

PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY



2002

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____ _
CALL TO ORDER

The Organizational Meeting for 2002 was called to order at 7:00 p.m. by Supervisor McMahon. The Pledge of Allegiance to the Flag was led by Supervisor Hisert. Roll Call indicated that all Supervisors were present.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Dybas, seconded by Supervisor Sinicropi, to adopt the agenda, passed with Aye(1868).

____ _
SELECTION OF PERMANENT CHAIRMAN

**

RESOLUTION NO. 1 of 2002 DATED: January 8, 2002
RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF
SUPERVISORS FOR THE YEAR 2002

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Sinicropi

RESOLVED, that Supervisor Ronald J. Barone, Sr. hereby is elected Chairman of the Montgomery County Board of Supervisors for the year 2002, and

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

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

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Mancini, in the RESOLVED clause, after "2002" insert, "and 2003", failed with Aye(852). Supervisors Brodie, Sinicropi, Dybas, Mancini, DiMezza and Thomas voted aye. Supervisors Paton and Van Kersen were absent.

RESOLUTION ADOPTED with Aye(1519). Supervisor Dybas voted nay. Supervisors Paton and Van Kersen were absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

NEW BUSINESS

RESOLUTION NO. 2 of 2002 DATED: January 8, 2002
RESOLUTION ELECTING VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2002

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that Supervisor William Hisert hereby is elected Vice-Chairman of the Montgomery County Board of Supervisors for the year 2002, and

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

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

RESOLUTION ADOPTED with Aye(1655). Supervisors Paton and Van Kersen were absent.

Duly adopted upon roll call, all members present (1655) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 3 of 2002 DATED: January 8, 2002
RESOLUTION ADOPTING RULES OF PROCEDURE OF THE BOARD OF SUPERVISORS

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

RESOLVED, that the Rules of Procedure, attached hereto, hereby are adopted by the Board of Supervisors for 2002, or until amended by Resolution.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, to amend by combining the Budget and Ways and Means Committees and renaming it the Finance Committee.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, to combine the Government, Policy and Procedure Committee with the Personnel Committee, passed with Aye(1868).

MOTION TO AMEND (Stagliano/Hisert), passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 4 of 2002 DATED: January 8, 2002
RESOLUTION REAPPOINTING CLERK OF THE BOARD OF SUPERVISORS

Resolution by Supervisor: Paton
Seconded by Supervisor: Mancini

RESOLVED, that pursuant to Section 475 of the County Law, Richard C. Healy of the City of Amsterdam hereby is reappointed Clerk of the Board of Supervisors of the County of Montgomery for a term commencing on January 1, 2002 and ending on December 31, 2003, at an annual salary of \$6,956, and

FURTHER RESOLVED, that said Clerk of the Board shall be authorized and empowered to appoint one Deputy Clerk, who shall provide clerical assistance.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor DiMezza, in the RESOLVE clause, delete "for a term commencing on January 1, 2002 and ending on December 31, 2003," passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 5 of 2002
RESOLUTION REAPPOINTING COUNTY ATTORNEY

DATED: January 8, 2002

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Thomas

RESOLVED, that Douglas E. Landon of the City of Amsterdam hereby is reappointed County Attorney for the County of Montgomery for a term commencing January 1, 2002 and ending on December 31, 2003, at an annual salary of \$44,823, and

FURTHER RESOLVED, that the duties of said County Attorney shall include the following:

1. To act as the legal advisor to this Board of Supervisors and to every officer whose compensation is paid from County funds, in all matters involving an official act of a civil nature;
2. To prosecute and defend all actions and proceedings brought by the County or against the County, the Board of Supervisors or any officer whose compensation is paid from County funds, for any official act;
3. To approve all proposed resolutions, local laws, agreements, contracts, policies and other documents as to legality and being in proper form prior to their being adopted by the Board of Supervisors;
4. To perform such other related duties as may be prescribed by law or directed by the Board of Supervisors, the Chairman of the Board or the County Administrator.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano voted nay.

Duly adopted upon roll call, all members present (1772) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 6 of 2002
RESOLUTION REAPPOINTING COUNTY AUDITOR

DATED: January 8, 2002

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Mancini

RESOLVED, that Patrick J. Messineo of the City of Amsterdam, hereby is reappointed County Auditor, at an annual salary of \$18,485 for a term commencing

on January 1, 2002 and ending on December 31, 2003, and

FURTHER RESOLVED, that said County Auditor shall perform such duties as authorized by Section 600 of County Law, and

FURTHER RESOLVED, that said County Auditor shall be authorized and empowered to appoint one Deputy Auditor.

RESOLUTION ADOPTED with Aye(1657). Supervisors Hisert and Stagliano voted nay.

Duly adopted upon roll call, all members present (1657) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 7 of 2002 DATED: January 8, 2002
RESOLUTION REAPPOINTING COUNTY HISTORIAN/RECORDS MANAGEMENT OFFICER

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that Kelly Farguhar hereby is reappointed Montgomery County Historian/Records Management Officer, at an annual base salary of \$30,000, for a term commencing on January 1, 2002 and ending on December 31, 2003.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 8 of 2002 DATED: January 8, 2002
RESOLUTION REAPPOINTING MONTGOMERY COUNTY FIRE COORDINATOR

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that George King of Fort Hunter hereby is reappointed Fire Coordinator for a term commencing on January 1, 2002 and ending December 31, 2003, at an annual salary of \$6,550, and

FURTHER RESOLVED, that said Fire Coordinator shall perform the duties prescribed by Section 225-a of the County Law of the State of New York.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 9 of 2002 DATED: January 8, 2002
RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2002

Resolution by: Full Board
Seconded by Supervisor:

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

RESOLVED, that the Board of Supervisors of the County of Montgomery hereby designates the following newspapers, for the above purpose, for the year 2002:

The Recorder

Courier-Standard Enterprise

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 10 of 2002 DATED: January 8, 2002
RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE
COUNTY TREASURER DURING 2002 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE
KEPT ON DEPOSIT THEREIN AT ANY ONE TIME

Resolution by: Full Board
Seconded by Supervisor:

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

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

RESOLVED, that pursuant to Section 212 of the County Law, the following banks are hereby designated by the Montgomery County Board of Supervisors as depositories for the deposit of all County funds by the County Treasurer of this County and deposited in the name of said County Treasurer for the year 2002, namely:

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

, and

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

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

, and

FURTHER RESOLVED, that each of said depositories shall give good and sufficient collateral as prescribed by law, as security for the amount so deposited in said depository, the amount thereof to be at least equal to the

amount hereby authorized to be deposited by said banks on behalf of the County Treasurer shall also be approved as to the amount by the County Treasurer, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 11 of 2002 DATED: January 8, 2002
RESOLUTION APPOINTING MEMBER OF BOARD OF DIRECTORS OF MONTGOMERY
COUNTY COOPERATIVE EXTENSION ASSOCIATION

Resolution by Supervisor: Barone
Seconded by Supervisor: Mancini

WHEREAS, the Montgomery County Cooperative Extension Association was established by a resolution which was duly adopted on May 6, 1913,

RESOLVED, that pursuant to Subdivision 8 of Section 224 of the County Law of the State of New York, Supervisor _____ hereby is appointed a member of the Board of Directors of the Montgomery County Cooperative Extension Association for a term ending on December 31, 2002.

MOTION TO TABLE by Supervisor Hisert, seconded by Supervisor Van Kersen, passed with Aye(1868).

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Cooperative Extension Association

**

RESOLUTION NO. 12 of 2002 DATED: January 8, 2002
RESOLUTION APPOINTING AGRICULTURAL AND FARMLAND PROTECTION BOARD
MEMBERS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Thomas

RESOLVED, that the following persons hereby are reappointed members of the Agricultural and Farmland Protection Board for four-year terms expiring on December 31, 2005:

Name	Address	Classification
Michael Kayes	County Annex Building	County Planning
Marilyn Smith	County Annex Building	Cornell Cooperative Extension

, and

FURTHER RESOLVED, that Town of Charleston Supervisor Leslie B. Hassan hereby is reappointed to a two-year term expiring on December 31, 2003.

RESOLUTION ADOPTED with Aye(1819). Supervisor Hassan abstained.

Duly adopted upon roll call, all members present (1819) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Ag. and Farmland Protection Board
Appointees

**

RESOLUTION NO. 13 of 2002 DATED: January 8, 2002
RESOLUTION REAPPOINTING MEMBERS OF THE MONTGOMERY COUNTY SOIL AND
WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mancini

RESOLVED, that Edward Paton and John Van Kersen hereby are reappointed members of the Board of Directors of the Montgomery County Soil and Water Conservation District, for one-year terms ending on December 31, 2002, and

FURTHER RESOLVED, that Edward Darrow hereby is reappointed as the Grange member for a three-year term ending on December 31, 2004.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton abstained.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 14 of 2002 DATED: January 8, 2002
RESOLUTION REAPPOINTING MEMBERS OF DEPARTMENT OF ENVIRONMENTAL
CONSERVATION REGION IV FOREST PRACTICE BOARD OF DIRECTORS

Resolution by Supervisor: Paton
Seconded by Supervisor: Stagliano

RESOLVED, that Supervisor Leslie B. Hassan, Town of Charleston, hereby is reappointed to the Region IV Forest Practice Board of Directors of the New York State Department of Environmental Conservation for a two-year term ending December 31, 2003, and

FURTHER RESOLVED, that Miles Frasier, Jr. and Edward Young, both of the Town of Palatine, also are reappointed to said Board for two-year terms ending December 31, 2003.

RESOLUTION ADOPTED with Aye(1819). Supervisor Hassan abstained.

Duly adopted upon roll call, all members present (1819) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees
Region IV Forest Practice Board

**

RESOLUTION NO. 15 of 2002 DATED: January 8, 2002
RESOLUTION REAPPOINTING MEMBER OF BOARD OF SUPERVISORS TO COUNTY JURY

BOARD

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mancini

WHEREAS, Section 503 of the Judiciary Law provides for the appointment of a member of the Board of Supervisors to the County Jury Board,

RESOLVED, that Supervisor Edward Paton hereby is reappointed to serve on the Montgomery County Jury Board for a term beginning on January 1, 2002 and ending on December 31, 2003.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton abstained.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
County Court Judge

**

RESOLUTION NO. 16 of 2002 DATED: January 8, 2002
RESOLUTION APPOINTING MCIDA LIAISON (LEGISLATIVE BOARD)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hisert

RESOLVED, that Supervisor _____ hereby is appointed liaison between the Board of Supervisors and the Montgomery County Industrial Development Agency, for a term ending on December 31, 2003.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Van Kersen, in the RESOLVED clause, insert "John B. Thomas", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
Appointee

**

RESOLUTION NO. 17 of 2002 DATED: January 8, 2002
RESOLUTION REAPPOINTING REPUBLICAN ELECTION COMMISSIONER

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, staggered terms have been established for Montgomery County's Election Commissioners,

RESOLVED, that Republican Commissioner Helen M. Walrath hereby is reappointed to a two-year term, commencing on January 1, 2002 and expiring on December 31, 2003, and

FURTHER RESOLVED, that said appointee shall be paid an annual salary of \$7,996.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Board of Elections

**

RESOLUTION NO. 18 of 2002
RESOLUTION REAPPOINTING MOSA MEMBER

DATED: January 8, 2002

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that Olga Podmajersky of 1 John Street, Fultonville, hereby is reappointed as a Montgomery County member of the Montgomery-Otsego-Schoharie Solid Waste Management Authority to a four-year term commencing on January 1, 2002 and ending on December 31, 2005.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
MOSA

_____ OTHER

_____ ADJOURNMENT

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

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for January 22, 2002, was called to order at 7:05 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor McMahon. Roll call indicated that Supervisors Brodie and Paton were absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor DiMezza, seconded by Supervisor Mancini, to Suspend the Rules of Procedure to allow for the introduction of Resolutions No. 19 through 47, passed with Aye(1582). Supervisors Brodie and Paton were absent. Motion by Supervisor DiMezza, seconded by Supervisor Mancini, to adopt the amended agenda, passed with Aye(1582). Supervisors Brodie and Paton were absent.

____ _
PRIVILEGE OF THE FLOOR

Proclamation citing the Governor's Youth Recognition Award was read and presented by Supervisor Richards to Hillary Erin Graff.

Jim Blackman, Town of Mohawk, spoke against grant funding for maintenance of snowmobile trails.

Mike Cole, Farm Bureau President, discussed the Montgomery County Agricultural Economic Development Committee.

Chris Nellis, Town of Palatine, requested Board support of the Agricultural Economic Development Committee.

Mayor John Duchessi, City of Amsterdam, requested guarantee of school taxes by the County.

Aldermen Emanuele, Nicosia and Wills, City of Amsterdam, spoke in favor of Mayor Duchessi's remarks.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearing of December 18, 2001, the Regular Meeting of December 18, 2001 and the Organizational Meeting of January 8, 2002, were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

RESOLUTION NO. 324 of 2001 DATED: December 18, 2001
RESOLUTION AUTHORIZING AGREEMENT IN PRINCIPLE - GUARANTEED PAYMENT OF
UNPAID SCHOOL TAXES TO CITY OF AMSTERDAM

Resolution by Supervisor: Mancini
Seconded by Supervisor: Dybas

WHEREAS, the County of Montgomery currently guarantees School taxes for the
Towns and Villages within the County, and

WHEREAS, the County of Montgomery agrees in principle to voluntarily assume
responsibility for the guarantee of unpaid school taxes in the City of
Amsterdam, and

WHEREAS, residents of the City of Amsterdam currently subsidize unpaid
School taxes within the City and also subsidize unpaid school district taxes
throughout the County, and

WHEREAS, the attached exhibit, labeled Exhibit "A", is a chart showing
total guaranteed payment coming from the City of Amsterdam with regard to school
taxes over the past four fiscal years, and

WHEREAS, this results in double taxation for residents of the City of
Amsterdam, and

WHEREAS, other counties in the State of New York have agreed to provide
enforcement of City/School taxes, and

WHEREAS, a four-page meeting agenda, dated December 7, 2000, concerning the
school tax proposal on the part of the City of Amsterdam is attached, as Exhibit
"B", as a source of additional information concerning the City's request,

RESOLVED, that the County of Montgomery agrees, in principle, to guarantee
the City of Amsterdam's school taxes in much the same way that the County
currently guarantees the school taxes for the Towns and Villages within the
County, and

FURTHER RESOLVED, that the specific details of this agreement in principle
between the County of Montgomery and the City of Amsterdam be established within
60 days of the date of the passage of this resolution, by discussions between
County and City officials.

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Hassan, passed
with Aye(1277). Supervisors Cuozzo, Barone, Dybas and Mancini voted nay.
(12/18/01)

RESOLUTION DIED ON THE TABLE.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 11 of 2002 DATED: January 8, 2002
RESOLUTION APPOINTING MEMBER OF BOARD OF DIRECTORS OF MONTGOMERY
COUNTY COOPERATIVE EXTENSION ASSOCIATION

Resolution by Supervisor: Barone
Seconded by Supervisor: Mancini

WHEREAS, the Montgomery County Cooperative Extension Association was established by a resolution which was duly adopted on May 6, 1913,

RESOLVED, that pursuant to Subdivision 8 of Section 224 of the County Law of the State of New York, Supervisor _____ hereby is appointed a member of the Board of Directors of the Montgomery County Cooperative Extension Association for a term ending on December 31, 2002.

MOTION TO TABLE by Supervisor Hisert, seconded by Supervisor Van Kersen, passed with Aye(1868).

RESOLUTION DIED ON THE TABLE.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Cooperative Extension Association

NEW BUSINESS

**
RESOLUTION NO. 19 of 2002 DATED: January 22, 2002
RESOLUTION CONFIRMING PRELIMINARY DESIGN PHASE ENVIRONMENTAL REVIEW
EXEMPTION FOR FMCC SPATIAL INFORMATION TECHNOLOGY CENTER CONSTRUCTION

Resolution by Supervisor: McMahon
Seconded by Supervisor: Van Kersen

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has approved a \$74,835 grant to fund preliminary design services for construction of a "Spatial Information Technology Center" at Fulton-Montgomery Community College, and

WHEREAS, HUD regulations require that an environmental review be conducted for HUD funded construction projects, and

WHEREAS, receipt of said funds is contingent upon completion of an environmental review, if necessary, and

WHEREAS, HUD has determined that the preliminary design phase is "exempt" from an environmental review,

RESOLVED, that the Board of Supervisors hereby confirms that the preliminary design phase for construction of a Spatial Information Technology Center at Fulton-Montgomery Community College is exempt from an environmental review process, 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(1446). Supervisor Dybas voted nay. Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1446) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 20 of 2002 DATED: January 22, 2002
RESOLUTION APPROVING 2002 CAPITAL PROJECTS - ROOF REPLACEMENTS (FMCC)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: McMahon

WHEREAS, the Board of Trustees has recommended that three roof replacement projects be undertaken at Fulton Montgomery Community College,

RESOLVED, that the Board of Supervisors hereby approves roof replacements for the Union, Physical Education and Classroom Buildings at Fulton-Montgomery Community College as 2002 Capital Projects, at a cost not to exceed \$700,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for preparation of appropriate legislation authorizing bonding to fund the County's 25 percent share of said Capital Projects.

RESOLUTION ADOPTED with Aye(1446). Supervisor Dybas voted nay. Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1446) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 21 of 2002 DATED: January 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - REVOLVING LOAN
FUND REPORTS (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Thomas

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

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

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

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

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

FURTHER RESOLVED, that payment for said services shall be made either from CDBG or program income funds, at a cost not to exceed \$20,000.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Opportunity and
Development

**
RESOLUTION NO. 22 of 2002 DATED: January 22, 2002
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),

DATED JANUARY 22, 2002, AUTHORIZING VARIOUS BUSINESS PARK
INFRASTRUCTURE IMPROVEMENTS; ESTIMATING THE AGGREGATE COST THEREOF TO
BE \$5,700,000; APPROPRIATING SAID AMOUNT THEREFORE AND AUTHORIZING
THE ISSUANCE OF \$5,700,000 SERIAL BONDS OF THE COUNTY TO FINANCE
SAID COST

Resolution by Supervisor: Richards
Seconded by Supervisor: Hisert

WHEREAS, the Board of Supervisors has previously indicated its interest in, and intent to provide, funding necessary for the development of a business park in the Town of Florida, Montgomery County (the "Florida Business Park") for various expenses including, but not limited to, the acquisition, construction and installation of sewer and water infrastructure within the Florida Business Park and from sewer and water systems in the City of Amsterdam, and

WHEREAS, the Board of Supervisors has previously entered into a water and Sewer System Intermunicipal Cooperation Agreement dated April 1, 2001 (the "Sewer and Water Agreement"), pursuant to which the County of Montgomery has agreed to pay the cost of all sewer and water improvements relating to the Florida Business Park, and

WHEREAS, the Board of Supervisors desires to approve the method of financing the costs of such capital projects;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Supervisors of the County of Montgomery, New York, (by a favorable vote of not less than two-thirds of all of its members), as follows:

SECTION 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:

1. The acquisition, construction and reconstruction of, and addition and extension to, the water supply and distribution system from the City of Amsterdam to and within the Florida Business Park including, but not limited to, the construction and installation of a three (3) million gallon water storage tank to be located within the Florida Business Park, along with the construction and installation of a booster pumping station, new transmission mains and related water system appurtenances (the "Water System Improvements"), all of which shall have an estimated maximum cost of Three Million, Six Hundred Forty-Three Thousand, Four Hundred Forty Dollars (\$3,643,440), and authorizing the issuance of serial bonds therefore in the same amount;
2. The acquisition, construction and reconstruction of, and addition and extension to, the sanitary sewer system from the City of Amsterdam to and within the Florida Business Park including, but not limited to, the construction and installation of a pump station, transmission mains, manholes, and the reconstruction of attendant road surfaces (the "Sewer System Improvements"), all of which shall have an estimated maximum cost of Two Million, Fifty-Six Thousand, Five Hundred Sixty Dollars (\$2,056,560), and authorizing the issuance of serial bonds therefore in the same amount;

SECTION 2

It is determined that the period of probable usefulness of the aforesaid specific objects or purposes are as follows:

- (a) Water System Improvements - 40 years pursuant to Section 11.00(a)(1) of the Law.
- (b) Sewer System Improvements - 40 years pursuant to Section 11.00(a)(4) of the Law.

SECTION 3

The plan of financing includes the issuance of \$5,700,000 serial bonds and the principal of and interest on said bonds shall be paid, as

the same shall become due and owing, from amounts remitted to the County pursuant to the Sewer and Water Agreement, from payments in lieu of taxes collected from businesses located within the Florida Business Park and/or special assessments collected from users of the Water System Improvements and Sewer System Improvements. The County shall, to the extent of any shortfall in or absence of such funds, pay the principal of and interest on said bonds by a levy of 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 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 6

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 7

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 8

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 provisions 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 9

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 the 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 10

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 11

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 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 12

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 13

The resolution is not subject to a mandatory or permissive referendum pursuant to Section 33.10 of the Law.

SECTION 14

This resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1582-2/3 majority). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 23 of 2002 DATED: January 22, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 1 OF 2002

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 1 of 2002, a Local Law Establishing the 2002 Salaries of Various County Officials,

RESOLVED, that Introductory Local Law No. 1 of 2002 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, February 26, 2002, at 6:45 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 24 of 2002 DATED: January 22, 2002
RESOLUTION REAPPOINTING MEMBER OF SANITARY SEWER DISTRICT BOARD

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

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

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

RESOLVED, that Robert Younglove hereby is reappointed as the at-large member of the Board of Directors of Sanitary Sewer District No. 1, for a one-year term ending on December 31, 2002.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Sanitary Sewer District

**
RESOLUTION NO. 25 of 2002 DATED: January 22, 2002
RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL
AUTHORITY TO COUNTY AUDITOR

Resolution by Supervisor: Thomas
Seconded by Supervisor: Dybas

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

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

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

RESOLVED, that the Board of Supervisors hereby delegates authority to the County Auditor to handle Erroneous Assessments for 2002, per provisions of Sections 554 and 556 of the Real Property Tax Law, and

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

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Auditor

**
RESOLUTION NO. 26 of 2002 DATED: January 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL
COOPERATIVE EXTENSION ASSOCIATION

Resolution by Supervisor: Hisert
Seconded by Supervisor: Sinicropi

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

WHEREAS, \$168,778 has been appropriated in the 2002 Operating Budget, for Cornell Cooperative Extension Association,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign agreements with Cornell Cooperative Extension Association, providing for allocation of 2,525 square feet of office space and for the appropriation of \$168,778 in 2002.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Cornell Cooperative Extension

**
RESOLUTION NO. 27 of 2002 DATED: January 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - MOHAWK VALLEY
SENIOR RESOURCE CENTER AND MONTGOMERY COUNTY SOIL AND WATER
CONSERVATION DISTRICT

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Van Kersen

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

WHEREAS, the Montgomery County Board of Supervisors has appropriated in the 2002 County Budget, \$218,577 for the Mohawk Valley Senior Resource Center and \$59,200 for Montgomery County Soil and Water Conservation District, respectively

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 Mohawk Valley Senior Resource Center and the Montgomery County Soil and Water Conservation District, providing for the appropriation of \$218,577 and \$59,200, respectively, in 2002.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Mohawk Valley Senior Resource Center
Soil & Water Conservation District

**
RESOLUTION NO. 28 of 2002 DATED: January 22, 2002
RESOLUTION ACCEPTING PROPOSAL - PARTTIME PHYSICIAN SERVICES
(MONTGOMERY MEADOWS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Mancini

WHEREAS, the Purchasing Department was authorized to solicit proposals for Parttime Physician Services, and

WHEREAS, said proposals were opened on December 4, 2001,

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by St. Mary's Hospital of Amsterdam, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign and execute any documents pertaining to said award.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing
Meadows Administrator

**
RESOLUTION NO. 29 of 2002 DATED: January 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS

Resolution by Supervisor: Paton
Seconded by Supervisor: Hisert

WHEREAS, the Montgomery County Youth Board of Directors has recommended 2002 Youth Initiatives Program and Youth Development/Delinquency Prevention Programs agreements with various providers,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign 2002 Youth Initiatives Program agreements as follows:

Big Brothers/Big Sisters of Montgomery County (Youth Recruitment)	\$ 2,991.00
Catholic Charities of Montgomery County (Better Your Own Body)	5,000.00
Catholic Charities/Montgomery County (Schools Aiding Family Environment)	2,470.00

and,

FURTHER RESOLVED, that said Chairman, following review and approval by said County Attorney, also is authorized and directed to sign 2002 Youth Development/Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Big Brothers/Big Sisters)	\$ 9,000.00
Catholic Charities of Montgomery County (Schools Aiding Family Environment)	7,030.00
Community Youth Center (Youth Center)	5,500.00
St. Johnsville Youth Center (Youth Center)	6,000.00

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Big Brothers/Big Sisters
Catholic Charities of Montgomery County
Community Youth Center
St. Johnsville Youth Center
Youth Bureau

**
RESOLUTION NO. 30 of 2002 DATED: January 22, 2002
RESOLUTION AUTHORIZING FUNDING ALLOCATIONS - DELINQUENCY PREVENTION
PROGRAMS

Resolution by Supervisor: Paton
Seconded by Supervisor: Hisert

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of funds for the 2002 Special Delinquency Prevention Program and the 2002 Youth Development/Delinquency Prevention Program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign 2002 Special Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Partners to Assist Youth)	\$2,400.00
Catholic Charities of Montgomery County (Begin Again)	7,816.00
Montgomery County Probation Department (Juvenile Field Project)	7,879.00
Montgomery County Youth Bureau (Administration)	2,492.00
Montgomery County Sheriff's Department (Drug, Alcohol and Safety Training)	2,189.00
Held in amendment for youth programs	5,000.00

and,

FURTHER RESOLVED, that said Board also authorizes allocation of 2002 Youth Development/Delinquency Prevention Program funds for municipal programs, as follows:

City of Amsterdam (Juvenile Aid Bureau)	\$5,800.00
City of Amsterdam (Recreation Department)	5,859.00
Town of Amsterdam (Town Recreation)	1,000.00
Town of Canajoharie (Youth Center)	1,250.00
Town of Charleston (Town Recreation)	500.00
Town of Florida (Town Recreation)	2,000.00
Town of Glen (Summer Program)	500.00
Town of Mohawk (Summer Program)	900.00
Town of Mohawk (Tribes Hill Recreation)	600.00
Town of Palatine (Youth Center)	700.00
Town of Root (Youth Center)	1,000.00
Village of Canajoharie (Youth Center)	1,300.00
Village of Fonda (Summer Program)	500.00
Village of Fort Johnson (Village Recreation)	500.00
Village of Fort Plain (Village Recreation)	3,800.00
Village of Fultonville (Summer Program)	500.00
Village of Hagaman (Village Recreation)	1,100.00
Village of Palatine Bridge (Village Recreation)	800.00
Village of St. Johnsville (Village Recreation)	2,500.00

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Big Brothers/Big Sisters
Catholic Charities of Montgomery County
Probation Department
Youth Bureau
Sheriff
Towns, Villages and City of Amsterdam

**

RESOLUTION NO. 31 of 2002 DATED: January 22, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has requested a budget amendment to provide for receipt of a \$37,454 grant from the Governor's Traffic Safety Committee,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

ADD:

A-15-4-3110-00
.1110 (38) Deputy Sheriff
.2259 Computer Equipment

INCREASE:

Revenue: A-15-3-4389-00 Other Public Safety by \$26,040.00

Appropriations: A-15-4-3110-00 Sheriff
.1110 (38) Deputy Sheriff by \$24,600.00
.2259 Computer Equipment by \$ 1,440.00

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 32 of 2002 DATED: January 22, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Thomas

WHEREAS, the Sheriff has requested a budget amendment to provide for receipt of a grant from the Governor's Traffic Safety Board,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue: A-15-3-4389-00 Other Public Safety by \$2,009.00

Appropriations: A-15-4-3110-00.1111(1212) Sheriff
Overtime Pay by \$2,009.00

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 33 of 2002 DATED: January 22, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, the Sheriff has requested a budget amendment to provide for acquisition of a replacement K-9 for Road Patrol duty,

RESOLVED, that the County Treasurer is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue: A-15-3-2705-00 Gifts and Donations by \$8,925.00

Appropriations: A15-4-3110-00.4587 Sheriff
K-9/K-9 Supplies by \$8,925.00

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 34 of 2002 DATED: January 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COMMUNITY ALERT
NETWORK (SHERIFF)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Sinicropi

WHEREAS, the Sheriff has recommended that Montgomery County continue its emergency notification contractual affiliation with Community Alert Network, Inc.,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an emergency notification agreement with Community Alert Network, Inc. of Albany, and

FURTHER RESOLVED, that said agreement, which shall commence on June 1, 2002 and terminate on May 31, 2003, shall provide for payment of an \$11,500 service fee, and

FURTHER RESOLVED, that said agreement also shall provide for payment of 25 cents per call for all standard calls (not interactive) used to deliver telephone communications requested by the County.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 35 of 2002 DATED: January 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PLANNED SERVICE RENEWAL
AGREEMENT - JOHNSON CONTROLS, INC. (SHERIFF)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has recommended entering into a maintenance agreement for certain correctional facility equipment,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Planned Service Agreement with Johnson Controls, Inc., and

FURTHER RESOLVED, that said agreement, which applies to various correctional facility equipment, shall be for a one-year period, commencing on January 1, 2002 and ending on December 31, 2002, at a cost not to exceed \$28,500.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 36 of 2002 DATED: January 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT -
PSYCHIATRIC EXAMINATION OF INMATES (JAIL)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Mancini

WHEREAS, Section 508 of the Corrections Law of the State of New York pertains to the security of jail inmates while they are receiving psychiatric care, and

WHEREAS, some inmates of the Montgomery County Corrections Facility receive psychiatric examinations and treatment at the Central New York Psychiatric Center, and

WHEREAS, such psychiatric care is provided in compliance with court orders or upon the direction of the County Mental Health Director,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute a renewal agreement with the County of Oneida regarding security arrangements for inmates of the Montgomery County Jail who are housed at the Central New York Psychiatric Center, and

FURTHER RESOLVED, that said agreement shall be for the period of January 1, 2002 to December 31, 2003, at the rate of \$125.00 per inmate.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 37 of 2002 DATED: January 22, 2002
RESOLUTION AWARDED BID 11-01 - HYDRAULIC EXCAVATOR (PUBLIC WORKS)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Dybas

WHEREAS, the Purchasing Department was authorized to solicit bids for a Multipurpose Hydraulic Excavator for the Public Works Department, and

WHEREAS, said bids were opened on December 18, 2001,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 11-01 to L. B. Smith, of Albany, in the amount of \$223,910.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 38 of 2002 DATED: January 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SNOWMOBILE TRAILS
GRANT-IN-AID PROGRAM

Resolution by Supervisor: Hisert
Seconded by Supervisor: Mancini

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has awarded Montgomery County \$12,642.78 from the 2001-02 Snowmobile Trails Grant-In-Aid Program, based upon an application submitted in cooperation with the Montgomery County Association of Snow Travelers,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute documents accepting a 2001-02 Snowmobile Trails Grant from the Office of Parks, Recreation and Historic Preservation, and

FURTHER RESOLVED, that said Chairman also is authorized and directed to execute agreements, between the County and the Montgomery County Association of Snow Travelers, providing for said organizations to conduct snowmobile trail development and maintenance, consistent with grant program requirements, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue: A-01-3-3899.00 Other Cultural & Recreation by \$12,642.78

Appropriations: A-01-4-7180-00.4572 Recreational Facility
Recreational Trails by \$12,642.78

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Van Kersen, in the first WHEREAS clause and the first FURTHER RESOLVED Clauses, after "Travelers", insert, "Frontier Sno-Riders, Inc. Forest Preserve Users, Inc., Town of Florida Snowmobile Club, Inc. and Sandflats Trailblazers", passed with Aye(1439). Supervisor McMahon abstained. Supervisors Brodie and Paton were absent.

RESOLUTION ADOPTED with Aye(1439). Supervisor McMahon abstained. Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1439) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery County Association of Snow
Travelers

**

RESOLUTION NO. 39 of 2002
RESOLUTION APPOINTING BUYER (PURCHASING)

DATED: January 22, 2002

Resolution by Supervisor:
Seconded by Supervisor:

WHEREAS, a vacancy exists for the position of Buyer in the Purchasing Department,

RESOLVED, that Linda Hudson of 76 Mohawk Street, Fort Plain, hereby is appointed Buyer in the Purchasing Department, at a base annual salary of \$28,500, and

FURTHER RESOLVED, that said appointment is effective on January 1, 2002.

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Department
Appointee

**

RESOLUTION NO. 40 of 2002
RESOLUTION APPOINTING MOSA MEMBER

DATED: January 22, 2002

Resolution by Supervisor: Barone
Seconded by Supervisor: Sinicropi

WHEREAS, a vacancy exists for a Montgomery County member of the Montgomery-Otsego-Schoharie Solid Waste Management Authority,

RESOLVED, that Vincenzo Niscosia of 366 Guy Park Avenue, Amsterdam, hereby is appointed a Montgomery County member of the Montgomery-Otsego-Schoharie Solid Waste Management Authority to fill an unexpired term ending on December 31, 2003.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
MOSA

**
RESOLUTION NO. 41 of 2002 DATED: January 22, 2002
RESOLUTION APPOINTING TEMPORARY PARTTIME PURCHASING AGENT

Resolution by Supervisor: Barone
Seconded by Supervisor: DiMezza

RESOLVED, that Marco Zumbolo hereby is appointed Temporary Parttime Purchasing Agent, at an annual base salary of \$18,000, and

FURTHER RESOLVED, that said Temporary appointment is effective on February 4, 2002, and

FURTHER RESOLVED, that said Temporary appointment will exist until recruitment of a Permanent Parttime Purchasing Agent is completed.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Department
Appointee

**
RESOLUTION NO. 42 of 2002 DATED: January 22, 2002
RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS

Resolution by Supervisor: Barone
Seconded by Supervisor: Quackenbush

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

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

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

MOTION TO AMEND by Supervisor Barone, seconded by Supervisor Quackenbush, in the RESOLVED clause, insert, "Bob Fetterly" "5 valley view Road, Amsterdam" respectively, passed with Aye(1582). Supervisors Brodie and Paton were absent.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MCIDA
Appointee

**

RESOLUTION NO. 43 of 2002
RESOLUTION AUTHORIZING DONATION OF SICK DAYS

DATED: January 22, 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: DiMezza

WHEREAS, County employee No. 79, suffers from a serious illness which may require him to be absent from work for an extended period of time, and

WHEREAS, the Board of Supervisors desire to accommodate employees who may want to donate sick days to said employees to help enable him to remain on active payroll,

RESOLVED, that County employees hereby are authorized to donate sick days to Employee No. 079, with written donation requests to be submitted to the Personnel Department.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**

RESOLUTION NO. 44 of 2002
RESOLUTION ADOPTING SICK TIME DONATION POLICY (PERSONNEL)

DATED: January 22, 2002

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Richards

WHEREAS, it is beneficial to Montgomery County, as an employer, to establish a policy providing for the donation of sick time,

RESOLVED, that the Board of Supervisors hereby adopts a Policy for Donation of Sick Time, and

FURTHER RESOLVED, that said Policy is attached hereto and made part of this Resolution.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**

RESOLUTION NO. 45 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN STATE ASSISTANCE CONTRACT
WITH THE ENVIRONMENTAL FACILITIES CORPORATION

DATED: January 22, 2002

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County has applied and successfully qualified for \$1 million in funding under the State Pipeline for Jobs Program, and

WHEREAS, said funding must be used to offset costs associated with infrastructure improvements necessary for the Town of Florida Water District, and

WHEREAS, receipt of funding is contingent upon the Montgomery County Economic Opportunity and Development Department entering into a State Assistance Contract with the Environmental Facilities Corporation,

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 State Assistance Contract with the Environmental Facilities Corporation.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Opportunity and
Development

**

RESOLUTION NO. 46 of 2002
RESOLUTION AMENDING RESOLUTION NO. 126 OF 2001

DATED: January 22, 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Van Kersen

WHEREAS, Resolution No. 126 of 2001 authorized Montgomery County to convey a parcel of property located in the Town of Palatine, SBL 63.10-2-5, to the New York State Department of Transportation, and

WHEREAS, said Resolution authorized and directed the Chairman of the Board to execute all documents for said conveyance,

RESOLVED, that Resolution No. 126 of 2001 hereby is amended to turn over full possession and total liability of this property to the New York State Department of Transportation, and

FURTHER RESOLVED, that all documents necessary and relative to this conveyance will be completed at no expense to the County.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property
New York State Dept. of Transportation

**

RESOLUTION NO. 47 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - ALTERNATIVES TO
INCARCERATION PROGRAMS

DATED: January 22, 2002

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: McMahon

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

WHEREAS, participation in said programs will necessitate the execution of

agreements between the County and the program provider, and between the County and the New York State Division of Probation and Correctional Alternatives,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign agreements relating to operation and funding of the County's Alternatives to Incarceration programs for the period commencing on January 1, 2002 and ending on December 31, 2002, and

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

FURTHER RESOLVED, that \$20,000 of said total shall be advanced to ATI, at the time of entering into the agreement between the County and ATI, said advance to be deducted from the total amount.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent.

Duly adopted upon roll call, all members present (1582) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Alternatives to Incarceration

____ OTHER

Motion by Supervisor DiMezza, seconded by Supervisor Hisert, to enter into Executive Session for the purpose of discussing personnel issues, passed with Aye(1582). Supervisors Brodie and Paton were absent. The Board entered Executive Session at 8:45 p.m.

Motion by Supervisor DiMezza, seconded by Supervisor Hisert, to conclude the Executive Session at 9:50 p.m., passed with Aye(1582). Supervisors Brodie and Paton were absent.

____ ADJOURNMENT

Motion by Supervisor DiMezza, seconded by Supervisor Hisert, to adjourn the meeting, passed with Aye(1582). Supervisor Brodie and Paton were absent. Chairman Barone declared the meeting adjourned at 9:51 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for February 26, 2002, was called to order at 7:00 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Richards. Roll call indicated that Supervisor Paton was absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Dybas, seconded by Supervisor Van Kersen, to Suspend the Rules of Procedure to allow for the introduction of Resolutions No. 78, 79 and 80, passed with Aye(1721). Supervisor Paton was absent. Motion by Supervisor Dybas, seconded by Supervisor Van Kersen, to adopt the amended agenda, passed with Aye(1721). Supervisor Paton was absent.

____ _
PRIVILEGE OF THE FLOOR

Alice Knapik, Town of Glen, discussed road improvement.

John Persch, Montgomery County Soil & Water, requested a committee meeting to discuss continuing work on the Thomas Burbine Memorial Forest.

