fund limited to capital improvements, debt service and County costs associated with the Montgomery-Otsego-Schoharie Solid Waste Management Authority.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Landon, passed with Aye(1195). Supervisors Cuozzo, McMahon, Hassan, Keller, Frasier, Van Kersen and Jubar voted nay. (11/11/97)

MOTION TO REMOVE FROM TABLE by Supervisor Frasier, seconded by Supervisor Landon, failed with Aye(917). Supervisors Cuozzo, Barone, Coluni, D'Arcangelis and Paton voted nay. Supervisor Grzyb was absent.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
The Honorable George Pataki
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko

NEW BUSINESS

**

RESOLUTION NO. 410 of 1997 DATED: November 25, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - APPLEBY
AWARDS (PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Hassan

WHEREAS, the Public Health Department has been awarded an MVP Appleby Awards Grant for a "Don't Cry Baby" project, and

WHEREAS, the total grant funding is \$1,000.00,

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 Appleby Awards Partnership Agreement, and

Further resolved, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

ADD: A-16-4-4010-07.2257 Grant-Health Services Equipment

INCREASE:

| | | | |
|-----------------|----------------|---------------------------|------------|
| Revenue: | A-16-3-3401-07 | Public Health Grant | \$1,000.00 |
| Appropriations: | A-16-4-4010-07 | Grant | |
| | .2257 | Health Services Equipment | \$ 885.00 |
| | .4454 | Central Purchasing | 115.00 |

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 411 of 1997 DATED: November 25, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN APPLICATION - TB DOT PROVIDER
(PUBLIC HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

WHEREAS, Tuberculosis is an increasing Public Health problem, and

WHEREAS, local provision of Directly-Observed Therapy (DOT) is required for active TB cases, and

WHEREAS, the New York State Department of Health and the New York State Department of Social Services have made reimbursement funds available to local health units for TB DOT services provided to Medicaid clients,

RESOLVED, the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Tuberculosis Directly-Observed Therapy Provider Application,

FURTHER RESOLVED, that said application may be renewed, as appropriate, without further legislative action.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 412 of 1997 DATED: November 25, 1997

RESOLUTION AUTHORIZING ACCEPTANCE OF HEALTHY HEART GRANT

Resolution by Supervisor: Jubar
Seconded by Supervisor: Frasier

WHEREAS, the Public Health Department has been awarded a Healthy Heart Grant, and

WHEREAS, the grant term will commence on January 1, 1998 and end on June 30, 1998,

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 grant agreement.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 413 of 1997 DATED: November 25, 1997
RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT - BUILDINGS AND GROUNDS UNIT (FMCC)

Resolution by Supervisor: Landon
Seconded by Supervisor: McMahon

RESOLVED, that the Montgomery County Board of Supervisors hereby ratifies the Memorandum of Agreement establishing a Collective Bargaining Agreement between Fulton-Montgomery Community College and the Buildings and Grounds Unit, represented by Local 818 of the Civil Service Employees Association, Inc., and

FURTHER RESOLVED, that said Agreement shall be for a two-year period, commencing on September 1, 1997 and ending on August 31, 1999, 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 this Resolution shall be contingent upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
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. 414 of 1997 DATED: November 25, 1997
RESOLUTION ESTABLISHING PUBLIC HEARING ON 1998 TENTATIVE OPERATING BUDGET

Resolution by Supervisor: Wills
Seconded by Supervisor: Landon

RESOLVED, that pursuant to Section 359 of the County Law, the Montgomery County Board of Supervisors shall hold a Public Hearing on the 1998 Tentative Operating Budget and the Capital Program 1998-2003 at the Montgomery County Court House, 58 Broadway, Fonda, New York at 7:00 p.m., December 9, 1997, 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 1998 are available at his office, where they may be inspected or purchased by interested persons during business hours, and

FURTHER RESOLVED, that said notice 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, the Majority Leader and the Minority Leader, respectively, said notice shall be published at least once and at least five days shall elapse between publication of such notice and the date specified for said hearing.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department/Agency Heads
CSEA Local and Unit Presidents
MCDSA President

**

RESOLUTION NO. 415 of 1997 DATED: November 25, 1997
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahan

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax Money for the period from April 1, 1997, through September 30, 1997, 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(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 416 of 1997 DATED: November 25, 1997
RESOLUTION TRANSFERRING FUNDS (PUBLIC WORKS)

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, the Commissioner of Public Works has requested a fund transfer to provide for the purchase of a four-way electric plow,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

From: DM-12-4-5130-00.4424 Road Machinery Fund
Equipment Repairs \$4,000.00
To: DM-12-4-5130-00.2240 Road Machinery Fund
Highway & Street Equipment \$4,000.00

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

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

**
RESOLUTION NO. 417 of 1997 DATED: November 25, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Landon

WHEREAS, grant funding has been approved for Montgomery County to administer a Managed Care Program, and

WHEREAS, the Commissioner of Social Services has requested budget amendments to utilize said funding,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | | |
|-----------------|----------------|----------------------------|----|-------------|
| Revenue: | A-18-3-3610-00 | State Aid Administration | by | \$ 7,420.00 |
| | A-18-3-4610-00 | Federal Aid Administration | by | 7,129.00 |
| Appropriations: | A-18-4-6010-00 | Social Services Admin | | |
| | .2212 | Chairs & Stools | by | \$ 590.00 |
| | .2217 | Bookcase & Shelving | by | 13,959.00 |

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**
RESOLUTION NO. 418 of 1997 DATED: November 25, 1997
RESOLUTION TRANSFERRING FUNDS (SEWER FUND)

Resolution by Supervisor: McMahon
Seconded by Supervisor: D'Arcangelis

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From: G-26-4-1990-00.4400 Contingent Account
Contractual Expenses \$7,000.00

| | | | |
|-----|---------------------|--------------------------|-----------|
| To: | G-26-4-1910-00 | Unallocated Insurance | |
| | | .4485 Umbrella Insurance | \$ 265.00 |
| | | .4486 Auto Insurance | 445.00 |
| | G-26-4-8110-00.4439 | Home & Community Service | |
| | | Other Service Fees | 6,290.00 |

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District

**

RESOLUTION NO. 419 of 1997 DATED: November 25, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (JUDGEMENTS & CLAIMS)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Paton

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|---------------------|---------------------------|------------|
| Revenue: | A-599 | Appropriated Fund Balance | |
| | | Risk Retention | \$3,616.00 |
| Appropriations: | A-01-4-1930-00.4431 | Judgements & Claims | |
| | | Attorneys, Account, Audit | \$3,616.00 |

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 420 of 1997 DATED: November 25, 1997
RESOLUTION AUTHORIZING DATA PROCESSING DIRECTOR TO SIGN AGREEMENT -
UPS WARRANTY

Resolution by Supervisor: Wills
Seconded by Supervisor: McMahon

WHEREAS, the Data Processing Director has requested authorization to sign a five-year warranty agreement for the county's UPS unit, including full battery coverage,

RESOLVED, that the data processing director, following review and approval by the County Attorney, hereby is authorized and directed to sign a warranty agreement with IBM for the UPS System, at a cost not to exceed a total of \$4,167.00, for the period commencing on December 4, 1997 and ending on December 3, 2002.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Data Processing

**

RESOLUTION NO. 421 of 1997
RESOLUTION TRANSFERRING FUNDS (TREASURER)

DATED: November 25, 1997

Resolution by Supervisor: Keller
Seconded by Supervisor: Landon

WHEREAS, the County Treasurer has requested a fund transfer to provide for payment of tuition to other Community Colleges attended by Montgomery County residents,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|-------------------------|---|-------------|
| From: A-599 | Unappropriated Fund Balance | \$10,000.00 |
| To: A-06-4-2490-00.4400 | Community College Tuition Contractual Expenses | \$10,000.00 |

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 422 of 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (SOCIAL SERVICES)

DATED: November 25, 1997

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Wills

WHEREAS, the Commissioner of Social Services has been notified of approval of a \$126,120.00 Food Stamp Nutrition Education Project, and

WHEREAS, said award will provide \$63,060.00 in federal funding for the period October 1, 1997 to September 30, 1998, with an in-kind match from Cooperative Extension,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-------------------------------------|--|----|-------------|
| Revenue: A-18-3-4610-00 | Federal Aid | by | \$20,468.00 |
| Appropriations: A-18-4-6010-00.4439 | Social Services Admin. O/T Services Fee | by | \$20,468.00 |

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Social Services

**

RESOLUTION NO. 423 of 1997
RESOLUTION AWARDING BID NO. 18-97

DATED: November 25, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Landon

WHEREAS, the Purchasing Agent was authorized, by Resolution No. 255 of 1997, to solicit bids for food service and cleaning supplies, and

WHEREAS, said bids were opened on October 14, 1997,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 18-97 to the low bidder for each item - Central Poly, Hill and Markes, R. H. Crown, Rotterdam Equipment and Sofco, respectively.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 424 of 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHARMACY MANAGEMENT SERVICES (MONTGOMERY MEADOWS)

DATED: November 25, 1997

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, the Board of Supervisors authorized solicitation of proposals for provision of Pharmacy Services at Montgomery Meadows, and

WHEREAS, the Nursing Home Administrator and Infirmary Committee have recommended acceptance of the proposal tendered by Amsterdam Memorial 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 Amsterdam Memorial Enterprises for provision of Pharmacy Management Services at Montgomery Meadows, and

FURTHER RESOLVED, that said agreement shall be for three years, with basic services to be provided at an annual cost not to exceed \$56,775, \$58,475 and \$60,000, respectively, and

FURTHER RESOLVED, that said agreement also shall include provision of supplementary services at no additional cost.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 425 of 1997
RESOLUTION TRANSFERRING FUNDS (CAPITAL PROJECTS)

DATED: November 25, 1997

Resolution by Supervisor: Barone

Seconded by Supervisor: Wills

WHEREAS, it is necessary to increase funding in Capital Project 13, Public Safety Facility, to provide for payment of certain non-encumbered costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|---|--------------|
| From: | A-599 | Unappropriated Fund Balance | \$452,000.00 |
| To: | A-06-4-9900-00.9950 | Interfund Transfer Transfer to Capital Projects Fund | \$452,000.00 |

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Barone, in the RESOLVED clause, delete "\$452,000.00" and, in it stead, insert "\$391,000.00", passed with Aye(1660). Supervisor Grzyb was absent.

RESOLUTION ADOPTED with Aye(1511). Supervisor Landon abstained. Supervisor Grzyb was absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 426 of 1997 DATED: November 25, 1997
RESOLUTION AUTHORIZING AND RATIFYING COMMENCEMENT OF LITIGATION

Resolution by Supervisor: Keller
Seconded by Supervisor: Jubar

WHEREAS, during an executive session on October 28, 1997, the County of Montgomery Board of Supervisors requested that John R. Mineaux, Esq. and the law firm of Roemer Wallens and Mineaux LLP ("Counsel") continue the investigation of a certain Payment In Lieu of Tax Agreement (the "PILOT Agreement") between the Montgomery County Industrial Development Agency and CNB Financial Corp. because the County of Montgomery, based on its 1997 assessed levy, should have received \$54,603.22 in County taxes on the property covered under the PILOT Agreement, and the PILOT Agreement required CNB to pay the County of Montgomery only a grand total of \$10,746.00, and

WHEREAS, the County, by virtue of the PILOT Agreement, would cumulatively lose in excess of \$1.2 million in County tax revenues during the term of the PILOT Agreement, and

WHEREAS, the County of Montgomery Board of Supervisors on October 28, 1997, indicated that Counsel should pursue any and all legal steps necessary to protect the interests of the County of Montgomery, and

WHEREAS, Counsel determined that it was necessary to file a summons and complaint, verified by the County Treasurer on behalf of the County against CNB Financial Corp. and the Montgomery County Industrial Development Agency on November 3, 1997, Index No. 970842, (the "Action"), and the County Treasurer, as the Chief Fiscal Officer of the County, confirmed to Counsel her view that the Board of Supervisors had authorized the Action on behalf of the County of Montgomery, and

WHEREAS, the Board of Supervisors now desires to formally authorize and ratify the commencement of the Action,

RESOLVED, BY THE MONTGOMERY COUNTY BOARD OF SUPERVISORS, AS FOLLOWS:

1. The commencement of the Action and the content of the County Treasurer's verified complaint pertaining thereto are hereby ratified in every respect;

2. Counsel is authorized to take any and all legal steps necessary to protect the interests of the County of Montgomery.

3. The County Treasurer is hereby authorized to assist in any way deemed necessary or advisable by Counsel in its investigation and prosecution of the Action;

4. This Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1293). Supervisors Cuozzo and Van Kersen voted nay. Supervisor D'Arcangelis abstained. Supervisor Grzyb was absent.

Duly adopted upon roll call, all members present (1293) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

OTHER

Motion by Supervisor Wills, seconded by Supervisor Jubar, to enter into Executive Session at 8:33 p.m. to discuss pending litigation as permitted by Article 14 of the Public Officers Law, passed with Aye(1660). Supervisor Grzyb was absent.

Motion by Supervisor Wills, seconded by Supervisor Barone, to conclude the Executive Session at 9:29 p.m., passed with Aye(1511). Supervisors Cuozzo and Grzyb were absent.

Motion by Supervisor Wills, seconded by Supervisor Barone, to Suspend the Rules of Procedure to allow for the introduction of Emergency Resolution No. 427, passed with Aye(1038-2/3 majority). Supervisors Cuozzo and Grzyb were absent.

**

RESOLUTION NO. 427 of 1997 DATED: November 25, 1997
RESOLUTION AUTHORIZING PAYMENT TO CONSTRUCTION MANAGER

Resolution by Supervisor: Jubar
Seconded by Supervisor: Coluni

WHEREAS, the County of Montgomery (the "County") has previously entered into a Construction Management Agreement with the Quandel Group of Harrisburg, Pennsylvania ("Quandel") for management of the construction of the Ronald R. Emery Public Safety Facility (the "Project"), and

WHEREAS, there presently remains an outstanding balance of Forty-Three Thousand Three Hundred (\$43,300.00) Dollars, under the Construction Management Agreement, and

WHEREAS, Quandel has submitted an additional application to the County for payment for services and out-of-pocket expenses in the approximate amount of Three Hundred Eighty-Five Thousand (\$385,000.00) Dollars, covering the time frame beyond the base period encompassed in the Construction Management Agreement, and

WHEREAS, notwithstanding certain disputes and difficulties the County has encountered with Quandel and various other contractors during the construction of the Project, and despite the good faith belief by the County that it maintains certain viable offsets to the application for additional payment by Quandel, the County has determined, upon the advise of its legal counsel and expert consultants, that a negotiated resolution of all matters between the County and Quandel will be in the best interests of the County, and

WHEREAS, representatives of the County have negotiated a settlement which is acceptable to the County and the Board of Supervisors now desires to formally authorize the resolution of all claims by and against Quandel,

RESOLVED, by the Montgomery County board of Supervisors, as follows:

1. The County shall pay Quandel the sum of One Hundred Ninety Thousand (\$190,000.00) Dollars, which sum shall comprise pending retainage under the Construction Management Agreement and any and all other balances claimed by Quandel under said Agreement.
2. Said payment is conditioned upon the County's receipt of a full and complete release of all claims and/or liens by Quandel against the County.
3. Said payment is further conditioned upon Quandel's execution of a memorandum agreement in which it will covenant to (i) assist the County, at no additional cost, in closing out any remaining contractors at the Project and (ii) testify on behalf of the County, at no additional cost, in the event the County is involved in any arbitration and/or litigation with any contractor or the Project architect.
4. This Resolution shall take effect immediately.

, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|-------------------------|--|--------------|
| From: A-599 | Unappropriated Fund Balance | \$146,700.00 |
| To: A-06-4-9900-00.9950 | Interfund Transfer Transfer to Capital Project Fund | \$146,700.00 |

RESOLUTION ADOPTED with Aye(1511). Supervisors Cuozzo and Grzyb were absent.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor Jubar, to adjourn the meeting, passed with Aye(1868). Chairman Keller declared the meeting adjourned at 9:42 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

| | | |
|---|--|----|
| TABLE OF CONTENTS | | |
| CALL TO ORDER | | 1 |
| MOMENT OF SILENCE | | 1 |
| ADOPTION OF THE AGENDA | | 1 |
| PROCLAMATIONS | | 1 |
| PUBLIC COMMENT | | 1 |
| SPECIAL PRESENTATION | | 1 |
| ADOPTION OF THE MINUTES OF PREVIOUS SESSION | | 1 |
| READING OF COMMUNICATIONS | | 2 |
| OLD BUSINESS | | 2 |
| RES393 Resolution Authorizing Closeout of Contract - FMCC | | |
| NEW BUSINESS | | 3 |
| RES428 Resolution Authorizing Solicitation of Proposals | | |
| RES429 Resolution Authorizing Solicitation of Proposals | | |
| RES430 Resolution Amending 1997 Operating Budget - Sewer District | | |
| RES431 Resolution Authorizing Solicitation of Proposals | | |
| RES432 Resolution Approving Relevy of Taxes | | |
| RES433 Resolution Designating Auctioneer | | |
| RES434 Resolution Amending Resolution No. 82 of 1989 | | |
| RES435 Resolution Amending Policy & Procedure Manual - Records Management | | |
| RES436 Resolution Amending 1997 Operating Budget - Historian | | |
| RES437 Resolution Adopting Local Retirement Incentive Program | | |
| RES438 Resolution Delegating Authority to Amending 1997 Operating Budget | | |
| RES439 Resolution Authorizing Agreement - Fleet Bank Mobile Branch | | |
| RES440 Resolution Establishing Public Hearing - Intro. LL No. 8 of 1997 | | |
| RES441 Resolution Establishing Public Hearing - Intro. LL No. 9 of 1997 | | |
| RES442 Resolution Transferring Funds - Public Defense | | |
| RES443 Resolution Transferring Funds - Legislative Board | | |
| OTHER | | 11 |
| ADJOURNMENT | | 11 |

CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for December 9, 1997, was called to order at 7:30 p.m. by Chairman Keller. Motion by Supervisor Van Kersen, seconded by Supervisor Frasier, to recess and return to the Public Hearing, passed with Aye(1868). Chairman Keller reconvened the Regular Meeting at 8:14 p.m. The Pledge of Allegiance to the Flag was led by Supervisor Coluni. Roll call indicated that all Supervisors were present.

MOMENT OF SILENCE

Supervisor Barone offered a prayer.

ADOPTION OF THE AGENDA

Motion by Supervisor Wills, seconded by Supervisor Landon, to provide for the addition of Resolutions No. 440, 441, 442, and 443, passed with Aye(1868). Motion by Supervisor Landon, seconded by Supervisor Wills, to adopted the amended agenda, passed with Aye(1868).

PROCLAMATIONS

None.

PUBLIC COMMENT

Melanie Schuster and Donna Schuster, both of the Town of St. Johnsville, thanked Chairman Keller and the Board for prompt action in establishing an Agricultural Task Force.

SPECIAL PRESENTATION

Gil Chichester, MOSA Executive Director, provided an overview of the MOSA 1998 Operating Budget.

ADOPTION OF THE MINUTES OF PREVIOUS SESSION

Motion by Supervisor Landon, seconded by Supervisor Coluni, to adopt the Minutes of the Regular Meeting of November 25, 1997, passed with Aye(1660). Supervisor Grzyb voted nay.

OLD BUSINESS

**

RESOLUTION NO. 393 of 1997 DATED: November 11, 1997
RESOLUTION AUTHORIZING CLOSEOUT OF CONTRACT NO. 4 - CAMPUS ENTRY AND
PARKING LOT SITE WORK (FMCC MASTER PLAN PROJECT)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Van Kersen

RESOLVED, that the Board of Supervisors hereby approves the following charges to the Contingency allowances contained within Contract 4 - Campus Entry and Parking Lot Site Work, awarded to Luizzi Brothers:

| | |
|--|-------------|
| Total Contingency Allowance | \$35,000.00 |
| CA-1 Install two catch basins in Courtyard | 952.60 |
| CA-2 Raise concrete walkway to match Courtyard | 466.40 |
| CA-3 Install additional shrubs in planting bed | 390.50 |
| CA-4 Install drains under brick pavers in Courtyard | 1,959.10 |
| CA-5 Remove tree near sidewalk | 967.32 |
| CA-6 Add grading west of Courtyard for drainage | 1,394.80 |
| CA-7 Provide two additional light fixtures at Entrance | 5,757.40 |
| | <hr/> |
| | \$11,888.12 |
| Unused Balance | \$23,111.88 |

, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign the following credit Change Orders for Contract 4:

| | |
|---|-------------|
| CO-1 Unused Contingency Allowance | \$23,111.88 |
| CO-2 Delete electrical conduit to tower | 2,900.00 |
| CO-3 Change curb from 6" to 5" | 1,600.00 |
| CO-4 Delete angled brick | 150.00 |
| CO-5 Unused sign allowance | 2,542.28 |
| CO-6 Reused stormwater pipe in lieu of new piping | 495.53 |
| CO-7 Delete concrete foundation for Campus directory sign | 1,184.70 |
| CO-8 Partial, not entire, removal of Sculpture Base | 500.00 |
| | <hr/> |
| Total | \$32,484.39 |

| | |
|--------------------------|--------------|
| Original Contract Amount | \$716,330.00 |
| Total Change Orders | 32,484.39 |
| Final Contract Amount | <hr/> |
| | \$683,845.61 |

, and

FURTHER RESOLVED, that the Board of Supervisors hereby authorizes closeout of said contract and release all retainage, upon receipt of written notification from The Saratoga Associates that all punchlist items have been completed, and

FURTHER RESOLVED, that approval of this Resolution is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors.

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Wills, passed with Aye(1868). (11/11/97)

MOTION TO REMOVE FROM TABLE by Supervisor Wills, seconded by Supervisor Van Kersen, passed with Aye(1512). Supervisor Coluni voted nay. Supervisor Grzyb was absent. (11/25/97)

MOTION TO TABLE by Supervisor Landon, seconded by Supervisor Van Kersen, passed with Aye(1519). Supervisor McMahon abstained. Supervisor Grzyb was absent. (11/25/97)

MOTION TO REMOVE FROM TABLE, by Supervisor Wills, seconded by Supervisor Van Kersen, passed with Aye(1868). (12/9/97)

MOTION TO TABLE by Supervisor Barone, seconded by Supervisor Van Kersen, passed with Aye(1868). (12/9/97)

KELLI MCCOSKI
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

NEW BUSINESS

**
RESOLUTION NO. 428 of 1997 DATED: December 9, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - LONG DISTANCE
TELEPHONE SERVICE

Resolution by Supervisor: Mead
Seconded by Supervisor: Wills

WHEREAS, the Commissioner of Public Works has advised that the County's contract with its long distance telephone service vendor will expire on December 31, 1997,

RESOLVED, that the Purchasing Agent, in cooperation with the Commissioner of Public Works, hereby is authorized and directed to solicit proposals for long distance telephone service.

RESOLUTION ADOPTED with Aye(1682). Supervisors Barone and Hassan voted nay.

Duly adopted upon roll call, all members present (1682) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 429 of 1997 DATED: December 9, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS FOR AUCTIONEERING
SERVICES - REAL PROPERTY SALE

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

WHEREAS, the County Treasurer and Purchasing Agent have recommended that proposals be solicited for auctioneering services regarding the sale of County-owned real property,

RESOLVED, that the Purchasing Agent, in cooperation with the County Treasurer, hereby is authorized to solicit proposals for auctioneering services needed to conduct a sale of County-owned real property.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**
RESOLUTION NO. 430 of 1997 DATED: December 9, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (SEWER DISTRICT)

Resolution by Supervisor: McMahon
Seconded by Supervisor: D'Arcangelis

WHEREAS, the Sewer Fund has received additional revenue to help provide for sludge removal,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | |
|-----------------|---------------------|--|---------------|
| Revenue: | G-26-3-1030-00 | Sewer Fund Special Assessments | by \$4,000.00 |
| Appropriations: | G-26-4-8110-00.4439 | Sewer Administration Other Service Fees | by \$4,000.00 |

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District

**
RESOLUTION NO. 431 of 1997 DATED: December 9, 1997
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS-RECYCLABLE CONTAINERS

Resolution by Supervisor: Mead
Seconded by Supervisor: Landon

WHEREAS, the Commissioner of Public works has advised that the County's contract for servicing containers used in the collection of recyclable material will expire on December 31, 1997, and

WHEREAS, said Commissioner also has recommended siting of a container at the new Public Safety Facility,

RESOLVED, that the Purchasing Agent, in cooperation with the Commissioner of Public works and the Sheriff, hereby is authorized and directed to solicit proposals for siting and servicing containers used to collect recyclable material.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 432 of 1997 DATED: December 9, 1997
RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES,
WATER RENTS AND SEWER TAXES

Resolution by Supervisor: Jubar
Seconded by Supervisor: McMahon

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the relevy, effective immediately, of delinquent School Taxes, Village Taxes, Water Rents and Sewer Taxes on the first installment of the January, 1998, Town Tax Rolls.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 433 of 1997 DATED: December 9, 1997
RESOLUTION DESIGNATING AUCTIONEER TO CONDUCT SALE OF SURPLUS
COUNTY-OWNED PROPERTY

Resolution by Supervisor: Keller
Seconded by Supervisor: Paton

WHEREAS, the Purchasing Agent was authorized by Resolution No. 391 of 1997, to conduct an auction of surplus County-owned property, and

WHEREAS, proposals for providing auctioneering services have been requested and received,

RESOLVED, that the Board of Supervisors hereby designates _____ to conduct the auction of surplus County-owned property.

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor McMahon, in the RESOLVED clause, insert "Scherrer Realty & Auctions", 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 (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 434 of 1997 DATED: December 9, 1997
RESOLUTION AMENDING RESOLUTION NO. 82 OF 1989

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Willis

WHEREAS, the Board of Supervisors created a Records Management Advisory Board, by adoption of Resolution No. 82 of 1989,

RESOLVED, that Resolution No. 82 of 1989 hereby is amended to provide for deletion of the second Further Resolved Clause and for insertion, in its stead, of the following:

"FURTHER RESOLVED, that said Board shall be comprised of the County Treasurer, County Clerk, County Historian/Records Management Officer, Director of Data Processing, Director of Planning, three County residents to be appointed by the Records Management Officer and a Supervisor to be designated each January, or their designees, and"

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Historian

**

RESOLUTION NO. 435 of 1997 DATED: December 9, 1997
RESOLUTION AMENDING POLICY AND PROCEDURE MANUAL - RECORDS MANAGEMENT
PROGRAM

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Wills

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 335 of 1997, established a Policy and Procedure Manual for the County Records Management Program, in accordance with the State Education Department criteria, and

WHEREAS, the Montgomery County Records Management Advisory Board, after reviewing said procedures, recommends an amendment on Page 11A of said Manual,

RESOLVED, that the board of Supervisors hereby authorizes amending the Policy and Procedure Manual for the County Records Management Program, by adding, to "Item No. 1 of the Procedures for Deaccessioning," on Page 11A, the following:

FOR ARCHIVAL RECORDS: A Subcommittee comprised of two (2) members of the Montgomery County Records Management Advisory Board (floating) and the RMO must unanimously recommend deaccession of specific items and prepare a report with recommendations for approval by the Board of Supervisors prior to removal of any records from the archives.

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**

RESOLUTION NO. 436 of 1997 DATED: December 9, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (HISTORIAN)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Paton

WHEREAS, the Department of History & Archives has received a gift from the Heritage and Genealogical Society of Montgomery County, to purchase computer equipment,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

Revenue: A-22-3-2705-00 Gifts and Donations by \$245.73

Appropriations: A-22-4-7510-00.2259 Historian
Computer Equipment by \$245.73

RESOLUTION ADOPTED with Aye(1719). Supervisor Cuozzo was absent.

Duly adopted upon roll call, all members present (1719) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Historian

**

RESOLUTION NO. 437 of 1997 DATED: December 9, 1997
RESOLUTION ADOPTING LOCAL RETIREMENT INCENTIVE PROGRAM

Resolution by Supervisor: McMahon
Seconded by Supervisor: Landon

WHEREAS, the County of Montgomery has developed a Retirement Incentive Program for its employees, and

WHEREAS, the Montgomery County Office, Public Works and Infirmary Units, Civil Service Employee's Association, Inc., has expressed acceptance of said proposed program,

RESOLVED, that employees who are eligible for retirement, pursuant to the provisions of the New York State Retirement and Social Security Law, shall receive a lump-sum incentive payment of \$4,000, if the following conditions are satisfied:

1. The employee, on or before January 1, 1998, must provide written notification, to the County Personnel Officer, of intent to participate in the local Retirement Incentive Program.
2. No later than December 18, 1998, the employee must retire from employment with the County of Montgomery and be eligible to receive a pension from the New York State Employee's Retirement System.
3. The employee must be retired and removed from the Montgomery County payroll no later than December 19, 1998.
4. Employees shall not be eligible to receive unemployment insurance benefits based upon the employee's employment with the County of Montgomery.
5. The Retirement Incentive will commence on January 19, 1998 and end on December 18, 1998.

, and

FURTHER RESOLVED, that said Program be administered by the Personnel Officer, with a retirement incentive line item to be established to provide funds to pay for said early retirement incentive.

MOTION TO AMEND by Supervisor D'Arcangelis, seconded by Supervisor McMahon, in the RESOLVED clause, delete "\$4,000" and, in its stead, insert, "\$7,000".

MOTION TO CALL THE QUESTION by Supervisor Grzyb, seconded by Supervisor McMahon, passed with Aye(1197-2/3 majority). Supervisor Cuozzo was absent.

MOTION TO AMEND (D'Arcangelis/McMahon), passed with Aye(1680). Supervisor Hassan voted nay. Supervisor Cuozzo was absent.

MOTION TO AMEND by Supervisor D'Arcangelis, seconded by Supervisor Jubar, in the RESOLVED clause, #2 and #5, delete, "December 18" and, in its stead, insert "July 31" and #3, delete "December 19" and, in its stead, insert "August 1".

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Grzyb, passed with Aye(1304-2/3 majority).

MOTION TO AMEND (D'Arcangelis/Jubar), passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll
CSEA
MCDSA

**
RESOLUTION NO. 438 of 1997 DATED: December 9, 1997
RESOLUTION DELEGATING AUTHORITY TO AMEND 1997 OPERATING BUDGET

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Paton

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 1997 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 10, 1997 and ending on December 31, 1997.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 439 of 1997 DATED: December 9, 1997
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FLEET BANK MOBILE BRANCH

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Wills

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 Fleet Bank providing for the periodic sitings of its Mobile Branch in the County Annex Building Parking Lot, and

FURTHER RESOLVED, that said sitings shall be on February 5, February 19, and March 5, 1998, between the hours of 10:00 a.m. and 3:00 p.m.

RESOLUTION ADOPTED UNANIMOUSLY.

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

cc: County Treasurer
County Administrator
County Clerk
Fleet Bank

**

RESOLUTION NO. 440 of 1997 DATED: December 9, 1997
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 8
OF 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Wills

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 8 of 1997, a Local Law Authorizing the Transfer of County-Owned Property, Not Needed for a County Purpose, to the State of New York,

RESOLVED, that Introductory Local Law No. 8 of 1997 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, January 13, 1998 at 7:15 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(1660). Supervisor Grzyb abstained.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 441 of 1997 DATED: December 9, 1997
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 9
OF 1997

Resolution by Supervisor: Wills
Seconded by Supervisor: Paton

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 9 of 1997, a Local Law Authorizing the Transfer of County-Owned Property, Not Needed for a County Purpose, to the Town of Florida,

RESOLVED, that Introductory Local Law No. 9 of 1997 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, January 13, 1998 at 7:25 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 442 of 1997
RESOLUTION TRANSFERRING FUNDS (PUBLIC DEFENSE)

DATED: December 9, 1997

Resolution by Supervisor: Barone
Seconded by Supervisor: Jubar

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From: _____ \$ _____
To: A-28-4-1170-00.4431 Public Defense
Attorneys, Accounts., Audit \$ _____

MOTION TO AMEND by Supervisor D'Arcangelis, seconded by Supervisor Landon, in "From", insert "A-599, Unappropriated Fund Balance, \$20,000", and in "To", insert, "\$20,000", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Defender

**

RESOLUTION NO. 443 of 1997
RESOLUTION TRANSFERRING FUNDS (LEGISLATIVE BOARD)

DATED: December 9, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: Jubar

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

From: A-599 Unappropriated Fund Balance \$48,922.90
To: A-01-4-1010-4431 Legislative Board
Attys., Accts., Audit \$48,922.90

RESOLUTION ADOPTED with Aye(1501). Supervisors Cuozzo and Van Kersen voted nay. Supervisor D'Arcangelis abstained.

Duly adopted upon roll call, all members present (1501) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

ADJOURNMENT

Motion by Supervisor Frasier, seconded by Supervisor Barone, to adjourn the meeting, passed with Aye(1868). Chairman Keller declared the meeting adjourned at 9:58 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: 1

| | |
|--|----|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| STATEMENT OF PURPOSE OF MEETING | 1 |
| ROLL CALL | 1 |
| ACTION ON BUSINESS | 1 |
| RES444 Resolution Designating Health Insurance Administrator | |
| RES445 Resolution Amending Resolution No. 63 of 1997 | |
| RES446 Resolution Amending 1997 Operating Budget - Sealer | |
| RES447 Resolution Transferring Funds - Jail | |
| RES448 Resolution Amending 1997 Operating Budget - Jail | |
| RES449 Resolution Transferring Funds - Mental Health | |
| RES450 Resolution Honoring Memory of William Wills | |
| RES451 Resolution Amending 1998 Tentative Budget | |
| RES452 Resolution Amending 1998 Tentative Budget | |
| RES453 Resolution Amending 1998 Tentative Budget | |
| RES454 Resolution Amending 1998 Tentative Budget | |
| RES455 Resolution Amending 1998 Tentative Budget | |
| RES456 Resolution Amending 1998 Tentative Budget | |
| RES457 Resolution Amending 1998 Tentative Budget | |
| RES458 Resolution Adopting 1998 Operating Budget | |
| RES459 Resolution Authorizing Amendment of Revenue Accounts | |
| RES460 Resolution Authorizing Overtime Appropriations | |
| RES461 Resolution Adopting Capital program 1998-2003 | |
| RES462 Resolution Fixing Date and Time of Organizational Meeting | |
| RES463 Resolution Expressing Appreciation of Departing Supervisors | |
| RES464 Resolution Expressing Appreciation of Chairman Keller | |
| ADJOURNMENT | 16 |

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for December 16, 1997 was called to order at 7:02 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisor Grzyb.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the Meeting was to consider Resolutions No. 444, 445, 446, 447, 447, 448, 449, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, and 464.

ROLL CALL

Roll call indicated that all Supervisors were present.

ACTION ON BUSINESS

RESOLUTION NO. 444 of 1997 DATED: December 16, 1997
RESOLUTION DESIGNATING HEALTH INSURANCE ADMINISTRATOR

Resolution by Supervisor: Landon
Seconded by Supervisor: Jubar

WHEREAS, it has been recommended that a firm be designated to administer the County's self-insurance health plan,

RESOLVED, that Association Plan Administrators hereby are designated to continue to administer the County's self-insurance health plan, and

FURTHER RESOLVED, that said designation shall be for the period commencing January 1, 1998 and ending December 31, 1998, at a cost not to exceed \$12.00 per participating employee.

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**

RESOLUTION NO. 445 of 1997
RESOLUTION AMENDING RESOLUTION NO. 63 OF 1997

DATED: December 16, 1997

Resolution by Supervisor: McMahon
Seconded by Supervisor: D'Arcangelis

RESOLVED, that Resolution No. 63 of 1997 hereby is amended to provide, in the Further Resolved clause, of "December 31, 1997" and inserting, in its stead, "March 31, 1998".

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director Real Property Tax Service

**
RESOLUTION NO. 446 of 1997 DATED: December 16, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (SEALER)

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: McMahon

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

INCREASE:

| | | | | |
|-----------------|---------------------|---|----|------------|
| Revenue: | A-20-3-1962-00 | Departmental Income Weights and Measures | by | \$2,000.00 |
| Appropriations: | A-20-4-6610-00.4424 | Sealer Equipment Repairs | by | \$2,000.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sealer of weights & Measures

**
RESOLUTION NO. 447 of 1997 DATED: December 16, 1997
RESOLUTION TRANSFERRING FUNDS (JAIL)

Resolution by Supervisor: Barone
Seconded by Supervisor: Wills

WHEREAS, the Sheriff has requested a transfer of funds to provide for payment of various food and medical costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | | |
|-------|---------------------|---------------------|------------|
| From: | A-15-4-3150-00.1110 | Jail | |
| | (198) | Corrections Officer | \$2,721.00 |
| | (188) | Corrections Officer | 2,279.00 |
| | (317) | Corrections Officer | 2,535.00 |
| | (295) | Corrections Officer | 1,511.00 |
| To: | A-15-4-3150-00. | Jail | |

| | | |
|-------|--------------|------------|
| .4446 | Food | \$5,000.00 |
| .4436 | Medical Fees | 4,046.00 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Sheriff

**

RESOLUTION NO. 448 of 1997 DATED: December 16, 1997
RESOLUTION AMENDING 1997 OPERATING BUDGET (JAIL)

Resolution by Supervisor: Barone
Seconded by Supervisor: Jubar

WHEREAS, the Sheriff has requested additional funds to provide for payment of overtime costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|-------------------------|-----------------------------|------------|
| From: A-599 | Unappropriated Fund Balance | \$8,000.00 |
| To: A-15-4-3150-00.1111 | Jail | |
| | (1214) Overtime Pay | \$8,000.00 |

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor Wills, in "TRANSFER", "From" delete "\$8,000" and insert, in its stead, "\$25,000", "To", delete "\$8,000" and insert in its stead, "\$10,000" and add "A-15-4-3110-00.1120(932) PT Disptach \$7,500" and "A-15-4-3110-00.1120(145) PT Dep. Sher. \$7,500", passed with Aye(1660). Supervisor Grzyb voted nay.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 449 of 1997 DATED: December 16, 1997
RESOLUTION TRANSFERRING FUNDS (MENTAL HEALTH)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Coluni

WHEREAS, the Director of Community Services has requested a transfer of funds to provide for payment of various expenses,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 1997 Operating Budget, as follows:

TRANSFER:

| | | |
|---------------------------|--|-------------|
| From: A-17-4-4320-00.4565 | Mental Health Programs Community Support System | \$26,458.00 |
| To: A-17-4-4310-00. | Mental Health Administration | |

.4434 Consultants \$15,000.00
.4476 Association Dues 11,458.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

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

**
RESOLUTION NO. 450 of 1997 DATED: December 16, 1997
RESOLUTION HONORING THE MEMORY OF WILLIAM WILLS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, William Wills, an Amsterdam native, was an Inspector for the General Electric Company's Engineered Cast Products Department, until his retirement in 1985, and

WHEREAS, Mr. Wills initially was employed on the family farm in Scotch Bush and later was a carpenter for Wills Builders in Amsterdam, and

WHEREAS, Mr. Wills was an Army veteran of World War Two, having served in the European Theater, and

WHEREAS, Mr. Wills is survived by his wife of 45 years, the former Eleanor Piech; a son, Fourth Ward Supervisor William D. Wills; a daughter, Nancy Alikonis of Johnstown; two brothers, Peter Wilczynsky of Amsterdam and Michael Wills of Upper Falls, Maryland; two sisters, Helen Vosko of Albany and Sophie Peterson of Amsterdam; and five grandchildren,

RESOLVED, that the Montgomery County Board of Supervisors hereby honors the memory of William Wills and expresses its deepest condolences and heartfelt sympathies to his family upon his passing.

MOTION by Supervisor Jubar, seconded by Supervisor Barone, 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.

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Family of William Wills

**
RESOLUTION NO. 451 of 1997 DATED: December 16, 1997
RESOLUTION AMENDING 1998 TENTATIVE BUDGET

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahon

RESOLVED, that the 1998 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

| PAGE: | ACCOUNT NUMBER: | CHANGE AMOUNT TO: | INCREASE (DECREASE): |
|-------|---|-------------------|----------------------|
| 2 | A-01-4-1010-00.4460 Legislative Board - Other Programs | 1,220,000 | 1,220,000 |

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Frasier, in the RESOLVED clause, delete "\$1,220,000" and insert, in its stead, "\$300,000".

MOTION TO AMEND by Supervisor Paton, seconded by Supervisor Van Kersen, in the RESOLVED clause, delete "\$1,220,000" and insert, in its stead, "\$600,000", failed with Aye(520). Supervisors McMahon, Mead, Keller, Paton and Van Kersen voted aye. Supervisors Hassan and Jubar abstained.

MOTION (Barone/Frasier), passed with Aye(999). Supervisors Grzyb, McMahon, Mead, Keller, Paton, Van Kersen and Jubar voted nay. Supervisor Hassan abstained.

RESOLUTION ADOPTED with Aye(999). Supervisors Grzyb, McMahon, Mead, Keller, Paton, Van Kersen and Jubar voted nay. Supervisor Hassan abstained.

Duly adopted upon roll call, all members present (0999) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 452 of 1997
RESOLUTION AMENDING 1998 TENTATIVE BUDGET

DATED: December 16, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: D'Arcangelis

RESOLVED, that the 1998 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

| PAGE: | ACCOUNT NUMBER: | CHANGE AMOUNT TO: | INCREASE (DECREASE): |
|-------|---|-------------------|-------------------------|
| __2__ | A-01-4-1010-00.4425 Maintenance Agreements | ____7,707____ | __1,650__ |

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

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 453 of 1997
RESOLUTION AMENDING 1998 TENTATIVE BUDGET

DATED: December 16, 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: D'Arcangelis

RESOLVED, that the 1998 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

| PAGE: | ACCOUNT NUMBER: | CHANGE AMOUNT TO: | INCREASE (DECREASE): |
|--------|---|-------------------|-------------------------|
| __10__ | A-06-3-1235-00 Chgs. Tax Adv. & Exp. | ____75,000____ | __10,000__ |
| __10__ | A-06-4-1162-00.4433 Court Related Fees | ____1,500____ | __1,500__ |
| __11__ | A-06-4-1325-00.2259 Computer Equipment | ____4,300____ | __4,300__ |

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 454 of 1997
RESOLUTION AMENDING 1998 TENTATIVE BUDGET

DATED: December 16, 1997

Resolution by Supervisor: Wills
Seconded by Supervisor: Coluni

RESOLVED, that the 1998 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

| PAGE: | ACCOUNT NUMBER: | CHANGE AMOUNT TO: | INCREASE (DECREASE): |
|-------|--|-------------------|-------------------------|
| 4 | A-01-4-8751-00.4575 Cooperative Extension | 130,135 | (6,300) |

RESOLUTION ADOPTED with Aye(1547). Supervisor Hassan, Keller, Paton and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1547) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Cooperative Extension Service

**

RESOLUTION NO. 455 of 1997
RESOLUTION AMENDING 1998 TENTATIVE BUDGET

DATED: December 16, 1997

Resolution by Supervisor: Mead
Seconded by Supervisor: McMahan

RESOLVED, that the 1998 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

| PAGE: | ACCOUNT NUMBER: | CHANGE AMOUNT TO: | INCREASE (DECREASE): |
|-------|--|-------------------|-------------------------|
| 26 | A-12-4-1620-00.1110(149) Hourly Employees | 271,857 | 23,589 |

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Landon to add:

| | | | |
|----|--------------------------|---|----------|
| 39 | A-15-4-3150-00.1110(641) | 0 | (23,588) |
|----|--------------------------|---|----------|

, passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 456 of 1997

DATED: December 16, 1997

Resolution by Supervisor: D'Arcangelis
Seconded by Supervisor: Frasier

RESOLVED, that the 1998 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

| PAGE: | ACCOUNT NUMBER: | CHANGE AMOUNT TO: | INCREASE (DECREASE): |
|-------|-----------------------------|-------------------|-------------------------|
| 53 | A-19-3-3710-00 State Aid | 9,280 | 1,280 |

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Veterans Service Director

**
RESOLUTION NO. 457 of 1997
RESOLUTION AMENDING 1998 TENTATIVE BUDGET

DATED: December 16, 1997

Resolution by Supervisor: Paton
Seconded by Supervisor: Jubar

RESOLVED, that the 1998 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

| PAGE: | ACCOUNT NUMBER: | CHANGE AMOUNT TO: | INCREASE (DECREASE): |
|-------|--|-------------------|-------------------------|
| 57 | A-21-3-1270-00 Shared Services Charges | 3,003 | 275 |
| 57 | A-21-3-3820-00 State Aid Youth Bureau | 18,186 | 686 |
| 57 | A-21-3-3826-00 Spec Delq Prev Program | 31,705 | (395) |
| 57 | A-21-3-3828-00 Youth Dev & Delinq Prev | 29,583 | 1,083 |
| 57 | A-21-3-3829-00 Youth Initiatives Prog | 11,818 | 518 |
| 58 | A-21-4-7310-00.4566 Spec Delinquency Prev | 31,705 | (387) |
| 58 | A-21-4-7310-00.4582 Youth Initiatives Prog | 11,818 | 591 |
| 58 | A-21-4-7310-00.4585 Youth Dev & Delinq Prev | 29,583 | 1,182 |

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Landon, to add:

| | | | |
|----|---|--------|----------|
| 65 | A-21-4-7310-00.1110(105) Youth Bureau Director | 20,000 | (10,273) |
|----|---|--------|----------|

MOTION TO CALL THE QUESTION by Supervisor Grzyb, seconded by Supervisor McMahon, passed with Aye(1304-2/3 majority).

MOTION (Wills/Landon), passed with Aye(1489). Supervisors Mead, Keller, Paton and Van Kersen voted nay.

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Cuozzo, to add:

ADD:
REV_2_ A-01-3-3910-00_____ 50,000_____ 50,000_____
State Aid Conservation Programs
ADD:
4 A-01-4-8751-00.4571_____ 60,000_____ 60,000_____
County Extension Serv Agricultural Planning

, passed with Aye(1868).

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Wills, to add:

3 A-01-4-1010-00.4471_____ 0_____ (2,000)_____
Mileage Allocations
4 A-01-4-6420-00.4579_____ 18,000_____ (6,000)_____
Promotion of Industry-Tourism

,passed with Aye(1711). Supervisor D'Arcangelis voted nay.

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Cuozzo, to add:

7 A-03-4-3641-00.4455_____ 0_____ (2,000)_____
SH Prog EMS-Training
REV_12 A-06-3-1110-00_____ 6,000,000_____ 150,000_____
Sales & Use Tax
15 A-07-4-1355-00.4439_____ 16,900_____ (4,000)_____
Real Property - Special Supplies
28 A-12-4-1620-00.2269_____ 3,500_____ (4,210)_____
Buildings - Fans & Air Conditioners

,passed with Aye(1348). Supervisors Hassan, Mead, Keller, Paton, Van Kersen and Jubar voted nay.

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Cuozzo, to add:

29 A-12-4-1620-00.4444_____ 8,000_____ (2,000)_____
Buildings - Custodial

,passed with Aye(1868).

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Landon, to add:

36 A-15-4-3110-00.1110(509)_____ 47,057_____ (500)_____
Sheriff - Sheriff
36 A-15-4-3110-00.1110(399)_____ 20,494_____ (600)_____
Sheriff - Dispatcher
36 A-15-4-3110-00.1110(429)_____ 26,041_____ 1,000_____
Sheriff - Deputy Sheriff
36 A-15-4-3110-00.1110(75)_____ 26,291_____ 3,513_____
Sheriff - Deputy Sheriff
36 A-15-4-3110-00.1110(68)_____ 26,291_____ 250_____
Sheriff - Deputy Sheriff
36 A-15-4-3110-00.1110(438)_____ 27,811_____ 500_____
Sheriff - Deputy Sheriff

, passed with Aye(1868).

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Landon, to add:

36 A-15-4-3110-00.1110(639)_____ 0_____ (16,777)_____
Sheriff - Deputy Sheriff
37 A-15-4-3110-00.1110(640)_____ 0_____ (8,264)_____
Sheriff - Deputy Sheriff
37 A-15-4-3110-00.1110(1116)_____ 0_____ (26,041)_____
Sheriff - Deputy Sheriff

Sheriff - Deputy Sheriff

MOTION TO CALL THE QUESTION by Supervisor Grzyb, seconded by Supervisor D'Arcangelis, passed with Aye(1132-2/3 majority). Supervisors D'Arcangelis and Jubar, voted nay.

MOTION (wills/Landon), passed with Aye(1766). Supervisor Jubar voted nay.

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Wills, to add:

37 A-15-4-3110-00.1110(922)_____ 25,041_____ (1,500)____
Sheriff - Deputy Sheriff

, passed with Aye(1868).

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor Van Kersen, to add:

37 A-15-4-3110-00.1110(407)_____ 0_____ (25,360)____
Sheriff - Computer Svce Technician

ADD:

37 A-15-4-3110-00.1110(726)_____ 22,091_____ 22,091____
Sheriff - Senior Dispatcher

, failed with Aye(422). Supervisors D'Arcangelis, Frasier, Van Kersen and Jubar voted aye.

MOTION TO RECONSIDER MOTION TO AMEND (Jubar/Van Kersen), passed with Aye(1511). Supervisors Cuozzo and Grzyb voted nay.

MOTION TO AMEND (Jubar/Van Kersen), passed with Aye(1660). Supervisor Grzyb voted nay.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Landon, to add:

37 A-15-4-3110-00.1120(145)_____ 41,347_____ (19,903)____
Sheriff Deputies - PT

37 A-15-4-3110-00.1120(932)_____ 50,153_____ (24,327)____
Sheriff - Dispatcher PT

, failed with Aye(445). Supervisors Landon, Cuozzo and Barone voted aye.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor wills, to add:

38 A-15-4-3110-00.2241_____ 46,112_____ (42,602)____
Sheriff- Automobiles

MOTION TO CALL THE QUESTION by Supervisor Grzyb, seconded by Supervisor McMahon, passed with Aye(1304-2/3 majority).

MOTION TO AMEND (Cuozzo/Wills), failed with Aye(740). Supervisors Landon, Cuozzo, Barone, Wills and Coluni voted aye.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Jubar, to add:

39 A-15-4-3150-00.1110(389)_____ 26,291_____ 1,000____
Jail - Correction Officer

39 A-15-4-3150-00.1110(1059)_____ 26,541_____ 250____
Jail - Correction Officer

39 A-15-4-3150-00.1110(1075)_____ 26,541_____ 250____
Jail - Correction Officer

, passed with Aye(1868)

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Barone, to add:

39 A-15-4-3150-00.1110(260)_____ 24,199_____ 10____
Jail - Structural Maint Super #1

39 A-15-4-3150-00.1110(317)_____ 26,041_____ (250)____
Jail - Deputy Sheriff

, passed with Aye(1868).

MOTION TO AMEND by Supervisor Cuzzo, seconded by Supervisor McMahon, to add:

| | | | | | |
|------|-------------------------------|-------|---------|-------|------------|
| _40_ | A-15-4-3150-00.1120(323) | _____ | 223,589 | _____ | _(54,139)_ |
| | Jail - Correction Officers PT | | | | |
| _40_ | A-15-4-3150-00.1120(296) | _____ | 43,911 | _____ | _(11,089)_ |
| | Jail - Correction Officer PT | | | | |

, failed with Aye(444). Supervisors Cuzzo, Barone and Coluni voted aye.
Supervisor Landon abstained.

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Wills, to add

| | | | | | |
|--------|--|-------|-----------|-------|------------|
| REV_45 | A-16-3-1621-00 | _____ | 345,000 | _____ | _(13,800)_ |
| | Public Health - EI/Fees for Service | | | | |
| REV_45 | A-16-3-3277-00 | _____ | 1,056,031 | _____ | _(20,350)_ |
| | Public Health - Education Handicapped Children | | | | |
| REV_45 | A-16-3-3401-00 | _____ | 345,411 | _____ | _(7,490)_ |
| | Public Health - State Aid | | | | |
| REV_45 | A-16-3-3449-00 | _____ | 115,000 | _____ | _(4,600)_ |
| | Public Health - Early Intervent State Aid | | | | |
| REV_45 | A-16-3-3456-00 | _____ | 193,711 | _____ | _(10,000)_ |
| | Public Health - Medicaid/3-5 | | | | |
| ADD: | | | | | |
| REV_45 | A-16-3-4451-00 | _____ | 12,905 | _____ | 12,905 |
| | Public Health - EI/Federal Medicaid Admin | | | | |
| _46_ | A-16-4-4010-00.1120(315) | _____ | 4,000 | _____ | _(2,150)_ |
| | Public Health - Physician-PT | | | | |
| _46_ | A-16-4-4010-00.4471 | _____ | 10,000 | _____ | _(2,000)_ |
| | Public Health - Mileage Allocations | | | | |
| _48_ | A-16-4-4046-00.4432 | _____ | 1,560,000 | _____ | _(40,000)_ |
| | Co. Co-ord Child Serv - Tuition | | | | |
| _49_ | A-16-4-4046-00.4439 | _____ | 60,000 | _____ | _(5,000)_ |
| | Co. Co-ord Child Serv - Other Service Fees | | | | |
| _49_ | A-16-4-4046-00.4475 | _____ | 415,000 | _____ | _(10,000)_ |
| | Co. Co-ord Child Serv - Transportation | | | | |
| _49_ | A-16-4-4059-00.4432 | _____ | 480,000 | _____ | _(5,000)_ |
| | Early Intervention - Tuition | | | | |
| _49_ | A-16-4-4059-00.4436 | _____ | 30,000 | _____ | _(13,000)_ |
| | Early Intervention - Medical Fees | | | | |
| _49_ | A-16-4-4059-00.4439 | _____ | 45,000 | _____ | _(5,000)_ |
| | Early Intervention - Other Service Fees | | | | |

, passed with Aye(1562). Supervisors Cuzzo and D'Arcangelis were absent.

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Hassan, to add:

| | | | | | |
|--------|---|-------|-----------|-------|------------|
| REV_54 | A-18-3-1840-00 | _____ | 60,000 | _____ | 4,000 |
| | Social Services Repayments of Home Relief | | | | |
| REV_54 | A-18-3-3602-00 | _____ | 1,562,295 | _____ | _(17,705)_ |
| | Social Services MMIS-Mdcaid Mang Info Sys | | | | |
| REV_54 | A-18-3-3609-00 | _____ | 825,101 | _____ | 31,153 |
| | Social Services Aid to Dependent Children | | | | |
| REV_54 | A-18-3-3623-00 | _____ | 105,380 | _____ | _(2,500)_ |
| | Social Services Juvenile Delinquent | | | | |
| REV_54 | A-18-3-3640-00 | _____ | 227,250 | _____ | _(24,750)_ |
| | Social Services Home Relief | | | | |

| | | | |
|--------|---|-----------|-----------|
| REV_54 | A-18-3-4609-00 | 1,440,127 | 62,305 |
| | Social Services Aid to Dependent Children | | |
| REV_54 | A-18-3-4610-00 | 1,450,195 | 47,295 |
| | Social Services Administration | | |
| _57 | A-18-4-6010-00.4439 | 418,116 | 47,295 |
| | Social Services Other Service Fees | | |
| _58 | A-18-4-6011-00.6102 | 7,439,500 | (460,500) |
| | Social Services Medical Assistance MMIS | | |
| _58 | A-18-4-6011-00.6109 | 3,973,610 | 124,610 |
| | Social Services Aid to Dependent Children | | |
| _58 | A-18-4-6011-00.6123 | 430,000 | (50,000) |
| | Social Services Juvenile Delinquent | | |
| _58 | A-18-4-6011-00.6129 | 250,000 | (50,000) |
| | Social Services State Training School | | |
| _58 | A-18-4-6011-00.6140 | 514,500 | (45,500) |
| | Social Services Home Relief | | |

, passed with Aye(1719). Supervisor Cuozzo was absent.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Barone, to add:

| | | | |
|--------|---------------------------------|-------|-----|
| REV_67 | A-22-3-2705-00 | 1,100 | 800 |
| | History - Gifts and Donations | | |
| _67 | A-22-4-7510-00.4448 | 800 | 800 |
| | History - Construction & Maint. | | |

, passed with Aye(1868).

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Grzyb, to add:

| | | | |
|-----|--------------------------|--------|-------|
| _69 | A-23-4-8020-00.1111(439) | 10,000 | 5,000 |
| | Planning - Overtime | | |

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Jubar, to add:

| | | | |
|--------|--------------------------------|---------|-------|
| REV_74 | A-27-3-3310-00 | 192,762 | (279) |
| | Probation - Probation Services | | |
| _74 | A-27-4-3140-00.1110(1258) | 28,389 | (900) |
| | Probation - Probation Officer | | |

, passed with Aye(1711). Supervisor D'Arcangelis voted nay.

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Jubar, to add:

| | | | |
|-----|-----------------------------|---|----------|
| _79 | A-30-4-1320-00.1110(648) | 0 | (16,000) |
| | Auditing - Internal Auditor | | |

, passed with Aye(1570). Supervisors McMahon and D'Arcangelis voted nay.

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Wills, to add:

| | | | |
|------|---|---------|-----------|
| _14 | A-06-4-9900-00.9961 | 0 | (399,960) |
| | Interfund Transfers - Infirmary Enterprise Fund | | |
| _107 | EH-599 | 599,960 | 399,960 |
| | Appropriated Fund Balance - Montgomery Meadows | | |

, passed with Aye(1868).

MOTION TO AMEND by Supervisor Landon, seconded by Supervisor Jubar, to add:

| | | | |
|------|---|---------|--------|
| _107 | D-599 | 152,960 | 33,000 |
| | Appropriated Fund Balance - County Road Fund | | |
| _107 | DM-599 | 70,000 | 20,000 |
| | Appropriated Fund Balance - Road Machinery Fund | | |

, passed with Aye(1868).

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Cuozzo, to add:

_____ REDUCE COUNTY ROAD D FUND_____ (25,000)_____

, failed with Aye(740). Supervisors Landon, Cuozzo, Barone, Wills and Coluni voted aye. Supervisor Frasier was absent.

MOTION TO AMEND by Supervisor Grzyb, seconded by Supervisor Coluni, to add:

__107__ A-599_____4,000,000_____2,000,000_____
Appropriated Fund Balance - County Road Fund

MOTION TO CALL THE QUESTION by Supervisor Grzyb, seconded by Supervisor McMahon, passed with Aye(1304-2/3 majority).

MOTION TO AMEND (Grzyb/Coluni), passed with Aye(1279). Supervisors Cuozzo, Hassan, D'Arcangelis, Paton and Jubar voted nay.

MOTION TO RECONSIDER MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Barone, to:

__58__ A-18-4-6011-00.6102_____7,200,500_____ (669,500)_____
Social Services Medical Assistance MMIS

, passed with Aye(1768). Supervisors Hassan and van Kersen voted nay.

MOTION TO AMEND (Cuozzo/Barone), passed with Aye(948). Supervisors Landon, Cuozzo, Barone, Wills, Coluni and Grzyb voted aye.

MOTION TO AMEND by Supervisor Jubar, seconded by Supervisor D'Arcangelis to add:

REV_12 A-06-3-1110-00_____ .25%_to_1.75%
Sales & Use Tax Distribution

MOTION TO CALL THE QUESTION by Supervisor Landon, seconded by Supervisor Jubar, passed with Aye(1304-2/3 majority).

MOTION TO AMEND (Jubar/D'Arcangelis) failed with Aye(406). Supervisors Wills, D'Arcangelis and Jubar voted aye.

MOTION TO AMEND by Supervisor Cuozzo, seconded by Supervisor Coluni, to add:

__ 4__ A-01-4-6989-00.4578_____50,000_____15,000_____
Other Econ Opporntny & Dev - Office for the Aging, Inc.

, passed with Aye(1172). Supervisors Landon, Wills, D'Arcangelis, Frasier and Jubar voted nay. Supervisor Hassan abstained.

MOTION TO CALL THE QUESTION by Supervisor Grzyb, seconded by Supervisor Landon, passed with Aye(1304-2/3 majority).

RESOLUTION ADOPTED with Aye(1727). Supervisors Hassan and Jubar voted nay.

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 458 of 1997 DATED: December 16, 1997
RESOLUTION ADOPTING BUDGET FOR THE FISCAL YEAR COMMENCING JANUARY 1,
1998 AND ENDING DECEMBER 31, 1998, MAKING APPROPRIATIONS FOR THE
CONDUCT OF MONTGOMERY COUNTY GOVERNMENT AND ESTABLISHING THE RATES OF
COMPENSATION FOR OFFICERS AND EMPLOYEES FOR SUCH PERIOD

Resolution by Supervisor: Landon
Seconded by Supervisor: Coluni

WHEREAS, the Montgomery County Board of Supervisors has met and considered the 1998 Tentative Budget and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that, in accordance with County Law, the 1998 Tentative 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, 1998, and the salaries and wages stated in said budget are fixed at the amounts shown.

RESOLUTION ADOPTED with Aye(1309). Supervisor McMahon, Hassan Mead, Keller, Paton and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1309) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department Heads

**

RESOLUTION NO. 459 of 1997 DATED: December 16, 1997
RESOLUTION AUTHORIZING BUDGET OFFICER TO AMEND REVENUE ACCOUNTS FOR
1998 OPERATING BUDGET

Resolution by Supervisor: Wills
Seconded by Supervisor: Landon

RESOLVED, that the County Administrator, as Budget Officer, hereby is authorized and directed to amend various revenue accounts within the 1998 Tentative Budget to conform with the appropriate amendments heretofore adopted by the Montgomery County Board of Supervisors in the process of establishing the 1998 Operating Budget.

RESOLUTION ADOPTED with Aye(1660). Supervisor Grzyb voted nay.

Duly adopted upon roll call, all members present (1660) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 460 of 1997 DATED: December 16, 1997
RESOLUTION AUTHORIZING OVERTIME APPROPRIATIONS IN 1998 OPERATING
BUDGET (VARIOUS DEPARTMENTS)

Resolution by Supervisor: Jubar
Seconded by Supervisor: Van Kersen

WHEREAS, Article II, Section 6 of the County/C.S.E.A. Agreement states "No overtime compensation shall be allowed except by Resolution of the Board of Supervisors, Department of Public works (Highway Employees) excluded by emergency situations," and

WHEREAS, the 1998 Operating Budget has been adopted and appropriations for overtime for various County departments during 1998 have been established,

RESOLVED, that the Board of Supervisors hereby authorizes overtime compensation appropriations, in the 1998 Operating Budget, as follows:

| DEPARTMENT: | ACCOUNT: | AMOUNT: |
|----------------------------|--------------------------|----------|
| Department of Public works | A-12-4-1620-00.1111(955) | \$ _____ |
| Social Services | A-18-4-6010-00.1111(944) | \$ _____ |

PAGE: 14

| | | |
|----------------------------------|---------------------------|----------|
| Infirmery | EH-34-4-6020-00.1111(926) | \$ _____ |
| Data Processing | A-14-4-1680-00.1111(324) | \$ _____ |
| Real Property Tax Service Agency | A-07-4-1355-00.1111(310) | \$ _____ |
| Public Health | A-16-4-4010-00.1111(320) | \$ _____ |
| Board of Supervisors | A-01-4-1010-00.1111(431) | \$ _____ |
| Treasurer | A-06-4-1325-00.1111(141) | \$ _____ |
| Planning and Development | A-23-4-8020-00.1111(439) | \$ _____ |
| Probation | A-27-4-3140-00.1111(553) | \$ _____ |
| Sheriff | A-15-4-3110-00.1111(1212) | \$ _____ |
| Stop DWI | A-15-4-3110-00.1111(1219) | \$ _____ |
| Jail | A-15-4-3150-00.1111(1214) | \$ _____ |

MOTION TO AMEND by Supervisor Wills, seconded by Supervisor Barone, in the RESOLVED clause, after "appropriations," insert "as adopted by Resolution No. 458 of 1997," passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer County Administrator County Clerk Departments Listed Above

** RESOLUTION NO. 461 of 1997 DATED: December 16, 1997 RESOLUTION ADOPTING CAPITAL PROGRAM (1998-2003)

Resolution by Supervisor: Jubar Seconded by Supervisor: Van Kersen

WHEREAS, the Montgomery County Board of Supervisors has met and considered the Capital Program for 1998-2003 and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that the Capital Program for 1998-2003 as 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 CALL THE QUESTION by Supervisor Jubar, seconded by Supervisor D'Arcangelis, passed with Aye(1304-2/3 majority).

RESOLUTION ADOPTED with Aye(1474). Supervisors wills, Grzyb and Hassan voted nay.

Duly adopted upon roll call, all members present (1474) voting aye.

KELLI MCCOSKI County Attorney RICHARD C. HEALY Clerk, Board of Supervisors

cc: County Treasurer County Administrator County Clerk

** RESOLUTION NO. 462 of 1997 DATED: December 16, 1997 RESOLUTION FIXING DATE AND TIME FOR 1998 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

Resolution by Supervisor: Van Kersen Seconded by Supervisor: Hassan

RESOLVED, that pursuant to Section 151, Subdivision 1 of the County Law, the Organizational Meeting of the Montgomery County Board of Supervisors for 1998 shall be held at _____ on the ____ day of January, 1998.

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Hassan, in the RESOLVED clause, insert "7:30 p.m. January 6, 1998", passed with Aye(1868).

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

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department/Agency Heads
County Chairman-Republican Party
County Chairman-Democratic Party

**

RESOLUTION NO. 463 of 1997 DATED: December 16, 1997
RESOLUTION EXPRESSING APPRECIATION FOR SERVICES OF DEPARTING
SUPERVISORS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, our esteemed colleagues, Supervisor Robert W. D'Arcangelis, Town of Minden; Supervisor Miles Frasier, Jr., Town of Palatine and Supervisor Rose Jubar, Town of St. Johnsville, are leaving the Board of Supervisors, effective December 31, 1997, and

WHEREAS, these Supervisors have served with honor and dignity, and

WHEREAS, these Supervisors 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 Robert W. D'Arcangelis, Miles Frasier, Jr., and Rose Jubar for their outstanding accomplishments during their service on the Board and wishes them well in their future endeavors.

MOTION by Supervisor Barone, seconded by Supervisor Wills, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Supervisors Named

**

RESOLUTION NO. 464 of 1997 DATED: December 16, 1997
RESOLUTION EXPRESSING APPRECIATION OF THE BOARD OF SUPERVISORS FOR THE
SERVICES OF THE 1997 CHAIRMAN OF THE BOARD - GERALD O. KELLER

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the successful conduct of the business of the Montgomery County Board of Supervisors is due in large measure to the management and direction of the Chairman of the Board, Gerald O. Keller, and

WHEREAS, many difficult and important matters have come before this Board of Supervisors during the past year, and

WHEREAS, Chairman Keller has presided over said matters in a judicious manner, providing for the successful conduct of business of this Board, and

WHEREAS, the Board of Supervisors desires to express its appreciation for the work of the Chairman of the Board during 1997,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its appreciation to Supervisor Gerald O. Keller for his invaluable services as Chairman of this Board during 1997.

MOTION by Supervisor Barone, seconded by Supervisor Wills, 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.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Chairman Keller

ADJOURNMENT

Chairman Keller declared the Special Meeting adjourned at 11:34 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

PAGE: i

TABLE OF CONTENTS

| | |
|---|---|
| CALL TO ORDER | 1 |
| STATEMENT OF PURPOSE OF MEETING | 1 |
| ROLL CALL | 1 |
| ACTION ON BUSINESS | 1 |
| RES465 Resolution Exempting Clothing From Sales Tax | |
| ADJOURNMENT | 2 |

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for December 16, 1997 was called to order at 11:35 p.m. by Chairman Keller.

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the Meeting was to consider Resolutions No. 465.

ROLL CALL

Roll call indicated that all Supervisors were present.

ACTION ON BUSINESS

**

RESOLUTION NO. 465 of 1997 DATED: December 16, 1997
RESOLUTION EXPRESSING INTENT TO EXEMPT CLOTHING/FOOTWEAR FROM SALES
AND COMPENSATING USE TAX

Resolution by Supervisor: Jubar
Seconded by Supervisor: D'Arcangelis

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY

To Enact

One-week Sales and Use Tax Clothing and Footwear Exemption

Be it enacted by the Montgomery County Board of Supervisors as follows:

SECTION ONE. The Local Legislative body of this jurisdiction hereby expresses its intent that receipts from sales of and consideration given, or contracted to be given, for purchases of clothing and footwear exempt from state sales and compensating use taxes, pursuant to paragraph 30 of subdivision (a) of section 1115 of the tax law during the period commencing January 17, 1998, and ending January 23, 1998, should also be exempt from sales and compensating use taxes imposed in this jurisdiction.

SECTION TWO. This Resolution shall take effect immediately and shall apply to sales made and uses occurring during such period, although made or occurring under a prior contract.

RESOLUTION ADOPTED with Aye(1468). Supervisors Landon, Cuzzo and Frasier voted nay.

Duly adopted upon roll call, all members present (1468) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

Chairman Keller declared the Special Meeting adjourned at 11:40 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

PAGE: i

| | |
|---|---|
| TABLE OF CONTENTS | |
| CALL TO ORDER | 1 |
| MOMENT OF SILENCE | 1 |
| STATEMENT OF PURPOSE OF MEETING | 1 |
| ACTION ON BUSINESS | 1 |
| RES466 Resolution Amending Resolution No. 407 of 1997 | |
| ADJOURNMENT | 2 |

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for December 30, 1997 was called to order at 7:05 p.m. by Chairman Keller. The Pledge of Allegiance to the Flag was led by Supervisors D'Arcangelis, Frasier and Jubar. Roll call indicated that Supervisors Cuzzo, Barone and Van Kersen were absent.

MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to consider a Resolution Amending Resolution No. 407 of 1997, discussion regarding marketing of Glen Canal View Business Park and discussion regarding value of Glen Canal View Business Park land.

**

Supervisor Cuzzo entered the meeting at 7:09 p.m.

**

ACTION ON BUSINESS

**

RESOLUTION NO. 466 of 1997 DATED: December 30, 1997
RESOLUTION AMENDING RESOLUTION NO. 407 OF 1997

Resolution by Supervisor: Jubar
Seconded by Supervisor: Coluni

RESOLVED, that Resolution No. 407 of 1997 hereby is amended to provide for deletion, in the third Further Resolved clauses, of "\$157,500" and insertion, in its stead, of \$159,210".

RESOLUTION ADOPTED with Aye(1350). Supervisors Grzyb and Frasier voted nay. Supervisors Barone and Van Kersen were absent.

Duly adopted upon roll call, all members present (1350) voting aye.

KELLI MCCOSKI
County Attorney

RICHARD C. HEALY
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**

Motion by Supervisor D'Arcangelis, seconded by Supervisor McMahon, to enter into executive Session for the purpose of discussing the price of land at the Glen Canal View Business Park, at 7:25 p.m., passed with Aye(1660). Supervisors Barone and Van Kersen were absent.

Motion by Supervisor Landon, seconded by Supervisor Frasier, to conclude the Executive Session at 9:14 p.m., passed with Aye(1660). Supervisors Barone and Van Kersen were absent.

**

ADJOURNMENT

Chairman Keller declared the Meeting adjourned at 9:17 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa