

PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY



2003

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CALL TO ORDER

The Organizational Meeting for 2003 was called to order at 7:00 p.m. by Supervisor Van Kersen. 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 Dybas, seconded by Supervisor Quackenbush, to adopt the agenda, passed with Aye(1868).

SELECTION OF PERMANENT CHAIRMAN

**

RESOLUTION NO. 1 of 2003 DATED: January 7, 2003
RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF
SUPERVISORS FOR THE YEAR 2003

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

RESOLVED, that Supervisor Ronald J. Barone, Sr. hereby is elected Chairman of the Montgomery County Board of Supervisors for the year 2003, 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.

RESOLUTION ADOPTED with Aye(1442). Supervisor Dybas voted nay. Supervisors McMahon and Paton abstained.

Duly adopted upon roll call, all members present (1442) 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. 2 of 2003 DATED: January 7, 2003
RESOLUTION ELECTING VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2003

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 2003, 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 UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 3 of 2003 DATED: January 7, 2003
RESOLUTION ADOPTING RULES OF PROCEDURE OF THE BOARD OF SUPERVISORS

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Thomas

RESOLVED, that the Rules of Procedure, attached hereto, hereby are adopted by the Board of Supervisors for 2003, or until amended by Resolution.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor McMahon, to delete "Rule 16" and renumber remaining rules, passed with Aye(1868).

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Van Kersen, to delete "Rule 44.1" and create three new committees namely "Social Services", "Infirmary" and "Health and Human Services", passed with Aye(1520). Supervisors Sinicropi, Hisert and Stagliano voted nay.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 4 of 2003 DATED: January 7, 2003
RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2003

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 law, 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 2003:

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. 5 of 2003 DATED: January 7, 2003
RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE
COUNTY TREASURER DURING 2003 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 2003, 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

, 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	\$20,000,000.00
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

, 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 State 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. 6 of 2003 DATED: January 7, 2003
RESOLUTION REAPPOINTING MEMBERS OF THE MONTGOMERY COUNTY SOIL AND WATER

CONSERVATION DISTRICT BOARD OF DIRECTORS

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that Supervisors Edward Paton and Supervisor John Vankersen 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, 2003.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 7 of 2003 DATED: January 7, 2003
RESOLUTION REAPPOINTING AGRICULTURAL AND FARMLAND PROTECTION BOARD MEMBERS

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that the following persons hereby are reappointed members of the Agricultural and Farmland Protection Board for four-year terms commencing on January 1, 2003 and ending on December 31, 2006:

Name	Address	Classification
Robert Harris	923 STHWY 162, Sprakers	Active Farmer
Robert Mace	244 Hilltop Road, Sprakers	Active Farmer
Elma Phillips	795 Pattersonville Rd, Pattersonville	Agribusiness Person
Gerald Douglas	7402 STHWY 5S, Fort Plain	Farm Bureau
Edward Darrow	578 Hilltop Road, Sprakers	Soil & Water District

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
Ag and Farmland Protection Board
Appointees

**

RESOLUTION NO. 9 of 2003 DATED: January 7, 2003
RESOLUTION REAPPOINTING MEMBER OF SANITARY DISTRICT BOARD

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Resolution No. 109 of 1998, adopted on March 10, 1998, provides for appointment of members of the Board of Directors of Sanitary 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 District No. 1, for a one-year term 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
Sanitary District

**

RESOLUTION NO. 10 of 2003 DATED: January 7, 2003
RESOLUTION REAPPOINTING PARTTIME PUBLIC DEFENDER

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, with adoption of Resolution No. 404 of 1988 and Local Law No. 10 of 1988, the Board of Supervisors established the office of parttime Public Defender, and

WHEREAS, the term of the incumbent has expired,

RESOLVED, that Attorney William F. Martuscello hereby is reappointed Montgomery County Public Defender for a term commencing on January 1, 2003 and ending on December 31, 2007, at a base annual salary of \$44,982.

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 Defender
Personnel/Payroll

**

RESOLUTION NO. 11 of 2003 DATED: January 7, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (AUDITING)

Resolution by Supervisor: Barone
Seconded by Supervisor: Thomas

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From: A-30-4-1320-00.1120(673)	County Auditor Account Clerk Typist - 50%	\$10,563.00
To: A-30-4-1320-00.1110(654)	County Auditor Account Clerk Typist	\$10,563.00

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

**

RESOLUTION NO. 12 of 2003 DATED: January 7, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: McMahon
Supervisor: Dybas
Supervisor: Quackenbush
Supervisor: Thomas
Seconded by Supervisor: Van Kersen

WHEREAS, it has been proposed that certain funding be restored to the Sheriff Department's budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From:	A-01-4-1990-00.4400	Contingent Account Contractual Expenses	\$145,000.00
To:	A-15-4-3110-00.1111(1212)	Sheriff Overtime Pay	\$ 45,000.00
	A-15-4-3110-00.1120(145)	Sheriff Sheriff Deputies - PT	100,000.00

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Van Kersen, failed with Aye(836). Supervisors Dybas, Mancini, McMahon, Hassan, Quackenbush, Paton and Van Kersen voted aye.

MOTION TO TABLE by Supervisor Sinicropi, seconded by Supervisor Thomas, passed with Aye(1169). Supervisors Dybas, McMahon, Hassan, Quackenbush, Paton and Van Kersen voted nay. (1/7/03)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 13 of 2003 DATED: January 7, 2003
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 1 OF 2003

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 1 of 2003, A Local Law Amending Local Law No. 3 of 1990, which Imposed a Surcharge on the Customers of Every Telephone Service Supplier Providing Local Exchange Service Within Montgomery County to Pay the Costs Associated with an Enhanced 911 Emergency Telephone System Serving Montgomery County,

RESOLVED, that Introductory Local Law No. 1 of 2003 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, January 28, 2003, at 6:50 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer

County Administrator
County Clerk

**

Motion to enter into Executive Session for the purpose of discussion of personnel as permitted by Article 7 of the Public Officers Law, passed with Aye(1305). Supervisors McMahon, Hassan, Quackenbush, Paton and Van Kersen voted nay. The Board entered Executive Session at 7:40 p.m.

Motion to conclude the Executive Session at 7:50 p.m. by Supervisor Hisert, seconded by Supervisor DiMezza, passed with Aye(1868).

**

RESOLUTION NO. 8 of 2003
RESOLUTION REAPPOINTING MOSA MEMBER

DATED: January 7, 2003

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Quackenbush

RESOLVED, that Evelyn Lindley of 126 Darrow Road, Sprakers, hereby is reappointed a Montgomery County member of the Montgomery-Otsego-Schoharie Solid Waste Management Authority for a four-year term commencing on January 1, 2003 and ending on December 31, 2006.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Mancini, in the RESOLVED clause, delete "Evelyn Lindley, 126 Darrow road, Sprakers" and insert, in its stead, "Raymond Halgas, 2 Cochrane Avenue, Amsterdam".

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Brodie, passed with Aye(1190). Supervisors McMahon, Hassan, Quackenbush, Paton, Hisert and Van Kersen voted nay. (1/7/03)

MOTION TO REMOVE FROM TABLE by Supervisor Van Kersen, seconded by Supervisor Thomas, passed with Aye(1868). (1/7/03)

MOTION TO AMEND (Dybas/Mancini) passed with Aye(1305). Supervisors DiMezza, McMahon, Hassan, Thomas, Quackenbush, Paton, Hisert and Van Kersen voted nay.

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
Appointee
MOSA

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor DiMezza, seconded by Supervisor Hisert, to adjourn the meeting passed with Aye(1868). Chairman Barone declared the meeting adjourned at 8:03 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 January 28, 2003, was called to order at 7:03 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Dybas. Roll call indicated that Supervisor Paton was absent.

_____ _
MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ _
ADOPTION OF THE AGENDA

Motion by Supervisor Stagliano, seconded by Supervisor Hisert, to Suspend the Rules of Procedure to allow for the Introduction of any other Resolutions that may be presented at this meeting, passed with Aye(1721). Supervisor Paton was absent. Motion by Supervisor Stagliano, seconded by Supervisor Hisert, to adopt the amended agenda, passed with Aye(1721). Supervisor Paton was absent.

_____ _
PRIVILEGE OF THE FLOOR

Eileen Broyles, Office for the Aging, said the Agency has presented requested documentation of OFA services.

Gary Ferraro, OFA, said the Agency is the lifeline for many seniors in the County.

Beryl Scott, City of Amsterdam, said a reduction in services to the elderly would result in an increase in nursing home population.

Mike Wancewicz, City of Amsterdam, said that although the overall population in the county has decreased, the number of seniors remains.

Al Palmieri, City of Amsterdam, said the Board of Supervisors needs to be more involved in OFA.

Mary Ann McFee, Village of Fort Plain, said the loss of weekly congregate meals for seniors in Fort Plain has a detrimental effect.

Richard Tyler, OFA, said the cost of services has increased causing a reduction of services to seniors.

Frank Capone, OFA Board of Directors, said the Board urges input by Supervisors.

Alice Knapik, Town of Glen, said Supervisors should expect accountability by outside agencies including Cooperative Extension.

Joel Chapin, Town of Glen, said 4H programs have provided many benefits to the youth of the county.

Rob Hudyncia, Town of Minden, said any cuts to Cooperative Extension programs would hurt youth.

Donna Ahrens, Town of Minden, requested maintenance of funding for 4H.

Marilyn Smith, Cooperative Extension Director, said she has received no communication by the Board regarding the proposed contingency plan.

John Stevenson, Montgomery County Deputy Sheriff's Association, requested increase in funding for the department and requested an update on contract negotiations.

**

MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of December 17, 2002 and the Organizational Meeting of January 7, 2003, were accepted with no corrections, additions or deletions.

REPORTS OF STANDING COMMITTEES

None.

REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

RESOLUTION NO. 12 of 2003 DATED: January 7, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: McMahon
Supervisor: Dybas
Supervisor: Quackenbush
Supervisor: Thomas
Seconded by Supervisor: Van Kersen

WHEREAS, it has been proposed that certain funding be restored to the Sheriff Department's budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400	Contingent Account Contractual Expenses	\$145,000.00
To: A-15-4-3110-00.1111(1212)	Sheriff Overtime Pay	\$ 45,000.00
A-15-4-3110-00.1120(145)	Sheriff Sheriff Deputies - PT	\$100,000.00

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Van Kersen, failed with Aye(836). Supervisors Dybas, Mancini, McMahon, Hassan, Quackenbush, Paton and Van Kersen voted aye.

MOTION TO TABLE by Supervisor Sinicropi, seconded by Supervisor Thomas, passed with Aye(1169). Supervisors Dybas, McMahon, Hassan, Quackenbush, Paton and Van Kersen voted nay. (1/7/03)

MOTION TO REMOVE FROM TABLE by Supervisor McMahon, seconded by Supervisor Hassan, passed with Aye(1625). Supervisors Paton and Stagliano were absent. (1/28/03)

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Hassan, delete everything below "TRANSFER" and insert, in its stead, the following:

"From: A-06-4-9700-00.7107	Debit Service	\$14,500.00
	Serial Bond Interest	
To: A-15-4-3110-00.1120(145)	Sheriff	\$14,500.00"

, passed with Aye(1721). Supervisor Paton was absent.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Hassan, to add, ", and FURTHER RESOLVED, that the Board of Supervisors shall reconsider additional funding on or before March 31, 2003.", 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
Personnel/Payroll

NEW BUSINESS

**
RESOLUTION NO. 14 of 2003 DATED: January 28, 2003
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 2003

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, on January 7, 2003, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Amending Local Law No. 3 of 1990, which Imposed a Surcharge on the Customers of Every Telephone Service Supplier Providing Local Exchange Service Within Montgomery County to Pay the Costs Associated with an Enhanced 911 Emergency Telephone System Serving Montgomery County," was presented to the Board of Supervisors for consideration, and

WHEREAS, on January 7, 2003, Resolution No. 13 of 2003 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 28th day of January, 2003, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 1 of 2003, entitled: "A Local Law Amending Local Law No. 3 of 1990, which Imposed a Surcharge on the Customers of Every Telephone Service Supplier Providing Local Exchange Service Within Montgomery County to Pay the Costs Associated with an Enhanced 911 Emergency Telephone 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(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. 15 of 2003 DATED: January 28, 2003
RESOLUTION AMENDING 2003 RULES OF PROCEDURE

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Chairman of the Board of Supervisors has proposed amending the 2003 Rules of Procedure,

RESOLVED, that the 2003 Rules of Procedure hereby are amended to provide for deletion of "43.3 FINANCE" and insertion in its stead, of "43.3 FINANCE/GOVERNMENT", and for addition of "Policies", "Rules of Procedure", and "Intergovernmental Relations", and

FURTHER RESOLVED, that said Rules also are amended by providing for deletion, in "43.6 Personnel" of "Policies", "Rules of Procedure" and "Intergovernmental Relations".

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
All Department/Agency Heads

**
RESOLUTION NO. 16 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - OFA, SOIL AND WATER CONSERVATION DISTRICT AND COOPERATIVE EXTENSION

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the 2003 Operating Budget includes appropriations of \$190,000 for the Montgomery County Office for the Aging, \$55,500 for the Montgomery County Soil and Water Conservation District and \$140,000 for Cornell Cooperative Extension,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign agreements with the Montgomery County Office for Aging, the Montgomery County Soil and Water Conservation District, and Cornell Cooperative Extension, providing for the allocations of \$190,000, \$55,500, and \$140,000, respectively.

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
Office for the Aging
Soil & Water Conservation District
Cornell Cooperative Extension

**
RESOLUTION NO. 17 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - INSURANCE COVERAGES

Resolution by Supervisor: McMahon
Seconded by Supervisor: Richards

WHEREAS, the Board of Supervisors authorized the County Administrator and the County's Insurance Agent, to negotiate proposals for provision of general

liability and other pertinent insurance coverages, and

WHEREAS, proposals from qualified insurance agencies have been received and reviewed by the County Administrator and Agent,

RESOLVED, that Peerless Insurance, Arrowhead Public Risk and Physicians Insurance Reciprocal, through the Hearn Agency, hereby is awarded contracts to provide liability and other appropriate insurance coverages for the County of Montgomery, for the period from January 1, 2003 to December 31, 2003, in an amount not to exceed \$587,447, and

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

FURTHER RESOLVED, that the County Administrator is authorized and directed to place said insurance coverages to be effective as of 12:01 a.m. on January 1, 2003, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account Contractual Expenses \$83,212.00

To: A-01-4-1910-00.4480 Unallocated Insurance Insurance \$83,212.00

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
Hearn Agency

**
RESOLUTION NO. 18 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - ALTERNATIVES TO INCARCERATION PROGRAMS

Resolution by Supervisor: Brodie
Seconded by Supervisor: Hisert

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, 2003 and ending on December 31, 2003, 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 \$124,700, 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, with said advance to be deducted from the total amount.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, to add, " and FURTHER RESOLVED, that the County Auditor shall conduct a 2002 fiscal review to determine program compliance, with findings to be

summarized in a report to the Board of Supervisors.", passed with Aye(1442). Supervisors Dybas and McMahon abstained. Supervisor Paton was absent.

RESOLUTION ADOPTED with Aye(1442). Supervisors Dybas and McMahon voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1442) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Alternatives to Incarceration

**
RESOLUTION NO. 19 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AGREEMENT (SHERIFF)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Sheriff has received a \$13,000 grant award from the New York State Division of Criminal Justice 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 grant acceptance agreement with the New York State Division of Criminal Justice, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue: A-15-3-3389-00 Sheriff Other Public Safety by \$13,000.00

Appropriations: A-15-4-3110-00.2230 Sheriff Motor Vehicle Equipment by \$13,000.00

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
Sheriff

**
RESOLUTION NO. 20 of 2003 DATED: January 28, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET - EI/CSHCN (PUBLIC HEALTH)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Richards

WHEREAS, the Board of Supervisors authorized acceptance of the Early Intervention/Children with Special Health Care Needs Programs grant funds for the period commencing October 1, 2001 and ending September 30, 2006, and

WHEREAS, the NYS Department of Health has approved the grant operating budget for the initial contract period October 1, 2002 through September 20, 2003, and

WHEREAS, said funds for the 2002-2003 grant period are appropriated in the 2003 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to

amend the 2003 Operating Budget, as follows:

TRANSFER:

From:	A-16-4-4010-01.4526	Public Health Grant Education Programs	\$18,687.00
To:	A-16-4-4010-01	Public Health Grant	
	.4408	Office Supplies	\$ 5,911.00
	.4438	Misc Supporting Svc.	2,976.00
	.4446	Food Supplies	300.00
	.4452	Printing	2,750.00
	.4455	Training	4,750.00
	.4470	Travel: Related Costs	1,000.00
	.4471	Mileage	1,000.00

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 of Public Health

**
RESOLUTION NO. 21 of 2003 DATED: January 28, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET - PRE-DISASTER MITIGATION
GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 216 of 2002, authorized acceptance of a Pre-Disaster Mitigation Planning Grant, and

WHEREAS, said funds, which were appropriated in the 2002 Operating Budget, should be carried forward in the 2003 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:	A-02-3-4305-00	Emergency Management Office Federal Aid	by \$12,000.00
Appropriations:	A-02-4-3640-00.4408	Emergency Management Office Supplies	by \$12,000.00

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
Director of Emergency Management

**
RESOLUTION NO. 22 of 2003 DATED: January 28, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET - IMMUNIZATION PLAN (PUBLIC
HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Sinicropi

WHEREAS, the Board of Supervisors authorized acceptance of the Immunization

Action Plan Grant funds for the period commencing April 1, 2002 and ending March 31, 2003, and

WHEREAS, said funds were appropriated in the 2002 Operating Budget and the unexpended balance should be carried forward in the 2003 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-03	Public Health Grant	by \$4,274.93
Appropriations:	A-16-4-4010-03	Public Health Grant	
	.1110(627)	RPN-30%	by \$ 236.66
	.1110(1305)	Principal Clerk - 25%	by 163.74
	.1120(103)	RPN - 100%	by 828.50
	.4408	Office Supplies	by 500.00
	.4445	Medical Supplies	by 1,288.00
	.4471	Mileage	by 258.03
	.4491	Legal Notice & Advert	by 1,000.00

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
Director of Public Health

**
RESOLUTION NO. 23 of 2003 DATED: January 28, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET - LEAD GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the Board of Supervisors authorized acceptance of the Lead Poisoning and Prevention Grant funds for the period commencing April 1, 2002 and ending March 31, 2003, and

WHEREAS, said funds were appropriated in the 2002 Operating Budget and the unexpended balance should be carried forward in the 2003 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-05	Public Health Grant	by \$1,672.63
Appropriations:	A-16-4-4010-05	Public Health Grant	
	.4408	Office Supplies	by \$ 21.03
	.4436	Medical Fees	by 180.14
	.4455	Training	by 1,250.00
	.4470	Travel: Related Costs	by 4.02
	.4526	Education Programs	by 217.44

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 Public Health

**

RESOLUTION NO. 24 of 2003 DATED: January 28, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET-BIOTERRORISM (PUBLIC HEALTH)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors authorized acceptance of the Public Health Preparedness and Response to Bioterrorism Grant funds for the period commencing May 1, 2002 and ending August 31, 2003,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-06	Public Health Grant	by \$75,000.00
Appropriations:	A-16-4-4010-06	Public Health Grant	
	.2250	Technical Equipment	by \$34,150.00
	.2259	Computer Equipment	by 20,944.00
	.4438	Misc Supporting Svc	by 8,000.00
	.4448	Const & Maint Supplies	by 2,000.00
	.4459	Computer Software	by 3,906.00
	.4526	Education Programs	by 6,000.00

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
Director of Public Health

**
RESOLUTION NO. 25 of 2003 DATED: January 28, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (HISTORIAN)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the County Historian has been notified of an \$8,830 grant award from the New York State Local Government Records Management Improvement Fund, and

WHEREAS, said grant shall be applied toward the cost of microfilming original assessment rolls,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of an \$8,830 grant 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 2003 Operating Budget, as follows:

ADD: A-22-4-7510-00.4438 Historian
Misc. Service Fee

INCREASE:

Revenue:	A-22-3-3889-00	Historian 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	by 830.00

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
County Historian

**
RESOLUTION NO. 26 of 2003 DATED: January 28, 2003
RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL
AUTHORITY TO COUNTY AUDITOR

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

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 2003, 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(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 Auditor
Real Property Tax Service Agency

**
RESOLUTION NO. 27 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MASS TRANSPORTATION GRANT AGREEMENT

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County and New York State have entered into a continuing 10-year agreement, identified as State Contract No. C001921, which authorizes a project to provide public mass transportation services through Brown Coach, 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 any documents necessary to complete a mass transportation services grant agreement with the New York State Department of Transportation, per State Contract No. 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

**

RESOLUTION NO. 28 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - JUVENILE JUSTICE
GRANT (PROBATION)

Resolution by Supervisor: Thomas
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 \$10,000 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 \$10,000, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:	A-27-4-3310-00	Probation Services	by \$10,000.00
Appropriations:	A-27-4-3140-00.4431	Probation Professional Services	by \$10,000.00

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
Director of Probation

**

RESOLUTION NO. 29 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL
CHILDREN'S CLINIC (PROBATION)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Hassan

WHEREAS, Montgomery County has been awarded a Juvenile Justice Grant by the New York State Division of Criminal Justice 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 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 \$12,708, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:	A-27-3-3310-00	Probation Services	by \$11,438.00
Appropriations:	A-27-4-3140-00.4431	Probation Professional Services	by \$11,438.00

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
Director of Probation

**
RESOLUTION NO. 30 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SNOWMOBILE TRAILS
GRANT-IN-AID PROGRAM

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has awarded Montgomery County \$17,486.00 from the 2002-03 Snowmobile Trails Grant-In-Aid Program, based upon an application submitted in cooperation with the Montgomery County Association of Snow Travelers, Inc.,

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 2002-03 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 an agreement, between the County and the Montgomery County Association of Snow Travelers, providing for said organization 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 2003 Operating Budget, as follows:

INCREASE:

Revenue: A-01-3-3889-00 Other Cultural & Recreation by \$7,636.00

Appropriations: A-01-4-7180-00.4572 Spec. Recreation Facility
Recreation Trails by \$7,636.00

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
Planning

**
RESOLUTION NO. 31 of 2003 DATED: January 28, 2003
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 2 OF 2003

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 2 of 2003, a Local Law Establishing the 2003 Salary of the Purchasing Agent,

RESOLVED, that Introductory Local Law No. 2 of 2003 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 25, 2003, 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(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
Purchasing Agent
Personnel

**
RESOLUTION NO. 32 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN TOURISM PROMOTION
ADMINISTRATION AGREEMENT - MONTGOMERY COUNTY CHAMBER OF COMMERCE

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 199 of 2002, designated the Montgomery County Chamber of Commerce as the official Tourism Promotion Agency for Montgomery County, and

WHEREAS, said designation is for the one-year period commencing on October 1, 2002 and ending on September 30, 2003, and

WHEREAS, said Chamber of Commerce has requested payment of \$38,587.26 to administer the County's \$165,545.70 tourism program for 2002-03,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an Agreement with the Montgomery County Chamber of Commerce for administration of the 2002-03 tourism program, and

FURTHER RESOLVED, that said Agreement shall be for the one-year period commencing on October 1, 2002 and ending on September 30, 2003, and

FURTHER RESOLVED, that payment for said administration services shall be in an amount not to exceed \$38,587.26.

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
Chamber of Commerce

**
RESOLUTION NO. 33 of 2003 DATED: January 28, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (TOURISM)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Occupancy Tax Advisory Board has recommended that _____ in Hotel/Motel Occupancy Tax funds be appropriated to support the 2002-03 Tourism Program,

RESOLVED, that the Board of Supervisors hereby authorizes the appropriation of _____, from Hotel/Motel Occupancy Tax funds, toward the local share of the \$82,772.85 Tourism Matching Funds Program Grant offered by the New York State Department of Economic Development, and

FURTHER RESOLVED, that said Board of Supervisors also hereby authorizes the appropriation of \$38,587.26 to provide for administration of the 2002-03 Tourism Program by the Montgomery County Chamber of Commerce,

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Thomas, in the WHEREAS clause, insert "\$89,660", in the RESOLVED clause, insert "\$51,072.85" and add the following:

", and FURTHER RESOLVED, that all of the funding is coming from the Bed Tax money generated, however, in the event that the 2% Bed Tax increase, as proposed, is not approved, it is the intention of this Board of Supervisors to provide for the Administrative expenses of \$38,587.26 and the increase (over and above the \$30,000) in the amount of \$21,072.85 - a total of \$59,660.11 - be provided for in the General Fund, line item #4579, County Contribution - Tourism, and reimburse the Bed Tax Account for any disbursements to date, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized and directed to sign all necessary contracts relative to the Chamber of Commerce Tourism Program.", 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
Chamber of Commerce

**
RESOLUTION NO. 34 of 2003 DATED: January 28, 2003
RESOLUTION AUTHORIZING ADDITIONAL 2001-02 TOURISM PROGRAM CONTRIBUTION

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 291 of 2001, designated \$30,000 in Hotel/Motel Occupancy Tax funds as Montgomery County's contribution to the 2001-02 Tourism Matching Funds Program, and

WHEREAS, the Montgomery County Chamber of Commerce, as the Tourism Promotion Agency, has submitted an invoice, dated December 30, 2002, requesting an additional payment of \$18,732.26 for expenses charged to the 2001-02 Program which ended on September 30, 2002,

RESOLVED, that the Board of Supervisors hereby designates an additional \$18,732.26 in Hotel/Motel Occupancy Tax funds to the 2001-02 Tourism Matching Funds Program, and

FURTHER RESOLVED, that allocation of said funds is contingent upon authorization by the Hotel/Motel Occupancy Tax Advisory Board.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Thomas, in the RESOLVED clause, delete "Hotel/Motel Occupancy Tax" and delete the FURTHER RESOLVED clause, and insert in its stead, "FURTHER RESOLVED, that the allocation and payment of said funds has been provided for through the encumbering process, at year-end 2002 in account A-6420-.4579 County Contribution-Tourism.", passed with Aye(1721). Supervisor Paton was absent.

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
Chamber of Commerce

**
RESOLUTION NO. 35 of 2003 DATED: January 28, 2003
RESOLUTION APPOINTING HOTEL/MOTEL OCCUPANCY TAX ADVISORY BOARD MEMBERS

Resolution by Supervisor: Thomas
Seconded by Supervisor: McMahon

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

RESOLVED, that Robert Brown, Bridge Street, Fonda, hereby is reappointed a member of the Montgomery County Hotel/Motel Occupancy Tax Advisory Board for a term commencing on January 1, 2003 and ending on December 31, 2005, and

FURTHER RESOLVED, that Tracy Montoni, 4 Lion Street, St. Johnsville, hereby is appointed a member of said Advisory Board, also for terms ending on December 31, 2004.

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

**
RESOLUTION NO. 36 of 2003 DATED: January 28, 2003
RESOLUTION APPOINTING MEMBER OF ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE

Resolution by Supervisor: Hisert
Seconded by Supervisor: Hassan

WHEREAS, a vacancy exists for an Agricultural and Farmland Protection Board representative on the Economic Development Advisory Committee - Agriculture,

RESOLVED, that Robert Harris hereby is appointed a member of the Economic Development Advisory Committee - Agriculture, representing the Montgomery County Agricultural and Farmland Protection Board, and

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

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
Appointee
Economic Development Advisory Committee

**
,h0RES 37 Resolution Appointing Ethic Advisory Board Member
RESOLUTION NO. 37 of 2003 DATED: January 28, 2003
RESOLUTION APPOINTING ETHICS ADVISORY BOARD MEMBER

Resolution by Supervisor: McMahon
Seconded by Supervisor: Stagliano

WHEREAS, five vacancies exist for membership on the Montgomery County Ethics Advisory Board,

RESOLVED, that Merrill Rockwell of 2 Front Street, Canajoharie, hereby is appointed a member of the Montgomery County Ethics Advisory Board for a term ending on June 30, 2006, and

FURTHER RESOLVED, that the following persons hereby are appointed to said Advisory Board, also for terms ending on June 30, 2006:

Name	Address
Patricia Hernigle	PO Box 365, Fultonville
Michael McKenney	35 Wall Street Apt.16, Amsterdam
Kirk Fields	227 Round Barn Road, Amsterdam
Paul Parillo	79 Minaville Street, Amsterdam

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
Appointee

**
RESOLUTION NO. 38 of 2003 DATED: January 28, 2003
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.

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
Fire Coordinator

**
h0RES 39 Resolution Adopting 2003 Contingency Plan
RESOLUTION NO. 39 of 2003 DATED: January 28, 2003
RESOLUTION ADOPTING 2003 CONTINGENCY PLAN

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors has requested that Montgomery County be permitted to increase the local portion of the Sales Tax from three percent to four percent, and

WHEREAS, in anticipation of the State's favorable consideration of said request, the Board of Supervisors approved a 2003 Operating Budget which included \$2 million in increased Sales Tax revenue, and

WHEREAS, the New York State Comptroller has recommended that the County develop a Contingency Plan to address the \$2 million revenue loss that would result from denial of said increase request,

RESOLVED, that the Board of Supervisors hereby adopts the 2003 Contingency Plan, which identifies \$2 million in potential budget reductions, should the requested one percent increase in Sales Tax be denied, and

FURTHER RESOLVED, that the Budget Officer and the Chairman of the Board hereby are authorized and directed to remit a copy of said Contingency Plan to New York State Comptroller.

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

**

RESOLUTION NO. 40 of 2003
RESOLUTION ACCEPTING 2004 PROJECTED BUDGET

DATED: January 28, 2003

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Board of Supervisors, by adoption of Resolution No 131 of 2002, requested that Assemblyman Paul Tonko and Senator Hugh Farley sponsor legislation enabling Montgomery County to increase its local Sales Tax from three percent to four percent, and

WHEREAS, both representatives have requested financial information detailing the County's need for additional revenue generated by said increase, and

WHEREAS, the Budget Officer and Chairman of the Finance Committee have developed an estimated 2004 Budget which details expense and revenue trends expected for the next fiscal year, citing the impact upon County finances and Real Property Tax Levy,

RESOLVED, that the Board of Supervisors hereby accepts the estimated 2004 Projected Budget and authorizes and directs the Budget Officer and the Chairman of the Board to distribute said document to Senator Farley and Assemblyman Tonko.

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. 41 of 2003
RESOLUTION AUTHORIZING VEHICLE ACQUISITION PROGRAM PARTICIPATION
(SHERIFF)

DATED: January 28, 2003

Resolution by Supervisor: Hassan
Seconded by Supervisor: Vankersen

WHEREAS, the Sheriff has recommended participation in the vehicle procurement program offered by Government Acquisitions, Inc., and

WHEREAS, said program will provide up to five law enforcement vehicles, each containing sponsor recognition on the vehicle's exterior, at a cost of \$1 each for a three-year period,

RESOLVED, that the Board of Supervisors hereby authorizes and directs the Sheriff to apply to Government Acquisitions, Inc. for five law enforcement vehicles, and

FURTHER RESOLVED, that sponsorship recognition contained on said vehicles shall be applied in a conservative manner, subject to the advance approval of

the Sheriff, 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 Government Acquisitions, Inc. for procurement of said vehicles.

RESOLUTION ADOPTED with Aye(1269). Supervisors Mancini, DiMezza and Stagliano voted nay. Supervisor Paton was absent.

Duly adopted upon roll call, all members present (1269) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Sheriff

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1721). Supervisor Paton was absent. Chairman Barone declared the meeting adjourned at 10:25 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 25, 2003, was called to order at 7:00 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Mancini. Roll call indicated that Supervisor Brodie was absent.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor Van Kersen, seconded by Supervisor Dybas, to Suspend the Rules of Procedure to allow for the Introduction of Resolutions Nos. 64, 65 and 66 and any other Resolutions that may be presented at this meeting, and to convene an Executive Session after "Other", passed with Aye(1729). Supervisor Brodie was absent. Motion by Supervisor Van Kersen, seconded by Supervisor Dybas, to adopt the amended agenda, passed with Aye(1729). Supervisor Brodie was absent.

_____ PRIVILEGE OF THE FLOOR

Mary Ann McFee, Village of Fort Plain, discussed the Meals for the Elderly Program.

**

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of January 28, 2003, 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. 63 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING CAPITAL PROJECTS (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Mancini

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has identified various capital projects for implementation during 2003, and

WHEREAS, each local sponsor is responsible for 25 percent of the cost of said projects, and

WHEREAS, Fulton County, by adoption of its 2003-05 Three Year Capital Plan, has provided for its share of said projects,

RESOLVED, that the Board of Supervisors hereby authorizes payment not to exceed \$22,500 toward the estimated cost of \$90,000 for Fulton-Montgomery Community College's Updated Facilities Master Plan, and

FURTHER RESOLVED, that said Board also authorizes payment not to exceed \$44,566.50 as Montgomery County's share of the estimated cost of \$178,266 for said College's Air Quality and Safety Project, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400	Contingent Account Contractual Expenses	\$67,066.50
To: A-06-4-9900-00.9950	Interfund Transfer Transfer to Capital Project Fund	\$67,066.50

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted nay. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1593) 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
Fulton Montgomery Community College

**
RESOLUTION NO. 64 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - CAPITAL PROJECTS
(FMCC)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 63 of 2002, authorized payment of Montgomery County's 25 percent share of certain Capital Projects at Fulton-Montgomery Community College,

RESOLVED, that the Board of Supervisors hereby authorizes solicitation of proposals for architectural services to update the Facilities Master Plan and to design certain air quality and safety building renovations projects, 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(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
Fulton-Montgomery Community College
Fulton County Board of Supervisors

**
RESOLUTION NO. 42 of 2003 DATED: February 25, 2003
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2003

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, on January 28, 2003, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Establishing the 2003 Salary of the Purchasing Agent," was presented to the Board of Supervisors for consideration, and

WHEREAS, on January 28, 2003, Resolution No. 31 of 2003 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 25th day of February, 2003, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 2 of 2003 entitled: "A Local Law Establishing the 2003 Salary of the Purchasing Agent." 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(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
Purchasing Agent

COUNTY OF MONTGOMERY

Local Law No. 2 of the Year 2003

A Local Law Establishing the 2003
Salary of the Purchasing Agent

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

SECTION 1. (a) The annual base salaries of the following County Officials are hereby fixed at the sum opposite the office and designation of such County Official to wit:

Purchasing Agent \$20,500

(b) This Salary be effective January 1, 2003.

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. 43 of 2003 DATED: February 25, 2003
RESOLUTION REINSTATING POSITIONS - PUBLIC WORKS

Resolution by Supervisor: Hassan
Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Public Works has requested reinstatement of two Working Highway Supervisor positions,

RESOLVED, that two Working Highway Supervisor positions, in the Department of Public Works, hereby are reinstated, and

FURTHER RESOLVED, that two Motor Equipment Operator positions in said Department, hereby are abolished.

RESOLUTION ADOPTED with Aye(1456). Supervisors Sinicropi and Dybas voted nay. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1456) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Commissioner of Public Works
Personnel/Payroll

**
RESOLUTION NO. 44 of 2003 DATED: February 25, 2003
RESOLUTION ESTABLISHING PARTTIME CRIMINAL INVESTIGATOR POSITION (DISTRICT ATTORNEY)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

WHEREAS, the District Attorney has requested establishment of a parttime Criminal Investigator position, and

WHEREAS, said position will be partially funded by an Aid to Prosecution Grant,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the position of Criminal Investigator (PT), effective April 1, 2003, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

ADD: A-25-4-1165-00.1120(71) District Attorney
Criminal Investigator (PT)
A-25-4-1165-00.4441 Gasoline, Oil, Diesel Fuel

TRANSFER:

From:	A-06-4-9700-00.7107	Serial Bond Interest	\$10,175.00
	A-25-4-1165-00.4431	District Attorney Professional Services	12,000.00
To:	A-25-4-1165-00.1120(71)	District Attorney Criminal Investigator PT	\$18,375.00

A-25-4-1165-00.4422	Equipment Rental/Lease/Repair	3,050.00
A-25-4-1165-00.4441	Gasoline, Oil, Diesel Fuel	750.00

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
Personnel/Payroll
District Attorney

**
RESOLUTION NO. 45 of 2003 DATED: February 25, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (DISTRICT ATTORNEY)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Thomas

WHEREAS, the County Treasurer has advised the District Attorney that, for fiscal closing purposes, amendments to certain line items in the 2003 Operating Budget are necessary to reflect leftover balances from Aid to Prosecution grant monies to be used by March 31, 2003,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

A-599	Appropriated Fund Balance	by \$4,961.95
Appropriations: A-25-4-1165-00.1125(13)	District Attorney Other Compensation	by \$4,961.95

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
District Attorney

**
RESOLUTION NO. 46 of 2003 DATED: February 25, 2003
RESOLUTION APPOINTING MEMBER OF COUNTY FIRE ADVISORY BOARD

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Mancini

WHEREAS, a vacancy exists for a Member-at-Large on the Montgomery County Fire Advisory Board,

RESOLVED, that Steven Krutz of 1 Van Street, Amsterdam hereby is appointed Member-at-Large on the Montgomery County Fire Advisory Board, for 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. 47 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING DISBURSEMENT OF SURPLUS DOG LICENSE FUNDS

Resolution by Supervisor: Thomas
Seconded by Supervisor: DiMezza

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

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to disburse \$3,715.76 in surplus dog license funds to the Towns and to the City of Amsterdam, in proportion to the contribution made by each in 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

**
RESOLUTION NO. 48 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MASS VACCINATION/
DISTRIBUTION CLINICS (PUBLIC HEALTH)

Resolution by Supervisor: Paton
Seconded by Supervisor: McMahon

WHEREAS, Montgomery County's Post Event Smallpox Plan, submitted to the New York State Department of Health by the Public Health Director, includes use of FMCC as a site for post-event smallpox vaccination clinics, and

WHEREAS, FMCC has agreed to permit both Fulton and Montgomery Counties to conduct said on-site clinics, and

WHEREAS, said agreement facilitates our ability to pass through any SEMO/FEMA reimbursement to FMCC, in case of a County-declared event, when reimbursement may be made for the use of said facilities,

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 Fulton-Montgomery Community College to conduct mass vaccination clinics on campus.

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
Public Health

**
RESOLUTION NO. 49 of 2003 DATED: February 25, 2003
RESOLUTION AMENDING RESOLUTION NO. 325 OF 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Stagliano

RESOLVED, that Resolution No. 325 of 2002 hereby is amended to provide for deletion, in the Resolved Clause, of "\$135,000" and insertion, in its stead, of "\$192,000".

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 of Community Services

**
RESOLUTION NO. 50 of 2003 DATED: February 25, 2003
RESOLUTION AMENDING RESOLUTION NO. 21 OF 2003

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the Director of Emergency Management has been notified of an increase in Montgomery County's Pre-Disaster Mitigation Planning Grant, and

WHEREAS, it is necessary that Resolution No. 21 of 2003 be amended to reflect said increase,

RESOLVED, that Resolution No. 21 of 2003 hereby is amended to provide, in the Resolved Clause, for deletion, in the "Revenues" and "Appropriations" lines, of \$12,000.00" and insertion, in its stead, of "\$15,000.00"

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
Emergency Management

**
RESOLUTION NO. 51 of 2003 DATED: February 25, 2003
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Thomas

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 2003 Operating Budget, as follows:

TRANSFER:

From: EH-34-4-6020-00.1110	Montgomery Meadows	
(36) Cleaner		\$1,600.00
(121) Food Service Helper		1,500.00
(173) Licensed Practical Nurse		1,700.00
(175) Licensed Practical Nurse		900.00
(179) Licensed Practical Nurse		1,900.00
(180) Licensed Practical Nurse		1,700.00
(184) Licensed Practical Nurse		1,900.00
(210) Nursing Assistant		1,500.00
(211) Nursing Assistant		1,200.00
(306) Licensed Practical Nurse		1,700.00
(342) Supervising Nurse		3,600.00
(541) Restorative Nursing Assistant		1,600.00
(594) Ward Clerk		1,400.00
(665) Sr. Bldg. Maintenance Worker		1,800.00
(1056) Head Nurse		2,400.00
(1422) Supervising Nurse		3,600.00
To: EH-34-4-6020-00.4436	Montgomery Meadows Medical Fees	\$30,000.00

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
Montgomery Meadows

**
RESOLUTION NO. 52 of 2003 DATED: February 25, 2003
RESOLUTION ACCEPTING PROPOSAL - DIETARY MANAGEMENT SERVICES (MEADOWS)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Sinicropi

WHEREAS, the Purchasing Agent solicited proposals for Dietary Services Management at Montgomery Meadows, and

WHEREAS, the Nursing Home Administrator has recommended acceptance of the proposal submitted by St. Mary's Hospital,

RESOLVED, that the proposal tendered by St. Mary's Hospital for provision of Dietary Management Services at Montgomery Meadows hereby is accepted, 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 St. Mary's Hospital for provision of said services, for a two-year period commencing on March 1, 2003 and ending on February 28, 2005, with payment not to exceed \$67,000 per year.

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
Infirmary Administrator

**
RESOLUTION NO. 53 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FULMONT COMMUNITY ACTION AGENCY, INC.

Resolution by Supervisor: McMahon
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 Fulmont Community Action Agency, Inc., providing for allocation of a total of 4,376 square feet of office and storage space, including 3,246 square feet in the Annex Building and 1,130 square feet in the Old Court House, and

FURTHER RESOLVED, that said Agreement shall be for a five-year period ending on March 31, 2008.

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

Fulmont Community Action Agency, Inc.

**
RESOLUTION NO. 54 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN EMPIRE ZONE ADMINISTRATIVE
SERVICES AGREEMENT

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, the Amsterdam-Florida-Glen Empire Zone Administrative Board is the designated authority to oversee administration of said Zone, and

WHEREAS, the County reaffirms its commitment to help revive and stimulate the local economy through said 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, 2003 and ending on June 30, 2004, shall provide for a total annual payment of \$7,500 to the City Controller.

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
Economic Opportunity & Development

**
RESOLUTION NO. 55 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGRICULTURE ECONOMIC
DEVELOPMENT FUNDING SUPPORT AGREEMENT - COOPERATIVE EXTENSION

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Richards

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

WHEREAS, additional funding commitments are needed to keep said program operating in the future, and

WHEREAS, Cornell Cooperative Extension has offered to house and oversee said 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 provision of agriculture economic development services for 2003, in an amount not to exceed \$15,000.

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
Economic Opportunity & Development
Cornell Cooperative Extension

**

RESOLUTION NO. 56 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MVEDD (ECONOMIC OPPORTUNITY)

Resolution by Supervisor: Richards
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 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, 2003, and 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
Economic Opportunity & Development
MVEDD

**
RESOLUTION NO. 57 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT (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, 2003 and 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
Economic Opportunity & Development
MCIDA

**
RESOLUTION NO. 58 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT REPAYMENT AGREEMENT - MCIDA

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the County and the MCIDA jointly participated in a \$150,000 economic development loan to Licari's Big M Market, and

WHEREAS, as a result of said project, the MCIDA was the recipient of a \$50,000 Legislative Grant from Senator Farley, and

WHEREAS, the original terms of said loan included a provision that the MCIDA would reimburse the Economic Development Program Revolving Loan Fund up to \$50,000, upon receipt of said grant funds, and

WHEREAS, the terms of the original project also provides that the County

and MCIDA split all loan payments on a two-to-one ratio,

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 grant repayment agreement with the MCIDA, and

FURTHER RESOLVED, that said agreement include provisions for the MCIDA to retain all grant funds received through the Legislative Item, up to \$50,000, and that the Economic Development Program Revolving Loan Fund be allowed up to 100 percent of the loan repayment by Licari's Big M Market.

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted nay. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1593) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Economic Opportunity & Development
MCIDA

**
RESOLUTION NO. 59 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING PARIS ROAD BRIDGE REPLACEMENT PROJECT

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Hisert

WHEREAS, a Project for the Bridge Replacement on Paris Road (CR68) over North Branch Otsquago Creek, (BIN 3309480), Town of Minden, Montgomery County, P.I.. 2753.36 (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 \$880,000, 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 Paris 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 \$176,000 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(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
Commissioner of Public Works

**
RESOLUTION NO. 60 of 2003 DATED: February 25, 2003
RESOLUTION AWARDDING BRIDGE REPLACEMENT CONTRACT (PUBLIC WORKS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Public Works has recommended that a contract be awarded to the low bidder on three bridge replacement projects,

RESOLVED, that the Board of Supervisors hereby awards a contract to Condor Constructors, LLC, of Colonie for three bridge replacement projects, as follows:

Burtonville Road, B.I2.. 3310130

Logtown Road, B.I3.. 3310000

Logtown Road, B.I4.. 3309980

, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$892,920.40.

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
Commissioner of Public Works

**
RESOLUTION NO. 61 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING TRACTOR PURCHASE (PUBLIC WORKS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Public Works has recommended acquisition of a John Deere Lawn and Garden Tractor, and

WHEREAS, it is proposed that said tractor be acquired under State Contract, and

WHEREAS, Resolution No. 250 of 2002, adopted on September 24, 2002, imposed a spending freeze upon the purchase of equipment,

RESOLVED, that the Commissioner of Public Works hereby is authorized to purchase a John Deere GT235 Lawn and Garden Tractor, under State Contract, at a cost not to exceed \$3,941.27.

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
Commissioner of Public Works
Purchasing Agent

**

RESOLUTION NO. 62 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING ABANDONMENT OF SECTION OF BROWER ROAD - TOWN OF
PALATINE

Resolution by Supervisor: Hisert
Seconded by Supervisor: Sinicropi

WHEREAS, the Commissioner of Public Works has recommended that a section of Brower Road in the Town of Palatine be abandoned in three separate sections, to three adjoining property owners,

RESOLVED, that the County Attorney and the Commissioner of Public Works hereby are authorized and directed to proceed with abandonment of a section of Brower Road in the Town of Palatine and conveyance of said land to the three adjoining property owners, as set forth on the attached survey map, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, hereby is authorized and directed to execute documents in furtherance of such abandonment and conveyances of lands.

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
Commissioner of Public Works

**
RESOLUTION NO. 65 of 2003 DATED: February 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HEALTH CARE LEGAL
SERVICES (MEADOWS)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Dybas

WHEREAS, the Nursing Home Administrator has recommended that Montgomery Meadows enter into an agreement with a provider of health care legal 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 Tobin and Dempf, LLP, Attorneys, for provision of health care legal services to Montgomery Meadows, and

FURTHER RESOLVED, that the fee for said services shall be at a rate not to exceed \$150.00 per hour.

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
Nursing Home Administrator

**
RESOLUTION NO. 66 of 2003 DATED: February 25, 2003
RESOLUTION REJECTING BIDS - LAUNDRY SERVICE (MEADOWS)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Quackenbush

WHEREAS, the Purchasing Agent solicited bids for provision of laundry services at Montgomery Meadows, and

WHEREAS, two sealed bids were secured and open on February 12, 2003, in response to said solicitation, and

WHEREAS, the Nursing Home Administrator has recommended that said bids be rejected,

RESOLVED, that both bids received in response to the solicitation identified as Bid No. 02-03, Laundry Services, hereby are rejected.

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
Nursing Home Administrator
Purchasing Agent

_____ OTHER

Motion by Supervisor McMahon, seconded by Supervisor DiMezza, to enter into Executive Session for the purpose of discussion of negotiations, passed with Aye(1729). Supervisor Brodie was absent. The Board entered Executive Session at 8:10 p.m.

Motion by Supervisor DiMezza, seconded by Supervisor Dybas, to conclude the Executive Session at 9:05 p.m., passed with Aye(1729). Supervisor Brodie was absent.

_____ ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1729). Supervisor Brodie was absent. Chairman Barone declared the meeting adjourned at 9:06 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 March 12, 2003 was called to order at 6:31 p.m. by Chairman Barone. Roll call indicated that Supervisors Hassan, Van Kersen and Stagliano were absent.

____ _
SALUTE TO THE FLAG

Supervisor Dybas 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. 67, 68, and 69.

Supervisor Van Kersen entered the meeting at 6:50 p.m.

____ _
ACTION ON BUSINESS

**
RESOLUTION NO. 67 of 2003 DATED: March 12, 2003
RESOLUTION AUTHORIZING SALES TAX DISTRIBUTION AGREEMENT - 12% - CITY OF
AMSTERDAM

Resolution by Supervisor: Barone
Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors has requested permission from the New York State Legislature to increase sales tax by one percent, and

WHEREAS, State legislative representatives have indicated that a sales tax distribution agreement between Montgomery County and the City of Amsterdam must be in place before such sales tax increase will be considered by the State,

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 sales tax distribution agreement with the City of Amsterdam, providing for 12 percent of any increase in sales tax to be distributed to the City of Amsterdam.

RESOLUTION DEFEATED with Aye(907). Supervisors Brodie, Sinicropi, Barone, Dybas, Mancini and DiMezza voted aye. Supervisor McMahon abstained. Supervisors Hassan and Stagliano were absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
City of Amsterdam

**

RESOLUTION NO. 68 of 2003 DATED: March 12, 2003
RESOLUTION AUTHORIZING SALES TAX DISTRIBUTION AGREEMENT- 11% - CITY OF
AMSTERDAM

Resolution by Supervisor: Barone
Seconded by Supervisor: DiMezza

WHEREAS, the Board of Supervisors has requested permission from the New York State Legislature to increase sales tax by one percent, and

WHEREAS, State legislative representatives have indicated that a sales tax distribution agreement between Montgomery County and the City of Amsterdam must be in place before such sales tax increase will be considered by the State,

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 sales tax distribution agreement with the City of Amsterdam providing for 11 percent of any increase in sales tax to be distributed to the City of Amsterdam.

RESOLUTION DEFEATED with Aye(558). Supervisors Brodie, Sinicropi, Barone and McMahon voted aye. Supervisor DiMezza abstained. Supervisors Hassan and Stagliano were absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
City of Amsterdam

**

RESOLUTION NO. 69 of 2003 DATED: March 12, 2003
RESOLUTION AUTHORIZING SALES TAX DISTRIBUTION AGREEMENT- 10% - CITY OF
AMSTERDAM

Resolution by Supervisor: Barone
Seconded by Supervisor: Sinicropi

WHEREAS, the Board of Supervisors has requested permission from the New York State Legislature to increase sales tax by one percent, and

WHEREAS, State legislative representatives have indicated that a sales tax distribution agreement between the Montgomery County and the City of Amsterdam must be in place before such sales tax increase will be considered by the State,

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 sales tax distribution agreement with the City of Amsterdam, providing 10 percent of any increase in sales tax to be distributed to the City of Amsterdam.

RESOLUTION ADOPTED with Aye(1226). Supervisors Dybas, Mancini, Quackenbush and Van Kersen voted nay. Supervisors Hassan and Stagliano were absent.

Duly adopted upon roll call, all members present (1226) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
City of Amsterdam

ADJOURNMENT

Chairman Barone declared the Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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ADJOURNMENT	2

____ _
CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for March 24, 2003 was called to order at 6:00 p.m. by Chairman Barone. Roll call indicated that Supervisors Quackenbush and Van Kersen were absent.

____ _
SALUTE TO THE FLAG

Supervisor DiMezza led the Salute to the Flag.

____ _
MOMENT OF SILENCE

Supervisors held a moment of silence for the troops in Iraq.

____ _
STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to consider Resolutions No. 70 and 71.

____ _
ACTION ON BUSINESS

**
RESOLUTION NO. 70 of 2003 DATED: March 24, 2003
RESOLUTION ENDORSING STATE LEGISLATION RELATIVE TO SALES TAX INCREASE
(HOME RULE)

Resolution by Supervisor: Barone
Seconded by Supervisor: Hisert

WHEREAS, the Montgomery County Board of Supervisors has previously requested authority from the State of New York to increase sales tax collected in Montgomery County from seven percent to eight percent, and

WHEREAS, Bills S.3058 and A.7079 entitled "AN ACT to amend the tax law, in relation to authorizing the County of Montgomery to impose additional sales and compensating use taxes and repealing certain provisions of such law relating thereto" have been introduced in the State Senate and Assembly, respectively,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests their passage by the New York State Legislature.

RESOLUTION ADOPTED with Aye (1644). Supervisors Quackenbush and VanKersen were absent.

Duly adopted upon roll call, all members present (1644) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Senator Hugh T. Farley
Assemblyman Paul D. Tonko

**

RESOLUTION NO. 71 of 2003 DATED: March 24, 2003
RESOLUTION ENDORSING STATE LEGISLATION RELATIVE TO INCREASING HOTEL/
MOTEL TAX (HOME RULE)

Resolution by Supervisor: Barone
Seconded by Supervisor: Hisert

WHEREAS, the Montgomery County Board of Supervisors has previously requested authority from the State of New York to increase hotel/motel tax collected in Montgomery County from one percent to four percent, and

WHEREAS, Bills S.3059 and A.7080 entitled "AN ACT to amend the tax law, in relation to increasing hotel/motel tax in Montgomery County" have been introduced in the State Senate and Assembly, respectively,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses Bills S.3059 and A.7080 and hereby requests their passage by the New York State Legislature.

RESOLUTION ADOPTED with Aye (1644). Supervisors Quackenbush and VanKersen were absent.

Duly adopted upon roll call, all members present (1644) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Senator Hugh T. Farley
Assemblyman Paul D. Tonko

_____ ADJOURNMENT

Motion by Supervisor McMahon, seconded by Supervisor Thomas, to adjourn the meeting, passed with Aye(1644). Supervisors Quackenbush and Van Kersen were absent. Chairman Barone declared the Meeting adjourned at 6:09 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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_____ CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for March 25, 2003, 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 Van Kersen was absent.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor Hisert, seconded by Supervisor Thomas, to amend the agenda to allow for the introduction of Resolutions No. 96 and 97, passed with Aye(1802). Supervisor Van Kersen was absent. Motion by Supervisor Hisert, seconded by Supervisor Thomas, to adopt the amended agenda, passed with Aye(1802). Supervisor Van Kersen was absent.

_____ PRIVILEGE OF THE FLOOR

Joanne Tinc, Town of Root, expressed concern regarding the proposed elimination of the County Administrator's position and other proposed changes in County government.

Evelyn Lindley, Town of Root, spoke in favor of a sales tax increase and against elimination of the County Administrator's position.

**

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearing and Regular Meeting of February 25, 2003, 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. 72 of 2003 DATED: March 25, 2003
RESOLUTION ESTABLISHING PUBLIC HEARING ON EIGHT-YEAR REVIEW OF
AGRICULTURAL DISTRICT NO. 3

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, Agricultural District No. 3 is required to undergo a review every eight years, pursuant to New York State Agricultural and Markets Law Article 25AA, and

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

WHEREAS, the law requires that the Board of Supervisors conduct a public hearing on the status of any proposed modifications,

RESOLVED, that a Public Hearing regarding the Eight-Year Review of Agricultural District No. 3 shall be held on Tuesday, April 22, 2003, 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.

FURTHER RESOLVED, that written notice shall be given to those municipalities whose territories encompass the District and any proposed modifications, to persons, as listed on the most recent assessment roll, whose land is the subject of a proposed modification and to the Commissioner of Agriculture and Markets.

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

**
RESOLUTION NO. 73 of 2003 DATED: March 25, 2003
RESOLUTION ESTABLISHING PUBLIC HEARINGS - SMALL CITIES/CDBG PROGRAM
APPLICATION

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, Montgomery County is eligible to apply for a \$750,000 Community Development Block Grant, and

WHEREAS, the County has prioritized economic development and job creation, which will impact low and moderate income persons, and

WHEREAS, Mohawk Sign Systems/Hammondson Enterprises, LLC have requested funding under terms set forth by Montgomery County, the Department of Housing and Urban Development and the Governor's Office of Small Cities,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, hereby is authorized and directed to sign and submit Montgomery County's application for funding under the Governor's Office of Small Cities CDBG Program, and

FURTHER RESOLVED, that two public hearings, required be held prior to submittal of said application, hereby are scheduled for 5:30 p.m. on April 15, 2003 and for 6:50 p.m., April 22, 2003, in the chambers of the Board of Supervisors', County Office Building, Fonda, New York.

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. 74 of 2003 DATED: March 25, 2003
RESOLUTION URGING LEGISLATURE TO INCREASE FEE RETAINED BY
MUNICIPALITIES ISSUING HUNTING AND FISHING LICENSES UNDER DECALS
PROGRAM

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, issuance of hunting and fishing licenses/stamps by local governments is a valuable and necessary service to the state, and

WHEREAS, municipalities must carefully follow mandates of the Environmental Conservation Law and the New York State Department of Environmental Conservation regarding issuance of said licenses and stamps, and

WHEREAS, municipalities face considerable liability for any failure to properly issue and record said licenses, for failure to properly file the required reports and for failure to comply with all other requirements of applicable legislation, and

WHEREAS, municipalities participating in the DECALS program must also issue free Deer Management Permits, for which no percentage or fee is returned to said municipalities, and

WHEREAS, municipalities currently receive no more than 5.5% of the fee for issuance of resident licenses and 1.1% for issuing non-resident licenses, in compliance with the law and procedural requirements,

RESOLVED, that the Montgomery County Board of Supervisors hereby urges the New York State Legislature to adopt legislation increasing compensation to local governments representing the state with those citizens purchasing licenses under the DECALS program by:

1. Increasing the percentage retained for license issuance from 5.5% to 15% (for resident licenses) and from 1.1% to 3.0% (for non-resident licenses), such increase to help defer the cost of the monthly telephone line service charge incurred by the municipalities.
2. Paying a percentage on combination licenses and permits issued.
3. Pay \$1.00 for each deer management permit issued for free by the municipality.
4. Establishing a 10% commission reimbursement to the municipality to cover the loss of revenue directly resulting from the DECALS issuance of sporting licenses to residents.
5. Establishing an ombudsman and information agency or office with NYS Department of Environmental Conservation as a resource for residents to go to with questions or problems relating to DECALS-issued licenses, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor

Pataki, State Senator Farley and Assemblyman Tonko.

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
Officials Named Above

**
RESOLUTION NO. 75 of 2003 DATED: March 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS
(YOUTH BUREAU)

Resolution by Supervisor: Paton
Seconded by Supervisor: Hisert

WHEREAS, funds were appropriated in the 2003 Operating Budget for youth programs, and

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

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

PROGRAM	FUNDING
American Association of University Women (Sister to Sister Summit)	\$ 400.00
Alcohol & Substance Abuse Council (Eckerd Drug Quiz Show)	220.00
Amsterdam Cal Ripkin Baseball (Batting Cage)	200.00
Amsterdam High School (After Ball Party)	500.00
Amsterdam Police Explorers	800.00
Amsterdam Sea Rams Swim Club (Community Swim Team)	500.00
Canajoharie High School (After Prom Party)	500.00
Canajoharie Little League	400.00
Canajoharie Youth Football	500.00
Cub Scout Pack 32	200.00
Fonda-Fultonville Central School (After Prom Party)	500.00
Fonda-Fultonville Little League	200.00
Fort Hunter Free Library (Summer Reading Program)	730.00
Fort Plain Bidy Basketball	300.00
Fort Plain Youth Soccer	300.00
Friends of the Visual & Performing Arts (Summer Band)	750.00

Fulton Montgomery Community College (Basketball Camp)	300.00
Inter-Church Basketball League (Youth Recreational Basketball)	300.00
St. Johnsville Little League	400.00

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
Youth Bureau

**
RESOLUTION NO. 76 of 2003 DATED: March 25, 2003
RESOLUTION ACCEPTING HEALTHY HEART GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Hisert

WHEREAS, the Public Health Department has been awarded a New York State Comprehensive Cardiovascular Health Programs (Healthy Heart) Grant for the period commencing February 1, 2003 and ending June 29, 2003,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the Healthy Heart Grant, and

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

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3410-07	Public Health Grant	by \$24,800.00
Appropriations:	A-16-4-4010-07	Public Health Grant	
	.4408	Office Supplies	by \$ 1,300.00
	.4438	Misc. Supporting Services	by 5,000.00
	.4471	Mileage	by 180.00
	.4491	Legal Notice & Advertising	by 9,250.00
	.4526	Education Programs	by 9,070.00

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
Public Health

**
RESOLUTION NO. 77 of 2003 DATED: March 25, 2003
RESOLUTION AUTHORIZING IMMUNIZATION GRANT RENEWAL (PUBLIC HEALTH)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County has been awarded an Immunization Grant for the period commencing April 1, 2003 and ending on March 31, 2004, in the amount of \$23,100.

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 2003-04 Immunization Grant renewal 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
Public Health

**
RESOLUTION NO. 78 of 2003 DATED: March 25, 2003
RESOLUTION AUTHORIZING LEAD POISONING AND PREVENTION GRANT RENEWAL
(PUBLIC HEALTH)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

WHEREAS, Montgomery County has been awarded a Lead Poisoning and Prevention Grant for the period commencing on April 1, 2003 and ending on March 31, 2004 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 a 2003-04 Lead Poisoning and Prevention Grant renewal 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
Public Health

**
RESOLUTION NO. 79 of 2003 DATED: March 25, 2003
RESOLUTION ESTABLISHING HIRING/PURCHASING FREEZE

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 250 of 2002, on September 24, 2002, directed imposition of a hiring and purchasing freeze, and

WHEREAS, it has been recommended that provisions of said freeze be clarified,

RESOLVED, that the Board of Supervisors hereby imposes a freeze on hiring and on the purchase of discretionary supplies and equipment by all Departments, except for Montgomery Meadows, Jail, Sewer District and workers' Compensation, and

FURTHER RESOLVED, that said freeze does not apply to hiring and/or purchasing accomplished with grant funds, and

FURTHER RESOLVED, that each request to fill a vacant position must be accompanied by a memorandum, from the Department Head to the Personnel Officer, certifying that failure to fill said vacancy will have a detrimental impact upon departmental operations, and

FURTHER RESOLVED, that each request to purchase discretionary supplies and equipment shall be accompanied by a memorandum, from the Department Head to the Purchasing Agent, certifying that failure to acquire the requested items will negatively impact the Department's efficiency and effectiveness, and

FURTHER RESOLVED, that when grant funds are being utilized, a request memorandum must contain specific information regarding said grant, including dates and amounts, and

FURTHER RESOLVED, that either the Personnel Officer or Purchasing Agent, as appropriate, after reviewing information tendered by requesting Department Heads, shall approve or disapprove requests, and

FURTHER RESOLVED, that copies of all processed requests shall be provided to all members of the Board of Supervisors,

FURTHER RESOLVED, that request denials may be appealed by Department Heads to their respective Jurisdictional Committees, and

FURTHER RESOLVED, that Resolution No. 250 of 2002 hereby is rescinded.

RESOLUTION WITHDRAWN.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
All Department Heads

**
RESOLUTION NO. 80 of 2003 DATED: March 25, 2003
RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS

Resolution by: Full Board
Seconded by Supervisor:

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

RESOLVED, that Gordon Coleman of 132 West Skyline Drive, Palatine Bridge, 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(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
MCIDA
Appointee

**
RESOLUTION NO. 81 of 2003 DATED: March 25, 2003
RESOLUTION APPOINTING MEMBER OF ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that the Board of Supervisors hereby confirms the appointment of Karl Gustafson of 35 Walnut Street, Canajoharie, as a member of the Economic Development Advisory Committee - Agriculture, representing Economic Development, and

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

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
Appointee
Economic Dev Advisory Committee

**
RESOLUTION NO. 82 of 2003 DATED: March 25, 2003
RESOLUTION APPOINTING LEGISLATIVE MEMBER TO LEATHERSTOCKING COUNTRY, ny
BOARD OF DIRECTORS

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

RESOLVED, that Supervisor William Hisert, Town of Palatine, hereby is appointed Montgomery County's Legislative Member to the new Leatherstocking Country, ny Board of Directors, and

FURTHER RESOLVED, that said appointment is to a term expiring on December 31, 2003.

RESOLUTION ADOPTED with Aye(1687). Supervisor Hisert abstained. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1687) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Leatherstocking Country, ny
Appointee

**
RESOLUTION NO. 83 of 2003 DATED: March 25, 2003
RESOLUTION ESTABLISHING TERM SUCCESSION LIMIT FOR CHAIRMAN OF THE BOARD
OF SUPERVISORS

Resolution by Supervisor: McMahon
Seconded by Supervisor: Paton

WHEREAS, Section 151 of County Law provides for selection of a Chairman by members of a Board of Supervisors, and

WHEREAS, the term of office of said Chairman expires at the end of the calendar year in which the individual is selected, and

WHEREAS, there is no limit to the number of consecutive terms a Chairman may serve, and

WHEREAS, it has been recommended that a term succession limit be established for a Chairman of the Board of Supervisors,

RESOLVED, that a Chairman of the Montgomery County Board of Supervisors hereby is restricted to serving two consecutive terms in said position, and

FURTHER RESOLVED, that said term limit shall become effective on January 1, 2004.

RESOLUTION DEFEATED with Aye(426). Supervisors Dybas, McMahon and Paton voted aye. Supervisor Barone abstained. Supervisor Van Kersen was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**
RESOLUTION NO. 84 of 2003 DATED: March 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LAND TRANSFER - FLORIDA WATER
AND SEWER DISTRICT

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Industrial Development Agency owns approximately 7.2 acres of land located off Hirshfield Road in the Town of Florida, and

WHEREAS, said parcel includes a water tank and related infrastructure,

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 file all documents necessary for acceptance of the transfer of said property, and

FURTHER RESOLVED, that, in exchange for a direct monetary contribution, the County agrees to reduce the amount due from the MCIDA by \$40,000.

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. 85 of 2003 DATED: March 25, 2003
RESOLUTION AUTHORIZING MCIDA TO NEGOTIATE LEASE - T MOBILE WIRELESS
COMMUNICATION

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, T Mobile is interested in leasing space for a wireless communication facility and infrastructure on the water tower located on Hirshfield Road in the Town of Florida, and

WHEREAS, the Montgomery County Industrial Development Agency is the current owner of said property, and

WHEREAS, Montgomery County is the owner of the water tower located on said property,

RESOLVED, that the Montgomery County Industrial Development Agency hereby is authorized, on behalf of the County of Montgomery, to negotiate a lease agreement with T Mobile,

FURTHER RESOLVED, that all monetary proceeds from said lease shall be received by the County, until said tower is transferred to the Town of Florida Water District.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Richards, in the Resolution title, first WHEREAS, and the RESOLVED clause, insert, after "T Mobile", "A T & T Communications", and to add, ", and FURTHER RESOLVED, that the County Attorney shall review and approve said lease agreement.", passed with Aye(1802). Supervisor Van Kersen was absent.

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. 86 of 2003 DATED: March 25, 2003
RESOLUTION AMENDING WATER AND SEWER AGREEMENT

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, on May 1, 2001, Montgomery County entered into a Water and Sewer System Intermunicipal Cooperation Agreement with the City of Amsterdam and the Town of Florida, and

WHEREAS, Article XII of said Agreement provides for the term thereof to be "five (5) years or the term of Obligations issued by the County for the infrastructure improvements", and

WHEREAS, application has been made for funding assistance, through the Economic Development Administration, a requirement of which is that the term of said Agreement must be 20 years,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute documents necessary to amend said agreement by providing for a term of 20 years, which is less than the probable useful life of the improvements being financed.

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
MCIDA

**
RESOLUTION NO. 87 of 2003 DATED: March 25, 2003
RESOLUTION APPROVING TERMS AND CONDITIONS OF CERTAIN PILOT AGREEMENT (OR AMENDMENT THERETO) TO BE ENTERED INTO BY THE MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH THE COLUMBIA AMH GROUP /AMSTERDAM MEMORIAL HOSPITAL MEDICAL OFFICE BUILDING PROJECT

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, on June 8, 1993, the Montgomery County Industrial Development Agency (the "Agency") issued its Taxable Industrial Development Revenue Bond (Columbia-AMH Group Project), Series 1993A in the original principal amount of \$3,000,000 (the "Bonds") to assist Columbia AMH Group (the "Company") in undertaking a project (the "1993 Project"), and

WHEREAS, the 1993 Project consisted of the following: (A) (1) the acquisition of a leasehold interest in a parcel of land containing approximately 14,000 square feet of space located at the Amsterdam Memorial Hospital campus on Route 30 in the Town of Amsterdam, Montgomery County, New York (the "Land"), (2) the construction on the Land of a two-story building with sub-basement level to contain approximately 42,500 square feet of space (the "Facility") and (3) the acquisition and installation therein and thereon of certain machinery and equipment, including, without limitation, tenant improvements and occupant finish or tenant finish (the "Equipment") (the Land, the Facility and the Equipment herein after collectively referred to as the "Project Facility"), all of the foregoing to constitute a medical office building to be lease by Columbia-AMH Group (the "Company") to Amsterdam Memorial Hospital (the "Institution"); (B) the financing of a portion of the costs of the foregoing by the issuance of the Bonds; and (C) the sale of the Project Facility to the Company, and

WHEREAS, in connection with the 1993 Project, the Agency and the Company

entered into a payment in lieu of tax agreement dated as of June 1, 1993 (the "Payment in Lieu of Tax Agreement") whereby the Company agreed to make certain payments in lieu of tax payments with respect to the Project Facility, and

WHEREAS, the Payment in Lieu of Tax Agreement is scheduled to terminate on December 31, 2004, and

WHEREAS, the Institution and the Company desire that the term of the Payment in Lieu of Tax Agreement be extended (or amended) to provide for the payment terms described in Schedule A attached in order to assist the Institution, and the Institution has delivered to the Agency an application requesting the Agency to undertake a project (the "2002 Project") consisting of such extension of the Payment in Lieu of Tax Agreement, and

WHEREAS, the payment terms requested by the Institution consist of fixing the annual payment due under the Payment in Lieu of Tax Agreement as described as follows: (A) a fixed amount equal to \$17,000, (B) a term equal to twenty (20) years, and (C) such amount to be allocated among Montgomery County (the "County"), the Greater Amsterdam School District (the "School District" and the Town of Amsterdam (the "Town") based on their respective taxing rates, and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any financial assistance to any project, including the 2002 Project, the Agency, among other things must hold a public hearing with respect to the 2002 Project, and

WHEREAS, the Agency has held a public hearing pursuant to Section 859-a of the Act with respect to the 2002 Project and the extension of the Payment in Lieu of Tax Agreement, and

WHEREAS, the request of the Institution and the Company to extend the Payment in Lieu of Tax Agreement in order to provide the payment terms described in Schedule A attached is not consistent with the Agency Uniform Tax Exemption Policy and, accordingly, the Agency is only willing to consider the request of the Institution and the Company if the County, the School District and the Town consent to such extension and the payment terms,

RESOLVED, the Board of Supervisors of the County of Montgomery as all:

Section 1. The Board of Supervisors of Montgomery County hereby approves (A) the extension of the Payment in Lieu of Tax Agreement by the Agency and (B) the payment terms requested by the Institution. The payment terms to be contained in the Payment in Lieu of Tax Agreement, as extended, are substantially described in Schedule A attached hereto.

Section 2. The Chairman of the Board of Supervisors is hereby authorized, on behalf of the County, to execute and deliver a consent to the Payment in Lieu of Tax Agreement, said Payment in Lieu of Tax Agreement, as extended, to contain the payment terms described in this resolution presented at this meeting with such changes, variations, omission and and insertions as the Chairman of the Board of Supervisors shall approve the execution thereof by the Chairman of the Board of Supervisors to constitute conclusive evidence of such approval.

Section 3. The officers, employees and agents of the County are hereby authorized and directed for and in the name on behalf of the County to do all acts and things required or provided for by the applicable provisions of the Act in order to ensure compliance with such provisions as they relate to the consent to the execution and deliver of the Payment in Lieu of Tax Agreement, as extended, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purpose of the foregoing resolution.

Section 4. This resolution shall take effect immediately.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Hisert, to delete the 6th WHEREAS clause, and insert, in its stead, "WHEREAS, the payment terms requested by the institution consists of fixing the annual payment under the Payment in Lieu of Tax agreement as described as follows: A. a fixed amount equal to \$17,000 a year for five years with increases of \$6,600 a year for five years. B. a term equal to ten years C. such amount to be allocated among Montgomery County (the "County"), the Greater Amsterdam School District (the "School District" and the "Town of Amsterdam" (the "Town") based on their respective taxing rates, and", passed with Aye(1802). Supervisor Van Kersen was absent.

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
MCIDA

**
RESOLUTION NO. 88 of 2003 DATED: March 25, 2003
RESOLUTION AWARDING BID NO. 03-03 (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

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 25, 2003, 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. 03-03, 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 Products, Inc.
P.O. Box 220
Cobleskill, NY 12043

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

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

Cushing Stone
725 St Hwy 5S
Amsterdam, NY 12010

Paul Bradt Contractor
Box 1289
Northville, NY 12134

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

A-18 REFLECTIVE SHEETING FOR SIGNS

PROPOSAL "A"

Whitco Sign & Mfg.

170 Tapley St.
Springfield, MA 01104

PROPOSAL "B"

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

A-21 TRAFFIC LINE PAINTING

Atlantic Pavement Marking
15 Industrial Road
Prospect, CT 06712

A-27 RETREADING TIRES

Rua & Sons, Inc.
P.O. Box 789
Cobleskill, NY 12043

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

Expanded Supply Products, Inc.
3330 Route 9
Cold Spring, NY 10516

A-64 IN-PLACE RECYCLED BASE COURSE

Vestal Asphalt, Inc.
201 Stage Road
Vestal, NY 13850

A-65 LIQUID CALCIUM CHLORIDE

Vestal Asphalt, Inc.
201 Stage Road
Vestal, NY 13850

A-67 PNEUMATICALLY PROJECTED CONCRETE

Grout Tech, Inc.
1350 Route 9
Gansevoort, NY 12831

A-70 COLD IN-PLACE RECYCLING TYPE I

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

A-71 LATEX MODIFIED ASPHALT PAVEMENT COURSE

Vestal Asphalt, Inc.
201 Stage Road
Vestal, NY 13850

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

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

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

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

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

Cushing Stone Co., Inc.
725 St Hwy 5S
Amsterdam, NY 12010

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

A-81 COLD PLANING

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

A-82 HOT IN-PLACE ASPHALT RECYCLING

Highway Rehab Corp.
2258 Route 22
Brewster, NY 10509

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
Purchasing Agent

**
RESOLUTION NO. 89 of 2003 DATED: March 25, 2003
RESOLUTION AWARDDING BRIDGE REHABILITATION CONTRACT (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Mancini

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 rehabilitation contract for Bid No. 04-03, Main Street CR27, to D.A. Collins Construction Co., Inc., of Mechanicville, in the amount of \$817,853.50.

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. 90 of 2003 DATED: March 25, 2003
RESOLUTION APPROVING 2003 CAPITAL PROJECTS - BRIDGE REHABILITATION/
REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Mancini

WHEREAS, the Commissioner of Public works has recommended that three bridge rehabilitation/replacement projects be undertaken during 2003,

RESOLVED, that the Board of Supervisors hereby approves Rehabilitation/Replacement of Melick Road, B.II.. 3309840, in the Town of Root; Triumpho Road, B.I2.. 3309650, in the Town of St. Johnsville; and MacPhail Road, B.I3.. 3309700, in the Town of Canajoharie, as Capital Projects at a cost not to exceed \$1,036,000, 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(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. 91 of 2003 DATED: March 25, 2003
RESOLUTION APPROVING 2003 CAPITAL PROJECTS - ROAD RECONSTRUCTION
(PUBLIC WORKS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Mancini

WHEREAS, the Commissioner of Public works has recommended reconstruction of Paris Road and Lynk Street in the proposed 2003 Road Program,

RESOLVED, that the Board of Supervisors hereby approves the reconstruction of Paris Road and Lynk Street, as 2003 Capital Projects, at a cost not to exceed \$985,200, 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 Projects.

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. 92 of 2003 DATED: March 25, 2003
RESOLUTION REQUESTING STATE LEGISLATURE AMEND SECTION 303 OF COUNTY LAW
TO INCREASE LANDLINE E911 SURCHARGE IN MONTGOMERY COUNTY

Resolution by Supervisor: Hassan
Seconded by Supervisor: Hisert

WHEREAS, Montgomery County traditionally has utilized real property taxes to fund a portion of the operations and maintenance of E911, 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 E911 surcharge imposed upon landline landline access telephone lines be increased to help offset real property levies,

RESOLVED, that the Board of Supervisors hereby requests that the New York State Legislature enact legislation amending Section 303 of County Law to permit Montgomery County to increase the landline E911 surcharge from \$0.35 to \$1.00 per access line, and

FURTHER RESOLVED, that Governor Pataki hereby is requested to sign said legislation.

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. 93 of 2003
RESOLUTION ACCEPTING DCJS GRANT (SHERIFF)

DATED: March 25, 2003

Resolution by Supervisor: Dybas
Seconded by Supervisor: McMahon

WHEREAS, the Sheriff has recommended acceptance of a \$37,000 grant from the New York State Division of Criminal Justice Services,

RESOLVED, that the Board of Supervisors, hereby accepts a \$37,000 grant from 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 said grant acceptance, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue: A-15-3-3389-00 State Aid
Other Public Safety by \$37,000.00

Appropriations: A-15-4-3110-00 Sheriff
.2230 Motor Vehicle Equipment by \$14,562.00
.2250 Technical Equipment by 10,776.00
.4422 Equipment Rental/Lease/Repair by 9,000.00
.4447 Clothing & Uniforms by 2,662.00

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
Sheriff

**

RESOLUTION NO. 94 of 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COMMUNITY ALERT

DATED: March 25, 2003

NETWORK (SHERIFF)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hisert

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

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

FURTHER RESOLVED, that said agreement, which shall commence on June 1, 2003 and terminate on May 31, 2004, 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(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 Sheriff

**

RESOLUTION NO. 95 of 2003
RESOLUTION ESTABLISHING POSITIONS (JAIL)

DATED: March 25, 2003

Resolution by Supervisor: Hisert
Seconded by Supervisor: Quackenbush

WHEREAS, the New York State Commission of Corrections has determined that several additional positions are required at the Montgomery County Jail, and

WHEREAS, the Sheriff, to enable compliance with the Commission's determination, has recommended establishment of two full time Correction Officer positions and a full time Licensed Practical Nurse position,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of two full time Correction Officer positions, each at a base annual salary of \$23,997, and a full time Licensed Practical Nurse position, at a base annual salary of \$24,740, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 operating Budget, as follows:

ADD: A-15-4-3150-00.1110 Jail
(72) Correction Officer
(76) Correction Officer
(90) LPN

TRANSFER:

From: A-15-4-3150-00.1110 Jail
(2) Corrections Sergeant \$7,830.00
(65) Correction Officer 4,282.00
(69) Correction Officer 3,641.00
(70) Correction Officer 5,000.00
(182) Correction Officer 2,300.00
(190) Correction Officer 6,163.00
(508) Correction Officer 2,500.00
(642) Correction Corporal 3,000.00
(855) Correction Officer 914.00
.1120(1342) Registered Prof. Nurse PT 17,524.00

To: A-15-4-3150-00.1110

(72)	Correction Officer	17,815.00
(76)	Correction Officer	17,815.00
(90)	LPN	17,524.00

RESOLUTION ADOPTED with Aye(1583). Supervisor DiMezza voted nay. Supervisor Van Kersen was absent.

Duly adopted upon roll call, all members present (1583) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 96 of 2003 DATED: March 25, 2003
RESOLUTION ACCEPTING TRAFFIC SAFETY GRANT (SHERIFF)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has recommended acceptance of a \$7,200 grant from the Governor's Traffic Safety Committee,

RESOLVED, that the Board of Supervisors, hereby accepts a \$7,200 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, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue: A-15-3-3389-00 State Aid
Other Public Safety by \$7,200.00

Appropriations: A-15-4-3110-00.1120(1212) Sheriff
Overtime Pay by \$7,200.00

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
Sheriff

**
RESOLUTION NO. 97 of 2003 DATED: March 25, 2003
RESOLUTION AUTHORIZING FAMILY COURT PAINTING PROJECT (PUBLIC WORKS)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, it has been requested that the Department of Public Works undertake a project to paint facilities occupied by Montgomery County Family Court, and

WHEREAS, it has been estimated that the cost of said project will total \$3,406.92, and

WHEREAS, the total cost of said project will be paid by the Office of Court Administration,

RESOLVED, that the Commissioner of Public works hereby is authorized and directed to arrange for painting of Montgomery County Family Court facilities, and

FURTHER RESOLVED, that said work will be performed upon receipt of written assurance that all project costs will be fully reimbursed to Montgomery County by the Office of Court Administration.

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

_____ OTHER

Motion by Supervisor Thomas, seconded by Supervisor Hisert, to Suspend the Rules of Procedure to allow for the introduction of Emergency Resolution No. 98, passed with Aye(1802-2/3 majority). Supervisor Van Kersen was absent.

**
RESOLUTION NO. 98 of 2003 DATED: March 25, 2003
RESOLUTION RESCINDING RESOLUTION NO. 250 OF 2002

Resolution by Supervisor: Dybas
Seconded by Supervisor: Thomas

RESOLVED, that Resolution No. 250 of 2002 hereby is rescinded.

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

_____ ADJOURNMENT

Motion by Supervisor Dybas, seconded by Supervisor Mancini, to adjourn the meeting, passed with Aye(1802). Supervisor Van Kersen was absent. Chairman Barone declared the meeting adjourned at 7:41 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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_____ CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for April 22, 2003, was called to order at 7:04 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 Thomas, to amend the agenda to allow for the introduction of any Emergency Resolutions, and to allow for an Executive Session following "New Business", passed with Aye(1868). Motion by Supervisor Quackenbush, seconded by Supervisor Thomas, to adopt the amended agenda, passed with Aye(1868).

_____ PRIVILEGE OF THE FLOOR

Rachel Stroba-Hallenbeck, Montgomery County Allies in Prevention, discussed results of a youth needs assessment conducted by the anti-drug coalition.

**

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Special Meeting of March 24, 2003 and Regular Meeting of March 25, 2003, 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. 99 of 2003 DATED: April 22, 2003
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 3 OF 2003

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,

RESOLVED, that Introductory Local Law No. 3 of 2003 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, May 27, 2003, 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. 100 of 2003 DATED: April 22, 2003
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Thomas

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 2003 Operating Budget, as follows:

TRANSFER:

From: EH-34-4-6020-00	Montgomery Meadows	
.1110(35)	Cleaner	\$2,000.00
(36)	Cleaner	2,500.00
(44)	Cleaner	3,000.00
(175)	Licensed Practical Nurse	4,000.00
(179)	Licensed Practical Nurse	4,000.00
(180)	Licensed Practical Nurse	2,000.00
(192)	Licensed Practical Nurse	5,000.00
(210)	Nursing Assistant	5,000.00
(212)	Nursing Assistant	3,000.00
(237)	Nursing Assistant	2,000.00
(244)	Nursing Assistant	6,000.00
(246)	Nursing Assistant	1,000.00
(247)	Nursing Assistant	2,000.00
(306)	Licensed Practical Nurse	4,000.00
(342)	Supervising Nursing	7,750.00
(541)	Restorative Nursing Assistant	4,000.00
(594)	Ward Clerk	2,000.00
(1056)	Head Nurse	3,000.00
(1422)	Supervising Nurse	7,750.00
.1130(216)	Temporary Employees	5,000.00

To: EH-34-4-6020-00.4436 Medical Fees \$75,000.00

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
Nursing Home Administrator

**
RESOLUTION NO. 101 of 2003 DATED: April 22, 2003
RESOLUTION AUTHORIZING DONATION OF HOSPITAL BEDS

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery Meadows has developed a safety plan to replace existing non-electric beds, and

WHEREAS, 24 of these beds were recently replaced, per a fund transfer authorized by Resolution No. 332 of 2002, and

WHEREAS, the Nursing Home Administrator has recommended that replaced beds be donated to a world relief organization designated to meet the health needs of Lithuanian orphans,

RESOLVED, that Montgomery Meadows hereby is authorized and directed to donate all hospital beds replaced as part of the Montgomery Meadows Safety Plan to The Sunlight Orphan Aid for Lithuania, located in Buffalo Grove, Illinois, for distribution to children's hospital in Lithuania.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Infirmary Administrator

**
RESOLUTION NO. 102 of 2003 DATED: April 22, 2003
RESOLUTION ESTABLISHING POSITIONS (DATA PROCESSING)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Director of Data Processing has recommended the establishment of two positions,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the positions of Senior Computer Programmer/Analyst and Computer Programmer/Analyst, with base annual salaries of \$34,469 and \$27,798, respectively, in Data Processing, and

FURTHER RESOLVED, that the positions of Senior Computer Programmer and Computer Programmer/Analyst Specialist hereby are abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

ADD: A-14-4-1680-00 Data Processing
.1110(93) Sr. Comp. Prog./Analyst
.1110(99) Computer Programmer/Analyst

TRANSFER:

From: A-14-4-1680-00	Data Processing	
.1110(333)	Sr. Computer Programmer	\$23,904.00
.1110(1349)	Comp. Prog. Analyst Spec.	18,213.00
To: A-14-4-1680-00	Data Processing	
.1110(93)	Sr. Comp. Prog./Analyst	\$23,904.00
.1110(99)	Computer Programmer/Analyst	18,213.00

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
Personnel/Payroll

**
RESOLUTION NO. 103 of 2003 DATED: April 22, 2003
RESOLUTION ESTABLISHING POSITIONS (SOCIAL SERVICES)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Sinicropi

WHEREAS, the Commissioner of Social Services has recommended the establishment of two positions,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the positions of Director of Eligibility and Resource/Recovery Coordinator, with base annual salaries of \$33,500 and \$23,350, respectively, in Social Services Administration, and

FURTHER RESOLVED, that the position of Deputy Commissioner of Social Services hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

ADD: A-18-4-6010-00	Social Services Administration	
.1110(108)	Director of Eligibility	
.1110(111)	Resource/Recovery Coordinator	

TRANSFER:

From: A-18-4-6010-00	Social Services Administration	
.1110(1241)	Deputy Commissioner-Soc. Services	\$39,895.00
To: A-18-5-6010-00	Director of Eligibility	\$23,803.00
.1110(111)	Resource/Recovery Coordinator	16,092.00

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. 104 of 2003 DATED: April 22, 2003
RESOLUTION ESTABLISHING LAB TECHNICIAN POSITION (SANITARY DISTRICT)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Hisert

WHEREAS, it has been recommended that the position of Lab Technician be established at Sanitary District No. 1, and

WHEREAS, the employee proposed for promotion to said position has obtained the required license to preform duties associated with said position, and

WHEREAS, said employee has satisfactorily performed all duties of said position, while serving as a Trainee,

RESOLVED, that the position of Lab Technician hereby is established at Sanitary District No. 1, at a base annual salary of \$20,000, effective May 5, 2003, and

FURTHER RESOLVED, that this Resolution is contingent upon passage of a similar resolution by the District's Board of Directors, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 operating Budget, as follows:

ADD: G-26-4-8120-00.1110(119) Sanitary Sewers
Lab Technician

TRANSFER:

From: G-26-4-8120-00.1110(449) Sanitary Sewers Operator Trainee \$12,000.00

To: G-26-4-8120-00.1110(119) Sanitary Sewers Lab Technician \$12,000.00

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
Sanitary District No. 1
Personnel/Payroll

**
RESOLUTION NO. 105 of 2003 DATED: April 22, 2003
RESOLUTION DESIGNATING CLERK OF THE BOARD OF SUPERVISORS AS FULL-TIME POSITION

Resolution by Supervisor: Hisert
Seconded by Supervisor: Sinicropi

WHEREAS, the Board of Supervisors desires to enhance the working relationship between the Board and the Clerk of the Board of Supervisors, and

WHEREAS, the Clerk of the Board of Supervisors, who serves as the right hand to the Chairman of the Board and chief assistant to committee chairman, holds one of the most complex and responsible positions in county government as set forth in Section 475 of County Law and numerous other statutory provisions, and

WHEREAS, such duties and responsibilities warrant the position of Clerk of the Board of Supervisors to be a full-time position rather than the token post as it is treated in Montgomery County government at the present time, and

WHEREAS, a potential conflict of loyalty may occur when one individual serves simultaneously as Clerk of the Board of Supervisors and Deputy County Administrator, as has historically been the case in Montgomery County,

RESOLVED, that the position of Clerk of the Board of Supervisors hereby is designated as a full-time position, as of _____, 2003, at an annual base salary of \$47,099, and

FURTHER RESOLVED, that the duties of the full-time Clerk of the Board of Supervisors are set forth in an attachment hereto titled "Duties of the Clerk of

the Board of Supervisors", and

FURTHER RESOLVED, that the 2003 Operating Budget is amended as of _____, 2003 to create line item A-01-4-1040-00.1110(116), with all funds remaining in line items A-01-4-1040-00.1120(393) and A-01-4-1011-00.1110(868) as of that date to be transferred into line item A-01-4-1040-00.1110(116).

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Thomas, in the RESOLVED and second FURTHER RESOLVED clause, insert, "May 5", passed with Aye(1666). Supervisor Dybas and Van Kersen voted nay.

RESOLUTION ADOPTED with Aye(1382). Supervisor Dybas, Mancini, Paton and Van Kersen voted nay.

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
Personnel/Payroll
Clerk of the Board

**
RESOLUTION NO. 106 of 2003 DATED: April 22, 2003
RESOLUTION AUTHORIZING REVOLVING LOAN FUND AGREEMENT - MOHAWK SIGN
SYSTEMS/HANMONDSON ENTERPRISES, LLC.

Resolution by Supervisor: Thomas
Seconded by Supervisor: Sinicropi

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 Mohawk Sign Systems/Hanmondson Enterprises, LLC, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purposes of acquiring and improving a 10,800 sq. ft. building in the Edson Street Industrial Park,

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 \$221,500, to Mohawk Sign Systems/Hanmondson Enterprises, LLC, 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 not more than 120 monthly installments, with interest of prime minus 2% (at time of closing), and

FURTHER RESOLVED, that Mohawk Sign Systems/Hanmondson Enterprises, LLC 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(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
Economic Opportunity & Development

**
RESOLUTION NO. 107 of 2003 DATED: April 22, 2003
RESOLUTION REQUESTING EMPIRE ZONE STATUS FOR MONTGOMERY COUNTY

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Montgomery County does not have a county-designated empire zone,
and

WHEREAS, the Amsterdam-Florida-