Steve Anderson, Farm Service Agency, provided the Agency's annual report.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of January 22, 2002, were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

NEW BUSINESS

**

RESOLUTION NO. 48 of 2002 DATED: February 26, 2002
RESOLUTION HONORING THE MEMORY OF LOUIS J. COLUNI

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Louis J. Coluni served, with distinction, as a member of the Montgomery County Board of Supervisors, and

WHEREAS, Mr. Coluni represented the City of Amsterdam's Fifth Ward from 1996 to 1999, and

WHEREAS, Mr. Coluni, an Amsterdam native, was employed as District Sales Manager for the William Bartyzel Distributing Company, until retiring in 1987, and

WHEREAS, Mr. Coluni was a Navy veteran of World War Two, having been awarded two Bronze Stars during his service in the Pacific Theater as a member of the Underwater Demolition Team No. 21, and

WHEREAS, Mr. Coluni was a communicant of Our Lady of Mount Carmel Roman Catholic Church and a former President of the Holy Name/St. Anthony Society, and

WHEREAS, Mr. Coluni, a former Chairman of the Amsterdam Golf Commission, was a member of Knights of Columbus Council 209, South Side War Veterans, Mount Carmel Bocci League and Immaculate Conception Church, and

WHEREAS, Mr. Coluni, whose wife, the former Hilda Donohue, died in 1997, is survived by a son, Louis Coluni, III, of Sanford, Maine; a daughter, Amelia Polomaine of Scotia; nine grandchildren and three great-grandchildren,

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

FURTHER RESOLVED, that the Board of Supervisors hereby honors the memory of Louis J. Coluni and expresses its condolences to his family upon his passing.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 49 of 2002 DATED: February 26, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Thomas

WHEREAS, on January 22, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Establishing the 2002 Salaries of Various County Officials," was presented to the Board of Supervisors for consideration, and

WHEREAS, on January 22, 2002, Resolution No. 23 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 26th of February, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 1 of 2002, entitled: "A Local Law Establishing the 2002 Salaries of Various County Officials," hereby is adopted and is incorporated and attached hereto, and

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

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Dybas, passed with Aye(1721). Supervisor Paton was absent. (2/26/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 50 of 2002 DATED: February 26, 2002
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 2 OF 2002

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Richards

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 2 of 2002, a Local Law Establishing the 2002 Salary of the County Clerk,

RESOLVED, that Introductory Local Law No. 2 of 2002 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 26, 2002, at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Quackenbush, in the Local Law, add "County Treasurer 54,285; Real Property Tax Director 41,375; Personnel Officer 51,984; Election Commissioner 7,996; Election Commissioner 7,996; Social Services Commissioner 54,794; Planning Director 50,367; Public Defender 44,982; Economic Oppor. & Dev. Director 50,159; Nursing Home Administrator 58,710".

MOTION TO AMEND by Supervisor Mancini, seconded by Supervisor Dybas, in the Local Law, add "County Administrator 61,800", passed with Aye(1463). Supervisors McMahon and Hisert abstained. Supervisor Paton was absent.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Mancini, in the Local Law, add "County Auditor 20,000", passed with Aye(1367). Supervisor Stagliano voted nay. Supervisor McMahon and Hisert abstained.

MOTION TO AMEND (Stagliano/Quackenbush), passed with Aye(1721). Supervisor Paton was absent.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Clerk

**
RESOLUTION NO. 51 of 2002 DATED: February 26, 2002
RESOLUTION AUTHORIZING CONTRACT CLOSEOUT - COLLEGE UNION/PE BUILDING
RENOVATION PROJECT (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

RESOLVED, that the Montgomery County Board of Supervisors hereby directs that the General Construction Contract, with Bast Hatfield, for the FMCC College Union/PE Renovation Project be closed and final payment be issued per the following summary:

ORIGINAL CONTRACT AMOUNT	\$1,537,000.00
Net Change CO's 1-4	48,613.15
Final Contract Amount	1,585,613.15
(Less) Total Paid to Date	1,578,357.57
(Less) Retainage Held in Bonds	5,543.66
FINAL PAYMENT DUE	<u>\$ 1,711.92</u>

RESOLUTION ADOPTED with Aye(1585). Supervisor Dybas voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1585) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
FMCC
Fulton Co. Board of Supervisors

**
RESOLUTION NO. 52 of 2002 DATED: February 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING DESIGN SERVICES
AGREEMENT - PE AND CLASSROOM BUILDING ROOF REPLACEMENT PROJECTS (FMCC)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, the 2002 Capital Plan identifies Roof Replacement Projects for the Classroom and Physical Education Buildings at Fulton-Montgomery Community College, and

WHEREAS, Requests for Proposals for Engineering Design Services were distributed to three firms,

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 Steven E. Smith, P.E., of Gloversville for design services for the Classroom and Physical Education Buildings Roof Replacement Projects, at a cost not to exceed \$27,315.00, 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 Thomas, seconded by Supervisor Hassan, in the RESOLVED clause, delete "27,315" and insert, in its stead, "30,315", passed with Aye(1489). Supervisors Dybas and Stagliano voted nay. Supervisor Paton was absent.

RESOLUTION ADOPTED with Aye(1489). Supervisors Dybas and Stagliano voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1489) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk

FMCC
Fulton County Board of Supervisors

**
RESOLUTION NO. 53 of 2002 DATED: February 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING DESIGN SERVICES
AGREEMENT - COLLEGE UNION ROOF REPLACEMENT PROJECT (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the 2001 Capital Plan identified a Roof Replacement Project for the College Union Building at Fulton-Montgomery Community College, and

WHEREAS, said Project was not initiated in 2001, due to budgetary considerations, and

WHEREAS, it is necessary that specifications be updated, to enable rebidding of said project,

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 Architecture + of Troy, to update and distribute specifications for the College Union Building Roof Replacement Project, at a cost not to exceed \$3,300, 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(1585). Supervisor Dybas voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1585) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 54 of 2002 DATED: February 26, 2002
RESOLUTION ESTABLISHING HIRING FREEZE

Resolution by Supervisor: McMahon
Seconded by Supervisor: DiMezza

WHEREAS, it has been recommended that a hiring freeze be implemented by the County of Montgomery,

RESOLVED, that the Board of Supervisors hereby directs that no unbudgeted positions be filled for the remainder of 2002, and

FURTHER RESOLVED, that said freeze shall be effective immediately upon adoption of this Resolution and shall last until December 31, 2002.

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer
All Department Heads

**
RESOLUTION NO. 55 of 2002 DATED: February 26, 2002
RESOLUTION APPOINTING MEMBERS OF COUNTY FIRE ADVISORY BOARD

Resolution by Supervisor: Van Kersen

Seconded by Supervisor: Brodie

WHEREAS, the Montgomery County Fire Advisory Board was created by adoption of Resolution No. 131 of 1950, pursuant to Section 209k of the General Municipal Law, now Section 225a of the County Law of the State of New York,

RESOLVED, that the following persons hereby are appointed members of the County Fire Advisory Board terms ending December 31, 2003:

NAME:	ADDRESS:	REPRESENTING:
Daniel Carter	340 Mohawk Drive, Tribes Hill	Tribes Hill
Frank Nestle	83 Moyer Street, Canajoharie	Canajoharie
Mike Beyer	706 StHwy 67, Amsterdam	Cranesville
J. Michael Mancini	75 Lincoln Avenue, Amsterdam	Amsterdam
Eric Bowerman	208 Buel Road, Canajoharie	Ames
Phil Bradt	2053 Burtonsville Road, Esperance	Burtonville
David Ramsey	742 Corbin Hill Road, Sprakers	Charleston
Steve Krutz	1 Van Street, Amsterdam	Florida
Timothy Healey	11 Putman Road, Fonda	Fonda
Eric Gardner	PO Box 11, Fort Hunter	Fort Hunter
Richard Sager	6 Horseshoe Drive, Johnstown	Fort Johnson
Valentine Waner, Jr.	46 Abbott Street, Fort Plain	Fort Plain
James Whipple	Prospect Street, Fultonville	Fultonville
William VanDerveer	Logtown Road, Fultonville	Glen
Nicholas M. Bartosik	32 Hagaman Avenue, Hagaman	Hagaman
Edward Fredericks	888 StHwy 162, Sprakers	Rural Grove
Sherman Rockwell	1070 StHwy 163, Fort Plain	South Minden
Charles Gray	1249 StHwy 334, Fonda	Town of Mohawk
Richard Hanson	157 Hanson Drive, Tribes Hill	Member-at-Large

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

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

cc: County Treasurer
County Administrator
County Clerk
Appointees
Fire Coordinator

**
RESOLUTION NO. 56 of 2002 DATED: February 26, 2002
RESOLUTION APPOINTING MEMBERS OF ARSON ADVISORY BOARD

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Sinicropi

RESOLVED, that the following persons hereby are appointed members of the Montgomery County Arson Advisory Board for terms ending December 31, 2003:

Daniel Carter	340 Mohawk Drive, Tribes Hill
George King, Chairman	167 Queen Anne Street, Amsterdam
Michael Amato	Sheriff's Office, Fultonville
James E. Conboy	P.O. Box 1500, Fonda
Bernard Kirk, Jr.	126 Auriesville Road, Fultonville
David Bouck	113 StHwy 80, Fort Plain
Mark Tenzer	191 Country Club Lane, Amsterdam
Michael Beyer	132 Poplar Drive, Amsterdam
Rick Husted	174 Pioneer Street, Amsterdam
James Westman	207 Reynolds Road, Fultonville
Robert Furman	395 Ingersol Road, Fultonville
Larry Intelisano	124 Auser Road, Esperance
David Lis	2658 Rt. 67, Amsterdam
William Klug	174 McLachlan Road, Amsterdam
Peter Nelson	20 Putnam Street, Fonda
Dave Bowman	53 West Street, Fort Plain

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees
Fire Coordinator

**
RESOLUTION NO. 57 of 2002 DATED: February 26, 2002
RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT
BOARD MEMBERS

Resolution by Supervisor: Hisert
Seconded by Supervisor: Sinicropi

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 Chairman of the Board hereby is authorized to appoint John Van Kersen and John Thomas to two-year terms as Legislative Representative and Alternate, respectively, and Michael J. Kayes and Gerard Koller as Sportsman Representative and Alternate, respectively, and William Grzyb, Sr. and Miles Frasier, Jr. as Landowner Representative and Alternate, respectively, on the Region IV Fish and wildlife Management Board, and

FURTHER RESOLVED, that said terms shall end on December 31, 2003.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees
Region IV Fish and wildlife

**
RESOLUTION NO. 58 of 2002 DATED: February 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MASS TRANSPORTATION GRANT
AGREEMENT

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the County of Montgomery is requesting a grant from the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code, for a project to provide public mass transportation services through Brown Coach, Inc., and

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

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

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Brown Coach, Inc.

**
RESOLUTION NO. 59 of 2002 DATED: February 26, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - STEP ENFORCEMENT GRANT
(SHERIFF)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has requested a budget amendment to provide for receipt of a \$10,227 STEP Enforcement Grant from the Governor's Traffic Safety Committee,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

A-599	Appropriated Fund Balance	by \$10,227.00
Appropriations: A-15-4-3110-00	Sheriff	
.1111(1212)	Overtime Pay	by \$ 8,792.00
.2259	Computer Equipment	by 1,435.00

RESOLUTION ADOPTED with Aye(1585). Supervisor Dybas voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1585) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 60 of 2002 DATED: February 26, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - AID TO PROSECUTION GRANT
(DISTRICT ATTORNEY)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

WHEREAS, the District Attorney has requested a budget amendment to provide for carryover of Aid to Prosecution Grant funds,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

A-599	Appropriated Fund Balance	by \$2,444.84
Appropriations: A-25-4-1165-00.1125(13)	District Attorney	
	Other Compensation	by \$2,444.84

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor DiMezza, in the RESOLVED clause, delete "A-599 Appropriated Fund Balance" and insert, in its stead, "A-25-3-3089-00 State Aid Other", passed with Aye(1721). Supervisor Paton was absent.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

cc: County Treasurer
County Administrator

County Clerk
District Attorney

**

RESOLUTION NO. 61 of 2002
RESOLUTION APPOINTING PLANNING BOARD MEMBER

DATED: February 26, 2002

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, a vacancy exists on the Montgomery County Planning Board for a representative of the Town of Glen,

RESOLVED, that Sandy Shatley hereby is appointed a member of the Montgomery County Planning Board, representing the Town of Glen, to fill a term expiring on June 30, 2003.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 62 of 2002
RESOLUTION ESTABLISHING POSITIONS (SHERIFF)

DATED: February 26, 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Van Kersen

WHEREAS, it has been recommended that two new positions, Dispatcher and Account Clerk Typist, be established in the Sheriff's Office,

RESOLVED, that new Dispatcher and Account Clerk Typist positions hereby are established in the Sheriff's Office, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-15-4-3110-00	Sheriff	
.1110(1298)	Sr. Investigator	\$30,063.00
.1120(548)	Account Clerk Typist	7,000.00
To: A-15-4-3110-00	Sheriff	
.1110(1411)	Dispatcher	\$19,458.00
.1110(1416)	Account Clerk Typist	17,605.00

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 63 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INTENSIFIED LAW ENFORCEMENT SERVICES (SHERIFF)

DATED: February 26, 2002

Resolution by Supervisor: Hassan
Seconded by Supervisor: Van Kersen

WHEREAS, it has been recommended that the Sheriff provide Intensified Law Enforcement Services to the Town of Glen,

RESOLVED, that the Chairman of the Board of Supervisors and the Sheriff, following review and approval by the County Attorney, hereby are authorized and directed to sign an agreement for provision of Intensified Law Enforcement Services to the Town of Glen, and

FURTHER RESOLVED, that said agreement shall commence on _____ and end on _____, and

FURTHER RESOLVED, that said services shall be provided at the prevailing rate of the assigned deputy, plus the prevailing IRS standard per mile.

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Hassan, in the first FURTHER RESOLVED clause, insert "March 1, 2002" and "December 31, 2002", respectively, passed with Aye(1721). Supervisor Paton was absent.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Town of Glen

**
RESOLUTION NO. 64 of 2002 DATED: February 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PROFESSIONAL
SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Montgomery Meadows received certain revenue known as Inter-Governmental Transfers (IGT) from the Federal Government, and

WHEREAS, Montgomery Meadows received \$941,896 in said revenue, during fiscal year 2001, and

WHEREAS, IGT will be phased out by the Federal Government, at the rate of 25 percent a year, beginning in 2002, and

WHEREAS, said phase-out would require massive operating subsidies from the County,

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 F.L. Hoffman, Inc. for professional services for a feasibility study to determine the long term programs, physical plants and fiscal needs of Montgomery Meadows, as outlined in the attached proposal, and

FURTHER RESOLVED, that the fee for said services shall not exceed \$24,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE: EH 599 Appropriated Fund Balance by \$24,000.00

Appropriations: EH-34-4-6020-00.4434 Montgomery Meadows
Consultants by \$24,000.00

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon

Richard C. Healy

County Attorney

Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Montgomery Meadows

**
RESOLUTION NO. 65 of 2002 DATED: February 26, 2002
RESOLUTION ACCEPTING SAFE PLACES GRANT (YOUTH BUREAU)

Resolution by Supervisor: Paton
Seconded by Supervisor: Hisert

WHEREAS, the Montgomery County Youth Bureau has been selected to receive a \$40,000 grant from the New York State Office of Children and Family Services, and

WHEREAS, said funds will be used to operate a Safe Places Program at the Canajoharie Community Youth Center, with \$4,000 of said grant to be used for administrative costs in the Youth Bureau, and

WHEREAS, said Program will be added to the Youth Bureau's 2002 Resource Allocation Plan,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a \$40,000 Safe Places Grant from the New York State Office of Children and Family Services, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 operating Budget, as follows:

ADD AND INCREASE:

Revenue: A-21-3-3821-00 Youth Bureau
Safe Places by \$36,000.00

INCREASE:

Appropriations: A-21-4-7310-00.4560 Youth Bureau
Spec. Youth Dev. Grant by \$36,000.00

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

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

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau Director

**
RESOLUTION NO. 66 of 2002 DATED: February 26, 2002
RESOLUTION REAPPOINTING ECONOMIC OPPORTUNITY AND DEVELOPMENT DIRECTOR

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that Michael Yevoli hereby is reappointed Director of Economic Opportunity and Development for a four-year term commencing on March 30, 2002 and ending on March 29, 2006, at an annual base salary of \$_____.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Hisert, in the RESOLVED clause, insert "52,000", passed with Aye(1721). Supervisor Paton was absent.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

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

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

**
RESOLUTION NO. 67 of 2002 DATED: February 26, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (WORKERS' COMPENSATION)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: McMahon

WHEREAS, the Personnel Officer has requested a budget amendment to provide for payment of an increase in the cost of liability insurance premiums for 2002,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	MS-10-4-1710-00.4584	Administration Workers' Comp. Assessment	\$2,000.00
To:	MS-10-4-1910-00.4481	Unallocated Insurance Liability Insurance	\$2,000.00

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

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

cc: County Treasurer
County Administrator
County Clerk
Personnel Director

**
RESOLUTION NO. 68 of 2002 DATED: February 26, 2002
RESOLUTION DESIGNATING EXCESS WORKERS' COMPENSATION INSURANCE CARRIER

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

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

RESOLVED, that Safety National provide Excess Liability Workers' Compensation Insurance from January 1, 2002 to December 31, 2002, at a cost not to exceed \$35,763, 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 said insurance provider.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

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

cc: County Treasurer
County Administrator
County Clerk
Personnel Director

**
RESOLUTION NO. 69 of 2002 DATED: February 26, 2002
RESOLUTION APPROVING 2002 CAPITAL PROJECTS - BRIDGE REHABILITATION/
REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Mancini

WHEREAS, the Commissioner of Public works has recommended that three bridge rehabilitation/replacement projects be undertaken during 2002,

RESOLVED, that the Board of Supervisors hereby approves Rehabilitation/Replacement of Burtonville Road, CR 127, B.I1.. 3310130, in the Town of Charleston; Logtown Road, CR 110, B.I2.. 3309980, in the Town of Glen; and Logtown Road, CR 110, B.I3.. 3310000, in the Town of Glen, as Capital Projects at a cost not to exceed \$1,066,000, and

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

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 70 of 2002 DATED: February 26, 2002
RESOLUTION APPROVING 2002 CAPITAL PROJECTS - ROAD RECONSTRUCTION
(PUBLIC WORKS)

Resolution by Supervisor: Thomas
Seconded by Supervisor: McMahon

WHEREAS, the Commissioner of Public works has recommended reconstruction of Burtonville Road and Hyney Hill Road in the proposed 2002 Road Program,

RESOLVED, that the Board of Supervisors hereby approves the reconstruction of Burtonville Road and Hyney Hill Road, as 2002 Capital Projects, at a cost not to exceed \$654,000, and

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

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 71 of 2002 DATED: February 26, 2002
RESOLUTION PROVIDING FUNDING SUPPORT - AGRICULTURE ECONOMIC
DEVELOPMENT (COOPERATIVE EXTENSION)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Richards

WHEREAS Montgomery County currently has an active Agriculture Economic Development Program, and

WHEREAS, additional funding commitments are needed to keep the Agriculture Economic Development Program operating in the future, and

WHEREAS, Cornell Cooperative Extension has offered to house and oversee this project, on an ongoing basis,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, hereby is authorized and directed to sign an agreement with Cornell Cooperative Extension for the provision of agriculture economic development services for 2002, in an amount not to exceed \$15,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

Increase:

CD-599 Appropriated Fund Balance by \$15,000.00

Appropriations: CD-24-4-8668-93.4570 Revolving Loan Grants,
Other Govt. by \$15,000.00

RESOLUTION ADOPTED with Aye(1585). Supervisor Dybas voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1585) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Opportunity
and Development
Cooperative Extension

**

RESOLUTION NO. 72 of 2002
RESOLUTION AMENDING RESOLUTION NO. 210 OF 2001

DATED: February 26, 2002

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

RESOLVED, that Resolution No. 210 of 2001 hereby is amended, by deleting, in the Further Resolved clause, "December 31, 2001" and inserting, in its stead, "June 30, 2002".

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Personnel Officer

**

RESOLUTION NO. 73 of 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - IMMUNIZATION ACTION PLAN
GRANT (PUBLIC HEALTH)

DATED: February 26, 2002

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, the Board of Supervisors authorized acceptance of Immunization Action Plan Grant funds for the period commencing April 1, 2001 and ending March 31, 2002, and

WHEREAS, the unexpended balance of said grant funds appropriated in the 2001 Operating Budget should be included in the 2002 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue: A-16-3-3401-03 Public Health Grant \$5,365.18

Appropriations: A-16-4-4010-03

.1110(1301)	Public Health Grant	
	F/T Employees	\$1,249.74
.1110(1305)	F/T Employees	783.21
.1120(103)	P/T Employees	719.25
.4445	Medical Supplies	318.75
.4454	Central Purchasing	485.00
.4471	Mileage	319.73
.4491	Legal Notice & Advertising	1,489.50

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Health

**
RESOLUTION NO. 74 of 2002 DATED: February 26, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - LEAD POISONING GRANT
(PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, the Board of Supervisors authorized acceptance of Lead Poisoning and Prevention Grant funds for the period commencing April 1, 2001 and ending March 31, 2002, and

WHEREAS, the unexpended balance of said grant funds appropriated in the 2001 Operating Budget should be included in the 2002 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-05	Public Health Grant	\$2,383.69
Appropriations:	A-16-4-4010-05	Public Health Grant	
	.1110(1307)	F/T Employees	\$ 744.35
	.2225	Dictaphones & Recorders	50.00
	.4436	Medical Fees	224.50
	.4454	Central Purchasing	.53
	.4491	Legal Notice & Advertising	1,000.00
	.4526	Education Programs	364.31

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Health

**
RESOLUTION NO. 75 of 2002 DATED: February 26, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - HEALTHY HEART GRANT
(PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, the Board of Supervisors authorized acceptance of Healthy Heart

Initiative Grant funds for the period commencing July 1, 2001 and ending June 30, 2002, and

WHEREAS, the unexpended balance of said grant funds appropriated in the 2001 Operating Budget should be included in the 2002 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A16-3-3401-07	Public Health Grant	\$41,702.72
Appropriations:	A16-4-4010-07	Public Health Grant	
	.1110(1308)	F/T Employees	\$ 3.39
	.1110(1311)	F/T Employees	736.93
	.4439	Other Service Fees	12,700.00
	.4449	Special Supplies	2,470.10
	.4452	Printing	598.00
	.4454	Central Purchasing	14,000.00
	.4471	Mileage	1,928.30
	.4491	Legal Notice & Advertising	4,096.00
	.4526	Education Programs	5,170.00

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Public Health

**
RESOLUTION NO. 76 of 2002 DATED: February 26, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - WEST NILE VIRUS GRANT
(PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, the Board of Supervisors authorized acceptance of West Nile Virus Surveillance & Education Program Grant funds for the period ending December 31, 2001, and

WHEREAS, said end date has been extended to March 31, 2002, by the New York State Department of Health, and

WHEREAS, the unexpended balance of said grant funds appropriated in the 2001 Operating Budget should be included in the 2002 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-08	Public Health Grant	\$1,970.29
Appropriations:	A-16-4-4010-08	Public Health Grant	
	.2212	Chairs and Stools	\$ 80.00
	.2257	Health Services Equipment	40.29
	.4491	Legal Notice & Advertising	1,850.00

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

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

cc: County Treasurer

County Administrator
County Clerk
Public Health

**
RESOLUTION NO. 77 of 2002 DATED: February 26, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - EARLY INTERVENTION GRANT
(PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, the Public Health Department has been awarded grant funds for the Early Intervention/Children with Special Health Care Needs Programs, for the period commencing October 1, 2001 and ending September 30, 2006, and

WHEREAS, the New York State Department of Health has approved the grant operating budget for the initial contract period, from October 1, 2001 through September 30, 2002, and

WHEREAS, said funds for the 2001-02 grant period are partially appropriated in the 2002 Operating Budget,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the Early Intervention/Children with Special Health Care Needs 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, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-01	Public Health Grant	\$ 1,355.00
Appropriations:	A-16-4-4010-01	Public Health Grant	
	.4455	Training	\$ 1,355.00

TRANSFER:

From:	A-16-4-4010-01	Public Health Grant	
	.4454	Central Purchasing	\$18,928.00
To:	A-16-4-4010-01	Public Health Grant	
	.2223	File Cabinets	\$ 1,000.00
	.4439	Other Service Fees	2,273.00
	.4449	Special Supplies	300.00
	.4452	Printing	3,500.00
	.4455	Training	4,455.00
	.4471	Mileage	500.00
	.4472	Food & Lodging	500.00
	.4473	Registration Fees	400.00
	.4493	Education & Training Pub.	250.00
	.4526	Education Programs	5,750.00

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

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

cc: County Treasurer
County Administrator
County Clerk
Public Health

**
RESOLUTION NO. 78 of 2002 DATED: February 26, 2002
RESOLUTION APPROVING RETIREMENT AND TRANSFER OF K-9 DIX (SHERIFF)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, K-9 Dix will be retiring from service with the Montgomery County Sheriff's department, and

WHEREAS, the Board of Supervisors, desired to allow K-9 Dix to remain with his long-time handler, deputy Jeffrey Smith,

RESOLVED, that the Board of Supervisors hereby authorizes and approves the retirement of K-9 Dix as of _____, and

FURTHER RESOLVED, that ownership of K-9 Dix be permanently transferred to deputy Jeffrey Smith, as of _____, upon execution by Deputy Smith of a release of liability to be prepared by the County Attorney.

MOTION TO AMEND by the Full Board, in the RESOLVED AND FURTHER RESOLVED clauses, insert "March 8, 2002", passed with Aye(1721). Supervisor Paton was absent.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 79 of 2002 DATED: February 26, 2002
RESOLUTION AUTHORIZING PURCHASE OF RETIREMENT BADGE (SHERIFF)

Resolution by Supervisor:
Seconded by Supervisor:

WHEREAS, John Hayes has retired from his position as a Deputy with the Montgomery County Sheriff's department, and

WHEREAS, the Board of Supervisors desired to award a retirement badge to Mr. Hayes for his service to Montgomery County,

RESOLVED, that the Board of Supervisors hereby authorizes and directs _____ to purchase a retirement badge for Mr. Hayes, and

FURTHER RESOLVED, that funding for the purchase of said badge shall be provided as follows:_____.

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
John Hayes

**
RESOLUTION NO. 80 of 2002 DATED: February 26, 2002
RESOLUTION ADOPTING MODIFIED SPACE UTILIZATION PLAN - ANNEX BUILDING

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, a modified space utilization plan has been developed for the Annex Building,

RESOLVED, that the modified space utilization plan developed for the Annex Building hereby is adopted, and

FURTHER RESOLVED, that said Plan hereby is attached and made part of this Resolution, and

FURTHER RESOLVED, that the Commissioner of Public Works hereby is authorized and directed to arrange for implementation of said plan.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1585) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

_____ OTHER

Motion by Supervisor Stagliano, seconded by Supervisor DiMezza, to enter into Executive Session for the purpose of discussing personnel issues, passed with Aye(1721). Supervisor Paton was absent. The Board entered Executive Session at 8:05 p.m.

Motion by Supervisor DiMezza, seconded by Supervisor Stagliano, to conclude the Executive Session at 8:56 p.m., passed with Aye(1721). Supervisor Paton was absent.

_____ ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor Van Kersen, to adjourn the meeting, passed with Aye(1721). Supervisor Paton was absent. Chairman Barone declared the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for March 26, 2002, was called to order at 7:00 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Quackenbush. Roll call indicated that all Supervisors were present.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Quackenbush, seconded by Supervisor Mancini, to Suspend the Rules of Procedure to allow for the introduction of Resolutions No. 103, 104 and 105, passed with Aye(1868). Motion by Supervisor Quackenbush, seconded by Supervisor Mancini, to adopt the amended agenda, passed with Aye(1868).

____ _
PRIVILEGE OF THE FLOOR

Rick McCarthy, Xonos, provided an internet website presentation.

Corey Nellis, Montgomery County Soil & Water, provided a ponding update.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearing and Regular Meeting of February 26, 2002, were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

____ _
UNFINISHED BUSINESS

**
RESOLUTION NO. 49 of 2002 DATED: February 26, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Thomas

WHEREAS, on January 22, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Establishing the 2002 Salaries of Various County Officials," was presented to the Board of Supervisors for consideration, and

WHEREAS, on January 22, 2002, Resolution No. 23 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 26th of February, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 1 of 2002, entitled: "A Local Law Establishing the 2002 Salaries of Various County Officials," hereby is adopted and is incorporated and attached hereto, and

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

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Dybas, passed with Aye(1721). Supervisor Paton was absent. (2/26/02)

RESOLUTION DIED ON THE TABLE. (3/26/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

NEW BUSINESS

**
RESOLUTION NO. 81 of 2002 DATED: March 26, 2002
RESOLUTION AUTHORIZING DONATION OF SURPLUS/JUNK VEHICLES (SHERIFF)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, it has been determined that various surplus and/or junk vehicles are no longer needed by the Sheriff's Department, and

WHEREAS, it has been recommended that said vehicles be donated to Montgomery County volunteer fire departments for training purposes,

RESOLVED, that the Board of Supervisors hereby authorizes the donation of surplus and/or junk vehicles, no longer needed by the Sheriff's Department, to volunteer fire departments in Montgomery County for training purposes, and

FURTHER RESOLVED, that a listing of said vehicles hereby is attached and made part of this Resolution.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 82 of 2002 DATED: March 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - INMATE

DENTAL SERVICES (JAIL)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Sinicropi

WHEREAS, it is necessary to contract with a dental services provider for Montgomery County Jail inmates,

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 Daniel Kana, D.D.S., of Bedford, New Hampshire, for provision of dental services to inmates at the Montgomery County Jail, and

FURTHER RESOLVED, that said agreement shall be for the period commencing on March 1, 2002 and ending on December 31, 2002, with compensation at the rate of \$1,200 per month, not to exceed a total of \$12,000.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 83 of 2002
RESOLUTION AMENDING RESOLUTION NO. 24 OF 2000

DATED: March 26, 2002

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Quackenbush

WHEREAS, agreements designating health insurance providers, authorized by adoption of Resolution No. 24 of 2000, will expire on December 31, 2002, and

WHEREAS, it has been recommended that each of said agreements be extended for five years,

RESOLVED, that Resolution No. 24 of 2000 hereby is amended by providing for deletion, in the first Further Resolved clause of "January 1, 2000" and "December 31, 2002", and inserting, in their stead, of "January 1, 2003" and "December 31, 2007", respectively.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Thomas, contract No. 5 delete "REMSCO" and insert, in its stead, "APA Partners" and for contracts Nos. 1-6, add, after the name of each provider "/PB Associates", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**

RESOLUTION NO. 84 of 2002
RESOLUTION AMENDING RULES OF PROCEDURE

DATED: March 26, 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor: DiMezza

WHEREAS, it has been recommended that the Standing Rules of Procedure of the Montgomery County Board of Supervisors, adopted on January 8, 2002, be amended,

RESOLVED, that the Standing Rules of Procedure of the Montgomery County Board of Supervisors hereby are amended, to provide for deletion, in Rule 48.2 of "Purchasing Department", and to provide for addition, in Rule 48.3 of "Purchasing Department".

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department Heads

**
RESOLUTION NO. 85 of 2002 DATED: March 26, 2002
RESOLUTION APPROVING MEMORANDA OF AGREEMENT - BARGAINING UNITS

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Stagliano

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute Memoranda of Agreement to modify and amend the Collective Bargaining Agreements with the respective Bargaining Units representing County employees, and

FURTHER RESOLVED, that said Memoranda of Agreement shall provide for deletion of "County Administrator" and insertion, in its stead, of "Chairman of the Board of Supervisors or designee", in all provisions of the respective Collective Bargaining Agreements which refer to the County Administrator.

RESOLUTION ADOPTED with Aye(1155). Supervisors Dybas, Mancini, McMahon, Paton and Van Kersen voted nay. Supervisor Thomas abstained.

Duly adopted upon roll call, all members present (1155) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**
RESOLUTION NO. 86 of 2002 DATED: March 26, 2002
RESOLUTION AWARING BID NO. 01-02 (PUBLIC WORKS)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, the Purchasing Agent was authorized to solicit bids for various materials for the Department of Public works, and

WHEREAS, said bids were opened on February 26, 2002, 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 Bid No. 1-02, as follows:

A-3 CIRCULAR PIPE & PIPE ARCH

Lane Enterprises
825 Route 67
Ballston Spa, NY 12020

A-4 CRUSHED STONE
(All Bidders - Price/Tone + Haul to Determine Vendor)

Santos Construction Co.
39 Gilliland Ave.
Amsterdam, NY 12010

Cobleskill Stone Pdts., Inc.
P.O. Box 220
Cobleskill, NY 12043

Rifenburg Construction
159 Brick Church Rd.
Troy, NY 12080-9643

Hanson Aggregates
P.O. Box 513
Jamestown, NY 13078

Cushing Stone
725 St Hwy 55
Amsterdam, NY 12010

Paul Bradt Contractor
Box 1289
Northville, NY 12134

Callanan Industries, Inc.
South St.
South Bethlehem, NY 12161

A-18 REFLECTIVE SHEETING FOR SIGNS

PROPOSAL "A"

Vulcan Signs
P.O. Box 1850
Foley, AL 36536-1850

PROPOSAL "B"

Whitco Sign & Mfg.
170 Tapley St.
Springfield, MA 01104

PROPOSAL "C"

Whitco Sign & Mfg.
170 Tapley St.
Springfield, MA 01104

A-21 TRAFFIC LINE PAINTING

A-27 RETREADING TIRES

Comm-Trac Deep
Eggers Caryl & Corrigan, Inc.
227 Oriskany St. W.
Utica, NY 13502

A-31 FINE GRAVEL & A-32 FOUNDATION COURSE GRAVEL
(All Bidders - Price + Haul Cost to Determine Vendor)

Santos Construction Co.
39 Gilliland Ave.
Amsterdam, NY 12010

Rifenburg Construction
159 Brick Church Rd.
Troy, NY 12180-9643

Paul Bradt Contractor
P.O. Box 1289
Northville, NY 12134

A-34, A-35, A-36, A-37, A-38, A-39, & A-40
GUIDE RAIL PARTS AND ACCESSORIES

Otsego Iron & Metal (only bidder)
P.O. Box 339
Oneonta, NY 13820

A-64 IN-PLACE RECYCLED BASE COURSE

Gorman Bros.
Church St.
Port of Albany
Albany, NY 12202

A-65 LIQUID CALCIUM CHLORIDE

The Cady Co.
446 St Hwy 161
Amsterdam, NY 12010

A-67 PNEUMATICALLY PROJECTED CONCRETE

DeBrino Caulking Assoc., Inc.
1304 Route 9
Castleton, NY 12033

A-70 COLD IN-PLACE RECYCLING TYPE I

The Cady Co.
46 St Hwy 161
Amsterdam, NY 12010

A-71 LATEX MODIFIED ASPHALT PAVEMENT COURSE

The Cady Co.
446 St Hwy 161
Amsterdam, NY 12010

A-79 IN-PLACE RECYCLED BASE COURSE WITH CEMENT STABILIZE

Gorman Bros.
Church St.
Port of Albany
Albany, NY 12202

A-80 BITUMINOUS CONCRETE
(All Bidders - Price/Ton + Haul to Determine Vendor)

Cobleskill Stone
P.O. Box 220
Cobleskill, NY 12043

Hanson Aggregates
P.O. Box 513
Jamestown, NY 13078-0513

Cushing Stone Co., Inc.
725 St Hwy 55
Amsterdam, NY 12010

Callanan Industries, Inc.
South St.
South Bethlehem, NY 12161

A-81 COLD PLANING

Pallette Stone Corp.
373 Washington St.
P.O. Box 4550
Saratoga Springs, NY 12866

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Van Kersen, in the RESOLVED clause, A-21 TRAFFIC LINE PAINTING, insert "Atlantic Pavement Marking, 15 Industrial Road, Prospect, CT 06712", passed with Aye(1868).

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1732) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 87 of 2002 DATED: March 26, 2002
RESOLUTION AWARDDING BRIDGE REPLACEMENT CONTRACTS (PUBLIC WORKS)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Commissioner of Public works has recommended that contracts be awarded to low bidders on three bridge replacement projects,

RESOLVED, that the Board of Supervisors hereby awards contracts for bridge replacement contracts, as follows:

Bid No. 02-02 - Flat Creek Road, to James H. Maloy, Inc. of Loudonville, in the amount of \$397,061.30

Bid No. 03-02 - Sulphur Springs Road, to Condor Constructors, LLC of Colonie, in the amount of \$358,485.80

Bid No. 04-02 - Carlisle Road, to William J. Keller & Sons of Castleton, in the amount of \$339,340.43

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 88 of 2002 DATED: March 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED LOAN AGREEMENT - MORAT INDUSTRIES

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, Morat Industries located in the Glen Canal View Business Park, has a loan through the Montgomery County Revolving Loan Fund, and

WHEREAS, due to various unforeseen circumstances during its start-up phase, Morat has been unable to keep their loan payments current, and

WHEREAS, Morat has provided information to the Montgomery County Industrial Development Agency (MCIDA), regarding its current status, and

WHEREAS, the MCIDA has reviewed said information and recommends that Morat apply any past payments toward interest since the inception of the loan, pay interest only until the end of 2002, and commence paying both principal and interest in January, 2003, and continue for the next five years, and

WHEREAS, the MCIDA also recommends that, prior to the amendment of said Agreement, Morat must provide proof that all property taxes and payroll taxes are current, that all workers' compensation payments have been made, and also provide proof of insurance,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amended Agreement with Morat Industries, as recommended by the Montgomery County Industrial Development Agency at its February, 2002, meeting.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Hisert, in the RESOLVED clause, delete ", as recommended by the Montgomery County Industrial Development Agency, at its February, 2002, meeting" and add, ", and FURTHER RESOLVED, that Morat Industries shall conform with the Glen Business Park covenants and conditions set forth by the Montgomery County Industrial Development Agency no later than August 31, 2002.", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Morat Industries

**
RESOLUTION NO. 89 of 2002 DATED: March 26, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (SEWER DISTRICT)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Hisert

WHEREAS, adoption of Resolution No. 255 of 2001 provided for payment of meeting attendance stipends to members of the Montgomery County Sanitary Sewer District No. 1, and

WHEREAS, the County Treasurer has recommended an amendment to the Sewer District budget to enable compliance with regulations of the Internal Revenue Service,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

ADD: G-26-4-8120-00.1120(114) Sanitary Sewer Board Members

TRANSFER:

From: G-26-4-8110-00.4439 Sewer Administration
Other Service Fees \$600.00

To: G-26-4-8120-00.1120(114) Sanitary Sewers
Board Members \$600.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sewer District

**
RESOLUTION NO. 90 of 2002 DATED: March 26, 2002
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Quackenbush

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide for payment of special supplies,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

PROGRAM	FUNDING
American Association of University Women (Sister to Sister Summit)	\$ 400.00
Amsterdam High School (After Prom Party)	500.00
Amsterdam Little Giants	300.00
Amsterdam Police Department (Police Explorers Post)	600.00
Amsterdam Sea Rams Swim Club	400.00
Boy Scout Troop #48	200.00
Canajoharie High School (After Prom Party)	500.00
Canajoharie Youth Football	300.00
Cub Scout Pack 32	200.00
Fonda Fultonville Girls Summer Softball	250.00
Fonda Fultonville Little League	300.00
Fonda Fultonville Youth Football	300.00

Fonda Fultonville Central School (After Prom Party)	500.00
Fulton Montgomery Community College (Basketball Camp)	300.00
Fort Plain Biddy Basketball	300.00
Fort Plain Youth Soccer	300.00
Fort Plain High School (After Prom Party)	500.00
Friends of the Visual & Performing Arts (Summer Band - SummerFest 2002)	750.00
Frothingham Free Library (Children's Summer Programming 2002)	400.00
Fort Hunter Free Library (Children's Programming 2002)	600.00
Hispanic Outreach Services (Hispanic Youth Summer Life Enrichment)	550.00
Schoharie River Center (Environmental Study Team)	450.00
St. Mary's Hospital (Medical Explorer Post)	550.00
Walter Elwood Museum (Summer Concerts)	550.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau Director

**
RESOLUTION NO. 92 of 2002 DATED: March 26, 2002
RESOLUTION ESTABLISHING SENIOR SOCIAL WELFARE EXAMINER'S POSITION
(SOCIAL SERVICES)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Social Services has recommended establishment of a Senior Social Welfare Examiner's Position,

RESOLVED, that a Senior Social Welfare Examiner's position hereby is established in the Department of Social Services, and

FURTHER RESOLVED, that a Principal Social Welfare Examiner's position in said Department hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

ADD: A-18-4-6010-00.1110(378) Senior Social Welfare Examiner

TRANSFER:

From: A-18-4-6010-00.1110(492) Social Services Admin.
Prin. Social Welfare Examiner \$_____

To: A-18-4-6010-00.1110(378) Social Services Admin. \$_____
Sr. Social Welfare Examiner

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Thomas, in the FURTHER RESOLVED clause, insert "29,954".

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Paton, passed with Aye(1868).

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 93 of 2002 DATED: March 26, 2002
RESOLUTION SUPPORTING OFF-TRACK BETTING CORPORATION LEGISLATION

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Capital District Regional Off-Track Betting Corporation has significantly increased payments to Montgomery County, since 1998, and

WHEREAS, Montgomery County uses this revenue to help stabilize property taxes, and

WHEREAS, the New York State Legislature, during its 2001 Session, adopted legislation that negatively impacts Capital District Regional OTB, by reducing take out on handle at NYRA tracks, and

WHEREAS, legislation permitting casino gambling and authorizing VLTs also will have negative impact on OTB revenue,

RESOLVED, that the Montgomery County Board of Supervisors hereby urges the New York State Legislature to enact legislation that will increase OTB revenue, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor Pataki, Majority Leader Bruno, Speaker Silver, Assemblyman Tonko and Senator Farley.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Capital District Regional OTB Corp.
Governor Pataki
Majority Leader Bruno
Speaker Silver
Assemblyman Tonko
Senator Farley

**
RESOLUTION NO. 94 of 2002 DATED: March 26, 2002
RESOLUTION ACCEPTING LEAD POISONING PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: McMahon

WHEREAS, Montgomery County has been awarded a Lead Poisoning Prevention Grant for the period commencing on April 1, 2002 and ending on March 31, 2003, in the amount of \$25,000,

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 Lead Poisoning Prevention Grant Acceptance Agreement, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-16-4-4010-05.4454	Public Health Grant Central Purchasing	\$3,300.00
To:	A-16-4-4010-05	Public Health Grant	
	.4436	Medical Fees	\$ 500.00
	.4445	Medical Supplies	150.00
	.4455	Training	325.00
	.4471	Mileage	300.00
	.4472	Food & Lodging	625.00
	.4473	Registration Fees	400.00
	.4526	Education Programs	1,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

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

**
RESOLUTION NO. 95 of 2002 DATED: March 26, 2002
RESOLUTION AUTHORIZING SALARY INCREASES - NON-BARGAINING EMPLOYEES

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

WHEREAS, salary increases for certain non-bargaining employees were inadvertently not included in the 2002 Operating Budget,

RESOLVED, that the annual base salaries of certain non-bargaining employees hereby are fixed, as follows:

LINE ITEM	TITLE	BASE SALARY
A-15-4-3110-00.1110(419)	Undersheriff	44,558
A-15-4-3110-00.1110(510)	Confidential Secretary	29,176
A-18-4-6010-00.1120(513)	Social Services Attorney	43,397
A-18-4-6010-00.1120(276)	Social Services Attorney	43,397
A-18-4-6010-00.1120(512)	Social Services Attorney	24,410

, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-01-4-1990-00.4400	Contingent Account Contractual Expense	\$3,771.00
To:	A-15-4-3110-00.1110(419)	Undersheriff	1,298.00
	A-15-4-3110-00.1110(510)	Confidential Secretary	850.00
	A-18-4-6010-00.1120(513)	Social Services Attorney	392.00
	A-18-4-6010-00.1120(276)	Social Services Attorney	892.00
	A-18-4-6010-00.1120(512)	Social Services Attorney	339.00

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Paton, in the RESOLVED clause, insert "A-17-4-4310-00.1110(302) Director of Community Services 46,205", failed with Aye(732). Supervisors Dybas, Mancini, McMahon, Hassan, Thomas, Paton and Van Kersen voted aye.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1732) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Director

**
RESOLUTION NO. 96 of 2002 DATED: March 26, 2002
RESOLUTION ESTABLISHING POLICY TO COMPLY WITH GASB 33

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Quackenbush

WHEREAS, GASB 33 Regulations, which required the County to reevaluate its policy for recognition of revenue available to pay current liabilities, became effective in 2001, and

WHEREAS, said new regulations involve the accounting for non-exchange transactions,

RESOLVED, that in order to comply with GASB 33, a 60-day period subsequent to the end of the County's fiscal year be used to recognize revenue available to pay current liabilities.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 97 of 2002 DATED: March 26, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3
OF 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 3 of 2002, a Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose (Village of St. Johnsville),

RESOLVED, that Introductory Local Law No. 3 of 2002 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 23, 2002 at 6:40 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

**
RESOLUTION NO. 98 of 2002 DATED: March 26, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 4
OF 2002

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 4 of 2002, a Local Law Authorizing the private sale of County-Owned Property, Not Needed for a County Purpose (Town of Mohawk),

RESOLVED, that Introductory Local Law No. 4 of 2002 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 23, 2002 at 6:45 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

**
RESOLUTION NO. 99 of 2002 DATED: March 26, 2002
RESOLUTION AUTHORIZING STIPEND PAYMENTS (DISTRICT ATTORNEY)

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

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

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

WHEREAS, the District Attorney has recommended that a portion of said grant funds be used to pay stipends to certain members of his staff,

RESOLVED, that the Board of Supervisors hereby authorizes that \$23,200 of the \$50,000 Aid to Prosecution Grant be used to pay stipends to various members of the District Attorney's staff, and

FURTHER RESOLVED, that stipends of \$6,000 shall be paid to each of three Assistant District Attorneys, with a \$5,200 stipend to be paid to the District Attorney's Confidential Secretary, and

FURTHER RESOLVED, that said stipends shall exist independent of regular salaries for said personnel and shall neither be considered part of base salaries nor be used in computing salary increases, and

FURTHER RESOLVED, that said stipends are contingent upon full grant funding, with said stipends to terminate immediately, should grant funds be discontinued.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1732) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
District Attorney

**
RESOLUTION NO. 100 of 2002 DATED: March 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT -
MICROFILMING (COUNTY CLERK)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Hisert

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 three-year renewal agreement with ACS/Business Records Corporation of Syracuse, New York, for microfilming records in the County Clerk's Office, and

FURTHER RESOLVED, that said agreement shall be for the period commencing on April 1, 2002 and ending on March 31, 2005.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
County Clerk

**
RESOLUTION NO. 101 of 2002 DATED: March 26, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, the Director of Emergency Management has reported receipt of Federal Emergency Management Agency funds for distribution to three County volunteer organizations that responded to the September 11, 2001 terrorist attack,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-02-3-4305-00	Federal Aid Emergency Management Office	by \$6,699.52
Appropriations:	A-02-4-3640-00.4439	Emergency Management Other Service Fees	by \$6,699.52

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Director of Emergency Management

**
RESOLUTION NO. 102 of 2002 DATED: March 26, 2002
RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS TO DRILL WELL (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

MOTION TO TABLE by Supervisor Hisert, seconded by Supervisor Thomas, passed with Aye(1868). (3/26/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 103 of 2002 DATED: March 26, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Quackenbush

WHEREAS, on February 26, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Establishing the 2002 Salaries of Various County Officials," was presented to the Board of Supervisors for consideration, and

WHEREAS, on February 26, 2002, Resolution No. 26 of 2002 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 26th day of March, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 2 of 2002 entitled: "A Local Law Establishing the 2002 Salaries of Various County Officials," hereby is adopted and is incorporated and attached hereto, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

County of Montgomery

Introductory Local Law No. 2 of 2002

A Local Law Establishing the 2002
Salaries of Various County Officials

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

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

County Clerk	\$ 50,000
Sheriff	55,145
County Administrator	61,800
County Auditor	20,000
County Treasurer	54,285
Real Property Tax Director	41,375
Personnel Officer	51,984
Election Commissioner	7,996
Election Commissioner	7,996
Social Services Commissioner	54,794
Planning Director	50,367

Public Defender	44,982
Econ. Oppor. & Dev. Director	50,159
Nursing Home Administrator	58,710

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

**
RESOLUTION NO. 104 of 2002 DATED: March 26, 2002
RESOLUTION ESTABLISHING MONTGOMERY COUNTY DEPARTMENTAL INVESTIGATION
POLICY

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Sinicropi

WHEREAS, the County has obtained the law firm of Roemer, Wallens & Mineaux, LLP, as labor attorneys and consultants, it is the policy of the Board of Supervisors that a department head, prior to commencing a potential internal disciplinary investigation or criminal investigation, which requires the questioning of employees, that the department head contact Roemer Wallens and Mineaux, LLP to ensure that appropriate procedures are followed. In addition thereto, a department head must contact Roemer, Wallens & Mineaux LLP Prior to issuing formal disciplinary charges to ensure that appropriate procedure are adhered to.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 105 of 2002 DATED: March 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FLORIDA WATER AND
SEWER DISTRICTS CONTRACT #2

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, the Board of Supervisors desires to move forward with establishing infrastructure in the Town of Florida Industrial Park, and

WHEREAS, Contract #2 for construction of the Town of Florida water and Sewer Districts has been let out to bid,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with the lower bidder for Contract #2.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk

_____ OTHER

None.

_____ ADJOURNMENT

Motion by Supervisor Van Kersen, seconded by Supervisor Mancini, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

____ _ CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for April 23, 2002, was called to order at 7:12 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Dybas. Roll call indicated that all Supervisors were present.

____ _ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _ ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Thomas, to Suspend the Rules of Procedure to allow for the introduction of Resolutions No. 122, 123, 124, 125 and 126, passed with Aye(1868). Motion by Supervisor McMahon, seconded by Supervisor Thomas, to adopt the amended agenda, passed with Aye(1868).

____ _ PRIVILEGE OF THE FLOOR

A letter from Joseph Emanuel, City of Amsterdam Alderman, regarding city and county cooperation was read.

Alice Knapik, Town of Glen, discussed the duties of the County Administrator and well-drilling at Fulton-Montgomery Community College.

Mayor John M. Duchessi, City of Amsterdam, addressed the Board regarding City/County issues.

____ _ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearing and Regular Meeting of March 26, 2002, were accepted with no corrections, additions or deletions.

____ _ REPORTS OF STANDING COMMITTEES

None.

____ _ REPORTS OF SPECIAL COMMITTEES

None.

_____ UNFINISHED BUSINESS

**
RESOLUTION NO. 92 of 2002 DATED: March 26, 2002
RESOLUTION ESTABLISHING SENIOR SOCIAL WELFARE EXAMINER'S POSITION
(SOCIAL SERVICES)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Social Services has recommended establishment
of a Senior Social Welfare Examiner's Position,

RESOLVED, that a Senior Social Welfare Examiner's position hereby is
established in the Department of Social Services, and

FURTHER RESOLVED, that a Principal Social Welfare Examiner's position in
said Department hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and
directed to amend the 2002 Operating Budget, as follows:

ADD: A-18-4-6010-00.1110(378) Senior Social Welfare Examiner

TRANSFER:

From: A-18-4-6010-00.1110(492) Social Services Admin.
Prin. Social Welfare Examiner \$_____

To: A-18-4-6010-00.1110(378) Social Services Admin. \$_____
Sr. Social Welfare Examiner

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Thomas, in the
FURTHER RESOLVED clause, insert "29,954".

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Paton, passed with
Aye(1868).

RESOLUTION DIED ON THE TABLE. (4/23/02)

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

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

**
RESOLUTION NO. 102 of 2002 DATED: March 26, 2002
RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS TO DRILL WELL (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

MOTION TO TABLE by Supervisor Hisert, seconded by Supervisor Thomas, passed with
Aye(1868). (3/26/02)

RESOLUTION DIED ON THE TABLE. (4/23/02)

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

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

_____ NEW BUSINESS

**
RESOLUTION NO. 106 of 2002 DATED: April 23, 2002

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

WHEREAS, on March 26, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Village of St. Johnsville)", was presented to the Board of Supervisors for consideration, and

WHEREAS, on March 26, 2002, Resolution No. 97 of 2002 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 23rd day of April, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 3 of 2002, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Village of St. Johnsville)", hereby is adopted and is incorporated and attached hereto, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

County of Montgomery
Introductory Local Law No. 3 of 2002

A Local Law Authorizing the Private Sale of County-Owned
Property, Not Needed for a County Purpose

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that County-owned real property, known as SBL 8.44-4-33, located at 10 North Division Street, Village of St. Johnsville, is no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the sale and conveyance of all the right, title and interest of the County in and to said real property to Wayne and Teri Muchow.

**

RESOLUTION NO. 107 of 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 4 OF 2002

DATED: April 23, 2002

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, on March 26, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Mohawk)", was presented to the Board of Supervisors for consideration, and

WHEREAS, on March 26, 2002, Resolution No. 98 of 2002 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 23rd day of April, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 4 of 2002, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Mohawk)", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Hisert

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 6 of 2002, a Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose,

RESOLVED, that Introductory Local Law No. 6 of 2002 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 28, 2002, at 6:55 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Real Property

**

RESOLUTION NO. 110 of 2002 DATED: April 23, 2002
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - ROOF REPLACEMENT
PROJECTS (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the 2002 Capital Plan identifies certain roof replacement projects at Fulton-Montgomery Community College,

RESOLVED, that the Board of Supervisors hereby authorizes solicitation of bids for Roof Replacement Projects at Fulton-Montgomery Community College, and

FURTHER RESOLVED, that the Board of Supervisors reserves the right to reject any or all bids, 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(1732). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1732) voting aye.

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

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

**

RESOLUTION NO. 111 of 2002 DATED: April 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LEAD POISONING
AND PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, Montgomery County has been awarded a \$25,000 Lead Poisoning and Prevention Grant for the period commencing on April 1, 2002 and ending on March 31, 2002,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the 2002-03 Lead Poisoning and Prevention Grant renewal agreement, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-16-4-4010-05.4454	Public Health Grant Central Purchasing	\$ 3,300.00
To:	A-16-4-4010-05	Public Health Grant	
	.4436	Medical Fees	\$ 500.00
	.4445	Medical Supplies	150.00
	.4455	Training	320.00
	.4471	Mileage	300.00
	.4472	Food & Lodging	620.00
	.4473	Registration Fees	400.00
	.4526	Education Programs	1,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

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

**

RESOLUTION NO. 112 of 2002 DATED: April 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COMMISSARY
SERVICES (JAIL)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has recommended entering into an Agreement for
provision of Commissary services at the Jail,

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 Swanson Services Corporation for provision of Commissary
services to inmates at the Montgomery County Correctional Facility, and

FURTHER RESOLVED, that said Agreement shall be for a two-year period,
commencing April 1, 2002, with automatic renewal for similar terms, until
written notice of termination is provided by either party.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 113 of 2002 DATED: April 23, 2002
RESOLUTION AUTHORIZING ESTABLISHMENT OF POSITION - CIVILIAN DISPATCHER
(SHERIFF)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hassan

WHEREAS, the Sheriff has recommended establishment of a Civilian
Dispatcher's position,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of
a Civilian Dispatcher's position in the Sheriff's Department, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and
directed to amend the 2002 Operating Budget, as follows:

ADD:	A-15-4-3110-00.1110(1413)	Sheriff Dispatcher
------	---------------------------	-----------------------

TRANSFER:

From: A-15-4-3110-00.1110(482) Sheriff
Deputy Sheriff Sgt. \$13,700

To: A-15-4-3110-00.1110(1413) Sheriff
Dispatcher \$13,700

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Personnel

**

RESOLUTION NO. 114 of 2002 DATED: April 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - JUVENILE
JUSTICE GRANT (PROBATION)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Dybas

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

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

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

FURTHER RESOLVED, that said Chairman, following review and approval by said County Attorney, also is authorized and directed to sign an agreement with Catholic Charities of Montgomery County for conferencing services, by its Tri-County Mediation Program, at a cost not to exceed \$12,080, and

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

ADD: A-27-4-3410-00.2226 Television

INCREASE:

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

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

.1111(553)	Overtime	by	\$	300.00
.2212	Chairs	by		900.00
.2226	Television	by		900.00
.2259	Computer Equipment	by		3,130.00
.4434	Consultants	by		12,080.00
.4449	Special Supplies	by		400.00
.4454	Central Purchasing	by		510.00
.4471	Mileage	by		520.00
.4472	Food and Lodging	by		500.00
.4473	Registrations	by		500.00
.4474	Tolls and Parking	by		30.00
.4493	Ed. & Training Pub.	by		160.00
.4589	Printing/Intrafund	by		70.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk

Director of Probation
Catholic Charities of Montgomery County

**

RESOLUTION NO. 115 of 2002 DATED: April 23, 2002
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),
DATED APRIL 23, 2002, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS;
ESTIMATING THE AGGREGATE COST THEREOF TO BE \$1,720,000; APPROPRIATING
SAID AMOUNT THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,720,000 SERIAL
BONDS OF THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: Hassan
Seconded by Supervisor: Sinicropi

WHEREAS, the Board of Supervisors has heretofore approved certain capital projects of the County, all as more particularly described in Resolution No. 69 of 2002, dated February 26, 2002, and Resolution No. 70 of 2002, dated February 26, 2002 (collectively, the "Prior Resolutions"); and

WHEREAS, the Board of Supervisors desires to expand upon the Prior Resolutions and approve the method of financing the costs of such capital projects;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Supervisors of the County of Montgomery, New York, (by a favorable vote of not less than two-thirds of all of its members), as follows:

SECTION 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 reconstruction of Burtonville Road and Hyney Hill Road (the "DPW Highway Improvements"), the maximum cost thereof being hereby estimated to be \$654,000, appropriating said amount therefore and authorizing the issuance of \$654,000 serial bonds to finance such costs; and

(b) The rehabilitation and replacement of bridges on Burtonville Road, CR 127, B.I1.. 3310130, Longtown Road, CR 110, B.I2.. 3309980, and Logtown Road, CR 110, B.I3.. 3310000 (the "DPW Bridge Improvements"), the maximum cost thereof being hereby estimated to be \$1,066,000, appropriating said amount therefore and authorizing the issuance of \$1,066,000 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 Highway Improvements - 15 years pursuant to Section 11.00(a)(20)(d) of the Law.

(b) DPW Bridge Improvements - 20 years pursuant to Section 11.00(a)(10) of the Law.

SECTION 3

The plan of financing includes the issuance of \$1,720,000 serial bonds and the levy of a tax upon all of the real property in the County to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4

The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the specific 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 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(1868-2/3 majority).

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 116 of 2002 DATED: April 23, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (SEWER DISTRICT)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: McMahon

WHEREAS, the Superintendent of the Montgomery County Sanitary Sewer District No. 1 has recommended a budget amendment to fund chlorine system improvements, and

WHEREAS, the District's Board of Directors, by adoption of Resolution No. 1 of 2002, on April 5, 2002, has requested that the Board of Supervisors authorize said amendment,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

ADD: G-26-4-8110-00.2274 Chlorine/Purification System

INCREASE:

Revenue: G-599 Appropriated Fund Balance by \$17,100.00

Appropriations: G-26-4-8110-00.2274 Sewer Administration
Chlorine/Purification System by \$17,100.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk
Sanitary Sewer District No. 1

**

RESOLUTION NO. 117 of 2002
RESOLUTION AMENDING RESOLUTION NO. 123 OF 2001

DATED: April 23, 2002

Resolution by Supervisor: Dybas
Seconded by Supervisor: Hisert

RESOLVED, that Resolution No. 123 of 2001 hereby is amended by providing for deletion, in the first Further Resolved clause, of "June 30, 2002" and insertion, in its stead, of "May 30, 2003".

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Development
Town of Amsterdam

**

RESOLUTION NO. 118 of 2002
RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT (PUBLIC WORKS)

DATED: April 23, 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: VanKersen

WHEREAS, the Commissioner of Public Works has recommended that a contract be awarded to the low bidder on a bridge replacement project,

RESOLVED, that the Board of Supervisors hereby awards a bridge replacement contract for Bid No. 05-02, Wagners Hollow Road, to D.H. Smith Co., Inc., of Clayville, in the amount of \$468,290.97.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 119 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SOLID WASTE
DISPOSAL AND RECYCLING SERVICES (PUBLIC WORKS)

DATED: April 23, 2002

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Quackenbush

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a one-year agreement with Sunset Refuse Service, Inc. of Amsterdam for provision of waste removal and recycling services at the Public Works Building and at the Public Safety Facility, and

FURTHER RESOLVED, that said agreement shall commence on April 1, 2002 and end on March 31, 2003, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon

Richard C. Healy

County Attorney Clerk, Board of Supervisors

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

**
RESOLUTION NO. 120 of 2002 DATED: April 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - UNIFORM SERVICES
(PUBLIC WORKS)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Sinicropi

WHEREAS, the Purchasing Agent has solicited proposals for uniform service
for Department of Public Works employees, and

WHEREAS, proposals have been received from vendors interested in providing
said service,

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 Unifirst Corporation of Watervliet for provision of uniform
services.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

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

**
RESOLUTION NO. 121 of 2002 DATED: April 23, 2002
RESOLUTION TRANSFERRING CENTRAL MAILING

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, it has been recommended that responsibility for Central Mailing be
transferred from the Purchasing Department to the Department of Public Works,

RESOLVED, that the Board of Supervisors hereby directs that responsibility
for Central Mailing functions be transferred to the Department of Public Works,
effective immediately, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and
directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-31-4-1345-00	Purchasing	
	.1110(1272)	Sr. Acct. Clerk Typist	\$1,500.00
	.1110(1312)	Buyer	1,500.00
To:	A-31-4-1671-00.4425	Central Mailing	
		Maintenance Agreements	\$3,000.00

, and

FURTHER RESOLVED, that said Budget also be amended to provide for transfer
of all funds from Account No. A-31-3-1289-00 to Account No. A-12-3-1289.00, and

FURTHER RESOLVED, that said Budget also be amended to provide for transfer
of funds from all objects in Account No. A-31-4-1671-00 to corresponding objects
in Account No. A-12-4-1671-00.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Stagliano, in the
RESOLVED clause, delete "immediately", and insert, in its stead, "April 22,
2002", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Purchasing
Commissioner of Public Works

**

RESOLUTION NO. 122 of 2002 DATED: April 23, 2002
RESOLUTION AUTHORIZING MILEAGE PAYMENT (LEGISLATIVE BOARD)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, the Chairman of the Board of Supervisors has tendered a voucher seeking payment for mileage expenses incurred during the fourth quarter of 2001, and

WHEREAS, funds for said mileage expenses were not encumbered in the 2001 Operating budget, and

WHEREAS, it has been recommended that payment for said 2001 expenses be made from the 2002 funds,

RESOLVED, that the Board of Supervisors hereby authorizes payment, in the amount of \$311.88, for mileage expenses incurred by Supervisor Ronald J. Barone, Sr., as Chairman of the Board, during the fourth quarter of 2001, from funds appropriated in the 2002 Operating Budget.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained.

Duly adopted upon roll call, all members present (1732) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 123 of 2002 DATED: April 23, 2002
RESOLUTION ESTABLISHING POSITION (ECONOMIC OPPORTUNITY AND DEVELOPMENT)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County, through its Department of Economic Opportunity and Development, is responsible for implementation of the Montgomery County Economic Development Program, and

WHEREAS, said program includes a contractual relationship with the Montgomery County Industrial Development Agency (MCIDA) for administrative and staff support services, and

WHEREAS, said MCIDA previously has utilized an outside consultant for financial and accounting services, and

WHEREAS, it would be more efficient for said services to be provided by the Department,

RESOLVED, that the Board of Supervisors hereby establishes the position of Economic Development Specialist/Financial Analyst, with an annual salary of \$28,909, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

ADD: A-24-4-6430-00.1110(40) Econ. Oppor. & Dev.
Econ. Oppor. & Dev.
Specialist/Financial
Analyst

INCREASE:

Revenue:	A-24-3-2189-00	Home & Comm. Svcs. -	
		Other Governments	by \$19,840.00
Appropriations:	A-24-4-6430-00.1110(40)	Econ. Opp. & Dev.	
		Econ. Opp. & Dev.	
		Specialist/Financial	
		Analyst	by \$16,840.00
	A-10-4-9001-00	Fringe Benefits	
	.8810	FICA	by \$ 1,290.00
	.8850	Hosp. & Med. Ins.	by \$ 1,710.00

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 a contract with the Montgomery County Industrial Development Agency, for a 12-month period commencing on January 1, 2002 and ending on December 31, 2002, in an amount not to exceed \$40,000, for services provided by the County.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained.

Duly adopted upon roll call, all members present (1732) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Development
Personnel

**
RESOLUTION NO. 124 of 2002 DATED: April 23, 2002
RESOLUTION DESIGNATING CERTIFYING OFFICIAL FOR NATIONAL ENVIRONMENTAL
POLICY ACT REVIEW PROCESS

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Hisert

WHEREAS, Montgomery County is the recipient of federal funds through the Governor's Office of Small Cities, and

WHEREAS, said funds will be used to develop water infrastructure in the Town of Amsterdam, and

WHEREAS, it is required that an appropriate entity be responsible for assuring compliance with the National Environmental Policy Act (NEPA), and

WHEREAS, the County must designate a certifying official for said process,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to appoint Town of Amsterdam Supervisor Thomas DiMezza as the certifying official responsible for activities associated with the NEPA review process.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Appointee

**
RESOLUTION NO. 125 of 2002 DATED: April 23, 2002
RESOLUTION AMENDING RESOLUTION NO. 85 OF 2002

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Thomas

RESOLVED, that Resolution No. 85 of 2002 hereby is amended by providing for

deletion, in the Further Resolved clause, of "Chairman of the Board of Supervisors or designee", and insertion, in its stead, of "Personnel Committee, Labor Management Committee or designee".

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Van Kersen, passed with aye(1868). (4/23/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 126 of 2002 DATED: April 23, 2002
RESOLUTION AUTHORIZING SALARY INCREASE - DIRECTOR OF COMMUNITY SERVICES

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

WHEREAS, it has been recommended that a salary increase by authorized for the Director of Community Services,

RESOLVED, that the annual base salary of the Director of Community Services hereby is established at \$46,205, effective January 1, 2002, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account
Contractual Expense \$ 1,234.00

To: A-17-4310-00.1110(302) Mental Health Admin.
Director - Community Services \$ 1,234.00

RESOLUTION ADOPTED with Aye(1038). Supervisors Barone, DiMezza, Richards, Quackenbush. Hisert and Stagliano voted nay.

Duly adopted upon roll call, all members present (1038) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

____OTHER

None.

____ADJOURNMENT

Motion by Supervisor Van Kersen, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 7:49 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for May 28, 2002, was called to order at 7:02 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Stagliano. Roll call indicated that Supervisor Quackenbush was absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Dybas, seconded by Supervisor McMahon, to Suspend the Rules of Procedure to allow for the introduction of Resolutions Nos. 156 and 157, passed with Aye(1710). Supervisor Quackenbush was absent. Motion by Supervisor Dybas, seconded by Supervisor McMahon, to adopt the amended agenda, passed with Aye(1710). Supervisor Quackenbush was absent.

____ _
PRIVILEGE OF THE FLOOR

Edward Russo, CSEA Local Vice President, spoke regarding labor negotiations and grade changes for county employees.

Leo Koppel, Town of Minden, discussed recently passed state legislation impacting the City of Amsterdam.

Alice Knapik, Town of Glen, spoke against a proposed sales tax increase.

The following persons spoke in favor of sales tax distribution changes and guarantee of school taxes for the City of Amsterdam:

- Alderman Joseph Emanuel
- Henry Diana, City resident
- Rick Insogna, Transportation Director
- Owen Fuhs, Amsterdam Police Department
- Elmer Santiago, Amsterdam Fire Department
- Michael Chiara, City Assessor
- Louis Aguero, Acting Building Inspector
- Alderman Jim Nicosia
- Ladon Alomar, Centro Civico

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearing and Regular Meeting of April 23, 2002, were accepted with no corrections, additions or deletions.

REPORTS OF STANDING COMMITTEES

None.

REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

RESOLUTION NO. 125 of 2002
RESOLUTION AMENDING RESOLUTION NO. 85 OF 2002

DATED: April 23, 2002

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Thomas

RESOLVED, that Resolution No. 85 of 2002 hereby is amended by providing for deletion, in the Further Resolved Clause, of "Chairman of the Board of Supervisors or designee", and insertion, in its stead, of "Personnel Committee, Labor Management Committee or designee".

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Van Kersen, passed with aye(1868). (4/23/02)

RESOLUTION DIED ON THE TABLE. (5/28/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

NEW BUSINESS

**

RESOLUTION NO. 127 of 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 6 OF 2002

DATED: May 28, 2002

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, on April 23, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Village of Hagaman)" was presented to the Board of Supervisors for consideration, and

WHEREAS on April 23, 2002 Resolution No. 109 of 2002 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 28th day of May, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 6 of 2002, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Village of Hagaman)" hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file three certified copies thereof in the Office of

the Secretary of State and to ensure that it is published in the County's designated legal newspapers, as required by law.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

County of Montgomery
Introductory Local Law No. 6 of 2002

A Local Law Authorizing the Private Sale of County-Owned
Property, Not Needed for a County Purpose

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that County-owned real property, known as SBL 25.11-2-31, located at 85 Pawling Street in the Village of Hagaman, is no longer necessary for public use by the County of Montgomery.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the sale and conveyance of all the right, title and interest of the County in and to said real property to the Village of Hagaman, for its use, in the amount of \$4,025.02.

**

RESOLUTION NO. 128 of 2002 DATED: May 28, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 7
OF 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Thomas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 7 of 2002, a Local Law Modifying the Submission and Review of the Tentative Budget.

RESOLVED, that Introductory Local Law No. 7 of 2002 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, June 25, 2002, at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 129 of 2002 DATED: May 28, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 8 OF 2002

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 8 of 2002, a Local Law Authorizing the Private Sale of County-owned Property, Not Needed for a County Purpose,

RESOLVED, that Introductory Local Law No. 8 of 2002 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, June 25, 2002, at 6:55 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

**

RESOLUTION NO. 130 of 2002
RESOLUTION OPPOSING NEW UNFUNDED MANDATES

DATED: May 28, 2002

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Montgomery County is mandated to balance its budget, in advance of each fiscal year, through reasonable and financially sound analyses of revenue and expenditure trends, and

WHEREAS, each year, New York State Counties must assemble budgets which assume costs associated with governmental programs mandated by the State of New York, and which carry local share costs, and

WHEREAS, one example of such a state mandate is the Medicaid program, for which Montgomery County budgeted more than \$9.5 million in local funds for the 2002 fiscal year, and

WHEREAS, a portion of that appropriation was made to cover local share costs of Family Health Plus, a portion of the Health Care Reform Act (HCRA) 2002 proposal which extended health insurance benefits to the uninsured, and

WHEREAS, when HCRA 2000 was adopted, assurances were given that counties would receive "hold harmless" funding against local share costs of the program, and

WHEREAS, while the Montgomery County Board of Supervisors recognizes and supports efforts to provide expanded coverage, focus must be placed upon the cost of such mandated programs to counties, and

WHEREAS, information from the New York State Association of Counties (NYSAC) indicates that county government will be mandated to assume costs of almost \$400 million over a three-year period, and

WHEREAS, a critical component of the new legislation is the assumption that the federal government will increase New York State's share of Medicaid reimbursement, by three percent, to 53 percent, and

WHEREAS, federal officials have indicated that the federal government does not favor a change in the current Medicaid reimbursement formula, and

WHEREAS, without the federal increase in Medicaid reimbursement, New York State counties will be forced to pay significant additional costs for this

program, and

WHEREAS, the costs of another costly state mandate cannot be foisted upon the property taxpayers in Montgomery County,

RESOLVED, that the Montgomery County Board of Supervisors hereby reaffirms its commitment to cutting the overall cost of government through detailed analyses of county operations and elimination of wasteful spending, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby opposes efforts on the state level to impose new unfunded mandated programs upon county government, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors further reaffirms its support for State programs and initiatives to extend health care services and benefits to those who cannot afford them, while continuing to oppose State efforts to initiate programs which include a local county funding match, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors urges State leaders to publicly discuss and debate the merits of the proposed health care legislation, including its financial impact upon county government, and

FURTHER RESOLVED, that copies of this resolution be sent to Governor Pataki, Assembly Speaker Silver, Senate Majority Leader Bruno, State Senator Farley and Assemblyman Tonko.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Persons Named Above

**

RESOLUTION NO. 131 of 2002 DATED: May 28, 2002
RESOLUTION MEMORIALIZING STATE LEGISLATURE AND GOVERNOR TO ENACT AND
SIGN LEGISLATION INCREASING SALES TAX

Resolution by Supervisor: McMahon
Seconded by Supervisor: Stagliano

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.

RESOLUTION ADOPTED with Aye(1427). Supervisors Dybas and Paton voted nay. Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1427) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator

County Clerk
Individuals Named Above

**

RESOLUTION NO. 132 of 2002 DATED: May 28, 2002
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Hassan
Seconded by Supervisor: Thomas

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from October 1, 2001 to March 31, 2002, 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(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 133 of 2002 DATED: May 28, 2002
RESOLUTION APPOINTING MONTGOMERY COUNTY PLANNING BOARD MEMBER

Resolution by Supervisor: Barone
Seconded by Supervisor: Thomas

WHEREAS, a vacancy exists for a Third Ward representative on the Montgomery County Planning Board,

RESOLVED, that Robert Mead, of 1 Northampton Road, Amsterdam, hereby is appointed a member of the Montgomery County Planning Board, representing the City of Amsterdam's Third Ward, for the remainder of a term expiring on June 30, 2003.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Planning Department
Appointee

**

RESOLUTION NO. 134 of 2002 DATED: May 28, 2002
RESOLUTION APPOINTING MEMBER OF BOARD OF TRUSTEES OF FULTON-MONTGOMERY COMMUNITY COLLEGE

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, there will be a vacancy on the Board of Trustees of Fulton-Montgomery Community College,

RESOLVED, that Marco Zumbolo of Amsterdam hereby is appointed a member of the Board of Trustees of Fulton-Montgomery Community College for a nine-year term commencing on July 1, 2002 and ending on June 30, 2011.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
FMCC
FMCC Board of Trustees

**

RESOLUTION NO. 135 of 2002 DATED: May 28, 2002
RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS

Resolution by: Full Board
Seconded by Supervisor:

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

RESOLVED, that Michael K. Decker of Amsterdam hereby is appointed a member of the Montgomery County Industrial Development Agency Board of Directors, and

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

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
MCIDA

**

RESOLUTION NO. 136 of 2002 DATED: May 28, 2002
RESOLUTION AMENDING RESOLUTION NO. 30 OF 2002 (YOUTH BUREAU)

Resolution by Supervisor: Paton
Seconded by Supervisor: Hisert

WHEREAS, the Montgomery County Youth Bureau Board of Directors has recommended reallocation of certain funds for Special Delinquency Prevention Programs

RESOLVED, that Resolution No. 30 of 2002 hereby is amended to provide for deletion of the Resolved Clause and insertion, of its stead, of:

"RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign 2002 Special Delinquency Prevention Program agreements, as follows:

"AGENCY/PROGRAM	RECOMMENDED FUNDING
"Big Brothers/Big Sisters of Montgomery County (Partners to Assist Youth)	\$3,650.00
"Catholic Charities of Montgomery County (Begin Again)	9,066.00
"Montgomery County Probation Department (Juvenile Field Project)	9,129.00
"Montgomery County Sheriff's Department (Drug, Alcohol & Safety Training)	3,439.00
"Montgomery County Youth Bureau (Administration)"	2,492.00

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau Director

**

RESOLUTION NO. 137 of 2002 DATED: May 28, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - MICROFILMING
PREPARATION (COUNTY CLERK)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the County Clerk has recommended that the County contract for microfilming preparation assistance,

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 Alberta A. Voght, Robin Blair and Jolene Konifka, for assistance in preparing documents in the County Clerk's office for microfilming, and

FURTHER RESOLVED, that said agreements shall provide for compensation at the rate of \$9.29 per hour, not to exceed a total of \$6,395.22 for the period commencing on April 1, 2002 and ending on June 30, 2002, and

FURTHER RESOLVED, that funding for said assistance will be provided by a grant from New York State's Local Government Records Management Improvement Fund.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Stagliano, in the first further RESOLVED clause, insert "grand" between "a" and "total", passed with Aye(1710). Supervisor Quackenbush was absent.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 138 of 2002 DATED: May 28, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - CITY OF
AMSTERDAM (DATA PROCESSING)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Data Processing Director has recommended renewing an agreement to provide data processing services to the City of Amsterdam, and

WHEREAS, said agreement generates revenue totaling approximately \$25,950, and

WHEREAS, said agreement provides for processing of the City's payroll, tax billing, water meter billing, fixed assets maintenance, budget preparation and Assessor's office usage of tax roll services 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 a renewal agreement for provision of data processing services to the City of Amsterdam for a one-year period commencing on July 1, 2002 and ending on June 30, 2003.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 139 of 2002 DATED: May 28, 2002
RESOLUTION ACCEPTING PROPOSAL - LABORATORY SERVICES (MONTGOMERY
MEADOWS)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent was authorized to solicit proposals for
Laboratory Services for Montgomery Meadows RHC, and

WHEREAS, said proposals were opened on April 27, 2002,

RESOLVED, that the Board of Supervisors hereby accepts the proposal
submitted by Amsterdam Memorial Hospital for Laboratory Services, from June 1,
2002 to May 31, 2003, billed to Medicare or Montgomery Meadows, when applicable,
at the current Medicare Fee Schedule, 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 pertaining to said award.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 140 of 2002 DATED: May 28, 2002
RESOLUTION ACCEPTING PROPOSAL - ENTERAL FEEDING, UROLOGICAL AND OSTOMY
SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized to solicit proposals for
Enteral Feeding, Urological and Ostomy Services for Montgomery Meadows RHC and

WHEREAS, said proposals were opened on March 7, 2002.

RESOLVED, that the Board of Supervisors hereby accepts the proposal
submitted by EFS Royal Care of Malta, New York, for Enteral Feeding, Urological
and Ostomy Services, from April 1, 2002, to March 31, 2003, billed to Medicare
or Montgomery Meadows, when applicable, at the current Medicare Fee Schedule,
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 pertaining to said award.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 141 of 2002 DATED: May 28, 2002
RESOLUTION AUTHORIZING RELOCATION OF CSEA TITLES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Thomas

WHEREAS, it has been recommended that certain CSEA titles be relocated to higher pay grades,

RESOLVED, that the title of Head Nurse, presently Grade "I" with a salary of \$28,909, hereby is relocated to Grade "N", at a salary of \$35,581, and

FURTHER RESOLVED, that the title of Nursing Service Training Coordinator, presently Grade "J", with a salary of \$30,298, hereby is relocated to Grade "N", at a salary of \$35,581, and

FURTHER RESOLVED, that the title of Supervising Nurse, presently Grade "J", with a salary of \$30,298, hereby is relocated to Grade "O", at a salary of \$37,804, and

FURTHER RESOLVED, that the Board of Supervisors hereby directs that said changes shall be effective on June 3, 2002.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator
Personnel/Payroll

**

RESOLUTION NO. 142 of 2002 DATED: May 28, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Hassan

WHEREAS, funding for the Healthy Heart Initiative Grant will cease upon completion of the current grant period on June 30, 2002, and

WHEREAS, anticipating continuation of said Grant, for the period commencing July 1, 2002 and ending June 30, 2003, funds were appropriated in the 2002 Operation Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue: A-16-3-3401-00 Public Health State Aid by \$4,686.00

Appropriations: A-16-4-4010-00. Public Health
.1110(387)Principal Clerk by \$1,272.00
.1110(1337)Public Health Educator by 3,414.00

DECREASE:

Revenue: A-16-3-3401-07 Public Health Grant by \$45,832.00

Appropriations: A-16-4-4010-07. Public Health
.1110(1308)Principal Clerk by \$ 1,272.00
.1110(1311)Public Health Educator by 3,414.00
.4449 Special Supplies & Materials by 41,146.00

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

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

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

**

RESOLUTION NO. 143 of 2002 DATED: May 28, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - TB SERVICES
(PUBLIC HEALTH)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Thomas

WHEREAS, the Public Health Director has recommended renewal of a contract for tuberculosis 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 for tuberculosis services with Amsterdam Memorial Healthcare Systems, and

FURTHER RESOLVED, that said contract renewal is for a one-year period,, commencing on May 1, 2002 and ending on April 30, 2003, and

FURTHER RESOLVED, that said contract may be renewed annually, by addendum, without further legislative action, providing all terms and conditions remain unchanged.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Public Health Director

**

RESOLUTION NO. 144 of 2002 DATED: May 28, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - INTENSIFIED LAW
ENFORCEMENT SERVICES (SHERIFF)

Resolution by Supervisor: McMahon
Seconded by Supervisor: VanKersen

WHEREAS, it has been recommended that the Sheriff provide Intensified Law Enforcement Services to the Towns of Canajoharie and Root,

RESOLVED, that the Chairman of the Board of Supervisors and the Sheriff, following review and approval by the County Attorney, hereby are authorized and directed to sign agreements for provision of Intensified Law Enforcement Services to the Towns of Canajoharie and Root, and

FURTHER RESOLVED, that said agreements shall commence on _____ and end on _____, and

FURTHER RESOLVED, that said services shall be provided at the prevailing rate of the assigned deputy, plus the prevailing IRS standard per mile.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Dybas, in the

first FURTHER RESOLVED clause, insert, "July 1, 2002" and "June 30, 2003" respectively, passed with Aye(1710). Supervisor Quackenbush was absent.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Town of Canajoharie
Town of Root

**

RESOLUTION NO. 145 of 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (SHERIFF)

DATED: May 28, 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Dybas

WHEREAS, the Sheriff has requested a budget amendment to provide funding for a full-time, temporary Road Patrol Deputy, and

WHEREAS, said temporary position would remain operational for approximately six months, becoming permanent upon removal from payroll of a Deputy Sheriff who has been receiving 207-c disability benefits,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of a full-time, temporary Deputy Sheriff position, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-15-4-3110-00.1110	Sheriff	
(482)	Deputy Sheriff, Sgt.	\$9,300.00
(844)	Deputy Sheriff/Corr. Off.	3,200.00

To: A-15-4-3110-00.1130(396)	Sheriff	
	Temporary Employees	\$12,500.00

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 146 of 2002
RESOLUTION ACCEPTING JUVENILE JUSTICE GRANT (PROBATION)

DATED: May 28, 2002

Resolution by Supervisor: Dybas
Seconded by Supervisor: Hassan

WHEREAS, Montgomery County has been awarded A \$16,537 Juvenile Justice Grant by the New York State Division of Criminal Justice Services, in the amount of \$16,537,

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 Juvenile Justice Grant Acceptance Agreement, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following

review and approval by the County Attorney, hereby is authorized and directed to sign a one-year agreement with St. Mary's Hospital Children's Clinic for provision of intensive service intervention to identified PINS Youth, at a cost not to exceed a total of \$12,800, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 operating Budget, as follows:

INCREASE:

Revenue:	A-27-3-3310-00	Probation Services	by \$16,537.00
Appropriations:	A-27-4-3140-00.	Probation	
	.2223	Files & Cabinets	by \$ 315.00
	.2259	Computer Equipment	by 2,317.00
	.4434	Consultants	by 11,520.00
	.4439	Other Service Fees	by 1,458.00
	.4454	Central Purchasing	by 99.00
	.4471	Mileage Allocations	by 396.00
	.4473	Registration Fees	by 432.00

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Director of Probation

**

RESOLUTION NO. 147 of 2002 DATED: May 28, 2002
RESOLUTION CANCELING COUNTY TAXES ON URBAN RENEWAL AGENCY PROPERTY

Resolution by Supervisor: Mancini
Seconded by Supervisor: Stagliano

WHEREAS, the Amsterdam Urban Renewal Agency became the owner of property on Gardner Place in the City of Amsterdam known as SBL No. 55.35-1-18, the former city bus garage site, in December 2000, and

WHEREAS, a 2002 Montgomery County tax bill, in the amount of \$777.06, was issued for this property, and

WHEREAS, the AURA is a tax exempt entity and has been approved for tax exempt status on this property,

RESOLVED, that the 2002 Montgomery County tax on SBL No. 55.35-1-18, in the amount of \$777.06, plus penalties, hereby is cancelled.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 148 of 2002 DATED: May 28, 2002
RESOLUTION AWARING CONTRACT NO. 2 - FLORIDA WATER AND SEWER DISTRICTS

Resolution by Supervisor: Richards
Seconded by Supervisor: Hisert

RESOLVED, that Contract No. 2, Sanitary Sewer and Water System Construction for the Town of Florida Water and Sewer Districts hereby is awarded to Grant Street Construction, Inc., of Cortland, New York, in the amount of \$1,719,000.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Econ Opp & Devel Director

**

RESOLUTION NO. 149 of 2002 DATED: May 28, 2002
RESOLUTION AWARDED CONTRACT NO. 4A - FLORIDA WATER AND SEWER DISTRICTS

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

RESOLVED, that Contract No. 4A, installation of a recessed wetwell mounted pump station for the Town of Florida Water and Sewer Districts, hereby is awarded to Smith & Loveless of Lenexa, Kansas, in the amount of \$49,029.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Econ Opp & Devel Director

**

RESOLUTION NO. 150 of 2002 DATED: May 28, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT -
LICARI'S BIG M MARKET

Resolution by Supervisor: Thomas
Seconded by Supervisor: Stagliano

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) has reviewed a business loan application from Licari's Big M Markets, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purpose of establishing and operating a supermarket located in the Village of Fort Plain,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, and by the Department of Housing and Urban Development, hereby is authorized and directed to sign an Agreement and any other legal documents necessary to process an economic development loan, in a principal amount not to exceed \$100,000 to Licari's Big M Markets, and

FURTHER RESOLVED, that the proceeds for said loan shall come from Montgomery County's Program Income Account, and

FURTHER RESOLVED, that said loan shall be payable in 60 monthly installments, with interest of prime minus two percent (at time of closing), and

FURTHER RESOLVED, that Licari's Big M Market shall satisfy all conditions recommended by the Housing and Urban Development Agency, and

FURTHER RESOLVED, that, at the time of closing, a sum of \$1,500 shall be deducted to allow for legal fees.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**

RESOLUTION NO. 151 of 2002 DATED: May 28, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - AMSTERDAM WATER DISTRICT
(COMMUNITY DEVELOPMENT FUND)

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Richards

WHEREAS, adoption of Resolutions No. 123 of 2001 and No. 117 of 2002 approved an Economic Development loan to the Town of Amsterdam for construction of a water district, and

WHEREAS, a budget amendment is needed to process said loan,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

CD599	Appropriated Fund Balance	by \$485,384.00
Appropriations: CD-24-4-8668-93.4510	Community Development Fund	
	Revolving Loans	by \$485,384.00

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**

RESOLUTION NO. 152 of 2002 DATED: May 28, 2002
RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF LATIMER HILL ROAD
BRIDGE REPLACEMENT PROJECT

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Thomas

WHEREAS, a Project for the Bridge Replacement on Latimer Hill Road (CR89) over Flat Creek (BIN 3309890), Town of Root, Montgomery County, P.01.. 2753.35 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, with apportionment of costs to be borne at the ratio of 80 percent Federal funds and 20 percent non-federal funds, and

WHEREAS, the total project costs are estimated at \$562,000, and

WHEREAS, the County of Montgomery desires to advance the above project, by making a commitment of 100 percent of the non-federal share of the total project cost,

RESOLVED, that the Board of Supervisors hereby approves the Latimer Hill Road Bridge Replacement Project, and authorizes the County of Montgomery to pay, in the first instance, 100 percent of the federal and non-federal share of the total cost for the Project, or portions thereof, and

FURTHER RESOLVED, that \$112,400 shall be appropriated to cover the cost of participation in said project, and

FURTHER RESOLVED, that should the full federal and non-federal share costs of said project exceed the amount appropriated, the Board of Supervisors shall convene, as soon as possible, to appropriate said excess amount, immediately

upon notification by the New York State 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, with the New York State Department of Transportation, in connection with advancement, approval and administration of said project, 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, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 153 of 2002 DATED: May 28, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT
- 2002 BRIDGE PROGRAM (PUBLIC WORKS)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 70 of 2002, has approved the 2002 Bridge Program, including engineering services, and

WHEREAS, funding for said program was approved, by adoption of Resolution No. 115 of 2002,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Earth Tech, Inc., of Albany, for provision of engineering services for the 2002 Bridge Program, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$93,700.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 154 of 2002 DATED: May 28, 2002
RESOLUTION APPOINTING MEMBER OF BOARD OF DIRECTORS OF MONTGOMERY COUNTY
COOPERATIVE EXTENSION ASSOCIATION

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery County Cooperative Extension Association was established by a resolution which was duly adopted on May 6, 1913,

RESOLVED, that pursuant to Subdivision 8 of Section 224 of the County Law of the State of New York, Supervisors Carmen J. Sinicropi, Jr. hereby is appointed a member of the Board of Directors of the Montgomery County Cooperative Extension Association for a term ending on December 31, 2003.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointee
Cooperative Extension Association

**

RESOLUTION NO. 155 of 2002 DATED: May 28, 2002
RESOLUTION APPROVING MEMORANDUM OF AGREEMENT - CSEA

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute a Memorandum of Agreement to modify and amend the Collective Bargaining Agreement with the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO representing County employees, and

FURTHER RESOLVED, that said Memorandum of Agreement hereby is attached and made part of this Resolution.

RESOLUTION ADOPTED with Aye(1284). Supervisor Dybas voted nay. Supervisors McMahon and Paton abstained.

Duly adopted upon roll call, all members present (1284) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel
CSEA

**

RESOLUTION NO. 156 of 2002 DATED: May 28, 2002
RESOLUTION ACCEPTING BIDS - 2002 COUNTY AUCTION

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, an open-bid auction of certain County-owned real property was held on Wednesday, May 15, 2002, and

WHEREAS, the respective successful bidders were, as follows:

HIGH BIDDER	SECOND BIDDER	PARCEL	PRICE
David C. & Down L. Arndt	Michael F. Nicosia	1	\$ 6,000.00
James Simek	None	6	50.00
None	None	12	----
Randy A. Savoie	Janusz Bronski	15	1,100.00
Darryl J. Bubniak	Janusz Bronski	16	150.00
None	None	17	----
Starr W. Stevenson	Stephen W. Marks	22	5,000.00
Tyrone J. Jacobucci	None	24	50.00
Frank P. Swartwout	Starr W. Stevenson	28	900.00
Anthony J. Laubsch	Louis Ramos	29	5,400.00
Kelli N. Gomez	Daniel J. Clancy	36	5,000.00
Larry J. Chaplinski	Edith E. Schroer	40	6,500.00
Brian C. Leffler	Arthur R. Johnson	46	2,000.00
Mark R. Kates	None	48	50.00
Alick L. Paro	Jason L. Parrotti	50	3,000.00
None	None	60	----
Arnold O. Paro	Andrew J. Forsey	63	14,500.00
Jason L. Parrotti	Daniel M. Coombs	64	10,000.00

Russell J. Kelly Jr.	Robert J. Dziedic	79	5,500.00
Marilyn J. Smith	Michael D. Neri	84	4,000.00
Brian D. Galusha	John P. Posluszny	89	6,200.00
Murphy C. Schrom	Patricia Ann Silla	93	4,500.00
John Farina	John C. Garrow	95	4,750.00
Luis Rosario/Danny Yannantuono	Nicole A. Chambers	98	5,000.00
Louis Ramos/Marrero Ivelisse	Russell J. Hurteau	99	20,000.00
Nichole A. Chambers	Randy A. Savoie	100	1,400.00
Marla M. Moylan	Brian C. Leffler	102	6,500.00
Louis Ramos/Marrero Ivelisse	John C. Garrow	105	12,400.00
John C. Garrow	Daniel R. Bobinson	106	3,100.00
Luis Rosario/Danny Yannantuono	Jason Pollock	108	3,000.00
Haralambos Garoutsos	John C. Garrow	110	800.00
Sandra L. Smith	Deborah L. Lewis	111	6,500.00
Tammy & David Wiecek	Vasilios Garoutsos	112	2,200.00
Vasilios Garoutsos	Michael J. Burns	115	500.00
Roland H. & Janet F. Vinyard	James L. Childs	118	25,000.00

HIGH BIDDER	SECOND BIDDER	PARCEL	PRICE
Carol A. Smith	Larry J. Chaplinski	119	5,600.00
Maria L. Schwarz	Tim A. Fagant	126	4,800.00
Larry J. Chaplinski	None	127	50.00
David Ruggiero	Nancy L. Bradley	131	5,600.00
Michael J. Burns	None	140	1,000.00
Ralph S. & Shelley A. Hume	Michael R. Wendel	157	10,100.00
Vasilios Garoutsos	Joy A. Stahl	171	4,000.00
None	None	172	----
Tim A. Fagant	Albert W. LaPlante, Sr.	180	225.00
Larry J. Chaplinski	Reid C. Lyons	187	5,000.00
Michael J. Davis	Scott C. Orr	188	11,000.00
Nice & Easy Properties LLC	Vasilios Garoutsos	189	2,600.00
John C. Garrow	Nice & Easy Properties LLC	199	9,250.00
Haralambos Garoutsos	Richard H. Griffin	219	2,800.00

\$233,075.00

, and

WHEREAS, successful bids meet the terms and conditions of said auction and have been reviewed by the County Treasurer and by the County Attorney,

RESOLVED, that the County Treasurer hereby is authorized and directed to execute Quit Claim Deeds, for each of the aforementioned parcels, in the names of the successful bidders, or their designees, and

FURTHER RESOLVED, that the County Treasurer is authorized and directed to notify, by certified mail, return receipt requested, each of the successful bidders, or their designees, that all additional monies of the accepted bid, taxes levied on the property after auction date, search fee, advertising charges and any outstanding monies that may be owed, shall be paid to the County Treasurer within 30 days of the date of said notification, and

FURTHER RESOLVED, that failure to comply with the foregoing provisions shall result in non-compliance with the terms and conditions of auction, forfeiture of the initial deposit and loss of property, and

FURTHER RESOLVED, that such non-compliance also shall result in notification to the recorded second bidder, to determine interest in said property, and

FURTHER RESOLVED, that any changes resulting from non-compliance shall be presented to the Board of Supervisors for consideration.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 157 of 2002

DATED: May 28, 2002

RESOLUTION APPOINTING TRAFFIC SAFETY BOARD MEMBERS

Resolution by Supervisor: Barone
Seconded by Supervisor: Thomas

RESOLVED, that the following persons hereby are appointed members of the Montgomery County Traffic Safety Board, for terms ending on June 30, 2005:

NAME	ADDRESS
Sgt John Agresta	State Police, 3003 STWY 5S, Fultonville
Sheriff Michael Amato	Sheriff's Dept. Fultonville
Ronald J. Barone, Sr.	49 Fairmont Ave., Amsterdam
Evelyn Bianchi	18 Stamford Ave., Amsterdam
John Bianchi	18 Stamford Ave., Amsterdam
Chief Thomas Brownell	Public Safety Bldg., Amsterdam
Eileen S. Broyles	OFA, 380 Guy Park Ave., Amsterdam
Homer L. Buddles, III	135 Lighthall Rd., Fort Plain
Charles M. Clark	46 Moyer St., Canajoharie
Paul Clayburn	Public Works Dept., Fonda
Mary Lou DeRio	Centro Civico, 229 E. Main St., Amsterdam
Roy M. Dumar	44 Center St., Fonda
Susan Everett	40 Otsego St., Canajoharie
Miles Frasier, Jr.	126 Dillenbeck Rd., Palatine Bridge
Richard Furman	122 Lorraine Blvd., Amsterdam
Rose Jubar	16 W. Liberty St., St. Johnsville
Marcia Keller	5 Main St., Fultonville
Sgt Alfred Kercado	Public Safety Bldg., Amsterdam
Mike Lair	State Police, 3003 STHWY 5S, Fultonville
Paul Parillo	United Way, 46 E. Main St., Amsterdam
Jennifer Petteys	Youth Bureau, PO Box 1500, Fonda
John Stevenson	Sheriff's Dept., Fultonville
John Thomas	Bd of Supervisors, Chair, Public Safety Comm
Joanne Tinc	393 Rappa Road, Sprakers, NY
Burton Wilson	Sheriff's Dept., Fultonville

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Appointees
**

_____ OTHER

None.

_____ ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1710). Supervisor Quackenbush was absent. Chairman Barone declared the meeting adjourned at 7:49 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for June 25, 2002, was called to order at 7:01 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Quackenbush. Roll call indicated that Supervisor Van Kersen was absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor DiMezza, seconded by Supervisor Thomas, to Suspend the Rules of Procedure to allow for the introduction of Resolutions Nos. 172, 173 and 174, and to provide for an Executive Session after "New Business, passed with Aye(1802). Supervisor Van Kersen was absent. Motion by Supervisor DiMezza, seconded by Supervisor Thomas, to adopt the amended agenda, passed with Aye(1802). Supervisor Van Kersen was absent.

____ _
PRIVILEGE OF THE FLOOR

Arthur Iannuzzi, Data Tech Associates, requested clarification of several issues and extension of time for submission of proposals for telephone and data systems.

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings and Regular Meeting of May 28, 2002, were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

____ _
UNFINISHED BUSINESS

**

NEW BUSINESS

**

RESOLUTION NO. 158 of 2002 DATED: June 25, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 7 OF 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Thomas

WHEREAS, on May 28, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Modifying the Submission and Review of the Tentative Budget", was presented to the Board of Supervisors for consideration, and

WHEREAS on May 28, 2002 Resolution No. 128 of 2002 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 25th day of June, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 7 of 2002, entitled: "A Local Law Modifying the Submission and Review of the Tentative Budget", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file 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(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

County of Montgomery
Introductory Local Law No. 7 of 2002

A Local Law Modifying the Submission and
Review of the Tentative Budget

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

SECTION 1. Pursuant to County Law, Article 7, Sections 354 and 376, the Budget Officer shall file the Tentative Budget and Budget Message, if any, with the Clerk of the Board of Supervisors no later than the first day of October.

SECTION 2. Pursuant to County Law, Article 7, Section 357 and 376, the time provided to the committee of the Board of Supervisors designated to review the Tentative Budget, is extended to twenty days from the filing of the Tentative Budget with the Clerk of the Board of Supervisors.

SECTION 3. This act shall take effect August 1, 2002.

**

RESOLUTION NO. 159 of 2002 DATED: June 25, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 8 OF 2002

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, on May 28, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Mohawk)" was presented to the Board of Supervisors for consideration, and

WHEREAS on May 28, 2002 Resolution No. 129 of 2002 was adopted authorizing

and directing that a Public Hearing be held by the Board of Supervisors on the 25th day of June, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 8 of 2002, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Mohawk)", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file 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(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

County of Montgomery
Introductory Local Law No. 8 of 2002

A Local Law Authorizing the Private Sale of County-Owned
Property, Not Needed for a County Purpose

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that County-owned real property, known as SBL No. 35.7-1-34, located at 131 Court Street in the Town of Mohawk, is no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the sale and conveyance of all the right, title and interest of the County in and to said real property to the Town of Mohawk, for use. The Town of Mohawk agrees to pay \$482.93 to the County of Montgomery, which represents the total tax delinquency, administrative fees and deed filing fees.

**
RESOLUTION NO. 160 of 2002 DATED: June 25, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER NO. 1 - WATER
STORAGE TANK

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, the Project Engineer has reported that additional excavation was required to provide for proper construction of the footing for a water storage tank, and

WHEREAS, said Project Engineer also advised that painted logos for said water tank have been deleted from the project, and

WHEREAS, said changes will result in a net contract price increase of \$4,243,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign Change Order No. 1, Contract No. 1 - Water Storage Tank.

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 161 of 2002 DATED: June 25, 2002
RESOLUTION AWARDDING CONTRACTS - ROOF REPLACEMENT PROJECTS (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors authorized solicitation of bids for Roof Replacement Projects at Fulton-Montgomery Community College (FMCC), and

WHEREAS, FMCC has recommended that contracts be awarded to the low bidders for said projects,

RESOLVED, that the net bids for each project, as submitted by the lowest responsible bidders, in accordance with Specifications dated May 2, 2002, hereby are accepted, and contracts are awarded to the following:

PE Building Project:	Weatherguard Roofing	\$234,395 (base bid)
Classroom Building Project:	Monahan and Loughlin, Inc.	\$240,777 (base bid)
College Union Project:	Weatherguard Roofing	\$148,900 (base bid- deduct Alt. 1 & add Alt. 3)

, 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 necessary construction contracts, and a contract with Steven Smith, PE, for construction inspection services for the PE Building and Classroom projects, in an amount not to exceed \$2,900, and with Architecture + for construction inspection services for the College Union Project, in an amount not to exceed \$2,500, and

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

RESOLUTION ADOPTED with Aye(1666). Supervisor Dybas voted nay. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1666) voting aye.

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

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

**
RESOLUTION NO. 162 of 2002 DATED: June 25, 2002
RESOLUTION TRANSFERRING FUNDS - EQUIPMENT UPGRADE (DATA PROCESSING)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Director of Data Processing has recommended a transfer of funds to provide for payment of computer equipment upgrade costs,

RESOLVED,, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-14-4-1680-00.1110(292)	Data Processing	
	Computer Programmer	\$6,700.00
.4449	Special Supplies & Materials	1,500.00

To: A-14-4-1680-00.	Data Processing	
.2259	Computer Equipment	\$6,200.00
.4439	Other Service Fees	2,000.00

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Data Processing Director

**
RESOLUTION NO. 163 of 2002 DATED: June 25, 2002
RESOLUTION ADOPTING FIXED ASSETS CONTROL AND DISPOSAL POLICIES

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

WHEREAS, it has been recommended that Montgomery County establish formal policies regarding fixed assets control and fixed assets disposal,

RESOLVED, that the Board of Supervisors hereby adopts policies governing Fixed Assets Control and Fixed Assets Disposal, identified as Subsections 1.01 and 1.02, respectively, as part of the Finance Section of the Policy and Procedure Manual, and

FURTHER RESOLVED, that copies of said policies be attached hereto and made part of this Resolution, and

FURTHER RESOLVED, that said policies shall be effective on July 1, 2002.

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Department Heads

**
RESOLUTION NO. 164 of 2002 DATED: June 25, 2002
RESOLUTION TRANSFERRING FUNDS - OVERTIME (COUNTY AUDITOR)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Stagliano

WHEREAS, the County Auditor has requested a transfer of funds to provide for employee overtime payments,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400	Contingent Contractual Expenses	\$1,000.00
To: A-30-4-1320-00.1111(160)	County Auditor Overtime Pay	\$1,000.00

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

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

County Attorney

Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Auditor

**
RESOLUTION NO. 165 of 2002 DATED: June 25, 2002
RESOLUTION ESTABLISHING POSITIONS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, the Nursing Home Administrator has recommended the establishment of two positions at Montgomery Meadows,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the positions of Primary Health Care Nurse and Account Clerk Typist, with base salaries of \$49,631 and \$21,126, respectively, at Montgomery Meadows, and

FURTHER RESOLVED, that the position of Supervising Nurse - Day hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

ADD: EH-34-4-6020-00. Montgomery Meadows
.1110(42) Primary Health Care Nurse
.1110(49) Account Clerk Typist

TRANSFER:

From: EH-34-4-6020-00. Montgomery Meadows
.1110(1422) Supervising Nurse \$ _____
.1130(216) Temporary Employees _____
To: EH-34-4-6020-00. Montgomery Meadows
.1110(42) Primary Health Care Nurse \$ _____
.1110(49) Account Clerk Typist _____

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Dybas, in the RESOLVED and FURTHER RESOLVED clauses, delete "Account Clerk Typist", and insert, in its stead, "Scheduling Clerk" and in the TRANSFER section, insert 28,673.54, 1,689.66, 21,297.92, and 9,065.28 respectively, passed with Aye(1802).

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Montgomery Meadows
Personnel/Payroll

**
RESOLUTION NO. 166 of 2002 DATED: June 25, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (VARIOUS DEPARTMENTS)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors authorized a longevity program for non-bargaining employees, effective January 1, 1995, and

WHEREAS, said program included a payment schedule, and

WHEREAS, it has been determined that longevity credit for several eligible non-bargaining employees was inadvertently calculated erroneously, and

WHEREAS, it has been recommended that budget amendments be authorized to fund the respective corrections,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follow:

TRANSFER:

From:	A-01-4-1011-00.1110(476)	County Administrator	
		Executive Secretary	\$6,000.00
	A-02-4-3640-00.1110(1407)	Emergency Management	
		Account Clerk Typist	1,000.00
	A-01-4-1990-00.4440	Contingent Account	
		Contractual Expenses	3,000.00
	A-10-4-1430-00.1110(1430)	Personnel	
		Account Clerk Typist	4,500.00
To:	A-01-4-1011-00.1110(868)	County Administrator	
		Deputy County Administrator	\$6,000.00
	A-02-4-3640-00.1110(207)	Emergency Management	
		Emer Mgmt Director	1,000.00
	A-09-4-1420-00.1120(78)	County Attorney	
		County Attorney	2,000.00
	A-10-4-1430-00.1110(858)	Personnel	
		Personnel officer	4,500.00
	A-20-4-6610-00.1110(81)	Sealer	
		Director - Weights & Measures	1,000.00

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Emergency Management
County Attorney
Personnel
Payroll
Sealer, Weights & Measures

**

RESOLUTION NO. 167 of 2002 DATED: June 25, 2002
RESOLUTION REAPPOINTING MONTGOMERY COUNTY PLANNING BOARD MEMBERS

Resolution by Supervisor: Hassan
Seconded by Supervisor: Dybas

WHEREAS, the terms of several members of the Montgomery County Planning Board will expire on June 30, 2002,

RESOLVED, that the following persons hereby are appointed to three-year terms on the Montgomery County Planning Board, commencing July 1, 2002 and expiring on June 30, 2005:

James Crisalli	14 Belmont Place, Amsterdam
Jack Fritz	230 Gombard Road, Esperance
Gerard Koller	49 Lincoln Avenue, Amsterdam
Michael Greco	1 Greco Place, Amsterdam
Philp Arnold	371 Swart Hill Road, Amsterdam

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Planning Department
Appointees

**
RESOLUTION NO. 168 of 2002 DATED: June 25, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - BIOTERRORISM GRANT
(PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, Montgomery County has been awarded a \$75,000 Public Health Preparedness and Response to Bioterrorism Grant, and

WHEREAS, said grant will cover the period from May 1, 2002 to August 31, 2003,

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 \$75,000 Public Health Preparedness and Response to Bioterrorism Grant from the New York State Department of Health.

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

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

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

**
RESOLUTION NO. 169 of 2002 DATED: June 25, 2002
RESOLUTION TRANSFERRING FUNDS (UNALLOCATED INSURANCE)

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

WHEREAS, a transfer of funds is needed to provide for payment of premiums for various insurance coverages,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400	Contingent Account Contractual Services	\$30,000.00
To: A-01-4-1910-00.4489	Unallocated Insurance Countywide Insurance	\$30,000.00

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 170 of 2002 DATED: June 25, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT
- LATIMER HILL ROAD BRIDGE REPLACEMENT PROJECT

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, implementation and funding of the Bridge Replacement Project, PIN 2753.35, Latimer Hill Road, was authorized by Resolution No. 152 of 2002, and

WHEREAS, the Federal process for procurement of engineering services has

been completed and approved,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute an agreement with Barton & Loguidice, P.C., of Liverpool, New York, to perform services described in Attachment "B", annexed to the Architectural/Engineering Consultant Agreement, for the sum of \$122,930, as set forth in Attachment "A" of said Agreement.

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 171 of 2002 DATED: June 25, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - NEW
YORK STATE CANAL CORPORATION

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Memorandum of Agreement with the New York State Canal Corporation, regarding reimbursement of certain costs related to rehabilitation of Moveable Dam 8 at Lock E-12 on the Erie Canal.

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 172 of 2002 DATED: June 25, 2002
RESOLUTION ACCEPTING WEST NILE VIRUS SURVEILLANCE GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Paton

WHEREAS, the Public Health Department has been awarded a West Nile Virus Surveillance Grant for the period starting April 1, 2002 and ending December 31, 2002,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the West Nile Virus Surveillance 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 acceptance agreement, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:			
Revenue:	A-16-3-3401-08	Public Health Grant	\$2,500.00
Appropriations:	A-16-4-4010-08.4491	Public Health Grant	
		Legal Notice & Advertising	\$2,500.00

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 174 of 2002 DATED: June 25, 2002
RESOLUTION ENDORSING STATE LEGISLATION AUTHORIZING WIRELESS
COMMUNICATIONS SERVICE SURCHARGE

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Board of Supervisors desires to maintain and improve the capabilities of E-911 service, and

WHEREAS, the current E-911 telephone surcharges, paid for by all system users, covers a limited portion of actual system operational expenses, and all other costs related to the system must be raised through property taxes, and

WHEREAS, the revenue generated by the surcharge must be used for the support of the County's 911 system, and

WHEREAS, the New York State Legislature has recently introduced A11954 and S7806 - AN ACT to Amend the County Law, in Relation to Wireless Communications Service Surcharges in the County of Montgomery,

RESOLVED, that the Montgomery County Board of Supervisors endorses and requests State approval of legislation known as A11854 and S7806.

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
The Honorable Hugh T. Farley
The Honorable Paul D. Tonko
NYS Association of Counties

____ OTHER

Motion by Supervisor Mancini, seconded by Supervisor DiMezza, to enter into Executive Session for the purpose of personnel discussion, as allowed by Public Offices Law, passed with Aye(1802). Supervisor Van Kersen was absent. The Board entered Executive Session at 7:21 p.m.

Motion by Supervisor DiMezza, seconded by Supervisor Mancini, to conclude the Executive Session at 8:10 p.m., passed with Aye(1802). Supervisor Van Kersen was absent.

**

Supervisor Van Kersen entered the meeting at 8:12 p.m.

**
RESOLUTION NO. 173 of 2002 DATED: June 25, 2002
RESOLUTION ESTABLISHING MAINTENANCE HELPER'S POSITION (JAIL)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Dybas

WHEREAS, the Sheriff has recommended establishment of a Maintenance Helper's position at the Jail,

RESOLVED, that a Maintenance Helper's position hereby is established at the Jail and

FURTHER RESOLVED, that a Structural Maintenance Worker's position hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

ADD: A-15-4-3150-00.1110(56) Maintenance Helper

TRANSFER:

From: A-15-4-3150-00.1110(864) Jail
Structural Maintenance Worker \$20,623.33

To: A-15-4-3150-00.1110(56) Jail
Maintenance Helper \$20,623.33

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

ADJOURNMENT

Motion by Supervisor Dybas, seconded by Supervisor Mancini, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _ CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for July 23, 2002, was called to order at 7:00 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Dybas. Roll call indicated that Supervisor Brodie was absent.

____ _ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _ ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Dybas, to Suspend the Rules of Procedure to allow for the introduction of Resolutions Nos. 196, 197, 198 and 199, and to provide for an Executive Session after "Public Comment, passed with Aye(1729). Supervisor Brodie was absent. Motion by Supervisor McMahon, seconded by Supervisor Dybas, to adopt the amended agenda, passed with Aye(1729). Supervisor Brodie was absent.

____ _ PRIVILEGE OF THE FLOOR

Phyllis Bullock, Town of Root, urged adoption of Resolution No. 198.

**

Motion by Supervisor Mancini, seconded by Supervisor Dybas, to enter into Executive Session for the purpose of personnel discussion, passed with Aye(1729). Supervisor Brodie was absent. The Board entered Executive Session at 7:05 p.m.

Motion by Supervisor Dybas, seconded by Supervisor Van Kersen, to conclude the Executive Session at 8:03 p.m., passed with Aye(1729). Supervisor Brodie was absent.

**

____ _ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings and Regular Meeting of June 25, 2002, were accepted with no corrections, additions or deletions.

____ _ REPORTS OF STANDING COMMITTEES

None.

REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

NEW BUSINESS

**

RESOLUTION NO. 175 of 2002 DATED: July 23, 2002
RESOLUTION SUPPORTING APPEAL OF PLEDGE OF ALLEGIANCE COURT RULING

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, a recent 2 to 1 ruling by a federal appeals court in California held unconstitutional the required recitation of the Pledge of Allegiance in schools, because of the words "under God", and

WHEREAS, the human character needs Hope, Love and Faith in one form or another, for survival, and

WHEREAS, the foundation of the United States of America provides said Hope, Love and Faith, and

WHEREAS, dedication for said Hope, Love and Faith has been demonstrated by many, including those who fought and died to protect and preserve our freedom, and

WHEREAS, the Pledge of Allegiance to "Old Glory" gives Hope, Love and Faith, while maintaining separation of church and state, and

WHEREAS, the unending patriotism inspired by the Pledge of Allegiance, and its encouragement of Hope, Love and Faith is threatened by said court ruling,

RESOLVED, that the Montgomery County Board of Supervisors hereby strongly encourages appeal of said court ruling, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby strongly opposes any ruling holding unconstitutional any aspect or use of the Pledge of Allegiance.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 176 of 2002 DATED: July 23, 2002
RESOLUTION APPOINTING MEMBER OF COUNTY FIRE ADVISORY BOARD

Resolution by Supervisor: Richards
Seconded by Supervisor: DiMezza

WHEREAS, a vacancy exists for a Fort Hunter representative on the Montgomery County Fire Advisory Board,

RESOLVED, that Raymond Tylutki, Jr. hereby is appointed a member of the Montgomery County Fire Advisory Board, representing Fort Hunter, to a term

ending on December 31, 2003.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fire Coordinator

**
RESOLUTION NO. 177 of 2002 DATED: July 23, 2002
RESOLUTION AWARDING BID NO. 05-02 (PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized to solicit bids for transportation for Coordinated Children's Services, and

WHEREAS, said bids were opened on July 15, 2002,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 05-02 to _____, 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 documents pertaining to said award.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Thomas, in the RESOLVED clause insert, "Blueline for Routes 1,2,3,7,9,10,11,12,13,14,15,16,18 and 19 and Brown for Routes 4, 5, 6, 8 and 17", passed with Aye(1083). Supervisors Barone, DiMezza, Hassan and Richards voted nay. Supervisor Dybas abstained. Supervisor Brodie was absent.

RESOLUTION ADOPTED with Aye(1083). Supervisors Barone, Hassan and Richards voted nay. Supervisors Dybas and DiMezza abstained. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1083) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 178 of 2002 DATED: July 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - COURT SECURITY SERVICES (SHERIFF)

Resolution by Supervisor: Hassan
Seconded by Supervisor: McMahon

WHEREAS, the Sheriff provides Court Security Services under the Unified Court System of the State of New York (UCS), and

WHEREAS, the Sheriff has recommended that Montgomery County enter into an agreement with the UCS to provide reimbursement of the cost of said services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a one-year renewal agreement with the New York State Uniform Court System for provision of Court Security Services, and

FURTHER RESOLVED, that total reimbursement shall not exceed \$186,000, for the period commencing on April 1, 2002 and ending on March 31, 2003.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Dybas, to add, "and FURTHER RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to request that Montgomery County be relieved of contractual responsibility for providing court security services, with said responsibility to be assumed by UCS, on or before March 31, 2003.", passed with Aye(1729). Supervisor Brodie was absent.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 179 of 2002 DATED: July 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENTS - PROBATION
ELIGIBLE REDUCTION INITIATIVE (PROBATION)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Sinicropi

WHEREAS, the Director of Probation has recommended continued participation in the Probation-Eligible Reduction Initiative,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement, with the New York State Division of Probation and Correctional Alternatives, providing for Montgomery County's continued participation in the Probation-Eligible Reduction Initiative, and

FURTHER RESOLVED, that said Chairman, following review and approval by the County Attorney, also is authorized and directed to sign an agreement with St. Mary's Hospital Alcoholism Program for provision of assessment and referral services, at a cost not to exceed \$13,932, and

FURTHER RESOLVED, that said agreements shall be for a one-year period ending on December 31, 2002.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Probation

**

RESOLUTION NO. 180 of 2002 DATED: July 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ANNUAL UPDATE - COUNTY
COMPREHENSIVE PLAN (YOUTH BUREAU)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery County has a three-year Comprehensive Youth Services Planning Agreement with the New York State Office of Children and Family Services, and

WHEREAS, an annual plan update is a requirement of said agreement,

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed to sign the Annual Plan Update prepared by the Youth Bureau Director.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 181 of 2002
RESOLUTION ACCEPTING GRANT AWARD (HISTORY)

DATED: July 23, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Quackenbush

WHEREAS, the Department of History and Archives applied for outside funding for the microfilming of permanent records, and

WHEREAS, Montgomery County has been notified of an \$8,830 grant award to be applied toward the cost of microfilming original assessment rolls,

RESOLVED, that the Board of Supervisors hereby accepts an \$8,830 grant award from the New York State Local Government Records Management Improvement Fund for the period ending in June 2003, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 operating Budget, as follows:

ADD: A-22-4-7510-00.4438 Historian
Misc. Service Fee

INCREASE:

Revenue: A-22-3-3889-00 State Grant by \$8,830.00

Appropriations: A-22-4-7510-00 Historian
.4438 Misc. Service Fee by \$8,000.00
.1120(1405) Clerk Typist (p.t.) by 830.00

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 182 of 2002 DATED: July 23, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 9
OF 2002

Resolution by Supervisor: Dybas
Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 9 of 2002, a Local Law Establishing Waiting Period for Appointive Employment of Elected County Officials,

RESOLVED, that Introductory Local Law No. 9 of 2002 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 27, 2002, at 6:45 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Hisert, failed with Aye(569). Supervisors Barone, DiMezza, Hisert and Stagliano voted aye. Supervisor Brodie was absent.

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor dybas, passed with Aye(1614-2/3 majority). Supervisor Brodie was absent.

RESOLUTION ADOPTED with Aye(1518). Supervisors Hisert and Stagliano voted nay. Supervisor Brodie was absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 183 of 2002 DATED: July 23, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 10
OF 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor: DiMezza

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 10 of 2002, "A Local Law Electing a Retirement Incentive Program as Authorized by Chapter 69, Laws of 2002",

RESOLVED, that Introductory Local Law No. 10 of 2002 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 27, 2002, at 6:55 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**
RESOLUTION NO. 184 of 2002 DATED: July 23, 2002
RESOLUTION APPOINTING PARTTIME PURCHASING AGENT

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Marco Zumbolo was appointed Temporary Parttime Purchasing Agent, by adoption of Resolution No. 41 of 2002, and

WHEREAS, said temporary appointment was effective on February 4, 2002, pending recruitment of a permanent appointee, and

WHEREAS, the incumbent has been recommended for permanent appointment,

RESOLVED, that Marco Zumbolo hereby is appointed Parttime Purchasing Agent, at an annual base salary of \$18,000, and

FURTHER RESOLVED, that said appointment is effective immediately.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 185 of 2002 DATED: July 23, 2002
RESOLUTION ESTABLISHING CORRECTIONAL FACILITY NURSE POSITION (JAIL)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has recommended the establishment of a second full-time Correctional Facility Nurse at the Jail,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of a second full-time position of Correctional Facility Nurse, with an annual base salary of \$37,804, at the Montgomery County Jail, and

FURTHER RESOLVED, that the parttime position of Registered Professional Nurse hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

ADD: A-15-4-3150-00.1110(67) Jail
Correctional Facility Nurse

TRANSFER:

From: A-15-4-3150-00.1120(1342) Jail
Registered Professional Nurse PT \$23,017.50

To: A-15-4-3150-00.1110(67) Jail
Correctional Facility Nurse \$23,017.50

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Hassan, passed with Aye(1372). Supervisors Thomas, Quackenbush and Hisert voted nay. Supervisor Brodie was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 186 of 2002 DATED: July 23, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET

Resolution by Supervisor: Hisert
Seconded by Supervisor: Hassan

WHEREAS, a budget amendment is needed to fund certain salary increases authorized by adoption of Local Law No. 2 of 2002,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-01-4-1990-00.4400	Contingent Account	
		Contractual Expenses	\$5,896.00
To:	A-08-4-1410-00.1110(79)	County Clerk	
		County Clerk	\$4,381.00
	A-30-4-1320-00.1120(869)	County Auditor	
		Auditor	1,515.00

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
County Auditor

**

RESOLUTION NO. 187 of 2002 DATED: July 23, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (VARIOUS DEPARTMENTS)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors authorized a longevity program for non-bargaining employees, effective January 1, 1995, and

WHEREAS, said program included a payment schedule, and

WHEREAS, it has been determined that longevity credit for several eligible non-bargaining employees was inadvertently calculated erroneously, and

WHEREAS, it has been recommended that budget amendments be authorized to fund the respective corrections,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-01-4-1011-00.1110(476)	County Administrator	
		Executive Secretary	\$6,000.00
	A-02-4-3640-00.1110(1407)	Emergency Management	
		Account Clerk Typist	1,000.00
	A-01-4-1990-00.4440	Contingent Account	
		Contractual Expenses	3,000.00
	A-10-4-1430-00.1110(1430)	Personnel	
		Account Clerk Typist	4,500.00
To:	A-01-4-1011-00.1110(868)	County Administrator	
		Deputy County Administrator	\$6,000.00
	A-02-4-3640-00.1110(207)	Emergency Management	
		Emer Mgmt Director	1,000.00
	A-09-4-1420-00.1120(78)	County Attorney	
		County Attorney	2,000.00
	A-10-4-1430-00.1110(858)	Personnel	
		Personnel Officer	4,500.00
	A-20-4-6610-00.1110(81)	Sealer	
		Director - Weights & Measures	1,000.00

RESOLUTION WITHDRAWN.

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

cc: County Treasurer
County Administrator
County Clerk

Director, Emergency Management
County Attorney
Personnel/Payroll
Sealer, Weights & Measures

**

RESOLUTION NO. 188 of 2002 DATED: July 23, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - WORKERS' COMPENSATION

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, the County's independent auditor, Marvin and Company, has recommended a budget amendment to adjust the Workers' Compensation appropriation for Montgomery Meadows,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

A-599	Appropriated Fund Balance	by \$74,026.00
Appropriations: A-10-4-9001-00.8830	Fringe Benefits Workers' Compensation	by \$74,026.00

TRANSFER:

From: EH-34-4-9001.00.8830	Fringe Benefits Workers' Compensation	\$74,026.00
To: EH-34-4-6020-00.1120 (115)	Montgomery Meadows Parttime Employees	\$74,026.00

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Meadows Administrator
Personnel Officer

**

RESOLUTION NO. 189 of 2002 DATED: July 23, 2002
RESOLUTION SUPPORTING EMPIRE OPPORTUNITY FUND APPLICATION - GLEN CANAL
VIEW BUSINESS PARK

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Empire Opportunity Fund provides financial assistance to projects involving the development of capital facilities or infrastructure that will help create or retain jobs or business activity within New York State, and

WHEREAS, improvements to the Glen Canal View Business Park would make additional sites available to attract new business to the region, and

WHEREAS, the development of the Glen Canal View Business Park project has received continued support from the County of Montgomery, including the financing of over \$2.3 million in land acquisitions, infrastructure and pre-permitting, and

WHEREAS, the continued development of the Glen Canal View Business Park is consistent with the County's long-range plan to create well-planned development sites that will provide jobs for our community,

RESOLVED, that the Board of Supervisors hereby supports the Montgomery County Industrial Development Agency application to the Empire Opportunity Fund for the Glen Canal View Business Park.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Oppor. & Development

**

RESOLUTION NO. 190 of 2002 DATED: July 23, 2002
RESOLUTION SUPPORTING BUILD NOW NEW YORK II PROGRAM APPLICATION -
FLORIDA BUSINESS PARK

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Build Now NY II Program provides financial assistance to projects involving the selection, development and marketing of shovel-ready sites, and

WHEREAS, the continued development of the Florida Business Park would make additional sites available to attract new business and jobs to our region,

RESOLVED, that the Board of Supervisors hereby supports the Montgomery County Industrial Development Agency application for Build Now New York II funds for the Florida Business Park,

FURTHER RESOLVED, that the Board of Supervisors authorizes the Chairman to sign a letter of commitment for matching funds not to exceed \$75,000.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Oppor. & Development

**

RESOLUTION NO. 191 of 2002 DATED: July 23, 2002
RESOLUTION AWARING CONTRACT NO. 3 - FLORIDA WATER AND SEWER DISTRICTS

Resolution by Supervisor: Richards
Seconded by Supervisor: Stagliano

RESOLVED, that Contract No. 3, Electrical work, for the Town of Florida Sewer and Water Districts, hereby is awarded to _____ in the amount of _____.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, in the RESOLVED clause, insert "Stilsing Electric Inc." and "\$188,000", respectively, passed with Aye(1729). Supervisor Brodie was absent.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Oppor. & Development

**

RESOLUTION NO. 192 of 2002 DATED: July 23, 2002
RESOLUTION AWARDING CONTRACT NO. 4 - FLORIDA WATER AND SEWER DISTRICTS

Resolution by Supervisor: Richards
Seconded by Supervisor: Stagliano

RESOLVED, that Contract No. 4, Part A, Sanitary Sewer and Water construction for the Town of Florida Sewer and Water Districts hereby is awarded to _____ in the amount of _____.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Richards, in the RESOLVED clause, insert "Delaney Construction Corp. of Mayfield" and "\$1,827,688" respectively and add ", and FURTHER RESOLVED, that following receipt of a signed agreement with the New York State Department of Transportation for \$2,100,000 in Industrial Access Program funding, Contract No. 4, Part B, IAP roadway reconstruction work, hereby is awarded to Delaney Construction in the amount of "\$1,350,211", passed with Aye(1729). Supervisor Brodie was absent.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Director, Economic Oppor. & Development

**
RESOLUTION NO. 193 of 2002 DATED: July 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SNOW AND ICE CONTROL

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Quackenbush

RESOLVED, that pursuant to Section 135A of the Highway Law, the Chairman of the Board of Supervisors hereby is authorized to enter into agreements with the City of Amsterdam, the Village of St. Johnsville and the 10 Towns for control of snow and ice on County roads, and

FURTHER RESOLVED, that payment for work to be performed under the terms of said agreements, shall be at the rate of \$3,000 per center line mile, during the winter of 2002-03.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

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

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

**
RESOLUTION NO. 194 of 2002 DATED: July 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - HOUSEHOLD HAZARDOUS WASTE COLLECTION (MOSA)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: DiMezza

WHEREAS, it has been recommended that a Household Hazardous Waste Collection Event be conducted for Montgomery County residents, and

WHEREAS, said Event would be facilitated by the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

WHEREAS, Montgomery County shall compensate MOSA for all costs associated

with said Event,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Memorandum of Agreement, with the Montgomery-Otsego-Schoharie Solid Waste Management Authority, regarding facilitation of a Household Hazardous Waste Collection Event, and

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

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**
RESOLUTION NO. 195 of 2002 DATED: July 23, 2002
RESOLUTION APPROVING MEMORANDUM OF AGREEMENT - DISPATCHERS (CSEA)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute a Memorandum of Agreement to modify and amend the Collective Bargaining Agreement with the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO representing County employees, and

FURTHER RESOLVED, that said Memorandum of Agreement hereby is attached and made part of this Resolution.

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Thomas, passed with Aye(1729). Supervisor Brodie was absent. (7/23/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personal/Payroll
CSEA
Sheriff

**
RESOLUTION NO. 196 of 2002 DATED: July 23, 2002
RESOLUTION APPOINTING JAIL/PUBLIC HEALTH PHYSICIAN

Resolution by Supervisor: Hassan
Seconded by Supervisor: Van Kersen

WHEREAS, Section 501 of Correction Law provides for appointment of a Jail Physician, and

WHEREAS, said Jail Physician serves at the pleasure of the appointing Board of Supervisors,

RESOLVED, that Federico Colores, M.D., hereby is appointed Jail Physician, with compensation at the rate of \$1,134.62 per pay period, and

FURTHER RESOLVED, that Dr. Colores also is appointed Public Health Physician, at the rate of \$153.85 per pay period.

RESOLUTION ADOPTED with Aye(1281). Supervisor Quackenbush voted nay. Supervisors Hassan and Paton abstained.

Duly adopted upon roll call, all members present (1281) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Personnel/Payroll
Public Health
Appointee

**
RESOLUTION NO. 197 of 2002 DATED: July 23, 2002
RESOLUTION APPOINTING MONTGOMERY COUNTY MEMBERS TO THE WORKFORCE
DEVELOPMENT BOARD, INC.

Resolution by Supervisor: Barone
Seconded by Supervisor: Thomas

RESOLVED, that the following persons hereby are appointed members of the
Fulton-Montgomery-Schoharie County Workforce Development Board, Inc.:

Appointee	Representing
Terry Suits, 1432 STHWY 163, Canajoharie	Private Sector
Pat Baia, 10 Tremont Ave, Amsterdam	Private Sector
Kevin Canale, Country Club Lane, Ft. Johnson	Private Sector
Robert Hoefs, 18 1/2 Oakland, Amsterdam	DOL
Loretto Thum, 2587 STHWY 30A, Fonda	Private Sector

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1729) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Workforce Development Board
Appointees

**
RESOLUTION NO. 198 of 2002 DATED: July 23, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ACCEPTING WEAPONS OF
MASS DESTRUCTION GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Thomas

WHEREAS, the Director of Emergency Management has reported receipt of a
weapons of Mass Destruction Grant for equipment valued at \$150,000,

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 Weapons of Mass Destruction Grant from New York State,
and

FURTHER RESOLVED, that the only cost incurred by the County for items
received under the terms of said Grant shall be for liability insurance and
equipment maintenance.

RESOLUTION ADOPTED with Aye(1382). Supervisors Dybas, Hisert and Stagliano
voted nay. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1382) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

Director, Emergency Management

**

RESOLUTION NO. 199 of 2002 DATED: July 23, 2002
RESOLUTION DESIGNATING OFFICIAL TOURISM PROMOTION AGENCY

Resolution by Supervisor: Thomas
Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors encourages and supports the efforts to promote tourism within Montgomery County,

RESOLVED, that the Board of Supervisors hereby designates the Montgomery County Department of Planning and Development as the official Tourism Promotion Agency for Montgomery County for the period commencing October 1, 2002 and ending September 30, 2003.

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Hassan, passed with Aye(1571). Supervisor Quackenbush voted nay. Supervisor Brodie was absent. (7/23/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

OTHER

_____ ADJOURNMENT

Motion by Supervisor Van Kersen, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1729). Supervisor Brodie was absent. Chairman Barone declared the meeting adjourned at 8:59 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for August 27, 2002, was called to order at 7:00 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor DiMezza. Roll call indicated that all Supervisors were present.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor DiMezza, to Suspend the Rules of Procedure to allow for the introduction of Resolutions No. 226, passed with Aye(1868). Motion by Supervisor McMahon, seconded by Supervisor DiMezza, to adopt the amended agenda, passed with Aye(1868).

____ _
PRIVILEGE OF THE FLOOR

Jim Nicosia, City of Amsterdam Alderman, thanked the County's Department of Public Works, for assistance in repairing Steadwell Avenue.

Linda Selbert, City of Amsterdam, urged support of Resolution No. 200.

Evelyn Lindley, Town of Root, and Alice Knapik, Town of Glen, expressed support for the County Administrator.

Dorothy Puriuk, City of Amsterdam, expressed support for Resolution No. 200.

Jeff Weber, Chamber of Commerce Interim President, urged that the Chamber as Tourism Promotion Agency be designated.

Pat Beck, Illumination Celebration Co-Chairman, urged support for tourism funding.

**

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of July 23, 2002, were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

RESOLUTION NO. 185 of 2002 DATED: July 23, 2002
RESOLUTION ESTABLISHING CORRECTIONAL FACILITY NURSE POSITION (JAIL)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has recommended the establishment of a second full-time Correctional Facility Nurse at the Jail,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of a second full-time position of Correctional Facility Nurse, with an annual base salary of \$37,804, at the Montgomery County Jail, and

FURTHER RESOLVED, that the parttime position of Registered Professional Nurse hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

ADD: A-15-4-3150-00.1110(67) Jail
Correctional Facility Nurse

TRANSFER:

From: A-15-4-3150-00.1120(1342) Jail
Registered Professional Nurse PT \$23,017.50

To: A-15-4-3150-00.1110(67) Jail
Correctional Facility Nurse \$23,017.50

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Hassan, passed with Aye(1372). Supervisors Thomas, Quackenbush and Hisert voted nay. Supervisor Brodie was absent.

RESOLUTION DIED ON THE TABLE. (8/27/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 195 of 2002 DATED: July 23, 2002
RESOLUTION APPROVING MEMORANDUM OF AGREEMENT - DISPATCHERS (CSEA)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute a Memorandum of Agreement to modify and amend the Collective Bargaining Agreement with the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO representing County employees, and

FURTHER RESOLVED, that said Memorandum of Agreement hereby is attached and made part of this Resolution.

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Thomas, passed with Aye(1729). Supervisor Brodie was absent. (7/23/02)

MOTION TO REMOVE FROM TABLE by Supervisor Thomas, seconded by Supervisor Hisert, passed with Aye(1868). (8/27/02)

RESOLUTION ADOPTED UNANIMOUSLY. (8/27/02)

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personal/Payroll
CSEA
Sheriff

**
RESOLUTION NO. 199 of 2002 DATED: July 23, 2002
RESOLUTION DESIGNATING OFFICIAL TOURISM PROMOTION AGENCY

Resolution by Supervisor: Thomas
Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors encourages and supports the efforts to promote tourism within Montgomery County,

RESOLVED, that the Board of Supervisors hereby designates the Montgomery County Department of Planning and Development as the official Tourism Promotion Agency for Montgomery County for the period commencing October 1, 2002 and ending September 30, 2003.

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Hassan, passed with Aye(1571). Supervisor Quackenbush voted nay. Supervisor Brodie was absent. (7/23/02)

MOTION TO REMOVE FROM TABLE by Supervisor Richards, seconded by Supervisor Hisert, passed with Aye(1868). (8/27/02)

MOTION TO AMEND by Supervisor Richards, seconded by Supervisor Stagliano, in the RESOLVED clause, delete "Department of Planning and Development" and insert, in its stead, "Montgomery County Chamber of Commerce", passed with Aye(1868). (8/27/02)

RESOLUTION ADOPTED UNANIMOUSLY. (8/27/02)

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

NEW BUSINESS

**
RESOLUTION NO. 200 of 2002 DATED: August 27, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET - TOURISM (BED TAX)

Resolution by Supervisor: Barone
Seconded by Supervisor:

WHEREAS, the Montgomery County Occupancy Tax Advisory Board has recommended that tax receipts be allocated to help fund a holiday lighting project sponsored by the Amsterdam High School Marching Rams Booster Club, and

WHEREAS, said Advisory Board also has recommended allocation of tax

receipts to help fund publication of a brochure by the Mohawk Valley Museum Consortium,

RESOLVED, that the Board of Supervisors hereby accepts the recommendation of the Occupancy Tax Advisory Board, and authorizes the appropriation of \$10,000 to the Amsterdam High School Marching Rams Booster Club, to be applied toward the cost of a holiday lighting project, and

FURTHER RESOLVED, that said Board of Supervisors also authorizes the appropriation of \$450 to the Mohawk Valley Museum Consortium, to be applied toward the cost of a brochure publication, 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 organizations, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-06-3-1113-00	Tax	
		Hotel Room Occupancy	by \$10,450.00

Appropriations:	A-01-4-6420-00.4577	Promotion of Industry	
		Tourism - Bed Tax	by \$10,450.00

RESOLUTION DIED FOR LACK OF A SECOND.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Amsterdam Rams Booster Club
Mohawk Valley Museum Consortium

**
RESOLUTION NO. 201 of 2002 DATED: August 27, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 9 OF 2002

Resolution by Supervisor: McMahon
Seconded by Supervisor: Van Kersen

WHEREAS, on July 23, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Establishing Waiting Period for Appointive Employment of Elected County Officials", was presented to the Board of Supervisors for consideration, and

WHEREAS, on July 23, 2002, Resolution No. 182 of 2002 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 27th day of August, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 9 of 2002, entitled: "A Local Law Establishing Waiting Period of Appointive Employment of Elected County Officials", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file 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(1192). Supervisors Brodie, Barone, Richards, Thomas, Hisert and Stagliano voted nay.

Duly adopted upon roll call, all members present (1192) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

County of Montgomery
Introductory Local Law No. 9 of 2002

A Local Law Establishing Waiting Period for Appointive
Employment of Elected County Officials

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

SECTION 1. It is the intent of the Montgomery County Board of Supervisors to ensure the public's trust in a County Government free from conflicts of interest and unethical acts relating to hiring practices.

SECTION 2. No elected County official of the County of Montgomery, as defined in General Municipal Law, Section 810 (2), shall hold appointed employment, or accept appointed employment, with the County until a period of 180 days has elapsed from the official date of separation of service.

SECTION 3. Any appointment made in violation of this Local Law shall be null and void from its origin, and violators may also be assessed a civil penalty of five hundred dollars (\$500.00) for each such violation.

SECTION 4. This Law shall become effective thirty (30) days from the date of its adoption by the Board of Supervisors.

**
RESOLUTION NO. 202 of 2002 DATED: August 27, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 10 OF 2002

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Stagliano

WHEREAS, on July 23, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Electing a Retirement Incentive Program as Authorized by Chapter 69, Laws of 2002", was presented to the Board of Supervisors for consideration, and

WHEREAS, on July 23, 2002, Resolution No. 183 of 2002 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 27th day of August, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 10 of 2002, entitled: "A Local Law Electing a Retirement Incentive Program as Authorized by Chapter 69, Laws of 2002", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file 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 UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

County of Montgomery
Introductory Local Law No. 10 of 2002

A Local Law Electing a Retirement Incentive Program as
Authorized by Chapter 69, Laws of 2002

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 69, Laws of 2002.

SECTION 2. The commencement date of the retirement incentive program shall be October 7, 2002.

SECTION 3. The open period, during which eligible employees may retire and receive the additional retirement benefit, shall be from October 7, 2002 through December 31, 2002.

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 Local Law shall take effect October 7, 2002.

**
RESOLUTION NO. 203 of 2002 DATED: August 27, 2002
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 11 OF 2002

Resolution by Supervisor: Hassan
Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 11 of 2002, a Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose,

RESOLVED, that Introductory Local Law No. 11 of 2002 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, September 24, 2002, at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Real Property

**
RESOLUTION NO. 204 of 2002 DATED: August 27, 2002
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 12 OF 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 12 of 2002, a Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose,

RESOLVED, that Introductory Local Law No. 12 of 2002 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, September 24, 2002, at 6:55 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

**
RESOLUTION NO. 205 of 2002 DATED: August 27, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING - 2002-03 FMCC OPERATING BUDGET

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposed 2002-03 Operating Budget of Fulton-Montgomery Community College for _____, in the Supervisors' Chambers, County Office Building, Route 30A (Broadway), Fonda, New York, and

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

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, in the RESOLVED clause, insert "6:00 p.m., Tuesday, September 17, 2002", passed with Aye(1868)

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 206 of 2002 DATED: August 27, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - SOCIAL WORKER SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Richards

WHEREAS, the Nursing Home Administrator has recommended signing an agreement for professional social worker services (MSW), as required by New York State Regulation Title 10, Chapter V, Subchapter A, Part 415.5,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement for provision of consulting social worker services to Montgomery Meadows with Jane S. Harrington of Ballston Lake, for a period commencing on July 1, 2002 and ending on June 30, 2003, and

FURTHER RESOLVED, that payment shall be at the rate of \$40.00 per hour, not to exceed a total of \$4,800 per year.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Meadows Administrator

**
RESOLUTION NO. 207 of 2002
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS) DATED: August 27, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Dybas

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for nurse agency staffing,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: EH-34-4-6020-00.1120(115)	Montgomery Meadows Parttime Employees	\$32,000.00
To: EH-34-4-6020-00.4436	Montgomery Meadows Medical Fees	\$32,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Meadows Administrator

**
RESOLUTION NO. 208 of 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (MEADOWS) DATED: August 27, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Richards

WHEREAS, the Nursing Home Administrator has been advised, by the State Department of Health, that a six percent assessment will be imposed upon all residential health care facilities licensed under Article 28 of the Public Health Law, on monthly cash received from April 1, 2002 through March 31, 2005, and

WHEREAS, funds for said assessment were not appropriated in the County's 2002 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	EH-34-3-1650-00	Public Nursing Home (IGT)	by \$ 52,874.00
	EH-34-3-1651-00	Medicaid	by 169,790.00
	EH-599	Appropriated Fund Balance	by 45,851.00
Appropriations:	EH-34-4-6020-00.4438	Misc. Service Fees	by \$268,515.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 209 of 2002
RESOLUTION ACCEPTING GRANT (HISTORY AND ARCHIVES)

DATED: August 27, 2002

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: McMahon

WHEREAS, the Department of History and Archives has been awarded a \$3,039 grant to help defray costs of reformatting glass plate negatives,

RESOLVED, that the Board of Supervisors hereby accepts a \$3,039 grant award from the New York State Discretionary Grant Program for Conservation and Preservation of Library Research Materials for the period ending in May 2003, 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 any forms necessary to receive said grant, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue: A-22-3-3889-00 State Grant by \$3,039.00

Appropriations: A-22-4-7510-00.4438 Historian
Misc Service Fee by \$3,039.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
History & Archives

**

RESOLUTION NO. 210 of 2002
RESOLUTION AMENDING RESOLUTION NO. 30 OF 2002 (YOUTH BUREAU)

DATED: August 27, 2002

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, the Office of Children and Family Services has made available additional funds for 2002 Youth Development/Delinquency Prevention Program municipal programs, and

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of said additional funds,

RESOLVED, that Resolution No. 30 of 2002 hereby is amended to provide for the deletion of the Further Resolved clause and insertion, in its stead, of the following:

"Further Resolved, that said Board also authorizes allocation of 2002 Youth Development/Delinquency Prevention Program funds for municipal programs as follows:

City of Amsterdam (Juvenile Aid Bureau)	\$5,800.00
City of Amsterdam (Recreation Department)	5,859.00
Town of Amsterdam (Town Recreation)	1,040.00
Town of Canajoharie (Youth Center)	1,250.00

Town of Charleston (Town Recreation)	500.00
Town of Florida (Town Recreation)	2,000.00
Town of Glen (Summer Program)	677.00
Town of Mohawk (Summer Program)	1,077.00
Town of Mohawk (Tribes Hill Recreation)	600.00
Town of Palatine (Youth Center)	700.00
Town of Root (Youth Center)	1,177.00
Village of Canajoharie (Youth Center)	1,477.00
Village of Fonda (Summer Program)	676.00
Village of Fort Johnson (Village Recreation)	500.00
Village of Fort Plain (Village Recreation)	3,800.00
Village of Fultonville (Summer Program)	677.00
Village of Hagaman (Village Recreation)	1,100.00
Village of Palatine Bridge (Youth Center)	800.00
Village of St. Johnsville (Village Recreation)	2,500.00"

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 211 of 2002 DATED: August 27, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENTS (YOUTH BUREAU)

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, the Office of Children and Family Services has made available additional funds for 2002 Youth Development/Delinquency Prevention Program and Youth Initiatives Program, and

WHEREAS, the Montgomery County Youth Board of Directors has recommended amending agreements with various providers,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amended 2002 Youth Initiatives Program agreement, as follows:

Big Brothers/Big Sisters of Montgomery County (Youth Recruitment)	\$3,267.00
--	------------

and,

FURTHER RESOLVED, that said Chairman, following review and approval by said County Attorney, also is authorized and directed to sign amended 2002 Youth Development/Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Big Brothers/Big Sisters)	\$9,551.00
Community Youth Center (Youth Center)	\$6,050.00

and,

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-21-3-3828-00	Youth Dev. & Delinq. Prev.	by	\$1,101.00
	A-21-3-3829-00	Youth Initiatives Prog.	by	276.00
Appropriations:	A-21-4-7310-00.4582	Youth Initiatives Prog.	by	\$ 276.00
	A-21-4-7310-00.4585	Youth Dev. & Delinq. Prev.	by	1,101.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 212 of 2002
RESOLUTION ACCEPTING GRANT AWARD (COUNTY CLERK) DATED: August 27, 2002

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, the County Clerk has been notified of a \$15,000 Local Government Records Management Improvement Fund Grant to help develop an imaging and document management system,

RESOLVED, that the Board of Supervisors hereby accepts a \$15,000 grant award from the New York State Local Government Records Management Improvement Fund, for the period ending June 30, 2003, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue: A-08-3-3060-00 Records Management by \$15,000.00

Appropriations: A-08-4-1410-00.4439 County Clerk
Other Service Fees by \$15,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 213 of 2002
RESOLUTION TRANSFERRING FUNDS (SOCIAL SERVICES) DATED: August 27, 2002

Resolution by Supervisor: Dybas
Seconded by Supervisor: Sinicropi

WHEREAS, the Commissioner of Social Services has requested a transfer of funds to provide for the upgrade of two automated vertical carousel filing systems,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-18-4-6010-00.1110(1379) Social Services Administration
Caseworker \$8,000.00

To: A-18-4-6010-00.2223 Social Services Administration
Files and Cabinets \$8,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon

Richard C. Healy

County Attorney

Clerk, Board of Supervisors

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

**
RESOLUTION NO. 214 of 2002 DATED: August 27, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Paton

WHEREAS, Montgomery County has been notified of the 2002-03 State Fiscal Year Medicaid Intergovernmental Transfer (IGT) dollars to be funneled through the County's Medicaid and Montgomery Meadows' accounts as additional revenue during September and December,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-18-3-2772-00	State Bond Act Revenues	by \$3,796,480.00
Appropriations:	A-18-4-6011-00.6102	Social Services Programs	
		Medical Assistance-MMIS	by \$3,796,480.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

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

**
RESOLUTION NO. 215 of 2002 DATED: August 27, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEASE AGREEMENT -
COMMUNICATIONS TOWER (EMERGENCY MANAGEMENT)

Resolution by Supervisor: VanKersen
Seconded by Supervisor: Dybas

WHEREAS, Fulton County has expressed interest in leasing space on the Lattimer Hill Road Communications Tower,

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 County of Fulton for lease of space on the Lattimer Hill Road Communications Tower, and

FURTHER RESOLVED, that said lease shall be for a period commencing on October 1, 2002 and ending on December 31, 2099.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Director, Emergency Management

**
RESOLUTION NO. 216 of 2002 DATED: August 27, 2002
RESOLUTION ACCEPTING GRANT AWARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Sinicropi

WHEREAS, the County has been notified of a \$16,000 Pre-Disaster Mitigation (PMD) Planning Grant, and

WHEREAS, the PDM Program has a cost-share requirement with a 25 percent cost to the County of \$4,000,

RESOLVED, that the Board of Supervisors hereby accepts a \$16,000 grant award from the New York State Emergency Management Office for the period ending March 31, 2003, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-02-3-4305-00	Emergency Management Office Federal Aid	by \$12,000.00
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Appropriations:	A-02-4-3640-00.4408	Emergency Management Office Supplies	by \$12,000.00
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Duly adopted upon roll call, all members present (1868) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Emergency Management

**
RESOLUTION NO. 217 of 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (SHERIFF) DATED: August 27, 2002

Resolution by Supervisor: VanKersen
Seconded by Supervisor: Dybas

WHEREAS, the Sheriff has requested budget amendments to provide funds for acquisition of radio equipment for Dispatchers and Investigators,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-15-3-1140-14	911 Surcharge	by \$1,600.00
	A-15-3-2626-00	Forfeiture CR Proc. Rest.	by 3,119.00

Appropriations:	A-15-4-3020-14.4407	Pub Safety Com Sys E911 Office Equipment	by \$1,600.00
	A-15-4-3110-00.4449	Sheriff Special Supplies	by 3,119.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 218 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LICENSE AGREEMENT RENEWAL (SHERIFF) DATED: August 27, 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Sinicropi

WHEREAS, Montgomery County entered into a license agreement with the U.S. Department of Justice, Federal Bureau of Investigation, and

WHEREAS, said agreement authorized the federal agency to maintain certain communications equipment on a County-owned tower, and

WHEREAS, it has been recommended that said agreement be renewed,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal license agreement with the U.S. Department of Justice, Federal Bureau of Investigation, with said licensee to pay a \$100.00 monthly fee for a one-year period commencing on October 1, 2002 and ending on September 30, 2003.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 219 of 2002
RESOLUTION ADOPTING 2003 STOP DWI PROGRAM

DATED: August 27, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hassan

WHEREAS, the Stop DWI Coordinator has submitted a Stop-DWI Plan for 2003,

RESOLVED, that the Board of Supervisors hereby adopts the 2003 Stop-DWI Plan, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement providing for administration of said Plan, and

FURTHER RESOLVED, that no funds for said Plan shall be appropriated from general revenue of the County of Montgomery.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Stop DWI Coordinator

**

RESOLUTION NO. 220 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SLUDGE DISPOSAL (SANITARY DISTRICT)

DATED: August 27, 2002

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, the regular disposal of sludge is a very important aspect of Montgomery County Sanitary District No. 1, and

WHEREAS, the Superintendent of the Sanitary District has investigated alternate sites for disposal of said sludge, and

WHEREAS, the availability of alternatives will help provide substantial

savings, based upon lower transportation costs,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign sludge disposal agreements secured and evaluated by the Superintendent of Montgomery County Sanitary District No. 1.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sanitary District

**
RESOLUTION NO. 221 of 2002 DATED: August 27, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER NO. 1 - CONTRACT
NO. 2, FLORIDA WATER AND SEWER DISTRICTS

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, the Project Engineer has reported that Grant Street Construction has requested a no-cost extension to complete Town of Florida Water and Sewer Districts project, and

WHEREAS, the original dates in the contract call for substantial completion on August 15, 2002, with final completion on October 1, 2002,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign Change Order No. 1 - Contract No. 2, Town of Florida Water and Sewer Districts project, effectively changing the substantial completion date to September 30, 2002 and the final completion date to October 31, 2002.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 222 of 2002 DATED: August 27, 2002
RESOLUTION AWARDING LONG DISTANCE TELEPHONE SERVICES PROVIDER CONTRACT

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, proposals were solicited for a provider of long distance telephone services, and

WHEREAS, two proposals were received,

RESOLVED, that the Board of Supervisors hereby awards a two-year long distance telephone services provider contract to _____, 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 contract.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Sinicropi, to insert, in the RESOLVED clause, "Frontier", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 223 of 2002 DATED: August 27, 2002
RESOLUTION ENDORSING ROUTE 67 DETOUR REEVALUATION PROPOSALS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery County Traffic Safety Board has recommended reevaluation of the existing Route 67 detour,

RESOLVED, that the Board of Supervisors hereby endorses the Montgomery County Traffic Safety Board recommendation that the Route 67 detour be reevaluated, and

FURTHER RESOLVED, that said recommendation be attached hereto and made part of this Resolution.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
NYS Dept of Transportation
Sheriff

**
RESOLUTION NO. 224 of 2002 DATED: August 27, 2002
RESOLUTION ENDORSING MIAMI AVENUE SIDEWALK CONSTRUCTION PROPOSAL

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery County Traffic Safety Board has recommended construction of sidewalks along Miami Avenue in the Town of Amsterdam,

RESOLVED, that the Board of Supervisors hereby endorses a Montgomery County Traffic Safety Board recommendation that sidewalks be installed along Miami Avenue in the Town of Amsterdam, and

FURTHER RESOLVED, that said recommendation be attached hereto and made part of this Resolution.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Town of Amsterdam

**
RESOLUTION NO. 225 of 2002 DATED: August 27, 2002
RESOLUTION ENDORSING AURIESVILLE ROAD TRAFFIC SAFETY RECOMMENDATIONS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery County Traffic Safety Board has recommended speed limit reductions and designation of a no passing zone on various sections of Auriesville Road in the Town of Glen,

RESOLVED, that the Board of Supervisors hereby endorses Montgomery County Traffic Safety Board recommendations to eliminate reported dangerous driving conditions on certain sections of Auriesville Road in the Town of Glen, and

FURTHER RESOLVED, that said recommendations be attached hereto and made part of this Resolution.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Town of Glen

**
RESOLUTION NO. 226 of 2002 DATED: August 27, 2002
RESOLUTION AMENDING RESOLUTION NO. 68 OF 2002 (PERSONNEL)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Barone

RESOLVED, that Resolution No. 68 of 2002 hereby is amended by deleting, in the Resolved clause, "\$35,763", and inserting, in its stead, "\$37,451", and

FURTHER RESOLVED, that said Resolution also is amended by adding the following:

" , and Further Resolved, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

"TRANSFER:

"From: MS-10-4-1710-00.4431 Administration
Attys., Acct., Audit \$1,246.00

"To: MS-10-4-1910-00.4481 Unallocated Insurance
Liability Insurance \$1,246.00"

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**
OTHER

Motion by Supervisor Quackenbush, seconded by Supervisor Van Kersen, to enter into Executive Session for the purpose of discussion of September 11th, passed with Aye(1868). The Board entered Executive Session at 7:39 p.m.

Motion by Supervisor Dybas, seconded by Supervisor Van Kersen, to conclude the Executive Session at 7:51 p.m., passed with Aye(1868).

ADJOURNMENT _____

Motion by Supervisor Dybas, seconded by Supervisor Van Kersen, to adjourn the meeting, passed with Aye(1868). Supervisor Brodie was absent. Chairman Barone declared the meeting adjourned at 7:52 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for September 9, 2002 was called to order at 6:00 p.m. by Chairman Barone. Roll call indicated that Supervisors Dybas, DiMezza, Quackenbush and Stagliano were absent.

____ _
SALUTE TO THE FLAG

Supervisor Brodie led the Salute to the Flag.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to consider Resolutions 227 and 228.

____ _
ACTION ON BUSINESS

**

RESOLUTION NO. 227 of 2002
RESOLUTION AUTHORIZING DETOUR ROUTE

DATED: September 9, 2002

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, the New York State Department of Transportation proposed to reconstruct a section of Routes 5 and 334 in the Village of Fonda, Montgomery County, and

WHEREAS, in conformance with Section 42 of the New York State Highway Law, said Department of Transportation proposes to utilize County Route 28 in Montgomery County as a detour during the period of construction, and

WHEREAS, said Department of Transportation will provide traffic control devices and make improvements or repairs, when necessary, to said road to make it adequate to handle additional detour traffic,

RESOLVED, that the Board of Supervisors of the County of Montgomery does hereby authorize the New York State Department of Transportation to utilize Route 28 as a detour during the period of construction, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is directed to transmit five certified copies of the Resolution to the State Department of Transportation.

MOTION TO AMEND by Supervisor Paton, seconded by Supervisor Van Kersen, to insert in the RESOLVED clause, between "construction" and "and", "contingent upon speed limit reduction to 35 mph from Route 5 to Hanson Drive, during detour period, with DOT to provide appropriate signage", passed with Aye(1259). Supervisors Dybas, DiMezza, Quackenbush and Stagliano were absent.

RESOLUTION ADOPTED with Aye(1112). Supervisor Paton voted nay. Supervisors

Dybas, DiMezza, Quackenbush and Stagliano were absent.

Duly adopted upon roll call, all members present (1112) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
NYS Department of Transportation
Sheriff

Motion by Supervisor McMahon, seconded by Supervisor Thomas, to enter Executive Session, passed with Aye(1259). Supervisors Dybas, DiMezza, Quackenbush and Stagliano were absent. The Board entered Executive Session at 6:20 p.m.

Motion by Supervisor Thomas, seconded by Supervisor Van Kersen, to conclude the Executive Session at 6:34 p.m., passed with Aye(1259). Supervisors Dybas, DiMezza, Quackenbush and Stagliano were absent.

**

RESOLUTION NO. 228 of 2002
RESOLUTION AMENDING RESOLUTION NO. 150 OF 2002

DATED: September 9, 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

RESOLVED, that Resolution No. 150 of 2002 hereby is amended by deleting, in the Resolved clause, "\$100,000" and inserting, in its stead, "\$150,000".

RESOLUTION ADOPTED with Aye(1259). Supervisors Dybas, DiMezza, Quackenbush and Stagliano were absent.

Duly adopted upon roll call, all members present (1259) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

ADJOURNMENT

Chairman Barone declared the Meeting adjourned at 6:37 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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RES229 Resolution adopting 2002-03 FMCC Operating Budget	
RES230 Resolution Authoring Change Order No. 1 - FMCC	
RES231 Resolution Authorizing FMCC Early Retirement Incentive	
RES232 resolution Adopting Introductory Local Law No. 11 of 2002	
RES233 Resolution Adopting Introductory Local Law No. 12 Of 2002	
RES234 Resolution Authorizing Breast Cancer Awareness Day Fundraiser	
RES235 Resolution Authorizing Agreement - Meadows	
RES236 Resolution Authorizing Establishment of Memorial Fund	
RES237 Resolution Authorizing Transfer of Funds - Data Processing	
RES238 Resolution Authorizing Contract Extension - Public Health	
RES239 Resolution Authorizing Agreement - Public Health	
RES240 Resolution Amending 2002 Operating Budget- Public Health	
RES241 Resolution Transferring Funds - County Auditor	
RES242 Resolution Amending 2002 Operating Budget - Sheriff	
RES243 Resolution Awarding Bid No. 06-02 Public works	
RES244 Resolution Authorizing Agreement - Economic Opportunity	
RES245 Resolution Authorizing Agreement - Economic Opportunity	
RES246 Resolution Authorizing Industrial Access Program Agreement	
RES247 Resolution Authorizing Office Space Designation - Fulmont	
RES248 Resolution establishing Intermunicipal GIS Body	
RES249 Resolution Appointing GIS Body Members	
RES250 Resolution Establishing Spending Freeze	
OTHER	14
ADJOURNMENT	14

____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for September 24, 2002, was called to order at 7:02 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor McMahon. Roll call indicated that all Supervisors were present.

____ _
MOMENT OF SILENCE

Robert L. Reidy, Social Services Commissioner, offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Thomas, seconded by Supervisor Quackenbush, to adopt the agenda, passed with Aye(1868).

____ _
PRIVILEGE OF THE FLOOR

John DeMay, Ernie Sammons, Vickie Nellis and Michael Zilka, Town of Mohawk residents, expressed concern regarding the Stoner Trail Road truck detour.

Alice Knapik, Town of Glen, discussed the proposed FMCC budget.

Mayor John M. Duchessi, City of Amsterdam, thanked County departments for assisting on several City projects.

**

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings of August 27, 2002, the Regular Meeting of August 23, 2002, the Special Meeting of September 9, 2002, and the Public Hearing of September 17, 2002 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

**
RESOLUTION NO. 229 of 2002 DATED: September 24, 2002
RESOLUTION ADOPTING 2002-03 FMCC OPERATING BUDGET

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Fulton-Montgomery Community College Operating Budget for the 2002-03 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, 2002 and ending on August 31, 2003, with appropriations totaling _____, hereby is accepted and approved, and

FURTHER RESOLVED, that the amount to be appropriated by the County of Montgomery, as its sponsor share of said Budget, shall be _____, and

FURTHER RESOLVED, that said sponsor's share shall be included in the Montgomery County Operating Budget for 2003, 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 Stagliano, seconded by Supervisor Hisert, in the RESOLVED clause, insert "\$12,266,551" and in the first FURTHER RESOLVED, insert "\$1,185,721", passed with Aye(1525). Supervisors Dybas, Hassan and Quackenbush voted nay.

RESOLUTION ADOPTED with Aye(1525). Supervisors Dybas, Hassan and Quackenbush voted nay.

Duly adopted upon roll call, all members present (1525) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 230 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 - FMCC CLASSROOM BUILDING
ROOF REPLACEMENT PROJECT

Resolution by Supervisor: McMahon
Seconded by Supervisor: DiMezza

WHEREAS, a contract was authorized with Monahan and Loughlin for the Classroom Building Roof Replacement Project at FMCC, and

WHEREAS, Design Engineer Steven E. Smith, P.E., recommends a change order to said contract,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the following change order to the contract with Monahan and Loughlin for the FMCC College Union/PE Building Project:

CO-1 Provide three (3) new galvanized curbs and goose-neck vents \$(+) \$1,695.00

Original Contract Amount:	\$240,777.00
CO-1	1,695.00
Revised Contract Amount	<u>\$242,472.00</u>

, 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(1732). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1732) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 231 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING FULTON-MONTGOMERY COMMUNITY COLLEGE
PARTICIPATION IN EARLY RETIREMENT INCENTIVE PROGRAM

Resolution by Supervisor: McMahon
Seconded by Supervisor: DiMezza

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has requested approval to participate in the "2002 Early Retirement Incentive Program, Part B" of the Laws of 2002,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes Fulton-Montgomery Community College (FMCC) to participate in the Early Retirement Incentive Program, Part B, as authorized by Chapter 69 of the Laws of 2002, and

FURTHER RESOLVED, that the FMCC Board of Trustees do each and every other thing necessary to further the purport of this Resolution, and

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

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1732) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 232 of 2002 DATED: September 24, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 11 OF 2002

Resolution by Supervisor: Hassan
Seconded by Supervisor: Quackenbush

WHEREAS, on August 27, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Charleston)", was presented to the Board of Supervisors for consideration, and

WHEREAS, on August 27 2002, Resolution No. 203 of 2002 was adopted,

authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 24th day of September, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 11 of 2002, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Charleston)", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file a 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 UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

County of Montgomery
Introductory Local Law No. 11 of 2002

A Local Law Authorizing the Private Sale of County-Owned
Property, Not Needed for a County Purpose

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that County-owned real property parcel, known as SBL No. 142.-1-18, located on County line in the Town of Charleston, is no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the sale and conveyance of all the right, title and interest of the County in and to said real property to Drinda LaLumia for her use. Drinda LaLumia agrees to pay the County of Montgomery \$1.00, administrative fees and fees relative to the deed filing.

**
RESOLUTION NO. 233 of 2002 DATED: September 24, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 12 OF 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Van Kersen

WHEREAS, on August 27, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Palatine)", was presented to the Board of Supervisors for consideration, and

WHEREAS, on August 27, 2002, Resolution 204 of 2002 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 24th day of September, 2002, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 12 of 2002, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose (Town of Palatine)", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file a 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 UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Real Property

County of Montgomery
Introductory Local Law No. 12 of 2002

A Local Law Authorizing the Private Sale of County-Owned
Property, Not Needed for a County Purpose

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

SECTION 1. The Board of Supervisors of the County of Montgomery
has determined that County-owned real property parcel, known as SBL No.
64.-1-50, located on in the Town of Palatine, is no longer necessary
for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery
hereby authorizes the sale and conveyance of all the right, title and
interest of the County in and to said real property to Stephen Marks
for the sum of \$225.00.

**
RESOLUTION NO. 234 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING BREAST CANCER AWARENESS DAY FUNDRAISER

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Breast Cancer Awareness Day will be observed on Friday, October 4,
2002, and

WHEREAS, various Montgomery County employees have recommended that a
fundraising activity be conducted on said date, with proceeds to be contributed
to support breast cancer research, and

WHEREAS, it has been proposed that each County employee who contributes at
least \$5.00 to said fundraising effort will be authorized to wear jeans to work
on said date,

RESOLVED, that the Board of Supervisors hereby authorizes Montgomery County
Employees to conduct a fundraiser, in support of breast cancer research, on
Breast Cancer Awareness Day, Friday, October 4, 2002, and

FURTHER RESOLVED, that each participating employee who contributes at least
\$5.00 to said fundraiser, shall be permitted to wear jeans to work on said date.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Department Heads

**
RESOLUTION NO. 235 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PROFESSIONAL
SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, Montgomery Meadows receives certain revenue known as

Inter-Governmental Transfers (IGT) from the Federal Government, and

WHEREAS, \$941,896 in said revenue was received during 2001, and

WHEREAS, IGT will be phased out by the Federal Government, at the rate of 25 percent a year, beginning in 2002, and

WHEREAS, said phase-out would require massive operating subsidies from the County,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Rotenberg Health Care for provision of professional services associated with a Financial Analysis of Montgomery Meadows renovation/replacement options and completion and coordination of a Certificate of Need Process, and

FURTHER RESOLVED, that the fee for said services shall not exceed \$21,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE: EH-599 Approp. Fund Balance by \$21,000.00

APPROPRIATIONS: EH-34-4-6020-00.4434 Montgomery Meadows Consultants by \$21,000.00

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, in the RESOLVED clause, delete "Rotenberg Health Care" and insert, in its stead, "Marvin & Company", and in the FURTHER RESOLVED clause, delete "21,000" and insert, in its stead, "18,000", failed with Aye(708). Supervisors Brodie, Barone, DiMezza, Hisert and Stagliano voted aye.

RESOLUTION ADOPTED with Aye(1657). Supervisors Hisert and Stagliano voted nay.

Duly adopted upon roll call, all members present (1657) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 236 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING ESTABLISHMENT OF MEMORIAL FUND (MONTGOMERY MEADOWS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, Montgomery Meadows has no established mechanism to allocate donations made to the facility in memory of past residents, and

WHEREAS, the Nursing Home Administrator, in conjunction with the County Treasurer, has recommended establishment of a dedicated fund for said donations, and

WHEREAS, said fund must be authorized by Resolution of the Board of Supervisors,

RESOLVED, that the County Treasurer hereby is authorized and directed to establish the "Montgomery Meadows Memorial Fund", under the Trust and Agency section of Montgomery County.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**

RESOLUTION NO. 237 of 2002
RESOLUTION TRANSFERRING FUNDS (DATA PROCESSING)

DATED: September 24, 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: DiMezza

WHEREAS, the Data Processing Director has requested a transfer of funds to provide for payment of computer software,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-14-4-1670-00.2263	Printing	
	Dept Special Operating	\$17,000.00
To: A-14-4-1680-00	Data Processing	
	.2259 Computer Equipment	\$12,120.00
	.4425 Maintenance	2,182.00
	.4439 Other Services	2,698.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Data Processing Director

**

RESOLUTION NO. 238 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT EXTENSION - AMSTERDAM
ANIMAL HOSPITAL (PUBLIC HEALTH)

DATED: September 24, 2002

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Van Kersen

WHEREAS, Amsterdam Animal Hospital was awarded a contract to provide Rabies Specimen Preparation Services for the period commencing on November 1, 2000 and ending on October 31, 2002, and

WHEREAS, the Public Health Director has recommended that said contract be extended for one-year,

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 extension addendum with Amsterdam Animal Hospital for provision of Rabies Specimen Preparation Services, and

FURTHER RESOLVED, that said extension shall be for a one-year period commencing on November 1, 2002 and ending on October 31, 2003, with no changes in terms, conditions or costs.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Public Health Director

**
RESOLUTION NO. 239 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RABIES POST-
EXPOSURE TREATMENT SERVICES (PUBLIC HEALTH)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Quackenbush

WHEREAS, the County is mandated to pay for post-exposure rabies treatment,
and

WHEREAS, St. Mary's Hospital has agreed to provide 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 St. Mary's Hospital for provision of post-exposure rabies
treatment, at a cost not to exceed \$1,000 per patient, for the period commencing
on October 1, 2002 and ending on September 30, 2003.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Public Health Director

**
RESOLUTION NO. 240 of 2002 DATED: September 24, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Thomas

WHEREAS, the Public Health Department has been awarded an Immunization
Action Plan Grant, and

WHEREAS, the New York State Department of Health has approved the grant
operating budget and workplan for the period beginning on April 1, 2002 and
ending on March 31, 2003, and

WHEREAS, grant funding for said period has been increased by \$2,100.00,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of an
additional \$2,100 in Immunization Action Plan Grant funds, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and
directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3410-03	Public Health Grant	by \$2,100.00
Appropriations:	A-16-4-4010-03	Public Health Grant	
	.4408	Office Supplies	by \$ 500.00
	.4445	Medical Supplies	by 100.00
	.4471	Mileage	by 500.00
	.4491	Advertising	by 1,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Public Health Director

**
RESOLUTION NO. 241 of 2002 DATED: September 24, 2002
RESOLUTION TRANSFERRING FUNDS - OVERTIME (COUNTY AUDITOR)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the County Auditor has requested a transfer of funds to provide for employee overtime payments,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-01-4-1990-00.4400	Contingent Contractual Expenses	\$1,000.00
To:	A-30-4-1320-00.1111(160)	County Auditor Overtime Pay	\$1,000.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

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

**
RESOLUTION NO. 242 of 2002 DATED: September 24, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has requested a budget amendment to provide for receipt and appropriation of grant funds,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-15-3-3389-00	Other Public Safety	by	\$3,439.00
Appropriations:	A-15-4-3110-00	Sheriff		
	.4449	Spec. Supplies & Materials	by	\$2,977.46
	.4493	Ed. & Trng. Pubs.	by	461.54

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**
RESOLUTION NO. 243 of 2002 DATED: September 24, 2002
RESOLUTION AWARDDING BID NO. 06-02 (PUBLIC WORKS)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Public works has reviewed bids submitted for a diesel powered tractor, Bid No. 06-02, and recommended an award to the low bidder,

RESOLVED, that Bid No. 06-02 hereby is awarded to K.C. Canary of Fultonville, in the amount of \$14,548.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 244 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MVEDD (ECONOMIC OPPORTUNITY)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the Mohawk Valley Economic Development District for provision of business development and economic improvement services, at a cost not to exceed \$10,000, for the period commencing on January 1, 2002, and ending on December 31, 2002.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 245 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ADMINISTRATIVE AND STAFF SUPPORT SERVICES (ECONOMIC OPPORTUNITY)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an Agreement for provision of administrative and staff support services to the Montgomery County Industrial Development Agency, and

FURTHER RESOLVED, that said Agreement shall be for a period commencing on January 1, 2002 and ending on December 31, 2002

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 246 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN INDUSTRIAL ACCESS PROGRAM
CONSTRUCTION AGREEMENT (ECONOMIC OPPORTUNITY)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Richards

WHEREAS, the County is constructing over \$6 million in new roadway, water and sewer improvements necessary for the Florida Business Park, and

WHEREAS, the Montgomery County Industrial Agency (MCIDA) is the recipient of \$2.1 million in New York State Department of Transportation Industrial Access Program (IAP) funds, and

WHEREAS, the County will be constructing and paying for said improvements, with the MCIDA to provide reimbursement for all eligible IAP expenses,

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 repayment agreement with the Montgomery County Industrial Development Agency for work related to the Florida Business Park Industrial Access Program.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
NYS Dept of Transportation
Economic Opportunity & Development

**
RESOLUTION NO. 247 of 2002 DATED: September 24, 2002
RESOLUTION AUTHORIZING ADDITIONAL OFFICE SPACE DESIGNATION (FULMONT)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Mancini

WHEREAS, Fulmont Community Action Agency has requested additional office space in the County Annex Building, and

WHEREAS, said office space is needed to enable discussion of confidential information during client meetings, and

WHEREAS, vacant office space is available on the second floor of the Annex Building,

RESOLVED, that the Commissioner of Public Works hereby is authorized and directed to make appropriate additional office space in the County Annex Building available to Fulmont Community Action Agency.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

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

**
RESOLUTION NO. 248 of 2002 DATED: September 24, 2002
RESOLUTION ESTABLISHING MONTGOMERY COUNTY INTERMUNICIPAL GIS
COORDINATING BODY

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Van Kersen

WHEREAS, the Governor's Task Force on Information Resource Management, under Technology Policy 96-18, established an initiative to create a framework and criteria for the development of a Statewide New York State Geographic Information System (GIS) Program, and

WHEREAS, Technology Policy 96-18, "Statewide Geographic Information Systems", included a structure to implement the GIS program and obtain broad representation among the State's varied GIS user community and includes a State Coordinating Body charged with providing recommendations to the Task Force and establishing a framework for the easy dissemination of GIS Data between agencies and levels of government at a minimal cost and without delay, and

WHEREAS, the Governor's Task Force on Information Resource Management became the Office for Technology (OFT), created pursuant to Chapter 430 of the Laws of 1997 and its purpose, among other things, to facilitate the exchange of information within and among agencies and levels of government and encourages political subdivisions and other non-profit corporations and other non-commercial entities to join and become a Member of the New York State Data Cooperative and participate in the sharing of GIS data, and

WHEREAS, the Montgomery County Board of Supervisors and the Montgomery County Planning Board recognizes the need for a local intermunicipal body to recommend GIS policy to the Montgomery County Board of Supervisors and to provide guidance in the planning, development and implementation of a County GIS and in recognition of this need, the Board of Supervisors deems it to be in the best public interest and benefit to create a Local Intermunicipal GIS Coordinating Body, and

WHEREAS, the creation of such a local Intermunicipal GIS Coordinating Body and participation in the State Data Sharing Cooperative will facilitate smart growth related decisions,

RESOLVED, that the Montgomery County Intermunicipal GIS Coordinating Body hereby is authorized and created and shall be responsible for coordinating the development of local GIS capacity among its representative members, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby directs and authorizes the Director of Planning and Development as the contact person to the New York State Department of Environmental Conservation (NYSDEC) accepting and coordinating the distribution of GIS to be provided by NYSDEC, and

FURTHER RESOLVED, that members shall serve for two years and be appointed by the County Board of Supervisors and shall include, but not be limited to, representatives from Planning, Data Processing, Real Property, Emergency Management, County Administrator, and member(s) of the Board of Supervisors and other appropriate municipal government representatives from such city, towns and villages which request representation. The Committee shall comprise of a group of fifteen such members, and

FURTHER RESOLVED, that in the spirit of open government, the meetings of the Committee will be advertised and be open to the public and that the Committee is encouraged to allow for a period of public comment and to develop dialog with local non-profits and other non-commercial entities which could enhance or support the County's efforts through collaboration and shall report annually to the County Board of Supervisors on its efforts, including such collaboration, and

FURTHER RESOLVED, that the Montgomery County Department of Planning and Development is hereby authorized and directed to assume the lead role in such efforts, including application for funds, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes and directs participating County agencies to participate in the NYS Data Sharing Cooperative and encourages all participating towns and villages to so authorize appropriate local agencies and departments to do the same.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**
RESOLUTION NO. 249 of 2002 DATED: September 24, 2002
RESOLUTION APPOINTING MONTGOMERY COUNTY INTERMUNICIPAL GIS COORDINATING
BODY MEMBERS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Thomas

WHEREAS, the Local Government Advisory Committee (LGAC) and the NYS GIS Coordinating Body, to which it reports, have endorsed programs which recommend the creation of a voluntary Local Government GIS Coordinating Body in each County of the State, and

WHEREAS, the voluntary County Government GIS Coordinating Body (CGGCB), as endorsed by these two groups, would serve to facilitate GIS Development and maintenance at the local level, and

WHEREAS, the CGGCB is created by Resolution No.____, and names the Director of Planning and Development as contact person,

RESOLVED, that the following are appointed as members of the Montgomery County Intergovernmental GIS Coordinating Body to a term commencing on October 1, 2002 and expiring December 31,2003:

Planning and Development Director
Supervisor _____
Supervisor _____
Sheriff
Commissioner of Public Works
Data Processing Director
Emergency Management Director
County Administrator
Real Property Tax Service Agency Director
Economic Opportunity and Development Director
Montgomery County Soil & Water
City of Amsterdam Representatives (2) as appointed by the Mayor
Village Representatives (2) as designated by the Montgomery
County Association of Village Mayors

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor DiMezza, in the third WHEREAS clause, insert "248" and in the RESOLVED clause, insert "John Thomas", and "William Hisert" and add "Fulton-Montgomery Community College Representative, as designated by the FMCC President", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director, Planning

**
RESOLUTION NO. 250 of 2002 DATED: September 24, 2002
RESOLUTION ESTABLISHING SPENDING FREEZE

Resolution by Supervisor: DiMezza
Seconded by Supervisor: McMahon

RESOLVED, that the Board of Supervisors hereby directs imposition of a hiring freeze, except when the Personnel Officer determines the existence of an emergency situation, and

FURTHER RESOLVED, that a freeze also is imposed upon the purchase of

equipment, and

FURTHER RESOLVED, that a freeze also is imposed upon the purchase of supplies, except when the Purchasing Agent determines the existence of an emergency situation, and

FURTHER RESOLVED, that the provisions of this Resolution are not applicable to Montgomery Meadows, nor is the freeze on the purchase of supplies applicable to the Department of Public Works, and

FURTHER RESOLVED, that this Resolution is effective immediately upon adoption.

RESOLUTION ADOPTED with Aye(1382). Supervisors Sinicropi, Dybas and Van Kersen voted nay. Supervisor Paton abstained.

Duly adopted upon roll call, all members present (1382) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Departments

_____ OTHER

Motion by Supervisor DiMezza, seconded by Supervisor McMahon, to Suspend the Rules of Procedure to allow for the introduction of Emergency Resolution No. 250, passed with Aye(1868-2/3 majority).

Chairman Barone announced a Committee of the whole Meeting for 7:00 p.m., October 2, 2002 for discussion regarding the Route 28 Detour Route.

_____ ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor Van Kersen, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 8:32 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for October 22, 2002, was called to order at 7:05 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor DiMezza. Roll call indicated that Supervisor Van Kersen was absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Quackenbush, to Suspend the Rules of Procedure to allow for the Introduction of Resolutions No. 271, 272 and 273, passed with Aye(1802). Supervisor Van Kersen was absent. Motion by Supervisor McMahon, seconded by Supervisor Quackenbush, to adopt the amended agenda, passed with Aye(1802). Supervisor Van Kersen was absent.

____ _
PRIVILEGE OF THE FLOOR

Michael O. Dockery, Village of Fultonville discussed the Fire Coordinator position and hazmat funding.

Mike Myer, Town of Amsterdam, discussed the Fire Coordinator's budget.

**

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings of September 24, 2002 and the Regular Meeting of September 24, 2002 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

**
RESOLUTION NO. 251 of 2002 DATED: October 22, 2002
RESOLUTION ENDORSING TRAFFIC SAFETY BOARD RECOMMENDATIONS - ROUTE 5S
AND 30A

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery County Traffic Safety Board has recommended that the New York State Department of Transportation conduct a study to determine the feasibility of speed limit reductions on various sections of State Highway 5S and State Highway 30A in the Village of Fultonville,

RESOLVED, that the Board of Supervisors hereby endorses Montgomery County Traffic Safety Board recommendations to eliminate reported dangerous driving conditions on certain sections of Routes 5S and 30A in the Village of Fultonville, and

FURTHER RESOLVED, that said recommendations be attached hereto and made part of this Resolution.

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Sheriff
Village of Fultonville
Town of Glen

**
RESOLUTION NO. 252 of 2002 DATED: October 22, 2002
RESOLUTION ENDORSING TRAFFIC SAFETY BOARD RECOMMENDATION - ROUTE 161

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery County Traffic Safety Board has recommended that the New York State Department of Transportation conduct a study to determine the feasibility of a speed limit reduction on a section of State Highway 161 in the Town of Glen,

RESOLVED, that the Board of Supervisors hereby endorses a Montgomery County Traffic Safety Board recommendation to eliminate reported dangerous driving conditions on a section of State Highway 161 in the Town of Glen, and

FURTHER RESOLVED, that said recommendation be attached hereto and made part of this Resolution.

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk

Town of Glen

**
RESOLUTION NO. 253 of 2002 DATED: October 22, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING ON 2003 TENTATIVE OPERATING
BUDGET

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

RESOLVED, that pursuant to Section 359 of the County Law, the Montgomery County Board of Supervisors shall hold a Public Hearing on the 2003 Tentative Operating Budget and the 2003-08 Capital Program at the Montgomery County Court House, 58 Broadway, Fonda, New York at 6:00 p.m., November 26, 2002, 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 2003 are available at his office, where they may be inspected or acquired by interested persons during business hours, and

FURTHER RESOLVED, that said notice shall contain a statement, showing the maximum salaries that may be fixed and payable during the ensuing fiscal year, to members of the Montgomery County Board of Supervisors, including the Chairman, to be published at least once, with at least five days elapsing between publication of such notice and the specified hearing date.

RESOLUTION ADOPTED with Aye(1802). Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1802) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
All Department Heads/Agency Heads
CSEA Local and Unit Presidents

**

Supervisor Van Kersen entered the meeting at 7:20 p.m.

**
RESOLUTION NO. 254 of 2002 DATED: October 22, 2002
RESOLUTION AWARDING BID NO. 07-02 - DISHWASHER (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized to solicit bids for a conveyor-type dishwasher for Montgomery Meadows, and

WHEREAS, it has been recommended that said bid be awarded to the sole qualified bidder,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 07-02 to Buffalo Hotel Supply Company, Inc., of Guilderland, in the amount of \$27,337.

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Van Kersen, passed with Aye(1868).

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

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Meadows

**
RESOLUTION NO. 255 of 2002 DATED: October 22, 2002

RESOLUTION AMENDING 2002 OPERATING BUDGET - CONTRIBUTION TO COMMUNITY
COLLEGE (COUNTY TREASURER)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, the Board of Supervisors has committed an annual amount of financial support to Fulton-Montgomery Community College, as witnessed by Resolution, and

WHEREAS, the 1st payment for the year 2001-2002 as made at the end of the year, 2001, in the County's annual budget, at the rate of that year's commitment, and

WHEREAS, the subsequent resolution authorized an increase in aid, to be paid for that 2001-2002 year, and the shortage of \$15,000 was made up in the 2002 payments for the second through the fourth quarters, causing a shortfall in the amount budgeted, and

WHEREAS, the authorizing resolution of aid for FMCC for the 2002-2003 year has already been passed, establishing an increase of \$10,000 per quarterly payment,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

Revenue:	A-06-3-2690-00	Other Compensation Loss	by \$25,000.00
Appropriations:	A-06-4-2495-00.4552	Contrib to Comm College Community College	by \$25,000.00

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted nay.

Duly adopted upon roll call, all members present (1732) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 256 of 2002
RESOLUTION TRANSFERRING FUNDS (COUNTY TREASURER) DATED: October 22, 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Barone

WHEREAS, the County Treasurer has requested a transfer of funds to provide for payment of taxes on County-owned property in the Town of Charleston,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-06-4-1325-00.4431	Treasurer Attys, Account., Audit	\$116.22
To:	A-06-4-1950-00.4400	Taxes & Assess. County Prop. Contractual Expenses	\$116.22

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 257 of 2002
RESOLUTION TRANSFERRING FUNDS (MENTAL HEALTH)

DATED: October 22, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: McMahon

WHEREAS, the Director of Community Services has requested a transfer of funds to provide for payment of court-ordered services,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-01-4-1990-00.4400	Contingent Account Contractual Expenses	\$33,837.00
To:	A-17-4-4320-00.4433	Mental Health Program Court Related Expenses	\$33,837.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 258 of 2002
RESOLUTION TRANSFERRING FUNDS (SOCIAL SERVICES)

DATED: October 22, 2002

Resolution by Supervisor: Dybas
Seconded by Supervisor: Sinicropi

WHEREAS, the Commissioner of Social Services has requested a transfer of funds to provide for acquisition of computer hardware and software,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From:	A-18-4-6010-00.1110	Social Services Admin.	
	(1379)	Caseworker	\$14,964.00
	(385)	Caseworker	24,740.00
To:	A-18-4-6010-00	Social Services Admin.	
	.2259	Computer Equipment	\$26,734.00
	.4459	Computer Software	12,970.00

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 259 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT (VETERANS)

DATED: October 22, 2002

Resolution by Supervisor: McMahon

Seconded by Supervisor: Dybas

WHEREAS, the Veterans Service Agency has been awarded an \$1,860 grant from the New York State Division of Veterans' Affairs to be used to help pay 2002 operating expenses,

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 Veterans' Affairs, accepting the terms and conditions associated with receipt of the \$1,860 grant.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Veterans' Director

**

RESOLUTION NO. 260 of 2002
RESOLUTION AUTHORIZING GRANT ACCEPTANCE (SHERIFF)

DATED: October 22, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has recommended acceptance of two grants to provide funding to acquire equipment for the Anti-Terrorism Response Plan,

RESOLVED, that the Board of Supervisors hereby authorized acceptance of a \$37,000 Edward Byrne Memorial Formula Grant and a \$13,000 Legislative Grant, and

FURTHER RESOLVED, that said funding will be used to purchase equipment needed to help implement the County's Anti-Terrorism Response Plan.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

**

RESOLUTION NO. 261 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NEEDS ASSESSMENT
STUDY (COUNTY CLERK)

DATED: October 22, 2002

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, the County Clerk has been awarded a Local Government Records Management Improvement Fund Grant to help develop an imaging and document management system, and

WHEREAS, the County Clerk has recommended that the services of a consultant be obtained to perform a needs assessment study regarding implementation of said system,

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 Stephen Goodfellow Access Systems, Inc. of Manlius, New York, for provision of a needs assessment study involving implementation of an imaging and document management system for the County Clerk, and

FURTHER RESOLVED, that said agreement shall provide for payment of consulting fees in an amount not to exceed \$15,000.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 262 of 2002 DATED: October 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SOFTWARE LICENSE AGREEMENT
(DATA)

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, Montgomery County has acquired certain computer software from
LANSA, Inc., and

WHEREAS, said acquisition requires execution of a Software License
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
Software License Agreement with LANSA, Inc. of Oakbrook, Illinois.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 263 of 2002 DATED: October 22, 2002
RESOLUTION DESIGNATING THIRD PARTY DRUG AND ALCOHOL TESTING
ADMINISTRATOR (PERSONNEL)

Resolution by Supervisor: Thomas
Seconded by Supervisor: McMahon

WHEREAS, the Personnel Officer has recommended that Energetix be designated
to administer the County's Drug and Alcohol Testing Program,

RESOLVED, that Energetix of Albany, hereby is designated to administer the
County's Drug and Alcohol Testing Program, for the period commencing January 1,
2003 and ending December 31, 2003, at a cost not to exceed \$8,000, 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 Energetix, and

FURTHER RESOLVED, that said agreement may be renewed without further
legislative action, providing there are no changes.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**

RESOLUTION NO. 264 of 2002
RESOLUTION REAPPOINTING PERSONNEL OFFICER

DATED: October 22, 2002

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the term of the Personnel Officer expires on March 18, 2003, and

WHEREAS, it has been recommended that the incumbent be reappointed to a six-year term,

RESOLVED, that Richard E. Baia hereby is reappointed Personnel Officer for a six-year term commencing on March 19, 2003 and ending on March 18, 2009.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**

RESOLUTION NO. 265 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEASE RENEWAL AGREEMENT -
SATELLITE OFFICE (PROBATION)

DATED: October 22, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: McMahon

WHEREAS, the Probation Department maintains a satellite office in Amsterdam's Riverfront Center, and

WHEREAS, the lease for said office will expire this month,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a lease renewal with the Amsterdam Riverfront Center for a Probation Department Satellite Office, and

FURTHER RESOLVED, that said agreement shall provide for payments not to exceed \$413.25 per month, for the period commencing on November 1, 2002 and ending on October 31, 2003.

MOTION TO AMEND BY Supervisor Van Kersen, seconded by Supervisor Hisert, in the Resolved clause, delete "October 31, 2003", and insert, in its stead, "December 31, 2002", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Probation

**

RESOLUTION NO. 266 of 2002
RESOLUTION SCHEDULING AGRICULTURAL DISTRICT NO. 3 REVIEW PERIOD

DATED: October 22, 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, July 22, 2003 will make the anniversary date of Montgomery County Agricultural District No. 3 in the Towns of Florida, Glen, Charleston and Root,

and

WHEREAS, the Department of Agriculture and Markets has directed the Montgomery County Board of Supervisors to conduct an eight-year review of said District, pursuant to Article 25-AA Section 303-a of Agriculture and Markets Law, and

RESOLVED, that the Board of Supervisors hereby schedules a 30-day public review period for Agricultural District No. 3, commencing on November 1, 2002, notice of which shall be published in a newspaper having general circulation, and

FURTHER RESOLVED, that said notice shall identify the municipalities in which the district is found, the district's total area of 80,391.29 acres and the six locations where a map of the existing district shall be on file and open to public inspection, and

FURTHER RESOLVED, that said notice and a map of the existing District shall be posted and open to public inspection at the Montgomery County Clerk's Office, the Montgomery County Department of Planning and Development, and the Clerk's Offices in the Towns of Florida, Glen, Charleston and Root, and

FURTHER RESOLVED, that all municipalities and landowners within said District may propose a modification of the District, by filing such proposal with the Clerk of the Board of Supervisors within 30 days of the publication of the notice, and

FURTHER RESOLVED, that the Montgomery County Planning Board and the Agriculture and Farmland Protection Board hereby are directed to coordinate said review and prepare reports and recommendations, as required by law, for submission to the Board of Supervisors.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Planning

**

RESOLUTION NO. 267 of 2002 DATED: October 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EMPIRE ZONE
ADMINISTRATIVE SERVICES

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, the Amsterdam-Florida-Glen Empire Zone Administrative Board is the designated authority to oversee administration of the Empire Zone, and

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

WHEREAS, New York State will match local contributions,

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

FURTHER RESOLVED, that said agreement, commencing on July 1, 2002 and ending on June 30, 2003, shall provide for a total annual payment of \$7,500 to the City Controller.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 268 of 2002 DATED: October 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER NO. 2, CONTRACT
NO. 1 - FLORIDA BUSINESS PARK

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, the Project Engineer has reported that the cost to complete the logo on the Florida Business Park Water Tank is \$5,500, an increase of \$3,000 over the contract amount,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign Change Order No. 2, Contract No. 1, Florida Business Park Water Tank Construction.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 269 of 2002 DATED: October 22, 2002
RESOLUTION ESTABLISHING MONTGOMERY COUNTY SEMATECH TASK FORCE

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, it has been announced that International SEMATECH (Semi-Conductor Manufacturing Technology), a consortium of some of the world's top technology companies, will locate a \$403 million research and development center at the University of Albany, and

WHEREAS, it is expected that said facility will cause other high tech companies to move or expand into the greater Capital Region, and

WHEREAS, Montgomery County's location in the Capital Region offers the opportunity to attract new companies related to the SEMATECH project, and

WHEREAS, a Task Force should be formed to plan and market Montgomery County's participation in this significant regional economic boom,

RESOLVED, that the Board of Supervisors hereby establishes the Montgomery County SEMATECH Task Force, and

FURTHER RESOLVED, that said Task Force shall include two members from private business, one member of the Board of Supervisors, the Director of Economic Opportunity and Development, the Director of Planning and Development, a representative from the Montgomery County Chamber of Commerce and a representative from Fulton-Montgomery Community College, and

FURTHER RESOLVED, that County departments hereby are authorized and directed to provide technical and staff support to said Task Force.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Thomas, in the first FURTHER RESOLVED clause, add "four members to be appointed by the Chairman of the Board of Supervisors, and", passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 270 of 2002 DATED: October 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REPAYMENT AGREEMENT - STRATEGIC
INVESTMENT PROGRAM (MCIDA)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

WHEREAS, the County is constructing over \$6 million in new roadway, water and sewer improvements for the Florida Business Park, and

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) is the recipient of \$150,000 in New York State Strategic Investment Program (SIP) funds, and

WHEREAS, the County will be constructing and paying for said improvements, with the MCIDA to provide reimbursement for all eligible SIP expenses,

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 repayment agreement with the Montgomery County Industrial Development Agency for work related to the Florida Business Park Water and Sewer District Strategic Investment Program.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 271 of 2002 DATED: October 22, 2002
RESOLUTION AMENDING 2002 OPERATING BUDGET (PERSONNEL)

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

WHEREAS, Montgomery County is self-insured for a portion of its Medical/Health Insurance, and

WHEREAS, the County has experienced excessive Health Insurance claims during 2002,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

INCREASE:

A-599 Appropriated Fund Balance by \$800,000.00

Appropriations: A-10-4-9001-00.8850 Fringe Benefits
Hospital & Medical Ins. by \$800,000.00

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, add "WHEREAS, the County Treasurer has evaluated the current 2002 budget position and has determined a favorable budget variance sufficient to cover this budgetary increase," passed with Aye (1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**
RESOLUTION NO. 272 of 2002 DATED: October 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CERTIFIED PUBLIC
ACCOUNTING SERVICES

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

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 Marvin and Company for provision of Certified Public Accounting services, and

FURTHER RESOLVED, that said agreement shall be for a three-year period, with estimated annual fees, as follows:

2002 - \$60,650

2003 - \$61,800

2004 - \$61,950

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Marvin & Company

**
RESOLUTION NO. 273 of 2002 DATED: October 22, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT -
SUN STUDIO 3001

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) has reviewed a business loan application from Sun Studio 3001, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purpose of establishing and operating a tanning salon in the Town of Amsterdam,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney and by the Department of Housing and Urban Development, hereby is authorized and directed to sign an agreement and any other legal documents necessary to process an economic development loan, in a principal amount not to exceed \$51,500, to Sun Studio 3001, and

FURTHER RESOLVED, that the proceeds shall come from Montgomery County's Program Income Account, and

FURTHER RESOLVED, that said loan shall be payable in 84 monthly installments, with interest of prime minus two percent (at time of closing), and

FURTHER RESOLVED, that Sun Studio 3001 shall satisfy all conditions

recommended by the Housing and Urban Development Agency, and

FURTHER RESOLVED, that, at the time of closing, a sum of \$1,500 shall be deducted, to allow for closing fees.

RESOLUTION ADOPTED with Aye (1589). Supervisors Dybas and McMahon abstained.

Duly adopted upon roll call, all members present (1589) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity and Development

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor Thomas, seconded by Supervisor Hassan, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 7:56 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for November 13, 2002 was called to order at 7:03 p.m. by Chairman Barone. Roll call indicated that Supervisors Brodie, Paton, Hisert and Van Kersen were absent.

____ _
SALUTE TO THE FLAG

Supervisor Hassan led the Salute to the Flag.

____ _
MOMENT OF SILENCE

____ _
STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to consider tabled Resolution No. 254, and Resolutions No. 274, 275 and 276.

____ _
ACTION ON BUSINESS

**

RESOLUTION NO. 254 of 2002 DATED: October 22, 2002
RESOLUTION AWARING BID NO. 07-02 - DISHWASHER (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized to solicit bids for a conveyor-type dishwasher for Montgomery Meadows, and

WHEREAS, it has been recommended that said bid be awarded to the sole qualified bidder,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 07-02 to Buffalo Hotel Supply Company, Inc., of Guilderland, in the amount of \$27,337.

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Van Kersen, passed with Aye(1868).

MOTION TO REMOVE FROM TABLE by Supervisor Sinicropi, seconded by Supervisor Dybas, passed with Aye(1548). Supervisors Brodie, Hisert and Van Kersen were absent. (11/13/02)

RESOLUTION ADOPTED with Aye(1452). Supervisor Stagliano abstained. Supervisors Brodie, Hisert and Van Kersen were absent.

Duly adopted upon roll call, all members present (1452) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent
Meadows

**

RESOLUTION NO. 274 of 2002
RESOLUTION AMENDING 2003 TENTATIVE OPERATING BUDGET

DATED: November 13, 2002

Resolution by Supervisor: Dybas
Seconded by Supervisor: Barone

WHEREAS, it has been recommended that the 2003 Tentative Operating Budget be amended to provide funding to subsidize the tip fee imposed by the Montgomery-Otsego-Schoharie Solid Waste Management Authority, (MOSA), and

WHEREAS, it has been recommended that said subsidy be established at \$25.00 per ton, and

WHEREAS, Montgomery County's Guaranteed Annual Tonnage (GAT) requirement for 2003 is 39,171 tons, and

WHEREAS, a total of \$979,275 will be needed to meet said subsidy obligation,

RESOLVED, that the 2003 Tentative Operating Budget hereby is amended, as follows:

INCREASE:

A-01-4-8160-00.4438 Refuse & Garbage
Misc. Supporting Services by \$979,275.00

RESOLUTION ADOPTED with Aye(1548). Supervisors Brodie, Hisert and Van Kersen were absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 275 of 2002
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO 13 OF 2002

DATED: November 13, 2002

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 13 of 2002, A Local Law Imposing a Surcharge on Wireless Communication Devices, whose Place of Primary Use Is Within Montgomery County, to Defray Costs of the Public Safety Communications System Serving Montgomery County,

RESOLVED, that Introductory Local Law No. 13 of 2002 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, November 26, 2002, at 6:50 p.m, in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1548). Supervisors Brodie, Hisert and Van Kersen were absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 276 of 2002 DATED: November 13, 2002
RESOLUTION APPROVING ISSUANCE OF CERTAIN BONDS BY MONTGOMERY COUNTY
INDUSTRIAL DEVELOPMENT AGENCY TO FINANCE A CERTAIN MANUFACTURING
FACILITY PROJECT FOR FIBER GLASS INDUSTRIES, INC.

Resolution by Supervisor: Thomas
Seconded by Supervisor: Dybas

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

WHEREAS, pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended (the "Enabling Act") and Chapter 666 of the Laws of 1970 of the State of New York, as amended, constituting Section 895-b of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act"), the Board of Supervisors of Montgomery County (the "Board of Supervisors") has previously and has duly caused to be filed in the office of the Secretary of State of the State of New York the certificates required by Section 856 of the Act, and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to issue its revenue bonds to finance the cost of acquisition, construction and installation of one or more "projects" (as defined in the Act), to acquire, construct and install said projects or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase, and

WHEREAS, in August, 2002, Fiber Glass Industries, Inc. (the "Company") presented an application (the "Application") to Montgomery County Industrial Development Agency (the "Issuer"), a public benefit corporation organized and existing pursuant to the Act, which Application requested that the Issuer consider undertaking a project (the "Project") consisting of the following: (A)(1) the acquisition and installation of certain machinery and equipment (the "Project Facility"), all to be located at the Company's facilities located at 69 Edson Street and 1 Homestead Place in the City of Amsterdam, County of Montgomery, State of New York, all of the foregoing to constitute a manufacturing facility for the production of fiberglass strand and knitted/converted products and related activities; (B) the financing of all or a portion of the costs of the foregoing by the issuance of industrial development revenue bonds of the Agency in one or more issues or series in an principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to not exceed approximately \$2,200,000 (the "Bonds"); (C) the granting of certain other "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales taxes (collectively with the Bonds, the "Financial Assistance"); and (D) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Issuer, and

WHEREAS, by resolution adopted by the members of the Issuer on September 16, 2002 (the "Preliminary Inducement Resolution"), the members of the Issuer preliminarily agreed, subject to numerous conditions, including satisfaction of the requirements of Section 859-a of the Act and the requirements of Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations", and collectively with the SEQR Act, "SEQRA"), to accept the Application and enter into a preliminary agreement (the "Preliminary Agreement") relating to the Project, and

WHEREAS, in compliance with the provisions of Section 859-a of the Act, the Preliminary Inducement Resolution indicated that the undertakings of the Issuer contained therein are contingent upon the Issuer making a determination to proceed with the Project following compliance by the Issuer with the public notice and public hearing requirements set forth in Section 859-a of the Act, and

WHEREAS, pursuant to the authorization contained in the Preliminary Inducement Resolution, the Chairman of the Issuer (A) caused notice of a public

hearing of the Issuer pursuant to Section 859-a of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") to hear all persons interested in the Project and the financial assistance being contemplated by the Issuer with respect to the Project (the "Public Hearing") to be mailed to the chief executive officer of the County and of each city, town, village and school district in which the Project is to be located on September 24, 2002, (B) caused notice of the Initial Public Hearing to be published on September 28, 2002 in the Amsterdam Recorder, a newspaper of general circulation available to residents of the City of Amsterdam, Montgomery County, New York (C) conducted the Public Hearing on October 28, 2002 at 6:00 p.m., local time at the City Hall located in the City of Amsterdam, Montgomery County, New York, and (D) prepared a report of the Public Hearing (the "Report") which fairly summarized the views presented at said public hearing and distributed same to the members of the Issuer and to the Montgomery County Board of Supervisors (the "Board of Supervisors"), and

WHEREAS, the Company has requested that interest on the Bonds be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 144(a) of the Code, and

WHEREAS, the Board of Supervisors has been advised by the Agency that the Agency proposed to issue, subsequent to the adoption of this resolution, the Bonds from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project, and

WHEREAS, interest on the Bonds will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Bonds is approved by the "applicable elected representative" of Montgomery County, New York after the Agency has held a public hearing on the nature and location of the Project Facility and the issuance of the Bonds, and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Supervisors desires to allow the interest on the Bonds to be excludable from gross income for federal income tax purposes, and

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that neither the Bonds nor any other obligation of the Agency shall be a debt of Montgomery County, New York, nor shall Montgomery County, New York be liable thereon,

RESOLVED, that, for the sole purpose of qualifying the interest payable on the Bonds for exclusion from federal income taxation pursuant to the provisions of the code, the Board of Supervisors, as the elected legislative body of Montgomery County, New York, hereby approves the issuance by the Agency of the Bonds in the principal amount not to exceed \$2,200,000, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Agency and shall never be a debt of the State of New York, Montgomery County, New York or any political subdivision thereof (other than the Agency), and neither the State of New York, Montgomery County, New York nor any political subdivision thereof (other than the Agency) shall be liable thereon, and

FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1548-2/3 majority). Supervisors Brodie, Hisert and Van Kersen were absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development
MCIDA

ADJOURNMENT

Chairman Barone declared the Meeting adjourned at 7:17 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for November 26, 2002, was called to order at 7:03 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor DiMezza. Roll call indicated that Supervisor Hisert was absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Dybas, seconded by Supervisor Thomas, to Suspend the Rules of Procedure to allow for the Introduction of Resolutions No. 310, and 311, passed with Aye(1753). Supervisor Hisert was absent. Motion by Supervisor Dybas, seconded by Supervisor Thomas, to adopt the amended agenda, passed with Aye(1753). Supervisor Hisert was absent.

____ _
PRIVILEGE OF THE FLOOR

Proclamation honoring Stanley Zurawel, Jr. as Montgomery County Caregiver of the Year, was presented by Supervisor Dybas.

Alice Knapik, Town of Glen, discussed the County Administrator's position.

Ralph Schnackenberg, Town of Mohawk, says he is angered at a request that county employees not receive salary increases.

Linda Chaplin, Town of Glen, supports Cooperative Extension programs.

**

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of October 22, 2002 and the Special Meeting of November 13, 2002 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

**
RESOLUTION NO. 277 of 2002 DATED: November 26, 2002
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 13 OF 2002

Resolution by Supervisor: McMahon
Seconded by Supervisor: Quackenbush

WHEREAS, on November 13, 2002, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Imposing a Surcharge on Wireless Communication Devices, whose Place of Primary Use Is within Montgomery County, to Defray Costs of the Public Safety Communications System Serving Montgomery County", was presented to the Board of Supervisors for consideration, and

WHEREAS, on November 13, 2002, Resolution No. 275 of 2002 was adopted, authorizing and directed that a Public Hearing be held by the Board of Supervisors on the 26th day of November, 2002, at the time and place appointed,

RESOLVED, that said Local Law, knowns as Introductory Local Law No. 13 of 2002, entitled: "A Local Law Imposing a Surcharge on Communication Devices, whose Place of Primary Use Is within Montgomery County, to Defray Costs of the Public Safety Communications System Serving Montgomery County", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file 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(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 278 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CHICAGO ALBUMEN
WORKS (HISTORIAN)

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, the Department of History and Archives has received a \$3,309 award from the New York State Discretionary Grant Program for Conservation and Preservation of Library Research Materials, and

WHEREAS, said funds will be used to provide for preservation of the archival glass plate negative collection,

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 Chicago Albumen Works to make interpositives and duplicate negatives of archival glass plates, and

FURTHER RESOLVED, that said agreement, which shall commence on November 27, 2002 and end on May 30, 2003, shall provide for compensation in an amount not to exceed \$3,039.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**
RESOLUTION NO. 279 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - IMAGEMAX
(HISTORIAN)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Paton

WHEREAS, the Department of History and Archives has received an \$8,830 grant from the New York State Local Government Records Management Improvement Fund, and

WHEREAS, said funds will be used to provide for microfilming of original assessment rolls,

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 ImageMax to microfilm a portion of the County's assessment rolls, and

FURTHER RESOLVED, that said agreement, which shall commence on November 27, 2002 and end on May 30, 2003, shall provide for compensation in an amount not to exceed \$8,830.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Historian

**
RESOLUTION NO. 280 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EI AND CSHCN
(PUBLIC HEALTH)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, the Public Health Director has recommended renewal of a contract for Early Intervention Administration (EI) and Children with Special Healthcare Needs(CSHCN),

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 2002-03 contract for renewal for Early Intervention Administration (EI) and Children with Special Healthcare Needs (CSHCN), and

FURTHER RESOLVED, that said contract is effective for the period commencing on October 1, 2002 and ending on September 30, 2003.

RESOLUTION ADOPTED with Aye(1617). Supervisor Dybas abstained. Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1617) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 281 of 2002 DATED: November 26, 2002
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Paton
Seconded by Supervisor: Sinicropi

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for nurse agency staffing,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: EH-34-4-6020-00.1130(216)	Montgomery Meadows Temporary Employees	\$15,000.00
To: EH-34-4-6020-00.4436	Montgomery Meadows Medical Fees	\$15,000.00

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Meadows Administrator

**

RESOLUTION NO. 282 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SAFE PLACES GRANT ACCEPTANCE
(YOUTH BUREAU)

Resolution by Supervisor: Paton
Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Youth Board of Directors has recommended acceptance of the SAFE Places Grant for 2003,

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 \$36,000 Grant for the SAFE Places program to be conducted at the Community Youth Center.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau

**

RESOLUTION NO. 283 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CONTINUATION OF CAREERS IN LAW ENFORCEMENT
PROGRAM (YOUTH BUREAU)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Richards

WHEREAS, the Montgomery County Youth Board of Directors has recommended

continuing the Careers in Law Enforcement Program for 2003, and

WHEREAS, the Office of Children and Family Services has allocated \$4,000 in the Youth Bureau 2003 Resource Allocation Plan for said program

RESOLVED, that the Board of Supervisors hereby authorizes continuation of the Careers in Law Enforcement Program for 2003.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau

**
RESOLUTION NO. 284 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS (YOUTH BUREAU)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Richards

WHEREAS, the Montgomery County Youth Board of Directors has recommended 2003 Youth Initiative Program and Youth Development/Delinquency Prevention Program agreements with various providers,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign 2003 Youth Initiatives Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Youth Recruitment)	\$3,267.00
--	------------

Catholic Charities of Montgomery County (Better Your Own Body)	5,000.00
---	----------

Catholic Charities of Montgomery County (Schools Aiding Family Environment)	2,470.00
--	----------

, and

FURTHER RESOLVED, that said Chairman is authorized and directed to sign 2003 Youth Development/Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Big Brothers/Big Sisters)	\$9,551.00
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Catholic Charities of Montgomery County (Schools Aiding Family Environment)	7,030.00
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Community Youth Center (Youth Center)	6,050.00
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St. Johnsville Youth Center (Youth Center)	6,000.00
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RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau

**
RESOLUTION NO. 285 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING FUNDING ALLOCATIONS - DELINQUENCY PREVENTION
PROGRAM (YOUTH BUREAU)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Paton

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of funds for the 2003 Special Delinquency Prevention 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 2003 Special Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Partners to Assist Youth)	\$3,650.00
Catholic Charities of Montgomery County (Begin Again)	9,066.00
Montgomery County Probation Department (Juvenile Field Project)	9,129.00
Montgomery County Sheriff's Department (Drug, Alcohol & Safety Training)	3,439.00
Montgomery County Youth Bureau (Youth Bureau Administration)	2,492.00

, and

FURTHER RESOLVED, that said Board also authorizes allocation of 2003 Youth Development/Delinquency Prevention Program funds for municipal programs, as follows:

City of Amsterdam (Juvenile Aid Bureau)	\$5,800.00
City of Amsterdam (Recreation Department)	5,859.00
Town of Amsterdam (Town Recreation)	1,040.00
Town of Canajoharie (Youth Center)	1,250.00
Town of Charleston (Town Recreation)	500.00
Town of Florida (Town Recreation)	2,000.00
Town of Glen (Summer Program)	594.00
Town of Mohawk (Summer Program)	994.00
Town of Mohawk (Tribes Hill Recreation)	600.00
Town of Palatine (Youth Center)	700.00
Town of Root (Youth Center)	1,094.00
Town of St. Johnsville (Town Recreation)	500.00
Village of Canajoharie (Youth Center)	1,393.00
Village of Fonda (Summer Program)	593.00
Village of Fort Johnson (Village Recreation)	500.00
Village of Fort Plain (Village Recreation)	3,800.00
Village of Fultonville (Summer Program)	593.00
Village of Hagaman (Village Recreation)	1,100.00
Village of Palatine Bridge (Youth Center)	800.00
Village of St. Johnsville (Village Recreation)	2,500.00

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Youth Bureau

**
RESOLUTION NO. 286 of 2002 DATED: November 26, 2002
RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES,
WATER RENTS AND SEWER TAXES

Resolution by Supervisor: McMahon

Seconded by Supervisor: Hassan

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the relevy, effective December 6, 2002, of delinquent School Taxes, Village Taxes, Water Rents, including the Harrower Water District, and Sewer Taxes, including the Town of Amsterdam Sewer Services Area and Montgomery County Sanitary District No. 1, in equal installments on the January, 2003, Town Tax Rolls.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 287 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING ACCEPTANCE OF AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

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

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a \$50,000 Aid to Prosecution Grant approved by the New York State Division of Criminal Justice Services, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement accepting said grant.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
District Attorney

**
RESOLUTION NO. 288 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT (VETERANS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, the Veterans Service Agency has been awarded a second \$1,860 grant from the New York State Division of Veterans' Affairs to be used to help pay 2002 operating expenses,

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 Veterans' Affairs, accepting the terms and conditions associated with receipt of the \$1,860 grant.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Veterans' Director

**
RESOLUTION NO. 289 of 2002 DATED: November 26, 2002
RESOLUTION AWARDDING BID NO. 08-02 (MONTGOMERY MEADOWS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent solicited bids for the sale of a 1987 Chevrolet Station Wagon, and

WHEREAS, two bids were received,

RESOLVED, that Bid No. 08-02 hereby is awarded to the highest bidder, Kevin Quaresimo of Broadalbin, for \$438.00.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Meadows Administrator
Purchasing Agent

**
RESOLUTION NO. 290 of 2002 DATED: November 26, 2002
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY")
DATED NOVEMBER 26, 2002, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS;
ESTIMATING THE COUNTY'S PORTION OF THE AGGREGATE COST THEREOF TO BE
\$100,000; APPROPRIATING SAID AMOUNT THEREFORE AND AUTHORIZING THE
ISSUANCE OF \$100,000 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors has heretofore approved funding its twenty-five percent (25%) share of the cost of roof replacements for the Union, Physical Education Building and Classroom Building at Fulton-Montgomery Community College, all as more particularly described in Resolution No. 20 of 2002, dated January 22, 2002 (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,

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Supervisors of the County of Montgomery, New York, (by a favorable vote of not less than two-thirds of all of its members), as follows:

SECTION 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 County's share of the cost of the replacement of roofs for the Union, the Physical Education Building and the Classroom Building at Fulton-Montgomery Community College (the "College Roof Replacement"), the maximum cost thereof being hereby estimated to be twenty-five percent (25%) of \$700,000, appropriating said amount therefore and authorizing the issuance of \$175,000 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) College Roofs - 20 years pursuant to Section 11.00(a)(12(a)(1) of the Law.

SECTION 3

The plan of financing includes the issuance of \$175,000 serial bonds and the levy of a tax upon all of the real property in the County to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4

The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the specific objects or purposes described in Section 1 of the 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 not 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, in the event that certain components of the Project set forth in Section 1 of this resolution are subject to the procedures required by the State Environmental Quality Review Act ("SEQRA"), no "action", as the same is referred to in Article 9 of SEQRA 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

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(1617-2/3 majority). Supervisor Dybas voted nay. Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1617) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 291 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 - PE BUILDING ROOF
REPLACEMENT PROJECT (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, a contract was authorized with Weatherguard Roofing Company for the PE Building Roof Replacement Project at FMCC, and

WHEREAS, Design Engineer Steven E. Smith, P.E., recommends a change order to said contract,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the following change order to the contract with Weatherguard Roofing Company for the FMCC PE Building Project:

CO-1 Replace plywood at pool roof - \$2,167.55

Original Contract Amount:	\$234,395.00
CO-1	2,167.55

Revised Contract Amount	<u>\$236,562.55</u>
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, 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(1617). Supervisor Dybas voted nay. Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1617) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Fulton-Montgomery Community College
Fulton County Board of Supervisors

**
RESOLUTION NO. 292 of 2002 DATED: November 26, 2002
RESOLUTION EXTENDING AUCTIONEERING SERVICES AGREEMENT - REAL PROPERTY
SALE

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hassan

WHEREAS, the County Treasurer has recommended extension of the agreement with Haroff Action and Realty, Inc., for provision of auctioneering services,

RESOLVED, that the Board of Supervisors hereby authorizes the extension, until October 31, 2005, of an agreement with Haroff Auction and Realty, Inc., for provision of auctioneering services for the sale of County-owned real property, 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 extension agreement.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon County Attorney	Richard C. Healy Clerk, Board of Supervisors
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cc: County Treasurer
County Administrator
County Clerk
Haroff Auction & Realty

**
RESOLUTION NO. 293 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from April 1, 2002, through September 30, 2002, 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(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 294 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEASE RENEWAL AGREEMENT -
SATELLITE OFFICE (PROBATION)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Stagliano

WHEREAS, the Probation Department maintains a satellite office in Amsterdam's Riverfront Center, and

WHEREAS, the lease for said office will expire on December 31, 2002,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a lease renewal with the Amsterdam Riverfront Center for a Probation Department Satellite Office, and

FURTHER RESOLVED, that said agreement shall provide for payments not to exceed \$413.25 per month, for the period commencing on January 1, 2003 and ending on December 31, 2003.

RESOLUTION ADOPTED with Aye(1616). Supervisor Sinicropi voted nay. Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1616) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Director of Probation

**
RESOLUTION NO. 295 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING PURCHASE CONTRACT NATURAL GAS AWARD

Resolution by Supervisor: Hassan
Seconded by Supervisor: Sinicropi

WHEREAS, the Purchasing Agent is soliciting sealed bids for procurement of natural gas, said bids to be received by December 10, 2002, and

WHEREAS, given the volatility of natural gas prices, it is in the best interest of the County to award a contract to the lowest bidder within one hour of receipt of said bids,

RESOLVED, that the Chairman of the Board of Supervisors and the Purchasing Agent hereby are authorized to award a natural gas purchase contract, for an 18-month period beginning January 1, 2003, to the lowest bidder.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 296 of 2002
RESOLUTION TRANSFERRING FUNDS (PUBLIC WORKS)

DATED: November 26, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Public Works has requested fund transfers to provide for payment of personnel and health insurance costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-12-4-1490-00.1110(193)	Public Works Administration	
	Deputy Commissioner Pub works	\$16,500.00
A-12-4-1671-00.1120(398)	Central Mailing	
	Mail Clerk PT	900.00
A-12-4-7180-00.1110(290)	Spec Rec Facility	
	Rec. Fac. Maint. Bike Path	1,000.00
A-12-4-7180-00.1130(1396)	Spec Rec Facility	
	Temporary Employees/Bike Path	5,350.00
D-12-4-5110-00.1110(144)	Maint. Roads & Bridges	
	Highway Labor	22,852.00
To: A-12-4-1620-00.1110(149)	Buildings	
	Hourly Employees	\$23,750.00
D-12-4-9001-00.8855	Fringe Benefits	
	Sick Leave/Ret. Health Ins.	22,852.00

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 297 of 2002
RESOLUTION APPOINTING ELECTION COMMISSIONER

DATED: November 26, 2002

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, staggered terms have been established for Montgomery County's Election Commissioner,

RESOLVED, that Deborah Tessiero hereby is appointed Democrat Election Commissioner for a two-year term, commencing on January 1, 2003 and expiring on December 31, 2004, and

FURTHER RESOLVED, that said appointee shall be paid an annual salary of \$7,996.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Board of Elections

**
RESOLUTION NO. 298 of 2002 DATED: November 26, 2002
RESOLUTION APPOINTING MEMBER OF COUNTY FIRE ADVISORY BOARD

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, a vacancy exists for a Town of Florida representative on the Montgomery County Fire Advisory Board,

RESOLVED, that Pam VanAlstine hereby is appointed a member of the Montgomery County Fire Advisory Board, representing the Town of Florida, to a term ending on December 31, 2003.

MOTION TO TABLE by Supervisor Richards, seconded by Supervisor Thomas, passed with Aye(1753). Supervisor Hisert was absent. (11/26/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fire Coordinator

**
RESOLUTION NO. 299 of 2002 DATED: November 26, 2002
RESOLUTION APPOINTING MONTGOMERY COUNTY MEMBER TO THE WORKFORCE DEVELOPMENT BOARD, INC.

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

RESOLVED, that the Karen Kelly of 7 Fifth Avenue, Amsterdam, hereby is appointed a member of the Fulton-Montgomery-Schoharie Counties Workforce Development Board, Inc., as Community-Based Organization representative.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Workforce Development Board

**
RESOLUTION NO. 300 of 2002 DATED: November 26, 2002
RESOLUTION APPOINTING COMMUNITY SERVICES BOARD MEMBERS

Resolution by Supervisor: Paton
Seconded by Supervisor: Quackenbush

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

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

RESOLVED, that the following persons hereby are appointed members of the Montgomery County Community Services Board for terms ending on December 31, 2006:

Charlene McNamara of Amsterdam
Immaculata M. Lieber of Fort Plain

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 301 of 2002 DATED: November 26, 2002
RESOLUTION APPOINTING HOTEL/MOTEL OCCUPANCY TAX ADVISORY BOARD MEMBERS

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

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

RESOLVED, that Richard E. Brown, 105 Mohawk Street, Fort Plain, hereby is appointed a member of the Montgomery County Hotel/Motel Occupancy Tax Advisory Board for a term ending on December 31, 2005.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Appointees

**
RESOLUTION NO. 302 of 2002 DATED: November 26, 2002
RESOLUTION APPOINTING COMMISSIONER OF SOCIAL SERVICES

Resolution by Supervisor: Quackenbush
Supervisor: Vankersen
Seconded by Supervisor: Sinicropi

WHEREAS, a vacancy will exist for the position of Social Services Commissioner, on December 31, 2002, and

WHEREAS, Commissioner Robert L. Reidy has performed his duties in an outstanding and highly-professional manner, and

WHEREAS, it is in the best interest of Montgomery County for Commissioner Reidy to continue to serve in said position,

RESOLVED, that pursuant to Section 65, Subdivision 4, Section 116, Subdivision 1 of the Social Service Law, Robert L. Reidy hereby is appointed as Montgomery County Commissioner of Social Services for a five-year term commencing January 1, 2003 and ending on December 31, 2007, at an annual salary of \$25,000.

RESOLUTION DIED FOR LACK A SECOND. Supervisor Sinicropi withdrew his second.

Douglas Landon

Richard C. Healy

County Attorney

Clerk, Board of Supervisors

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

**

RESOLUTION NO. 303 of 2002
RESOLUTION APPOINTING DATA PROCESSING DIRECTOR

DATED: November 26, 2002

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that Deborah L. Bain hereby is appointed Director of Data Processing at an annual base salary of \$44,000, and

FURTHER RESOLVED, that said appointment shall be effective on December 3, 2002, and

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

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Data Processing
Personnel/Payroll

**

RESOLUTION NO. 304 of 2002
RESOLUTION AUTHORIZING PLANNING DEPARTMENT FEES

DATED: November 26, 2002

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Planning Department has been providing free services to the various municipalities within the County, and

WHEREAS, the 2003 Tentative Operating Budget contains a large property tax increase, and

WHEREAS, it has been recommended that alternate revenue sources be identified,

RESOLVED, that the Director of Planning and Development hereby is authorized and directed to develop a fee schedule for services provided by his Department, and

FURTHER RESOLVED, that said Director also is authorized and directed to prepare an estimate of revenue to be realized by implementation of said fee schedule.

RESOLUTION ADOPTED with Aye(1617). Supervisor Dybas voted nay. Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1617) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Planning Department

**
RESOLUTION NO. 305 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING INCLUSION OF MANDATE DATA ON 2003 TAX BILL

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, previous Montgomery County tax bills contained a breakdown of the impact of mandates upon said billing, and

WHEREAS, given the sizeable County tax increase projected for 2003, it is important that said mandate information be conveyed to property owners, and

WHEREAS, understanding of the source of said financial problems, will enable said property owners to petition responsible elected officials for relief,

RESOLVED, that 2003 Montgomery County tax bills include a dollar breakdown of mandated expenses, local optional expenses, town taxes, special districts and any other items the County Treasurer may deem necessary.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 306 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING DETERMINATION OF FEASIBILITY OF ESTABLISHING
SALES TAX DISTRIBUTION CAP

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

RESOLVED, that the County Attorney hereby is authorized and directed to investigate the feasibility of capping future sales tax distributions at the 2002 level, and

FURTHER RESOLVED, that any sales tax receipts in excess of said cap will be retained by the County to help lower the property tax impact upon County residents.

RESOLUTION ADOPTED with Aye(1617). Supervisor Dybas voted nay. Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1617) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 307 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING DETERMINATION OF FEASIBILITY OF ESTABLISHING TAX
ESCROW ACCOUNT

Resolution by Supervisor: McMahon
Seconded by Supervisor: Stagliano

WHEREAS, there are many derelict properties throughout the County, and

WHEREAS, many of said properties are assessed far in excess of real current value, and

WHEREAS, the County Treasurer has been required to guarantee payment of

taxes on said properties, to the detriment of property owners impacted by the effect of said distorted assessments,

RESOLVED, that the County Treasurer and the County Attorney hereby are authorized and directed to investigate the feasibility of establishing an escrow account where tax guarantee funds shall be held pending assignment of valid assessments on the respective properties.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 308 of 2002 DATED: November 26, 2002
RESOLUTION RESCINDING RESOLUTION NO. 317 OF 1966

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mancini

WHEREAS, the Board of Supervisors of Montgomery County, through the adoption of Resolution No. 317 of 1966, consented to apportion the operating and capital costs attributable to FMCC equally between Fulton and Montgomery Counties, and

WHEREAS, Section 6304, Para. (4) of the NYS Education Law reads that "where two or more local sponsors jointly establish and operate a community college, the local share of the capital costs shall be apportioned among them according to their respective equalized assessed valuations or such other factors or bases as may be provided or prescribed in the plans, standards and regulations prescribed by the state university trustees. The local share of the operating expenses shall be apportioned among such joint sponsors in accordance with the number of students who are residents of their respective areas, or such other factors as may be prescribed in the plans, standards and regulations by the state university trustees.", and

WHEREAS, by not following the guidelines and intent established in Section 6304, Montgomery County is shouldering a greater fiscal burden than required by statute, and

WHEREAS, by rescinding Resolution No. 317 of 1966, Fulton and Montgomery Counties would be required to provide \$1,447,547 and \$1,104,095 respectively towards operations, instead of the \$1,275,821 proposed,

RESOLVED, that Resolution No. 317 of 1966 hereby is rescinded.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Thomas, passed with AYE(1617). Supervisor Dybas voted nay. Supervisor Hisert was absent. (11/26/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
F-MCC
Fulton County Board of Supervisors

**
RESOLUTION NO. 309 of 2002 DATED: November 26, 2002
RESOLUTION RESCHEDULING BOARD OF SUPERVISORS' DECEMBER MEETING

Resolution by Supervisor: Thomas
Seconded by Supervisor: Sinicropi

RESOLVED, that the Regular Meeting of the Montgomery County Board of Supervisors, originally scheduled for 7:00 p.m., Tuesday, December 24, 2002, hereby is rescheduled to 7:00 p.m., Tuesday, December 17, 2002.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department Heads

**
RESOLUTION NO. 310 of 2002 DATED: November 26, 2002
RESOLUTION APPOINTING COMMISSIONER OF SOCIAL SERVICES

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Richards

WHEREAS, a vacancy for the position of Commissioner of Social Services may exist on December 31, 2002, and

RESOLVED, that pursuant to Section 65, Subdivision 4, Section 116, Subdivision 1 of the Social Service Law, William M. Cranker hereby is appointed as Montgomery County Commissioner of Social Services for a five-year term commencing January 1, 2003 and ending on December 31, 2007, at an annual base salary of \$50,000, and

FURTHER RESOLVED, that said appointment is contingent upon the retirement of the incumbent Commissioner on December 30, 2002.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 311 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING SCHOOL TAX GUARANTEE - CITY OF AMSTERDAM

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mancini

WHEREAS, it has requested that the County of Montgomery guarantee unpaid real property school taxes in the City, and

RESOLVED, that the Board of Supervisors hereby authorizes that Montgomery County guarantee unpaid real property school taxes in the City of Amsterdam, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, hereby is authorized and directed to take appropriate action to provide for implementation of said guarantee.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Hassan, passed with Aye(1204). Supervisors Sinicropi, Barone, Dybas and Mancini voted nay. Supervisor Hisert was absent. (11/26/02)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Mayor, City of Amsterdam

**
RESOLUTION NO. 312 of 2002 DATED: November 26, 2002
RESOLUTION MODIFYING SALES TAX DISTRIBUTION FORMULA

Resolution by Supervisor: Dybas
Seconded by Supervisor: Sinicropi

WHEREAS, it has been requested that the formula for distributing sales tax to Montgomery County municipalities be modified to provide for allocation on the basis of population,

RESOLVED, that the formula for distribution of sales tax funds to eligible municipalities hereby is modified to provide for allocation on the basis of population within the City of Amsterdam and the respective towns, and

FURTHER RESOLVED, that this Resolution supersedes any prior Resolution and/or Agreements relating to said sales tax distribution.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Thomas, passed with Aye(1185). Supervisors Sinicropi, Dybas, DiMezza and Quackenbush voted nay. Supervisor Hisert was absent. (11/26/02)

Duly adopted upon roll call, all members present (1185) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 313 of 2002 DATED: November 26, 2002
RESOLUTION ADOPTING OVERDUE ACCOUNT COLLECTION POLICY (MONTGOMERY MEADOWS)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Nursing Home Administrator has drafted a proposed policy for collection of overdue accounts

RESOLVED, that the Overdue Accounts Collection Policy, drafted by the Nursing Home Administrator, hereby is adopted for implementation at Montgomery Meadows, and

FURTHER RESOLVED, that said policy is effective immediately upon adoption of this Resolution, and

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

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 314 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DELINQUENT ACCOUNT COLLECTION (MONTGOMERY MEADOWS)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Nursing Home Administrator has recommended that Montgomery Meadows obtain the services of a collection agency to recover overdue accounts,

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 MED-REV Recoveries, Inc., of Syracuse for collection of delinquent accounts at Montgomery Meadows, and

FURTHER RESOLVED, that payment for said services shall be at the rate of 20 percent of collections, with a 30 percent rate for collections requiring legal action.

RESOLUTION ADOPTED with Aye(1753). Supervisor Hisert was absent.

Duly adopted upon roll call, all members present (1753) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

OTHER

ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1753). Supervisor Hisert was absent. Chairman Barone declared the meeting adjourned at 7:56 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for December 7, 2002 was called to order at 9:38 a.m. by Chairman Barone. Roll call indicated that Supervisors Mancini, Hassan, Hisert and Van Kersen were absent.

____ _
SALUTE TO THE FLAG

Supervisor McMahon led the Salute to the Flag.

____ _
MOMENT OF SILENCE

____ _
STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to consider Resolutions No. 315, 316, 317, 318, 319, 320, 321, 322 and 323.

____ _
ACTION ON BUSINESS

**

RESOLUTION NO. 315 of 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 1

DATED: December 7, 2002

Resolution by Supervisor: McMahon
Seconded by Supervisor: Quackenbush

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE):
-16-	A-12-4-1490-00.1110(193) Deputy Commissioner Public Works	0	-(39,534)

RESOLUTION ADOPTED with Aye(1217). Supervisors Sinicropi and Paton voted nay. Supervisors Mancini, Hassan, Hisert and Van Kersen were absent.

Duly adopted upon roll call, all members present (1217) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 316 of 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 2

DATED: December 7, 2002

Resolution by Supervisor: McMahon
Seconded by Supervisor: Quackenbush

RESOLVED, that the 2003 Tentative Operating Budget of the County of

Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
30	_A-18-4-6010-00.1110(52)_ Commissioner of Social Services	_____52,000_____	____(4,795)____

RESOLUTION ADOPTED with Aye(1501). Supervisors Mancini, Hassan, Hisert and Van Kersen were absent.

Duly adopted upon roll call, all members present (1501) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 317 of 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 3

DATED: December 7, 2002

Resolution by Supervisor: McMahan
Seconded by Supervisor: Paton

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
31	_A-18-4-6010-00.1110(441)_ Director Social Services	_____0_____	____(44,709)____

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 318 of 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 4

DATED: December 7, 2002

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
___6_	_A-03-4-3410-00.1120(117)_ County Fire Coordinator	_____6,550_____	_____6,550_____

RESOLUTION DEFEATED with Aye(854). Supervisors DiMezza, McMahon, Richards, Thomas, Quackenbush and Paton voted aye. Supervisors Mancini, Hassan, Hisert and Van Kersen were absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 319 of 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 5

DATED: December 7, 2002

Resolution by Supervisor: Dybas
Seconded by Supervisor: Stagliano

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
4	A-02-3-4305-00 Federal Aid - Emergency Management Office	14,000	3,000
4	A-02-3-4960-00 Federal Aid - Emergen Dis Aid	1,500	1,500
7	A-06-3-2392 Debt Service - Other Government	68,327	62,508
16	A-12-4-1620-00.1113(663) Shift Differential	5,240	3,740
16	A-12-4-1620-00.4422 Equip Rental Lease & Repair	65,150	25,150
16	A-12-4-1620-00.4425 Maintenance Agreements	95,565	40,265
16	A-12-4-1620-00.4444 Custodial, Household Supplies	41,500	6,500
19	A-14-4-1680-00.1110(292) Computer Programmer	25,852	(1,000)
19	A-14-4-1680-00.1110(444) Director of Data Processing	44,000	(11,045)
19	A-14-4-1680-00.4459 Computer Software	12,350	(5,650)
19	A-14-4-1680-00.4471 Mileage Allocations	600	450
20	A-15-3-1140-00 Pub Safety Comm Sys. E911	178,327	62,508
20	A-15-3-3330-00 Unified Court Security	56,208	(144,063)
20	A-15-3-3389-00 Other Public Safety	63,014	25,560
20	A-15-4-1115-00.1110(301) Deputy Sheriff	0	(30,586)
20	A-15-4-1115-00.1110(433) Deputy Sheriff	0	(30,336)
20	A-15-4-1115-00.1110(1218) Deputy Sheriff/Correction Officer	0	(30,836)
20	A-15-4-1115-00.1113(259) Shift Differential	0	(900)
20	A-15-4-1115-00.1120(849) Court Attendants PT	50,000	6,000
20	A-15-4-1115-00.1125(170) Other Compensation	0	(1,575)
20	A-15-4-1115-00.4447 Clothing and Uniforms	300	(800)
20	A-15-4-1115-00.8810 FICA	3,825	(6,750)

20	_A-15-4-1115-00.8820_	1,000	_(3,550)_
	Retirement		
20	_A-15-4-1115-00.8830_	1,083	_(27,165)_
	Workers Compensation		
20	_A-15-4-1115-00.8850_	0	_(10,750)_
	Hospital and Medical Insurance		
20	_A-15-4-1115-00.8851_	0	_(3,000)_
	Hosp & Med Ins Payback		
20	_A-15-4-1115-00.8852_	0	_(3,000)_
	Dental Benefits		
20	_A-15-4-1115-00.8853_	0	_(500)_
	Visual Care Benefits		
20	_A-15-4-1115-00.8854_	0	_(2,490)_
	Disability Insurance		
21	_A-15-4-3110-00.1110(68)_	24,836	4,236
	Deputy Sheriff		
21	_A-15-4-3110-00.1111(1212)_	91,000	6,000
	Overtime Pay		
22	_A-15-4-3110-00.2230_	52,820	8,000
	Motor Vehicle Equipment		
22	_A-15-4-3110-00.4452_	1,000	1,000
	Printing/Copying		
20	_A-15-4-3020-14.4422_	70,327	70,327
	Equip. Rent, Lease & Repair		
20	_A-15-4-3020-14.4449_	0	_(7,819)_
	Special Supplies & Materials		
23	_A-15-4-3150-00.1110(414)_	27,912	3,915
	Corrections Officer		
23	_A-15-4-3150-00.1110(506)_	27,912	3,915
	Corrections Officer		
23	_A-15-4-3150-00.1110(508)_	27,912	3,915
	Corrections Officer		
23	_A-15-4-3150-00.1113(1176)_	66,460	_(3,740)_
	Shift Differential		
24	_A-15-4-3150-00.4422_	10,000	_(25,150)_
	Equip. Rental, Lease & Repair		
24	_A-15-4-3150-00.4425_	7,548	_(40,265)_
	Maintenance Agreements		
30	_A-18-4-6010-00.1110(34)_	23,539	1,300
	Social Welfare Examiner		
30	_A-18-4-6010-00.1110(52)_	52,000	_(4,794)_
	Commissioner of Social Services		
32	_A-18-4-6010-00.1110(596)_	22,889	_(350)_
	Social Welfare Examiner		
55	_EH-34-4-6020-00.1140(67)_	300	300
	Sick Leave Buy-Back		
54	_EH-34-4-6020-00.1110(128)_	20,460	_(650)_
	Food Service Helper		
54	_EH-34-4-6020-00.1110(127)_	20,460	_(2,823)_
	Food Service Helper		

55	_EH-34-4-6020-00.1110(236)_ Certified Nursing Assistant	21,126	_(1,000)_
55	_EH-34-4-6020-00.1110(1056)_ Head Nurse	35,581	6,272
56	_EH-34-4-6020-00.4421_ Property Rent, Lease, Repair	29,228	_(6,272)_
58	_G-26-4-8110-00.2250_ Technical Equipment	0	_(4,000)_
58	_G-26-4-8110-00.2259_ Computer Equipment	0	_(1,000)_
58	_G-26-4-8110-00.4407_ Office Equipment	0	_(600)_
58	_G-26-4-8110-00.4408_ Office Supplies	0	_(500)_
58	_G-26-4-8110-0.4410_ Utilities	0	_(89,500)_
58	_G-26-4-8110-00.4421_ Property Rent/Lease/Repair	0	_(2,700)_
58	_G-26-4-8110-00.4422_ Equip Rental/Lease/Repair	0	_(20,000)_
58	_G-26-4-8110-00.4425_ Maintenance Agreements	0	_(1,000)_
58	_G-26-4-8110-00.4429_ Compensation (non-Employ)	0	_(1,200)_
58	_G-26-4-8110-00.4438_ Misc. Supporting Services	0	_(40,000)_
58	_G-26-4-8110-00.4441_ Gasoline, Oil,Diesel Fuel	0	_(1,000)_
58	_G-26-4-8110-00.4444_ Custodial, Hshold Supp/Mat	0	_(350)_
58	_G-26-4-8110-00.4449_ Special Supplies & Materials	0	_(21,840)_
58	_G-26-4-8110-00.4451_ Data Processing	0	_(1,500)_
58	_G-26-4-8110-00.4452_ Printing/Copying	0	_(500)_
58	_G-26-4-8110-00.4453_ Postage Expenses	0	_(1,200)_
58	_G-26-4-8110-00.4455_ Training	0	_(2,000)_
58	_G-26-4-8110-00.4470_ Travel Related Costs	0	_(500)_
58	_G-26-4-8110-00.4471_ Mileage Allocations	0	_(1,000)_
58	_G-26-4-8110-00.4476_ Assoc/Membership Dues	0	_(200)_
58	_G-26-4-8110-00.4491_ Legal Notice & Advertising	0	_(100)_
58	_G-26-4-8120-00.2250_ Technical Equipment	4,000	4,000

58	_G-26-4-8120-00.2259_____	1,000_____	1,000_____
	Computer Equipment		
58	_G-26-4-8120-00.4407_____	600_____	600_____
	Office Equipment		
58	_G-26-4-8120-00.4408_____	500_____	500_____
	Office Supplies		
58	_G-26-4-8120-00.4410_____	89,500_____	89,500_____
	Utilities		
58	_G-26-4-8120-00.4421_____	2,700_____	2,700_____
	Property Rent/Lease/Repair		
58	_G-26-4-8120-00.4422_____	20,000_____	20,000_____
	Equip Rental/Lease/Repair		
58	_G-26-4-8120-00.4425_____	1,000_____	1,000_____
	Maintenance Agreements		
58	_G-26-4-8120-00.4429_____	1,200_____	1,200_____
	Compensation (non-Employ)		
58	_G-26-4-8120-00.4438_____	40,000_____	40,000_____
	Misc. Supporting Services		
58	_G-26-4-8120-00.4441_____	1,000_____	1,000_____
	Gasoline, Oil,Diesel Fuel		
58	_G-26-4-8120-00.4444_____	350_____	350_____
	Custodial, Hshold Supp/Mat		
58	_G-26-4-8120-00.4449_____	21,840_____	21,840_____
	Special Supplies & Materials		
58	_G-26-4-8120-00.4451_____	1,500_____	1,500_____
	Data Processing		
58	_G-26-4-8120-00.4452_____	500_____	500_____
	Printing/Copying		
58	_G-26-4-8120-00.4453_____	1,200_____	1,200_____
	Postage Expenses		
58	_G-26-4-8120-00.4455_____	2,000_____	2,000_____
	Training		
58	_G-26-4-8120-00.4470_____	500_____	500_____
	Travel Related Costs		
58	_G-26-4-8120-00.4471_____	1,000_____	1,000_____
	Mileage Allocations		
58	_G-26-4-8120-00.4476_____	200_____	200_____
	Assoc/Membership Dues		
58	_G-26-4-8120-00.4491_____	100_____	100_____
	Legal Notice & Advertising		

RESOLUTION ADOPTED with Aye(1501). Supervisors Mancini, Hassan, Hisert and Van Kersen were absent.

Duly adopted upon roll call, all members present (1501) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 320 of 2002

DATED: December 7, 2002

RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 6

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Quackenbush

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
17	_A-12-4-7180-00.1130(1396)____ Temporary Employees	_____0_____	____(20,400)____
17	_A-12-4-7180-00.2255_____ Bldgs & Grounds Equip	_____0_____	____(19,000)____
17	_A-12-4-7180-00.4400_____ Small Tools	_____0_____	____(2,600)____

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Dybas, failed with Aye(613). Supervisors Dybas, McMahon, Richards, Thomas and Paton voted aye. Supervisors Mancini, Hassan, Hisert and Van Kersen were absent.

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 321 of 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 7

DATED: December 7, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Barone

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
51	_D-12-5110-00.4448_____ Construction & Maint. Supplies	_____220,000_____	____(130,000)____
50	_D-12-3-5031-00_____ Interfund Transfer	_____3,025,304_____	____(130,000)____
8	_A-06-4-9900-00.9901_____ Trans To Co Road Fund	_____3,025,304_____	____(130,000)____

RESOLUTION ADOPTED with Aye(1501). Supervisors Mancini, Hassan, Hisert and Van Kersen were absent.

Duly adopted upon roll call, all members present (1501) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 322 of 2002
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO 14 OF 2002

DATED: December 7, 2002

Resolution by Supervisor: Paton
Seconded by Supervisor: Van Kersen

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 14 of 2002, a Local Law Authorizing Establishment of a Local Development Corporation (LDC) and Sale by Montgomery County to the LDC of Its Rights to Receive Payments Expected to Become Due Under the Master Settlement Agreement and the Related Consent Decree and Fund Judgment with Various Tobacco Companies,

RESOLVED, that Introductory Local Law No. 14 of 2002 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, December 17, 2002, at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION DEFEATED with Aye(448). Supervisors McMahon, Quackenbush and Paton voted aye. Supervisors Mancini, Hassan, Hisert and Van Kersen were absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 323 of 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 8

DATED: December 7, 2002

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Thomas

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
16	_A-12-4-1620-00.1110(668)_____ Structural Maint Worker	_____0_____	____(22,239)____
51	_D-12-4-5110-00.1110(144)_____ Highway Labor	_____508,300_____	____(81,700)____
50	_D-12-3-5031-00_____ Interfund Transfers	_____2,943,604_____	____(81,700)____
8	_A-06-4-9900-00.9901_____ Trans To Co Road Fund	_____2,943,604_____	____(81700)____

RESOLUTION ADOPTED with Aye(1053); Supervisors McMahon, Quackenbush and Paton voted nay. Supervisors Mancini, Hassan, Hisert and Van Kersen were absent.

Duly adopted upon roll call, all members present (1053) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

ADJOURNMENT

Chairman Barone declared the Meeting adjourned at 11:18 a.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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____ _
CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for December 17, 2002, was called to order at 7:03 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor DiMezza. Roll call indicated that Supervisor Quackenbush was absent.

____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

____ _
ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Van Kersen, to Suspend the Rules of Procedure to allow for the Introduction of Resolutions No. 348, 349, 350, 351 and any other Resolutions that may be presented at this meeting, passed with Aye(1710). Supervisor Quackenbush was absent. Motion by Supervisor McMahon, seconded by Supervisor Van Kersen, to adopt the amended agenda, passed with Aye(1710). Supervisor Quackenbush was absent.

____ _
PRIVILEGE OF THE FLOOR

Kathy Garrison, CSEA Capital Region President, spoke against elimination of County employees.

Mike Beyer, Town of Amsterdam, urged restoration of the Fire Coordinator's position.

**

____ _
MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings of November 26, 2002 and the Regular Meeting of November 26, 2002 and the Special Meeting of December 7, 2002 were accepted with no corrections, additions or deletions.

____ _
REPORTS OF STANDING COMMITTEES

None.

____ _
REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

RESOLUTION NO. 298 of 2002 DATED: November 26, 2002
RESOLUTION APPOINTING MEMBER OF COUNTY FIRE ADVISORY BOARD

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, a vacancy exists for a Town of Florida representative on the Montgomery County Fire Advisory Board,

RESOLVED, that Pam VanAlstine hereby is appointed a member of the Montgomery County Fire Advisory Board, representing the Town of Florida, to a term ending on December 31, 2003.

MOTION TO TABLE by Supervisor Richards, seconded by Supervisor Thomas, passed with Aye(1753). Supervisor Hisert was absent. (11/26/02)

RESOLUTION DIED ON THE TABLE.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fire Coordinator

**

RESOLUTION NO. 308 of 2002 DATED: November 26, 2002
RESOLUTION RESCINDING RESOLUTION NO. 317 OF 1966

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mancini

WHEREAS, the Board of Supervisors of Montgomery County, through the adoption of Resolution No. 317 of 1966, consented to apportion the operating and capital costs attributable to FMCC equally between Fulton and Montgomery Counties, and

WHEREAS, Section 6304, Para. (4) of the NYS Education Law reads that "where two or more local sponsors jointly establish and operate a community college, the local share of the capital costs shall be apportioned among them according to their respective equalized assessed valuations or such other factors or bases as may be provided or prescribed in the plans, standards and regulations prescribed by the state university trustees. The local share of the operating expenses shall be apportioned among such joint sponsors in accordance with the number of students who are residents of their respective areas, or such other factors as may be prescribed in the plans, standards and regulations by the state university trustees.", and

WHEREAS, by not following the guidelines and intent established in Section 6304, Montgomery County is shouldering a greater fiscal burden than required by statute, and

WHEREAS, by rescinding Resolution No. 317 of 1966, Fulton and Montgomery Counties would be required to provide \$1,447,547 and \$1,104,095 respectively towards operations, instead of the \$1,275,821 proposed,

RESOLVED, that Resolution No. 317 of 1966 hereby is rescinded.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Thomas, passed with AYE(1617). Supervisor Dybas voted nay. Supervisor Hisert was absent. (11/26/02)

RESOLUTION DIED ON THE TABLE.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

F-MCC
Fulton County Board of Supervisors

**
RESOLUTION NO. 311 of 2002 DATED: November 26, 2002
RESOLUTION AUTHORIZING SCHOOL TAX GUARANTEE - CITY OF AMSTERDAM

Resolution by Supervisor: Dybas
Seconded by Supervisor: Mancini

WHEREAS, it has requested that the County of Montgomery guarantee unpaid real property school taxes in the City, and

RESOLVED, that the Board of Supervisors hereby authorizes that Montgomery County guarantee unpaid real property school taxes in the City of Amsterdam, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, hereby is authorized and directed to take appropriate action to provide for implementation of said guarantee.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Hassan, passed with Aye(1204). Supervisors Sinicropi, Barone, Dybas and Mancini voted nay. Supervisor Hisert was absent. (11/26/02)

RESOLUTION DIED ON THE TABLE.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Mayor, City of Amsterdam

**
RESOLUTION NO. 312 of 2002 DATED: November 26, 2002
RESOLUTION MODIFYING SALES TAX DISTRIBUTION FORMULA

Resolution by Supervisor: Dybas
Seconded by Supervisor: Sinicropi

WHEREAS, it has been requested that the formula for distributing sales tax to Montgomery County municipalities be modified to provide for allocation on the basis of population,

RESOLVED, that the formula for distribution of sales tax funds to eligible municipalities hereby is modified to provide for allocation on the basis of population within the City of Amsterdam and the respective towns, and

FURTHER RESOLVED, that this Resolution supersedes any prior Resolution and/or Agreements relating to said sales tax distribution.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Thomas, passed with Aye(1185). Supervisors Sinicropi, Dybas, DiMezza and Quackenbush voted nay. Supervisor Hisert was absent. (11/26/02)

RESOLUTION DIED ON THE TABLE.

Duly adopted upon roll call, all members present (1185) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

NEW BUSINESS

**
RESOLUTION NO. 324 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT -

TRANSPORTATION OF FULTON COUNTY VETERANS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

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

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

FURTHER RESOLVED, that said Agreement shall be for a one-year period ending on December 31, 2003, and

FURTHER RESOLVED, that said Agreement shall provide for transportation of Fulton County veterans, depending upon availability of space, at a charge of \$12.50 each way.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Veterans Director

**
RESOLUTION NO. 325 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENTS (MENTAL HEALTH)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Thomas

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

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

PROVIDER	AMOUNT:
Montgomery Transitional Services	\$125,000
Mental Health Association of Fulton and Montgomery Counties	135,000

, and

FURTHER RESOLVED, that said agreement shall commence in January 1, 2002 and terminate on December 31, 2002.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 326 of 2002 DATED: December 17, 2002
RESOLUTION ACCEPTING TRAFFIC SAFETY GRANT (SHERIFF)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hassan

WHEREAS, the Sheriff has recommended acceptance of a \$10,000 grant from the Governor's Traffic Safety Committee,

RESOLVED, that the Board of Supervisors, hereby accepts a \$10,000 grant from the Governor's Traffic Safety Committee, 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 acceptance.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Sheriff

**
RESOLUTION NO. 327 of 2002
RESOLUTION TRANSFERRING FUNDS (JAIL) DATED: December 17, 2002

Resolution by Supervisor: Thomas
Seconded by Supervisor: McMahon

WHEREAS, the Sheriff has requested a transfer of funds to provide for payment of various Jail expenses,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: A-15-4-3110-00	Sheriff	
	.2241 Automobile	\$1,560.99
	.4422 Equipment Rental/Lease	639.86
	.4425 Maintenance Agreement	3,000.00
	.4436 Medical Fees	1,000.00
	.4439 Other Service Fees	1,300.00
	.4441 Gas & Diesel	5,000.00
	.4449 Special Supplies & Materials	2,500.00
	.4455 Training	1,500.00
	.4467 Uniforms	1,500.00
	Total	\$18,000.85
To: A-15-4-3150-00	Jail	
	.4425 Maintenance Agreement	\$1,100.00
	.4436 Medical Fees	5,000.00
	.4445 Medical Supplies	10,000.00
	.4446 Food	1,900.85
	Total	\$18,000.85

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
County Sheriff

**
RESOLUTION NO. 328 of 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - TIME CLOCK DATED: December 17, 2002

MAINTENANCE (PERSONNEL)

Resolution by Supervisor: Hassan
Seconded by Supervisor: McMahon

WHEREAS, the Personnel Officer has recommended renewal of the time clock Maintenance 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 one-year renewal of the Kronos Time System Maintenance agreement with M.M.Hayes, at a cost not to exceed \$8,500, for the period commencing on February 1, 2003 and ending on January 31, 2004.

RESOLUTION ADOPTED with Aye(1259). Supervisors Dybas, DiMezza and Stagliano voted nay Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1259) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**
RESOLUTION NO. 329 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EXCESS
LIABILITY WORKERS' COMPENSATION INSURANCE (PERSONNEL)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Stagliano

WHEREAS, the Personnel Officer has recommended renewal of Excess Liability Workers' Compensation Insurance,

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 Excess Liability Workers' Compensation Insurance renewal agreement with APA/Safety National, and

FURTHER RESOLVED, that said Insurance Coverage shall be provided at a cost not to exceed \$45,000, and

FURTHER RESOLVED, that said agreement shall be renewed for a one-year period commencing on January 1, 2003 and ending on December 31, 2003.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**
RESOLUTION NO. 330 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE
PHYSICAL EXAMINATIONS (PERSONNEL)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Personnel Officer has recommended renewal of an agreement for provision of employee physical examinations,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement with Amsterdam Memorial Health Care System for provision of

employee physical examinations, and

FURTHER RESOLVED, that said examinations shall be performed at a cost of \$40.00 each, except for more extensive examinations required for Sheriff's Deputies, which shall be provided for \$100.00 each, and

FURTHER RESOLVED, that said agreement shall be for a one-year period commencing on January 1, 2003 and ending on December 31, 2003.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel

**
RESOLUTION NO. 331 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (EMERGENCY
MANAGEMENT)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, Montgomery County, by participating in the Federal Emergency Management Assistance Program, is eligible for reimbursement funding,

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 Local Emergency Management Assistance Participation Agreement for Federal Fiscal Year 2003.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Emergency Management Director

**
RESOLUTION NO. 332 of 2002 DATED: December 17, 2002
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Stagliano

WHEREAS, the Nursing Home Administrator has recommended a transfer of funds to provide for acquisition of approximately 24 electric/Alzheimer's beds for Montgomery Meadows,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget, as follows:

TRANSFER:

From: EH-34-4-6020-00.4414	Montgomery Meadows Natural Gas	\$25,000.00
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To: EH-34-4-6020-00.2257	Montgomery Meadows Health Services	\$25,000.00
--------------------------	---------------------------------------	-------------

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 333 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT -
REHABILITATION PROGRAM (MONTGOMERY MEADOWS)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Nursing Home Administrator has recommended renewal of a Comprehensive Rehabilitation Program agreement at Montgomery Meadows,

RESOLVED, that the Board of Supervisors hereby authorizes renewal of a Comprehensive Rehabilitation Program agreement at Montgomery Meadows with Sunnyview Hospital, commencing on January 1, 2003 and ending on December 31, 2003, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Sunnyview Hospital for provision of said program services, at an annual cost not to exceed _____.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Dybas, in the FURTHER RESOLVED clause, insert, "\$159,650", passed with Aye(1710). Supervisor Quackenbush was absent.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 334 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING PRIVATE PAY RATE INCREASE (MONTGOMERY MEADOWS)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Nursing Home Administrator has recommended an increase in the private pay rate at Montgomery Meadows, and

WHEREAS, said increase will enable the Meadows to maintain a private pay rate that is competitive with area nursing homes, and

WHEREAS, said increase has been factored into 2003 revenue calculations,

RESOLVED, that the Board of Supervisors hereby authorizes a \$15.00 increase in the daily private pay rate at Montgomery Meadows, and

FURTHER RESOLVED, that said increase, which shall be effective on January 1, 2003, will provide for a new private pay rate of \$190.00 per day for all new admissions, with said increase to be effective for all current private pay residents after 30 days notification.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Nursing Home Administrator

**
RESOLUTION NO. 335 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 - PE BUILDING ROOF
REPLACEMENT PROJECT (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: DiMezza

WHEREAS, a contract was authorized with Weatherguard Roofing Company for the PE Building Roof Replacement Project at FMCC, and

WHEREAS, Design Engineer Steven E. Smith, P.E., recommends a change order to said contract,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the following change order to the contract with Weatherguard Roofing Company for the FMCC PE Building Project:

CO-2 Replace plywood at pool roof -	\$2,167.55
Original Contract Amount:	\$234,395.00
Proposed CO-2	19,137.48
Previously Approved CO-1	2,167.55
Revised Contract Amount	<u>\$255,700.03</u>

, 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(1574). Supervisor Dybas voted nay. Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1574) voting aye.

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

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

**
RESOLUTION NO. 336 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER NO. 1, CONTRACT
NO. 4 - (FLORIDA WATER AND SEWER DISTRICT)

Resolution by Supervisor: Richards
Seconded by Supervisor: Hisert

WHEREAS, Contract No. 4 is divided into two phases, one relating to water and sewer work and the other involving Route 5S road reconstruction, and

WHEREAS, the Project Engineer has reported that Pay Item 623.12M, crush stone bedding, a \$17,680 item, should be transferred from Phase B to Phase A,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign Change Order No. 1, Contract No. 4, with Delaney Construction for the Florida Water and Sewer Districts Project.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development

**
RESOLUTION NO. 337 of 2002 DATED: December 17, 2002
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 15
OF 2002

Resolution by Supervisor: Stagliano
Seconded by Supervisor:

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 15 of 2002, a Local Law Amending Local Law No. 2 of 1990, which Authorized a Hotel or Motel Occupancy Tax in Montgomery County and Created a Montgomery County Occupancy Tax Advisory Board,

RESOLVED, that Introductory Local Law No. 15 of 2002 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, _____ at _____ 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.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 338 of 2002 DATED: December 17, 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 9

Resolution by Supervisor: McMahon
Seconded by Supervisor: Dybas

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
58	_G-26-4-8120-00.1110(12)_____ Sanitary Sewer Maint. Mech.	____24,137____	____703____
58	_G-26-4-8120-00.1110(54)_____ Superintendent	____54,091____	____1,457____
58	_G-26-4-8120-00.1110(449)_____ Operating Trainee	____19,053____	____525____
58	_G-26-4-8120-00.1110(586)_____ Maintenance Mechanic	____26,167____	____703____
59	_G-26-4-8120-00.1120(589)_____ Tax Collector	____4,501____	____131____
59	_G-26-4-8120-00.1120(848)_____ Parttime Employees	____6,786____	____786____

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 339 of 2002 DATED: December 17, 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 10

Resolution by Supervisor: Hassan
Seconded by Supervisor: Stagliano

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
___3___	___A-01-4-8160-00.4438___ Misc Supporting Services	___940,104___	___(39,171)___

RESOLUTION ADOPTED with Aye(1574). Supervisor Dybas voted nay. Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1574) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 340 of 2002 DATED: December 17, 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 11

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hassan

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
___51___	___D-12-4-5110-00.1110(278)___ Highway Maint. Supervisor	___33,568___	___33,568___
___50___	___D-12-3-5031-00___ Interfund Transfer	___2,977,172___	___33,568___
___8___	___A-06-4-9900-00.9901___ Trans to Co Road Fund	___2,977,172___	___33,568___

RESOLUTION ADOPTED with Aye(1574). Supervisor Dybas voted nay. Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1574) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 341 of 2002 DATED: December 17, 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 12

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Sinicropi

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
39	_A-24-4-6430-00.1110(474)_____ Sr. Account Clerk Typist	____24,650_____	____24,650_____

Supervisor Sinicropi withdrew his second. Resolution died for lack of second.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 350 of 2002 DATED: December 17, 2002
RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 13

Resolution by Supervisor: Hassan
Seconded by Supervisor: Van Kersen

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
6	_A-03-4-3410-00.1120(117)_____ County Fire Coordinator	____6,550_____	____6,550_____

RESOLUTION ADOPTED with Aye(1063). Supervisors Brodie, Sinicropi, Barone, Mancini and Stagliano voted nay. Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1063) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 344 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - GAT
SUBSIDIZATION (MOSA)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Stagliano

WHEREAS, it has been recommended that the Board of Supervisors authorize a per-ton subsidization of the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) tipping fee, and

WHEREAS, MOSA has established Montgomery County's 2003 GAT at 39,171 tons, and

WHEREAS, MOSA has established its 2003 tipping fee at \$86.00 per ton,

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

FURTHER RESOLVED, that said agreement shall be for the period commencing on January 1, 2003 and ending on December 31, 2003, and

FURTHER RESOLVED, that Montgomery County hereby establishes a subsidy, of

\$25.00 per ton, for said one-year period, pursuant to an appropriation in the 2003 Operating Budget to provide for payment of said subsidy.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor McMahon, in the second FURTHER RESOLVED clause, delete "25" and insert, in its stead, "24", passed with Aye(1574). Supervisor Dybas voted nay. Supervisor Quackenbush was absent.

RESOLUTION ADOPTED with Aye(1574). Supervisor Dybas voted nay. Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1574) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
MOSA

**
RESOLUTION NO. 345 of 2002 DATED: December 17, 2002
RESOLUTION AUTHORIZING ACCOUNTS PAYABLE YEAR-END ADJUSTMENTS - 2002
OPERATING BUDGET

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: McMahon

WHEREAS, provisions of the Federal Single Audit Act and regulations of the State Comptroller require Montgomery County to utilize modified accrual as the basis for governmental fund accounting, and

WHEREAS, modified accrual accounting principles require that the County accrue accounts payable so expenditures are generally reflected in the period for which the goods or services are received, and

WHEREAS, application of this principle may result in the over-expenditure of certain individual line item applications, particularly in areas where spending is mandated by State of Federal requirements,

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to make adjusting entries to provide sufficient appropriations to avoid individual line item deficits upon the accrual of year-end accounts payable, provided that said entries do not result in an increase in total appropriations approved by the Board of Supervisors for 2002, and

FURTHER RESOLVED, that said adjusting entries shall be subject to approval by the Chairman of the Board of Supervisors and the County Administrator, who shall, upon completion of the year-end closing, report same to the Finance Committee and to the Board of Supervisors.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 346 of 2002 DATED: December 17, 2002
RESOLUTION DELEGATING AUTHORITY TO AMEND 2002 OPERATING BUDGET

Resolution by Supervisor: Stagliano
Seconded by Supervisor: McMahon

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 2002 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 18, 2002 and ending on December 31, 2002.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Personnel Officer

**
RESOLUTION NO. 347 of 2002 DATED: December 17, 2002
RESOLUTION FIXING DATE AND TIME FOR 2003 ORGANIZATIONAL MEETING OF THE
BOARD OF SUPERVISORS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: DiMezza

RESOLVED, that pursuant to Section 151, Subdivision 11 of the County Law, the Organizational Meeting of the Montgomery County Board of Supervisors for 2003 shall be held at _____ on the _____ day of January, 2003.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Dybas, in the RESOLVED clause, insert "7:00 p.m." and "7th" respectively, passed with Aye(1710). Supervisor Quackenbush was absent.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department Heads/Agencies
County Chairpersons

**
RESOLUTION NO. 348 of 2002 DATED: December 17, 2002
RESOLUTION AMENDING RESOLUTIONS 103 AND 139 OF 2001

Resolution by Supervisor: Barone
Seconded by Supervisor: Stagliano

WHEREAS, it has been recommended that the County's agreement with CCS Telecom & Energy Corp. be expanded to provide for the additional services of rewriting the original RFP for telephone and data to remove the data portion of the original RFP and streamline the RFP to adopt the data portion of communications and networking at a later date, and

WHEREAS, such additional work will cost an additional \$1,620, with said work already having been performed,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amended agreement with CSS Telecom & Energy Corp. to provide for said additional work, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2002 Operating Budget as follows:

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account
Contractual Expenses \$1,620.00

To: A-01-4-1010-00.4434 Legislative Board
Consultants \$1,620.00

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 349 of 2002 DATED: December 17, 2002
RESOLUTION REQUESTING THAT THE STATE LEGISLATURE AND GOVERNOR ENACT AND
SIGN LEGISLATION AMENDING SECTION 1202-K OF THE STATE TAX LAW TO
INCREASE HOTEL OR MOTEL OCCUPANCY TAXES IN MONTGOMERY COUNTY

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Van Kersen

WHEREAS, Montgomery County traditionally has utilized real property taxes
to fund a portion of the Tourism Promotion Program, and

WHEREAS, mandated 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 occupancy tax be increased to help
offset real property levies,

RESOLVED, that the Board of Supervisors hereby requests that the New York
State Legislature and Governor Pataki enact and sign legislation amending
Section 1202-K of the State Tax Law to permit Montgomery County to increase the
Hotel or Motel occupancy tax from one percent to four percent.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Individuals Named Above

**
RESOLUTION NO. 342 of 2002 DATED: December 17, 2002
RESOLUTION ADOPTING 2003 OPERATING BUDGET

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Sinicropi

WHEREAS, the Montgomery County Board of Supervisors has met and considered
the 2003 Tentative Operating Budget and has conducted a public hearing thereon,
as required by County Law,

RESOLVED, that, in accordance with County Law, the 2003 Tentative Operating
Budget, on file with the Clerk of the Board of Supervisors, as changed, altered,
revised and hereinafter set forth, hereby is adopted and the several amounts set
forth, in the "adopted" column of said Budget hereby are appropriated for the
objects and purposes specified, effective January 1, 2003.

RESOLUTION ADOPTED with Aye(1218). Supervisors Dybas, McMahon, Paton and Van
Kersen voted nay.

Duly adopted upon roll call, all members present (1218) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION AMENDING 2003 TENTATIVE BUDGET - 14

Resolution by Supervisor: Stagliano
Seconded by Supervisor: DiMezza

RESOLVED, that the 2003 Tentative Operating Budget of the County of Montgomery hereby is amended, as follows:

PAGE	ACCOUNT NUMBER:	CHANGE AMOUNT TO:	INCREASE (DECREASE)
1	A-01-4-1010-00.4408 Office Supplies	1,000	(600)
1	A-01-4-1010-00.4410 Utilities	30	(220)
1	A-01-4-1010-00.4431 Professional Services	65,000	(10,000)
1	A-01-4-1010-00.4471 Mileage Allocations	3,000	(2,000)
2	A-01-4-1011-00.1110(476) Executive Secretary to Co. Adm.	0	(11,250)
2	A-01-4-1011-00.1111(14) Overtime	250	(250)
2	A-01-4-1011-00.4438 Misc. Supporting Services	1,500	(1,000)
2	A-01-4-1990-00.4400 Contingent Account Contractual Expenses	800,000	650,000
2	A-01-4-3189-00.4592 Alternatives to Incarceration	124,700	124,700
2	A-01-4-6420-00.4577 Bed Tax Contrib: Tourism	89,660	59,660
2	A-01-4-6420-00.4579 County Contrib: Tourism	0	(27,638)
2	A-01-4-6989-00.4578 Office for the Aging, Inc.	190,000	4,210
3	A-01-4-8751-00.4575 Cooperative Extension	140,000	(20,339)
6	A-03-4-3410-00.2250 Technical Equipment	7,000	3,808
6	A-03-4-3410-00.4471 Mileage Allocations	750	(1,000)
7	A-06-3-1110-00 Sales and Use Tax	9,000,000	2,000,000
7	A-06-3-1113-00 Tax-Hotel Rm Occupancy	89,660	59,660
7	A-06-3-1235-00 Chgs. For Tax Redemption	93,000	3,000
7	A-06-3-1515-00	3,325	325

Alt. To Incarceration Fees			
7	A-06-3-2690-00 Other Compensation Loss	1,098,831	30,522
8	A-06-4-1380-00.4400 Fiscal Agent Fees Contractual	2,000	(500)
8	A-06-4-2490-00.4400 Community College Tuition	360,000	(10,000)
8	A-06-4-9700-00.7106 Serial Bond Principal	2,062,400	(192,600)
8	A-06-4-9700-00.7107 Serial Bond Interest	1,263,358	(21,204)
8	A-06-4-9900-00.9901 Transfer to County Road Fund	2,942,936	(34,236)
9	A-07-4-1355-00.1111(310) Overtime	0	(200)
9	A-07-4-1355-00.4471 Mileage Allocation	250	(450)
12	A-09-4-1420-00.1120(866) Assistant County Attorney	30,497	(872)
13	A-10-4-9001-00.8810 FICA	800,000	(29,168)
14	A-10-4-9001-00.8852 Dental Benefits	100,000	(20,000)
14	A-10-4-9001-00.8853 Visual Care Benefits	65,000	(10,000)
14	A-10-4-9001-00.8854 Disability Insurance	80,000	(8,750)
15	A-11-4-1450-00.4452 Printing/Copying	8,000	(2,000)
16	A-12-4-1620-00.4422 Equipment Rent/Lease/Repair	25,150	(40,000)
17	A-12-4-7180-00.1130(1396) Spec Recret Facility Temporary Employees	0	(20,400)
17	A-12-4-7180-00.2255 Bldgs & Grounds Equipment	0	(19,000)
17	A-12-4-7180-00.4422 Equip Rental/Lease/Repair	0	(5,000)
17	A-12-4-7180-00.4440 Small Tools	0	(2,600)
18	A-14-4-1680-00.2259 Computer Equipment	8,000	(3,900)
19	A-14-4-1680-00.4459 Computer Software	11,350	(1,000)
20	A-15-3-1140-14 Pub Sfty Com Sys E911	262,500	84,173
21	A-15-4-3110-00.1111(1212) Sheriff - Overtime	40,000	(51,000)
22	A-15-4-3110-00.1120(145) Sheriff Deputies PT	22,672	(100,000)
23	A-15-4-3150-00.1110(1419)	0	(32,694)

	Correction Lieu		
23	A-15-4-3150-00.1110(1112) Correction Sgt	30,828	32,828
30	A-18-3-3609-00 Family Assistance	376,008	(60,157)
30	A-18-3-3610-00 Social Services Administration	955,200	23,836
30	A-18-3-3640-00 Safety Net	325,954	(13,145)
30	A-18-3-4609-00 Family Assistance	1,136,773	(120,314)
30	A-18-3-4610-00 Social Services Administration	2,562,415	47,673
33	A-18-4-6011-00.6102 Medical Assistance MMIS	12,119,500	(415,500)
33	A-18-4-6011-00.6109 Family Assistance	2,265,172	(240,628)
33	A-18-4-6011-00.6140 Safety Net	799,916	(26,192)
34	A-19-4-6510-00.4409 Office Furniture	0	(150)
34	A-19-4-6510-00.4438 Misc. Supporting Services	12,000	(6,000)
34	A-19-4-6510-00.4470 Travel: Related Costs	1,400	800
34	A-19-4-6510-00.4475 Transportation	0	(150)
37	A-22-4-7510-00.4422 Equip Rental/Lease/Repair	100	(100)
37	A-22-4-7510-00.4455 Training	50	(100)
37	A-22-4-7510-00.4470 Travel: Related Costs	300	(220)
37	A-22-4-7510-00.4471 Mileage Allocation	150	(100)
38	A-23-4-8020-00.1111(439) Overtime	1,000	(2,000)
38	A-23-4-8020-00.4455 Training	1,000	(1,100)
38	A-23-4-8020-00.4459 Computer Software	2,750	(300)
38	A-23-4-8020-00.4470 Travel: Related Costs	400	(700)
38	A-23-4-8020-00.4471 Mileage Allocation	1,500	(2,000)
39	A-24-3-2189-00 Hm Comm Svcs-Other Govts.	89,948	35,948
39	A-24-4-6430-00.4431 Professional Services	0	(1,000)
42	A-27-4-3140-00.1110(669)	0	(35,469)

Probation Officer			
42	A-27-4-3140-00.1110(670)	0	(19,962)
Probation Assistant			
42	A-27-4-3140-00.4431	15,000	(8,471)
Professional Services			
42	A-27-4-3140-00.4438	2,000	(2,900)
Misc Supporting Services			
42	A-27-4-3140-00.4471	12,000	(3,000)
Mileage Allocation			
44	A-28-4-1170-00.4431	80,000	(10,000)
Professional Services			
46	A-30-4-1320-00.1110(21)	0	(21,126)
Audit Clerk			
46	A-30-4-1320-00.1110(673)	10,563	10,563
Account Clerk Typist (50%)			
50	D-12-3-5031-00	2,942,936	(34,236)
Interfund Transfers			
50	D-12-4-5110-00.1110(144)	493,464	(14,836)
Highway Labor			
50	D-12-4-3310-00.4422	0	(9,000)
Equip Rental/Lease/Repair			
50	D-12-4-3110-00.4465	50,000	(10,000)
Road Striping			
50	D-12-4-5010-00.4438	0	(400)
Misc. Supporting Services			
52	DM-12-3-2810-00	0	(45,000)
Infid Rev Gen Fund			
52	DM-12-3-2822-00	380,000	(9,000)
Infid Rev - Co Road Fund			
52	DM-12-4-5130-00.1110(148)	210,000	(10,000)
Hourly Employees			
52	DM-12-4-5130-00.2240	0	(4,600)
Highway & Street Equipment			
52	DM-12-4-5130-00.4422	125,000	(25,555)
Equip Rental/Lease/Repair			
52	DM-12-4-5130-00.4441	94,472	(13,845)
Gasoline, Oil, Diesel Fuel			

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Van Kersen, to delete "A-15-4-3150-00.1110(1419) Correction Lieu 0 (32,694)" and "A-15-4-3150-00.1110(1112) Correction Sgt. 30,828 30,828", passed with Aye(980). Supervisors Brodie, Sinicropi, Barone, DiMezza and Stagliano voted nay. Supervisor Quackenbush was absent.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Paton, to delete "A-01-4-3189-00.4592 Alternatives to Incarceration 124,700 124,700"; "A-27-4-3140-00.1110(669) Probation Officer 0 (35,469)" and "A-27-4-3140-00.1110(670) Probation Assistant 0 (19,962)", failed with Aye(426). Supervisors Dybas, McMahon and Paton voted aye. Supervisor Quackenbush was absent.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor McMahon, to delete "A-15-4-3110-00.1111(1212) Overtime Pay 40,000 (45,000)" and "A-15-4-3110-.1120(145) Sheriff Deputies - PT 22,672 (100,000)", failed with Aye(762). Supervisors Dybas, Mancini, McMahon, Hassan, Thomas, Paton and Van Kersen voted aye. Supervisor Quackenbush was absent.

RESOLUTION ADOPTED with Aye(1169). Supervisors Dybas, McMahon, Hassan, Paton and Van Kersen voted nay. Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1169) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 352 of 2002 DATED: December 17, 2002
RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF 2002 CHAIRMAN OF
THE BOARD RONALD J. BARONE, SR.

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, many difficult and important matters have come before the Montgomery County Board of Supervisors during the past year, and

WHEREAS, Chairman of the Board Ronald J. Barone, Sr. 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 2002,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its appreciation to Supervisor Ronald J. Barone, Sr. for his invaluable services as Chairman of the Board during 2002.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Chairman Barone

**

RESOLUTION NO. 343 of 2002 DATED: December 17, 2002
RESOLUTION ADOPTING 2003-07 CAPITAL PROGRAM

Resolution by Supervisor:
Seconded by Supervisor:

WHEREAS, the Montgomery County Board of Supervisors has met and considered the Capital Program for 2003-07 and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that the Capital Program for 2003-07, on file with the Clerk of the Board of Supervisors, as changed, altered and revised and as hereinafter set forth, hereby is adopted.

RESOLUTION DIED FOR LACK OF SPONSORSHIP.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 352 of 2002 DATED: December 17, 2002

RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF 2002 CHAIRMAN OF
THE BOARD RONALD J. BARONE, SR.

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, many difficult and important matters have come before the
Montgomery County Board of Supervisors during the past year, and

WHEREAS, Chairman of the Board Ronald J. Barone, Sr. 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 2002,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses
its appreciation to Supervisor Ronald J. Barone, Sr. for his invaluable services
as chairman of the Board during 2002.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush was absent.

Duly adopted upon roll call, all members present (1710) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Chairman Barone

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor DiMezza, to adjourn the
meeting, passed with Aye(1710). Supervisor Quackenbush was absent. Chairman
Barone declared the meeting adjourned at 9:35 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa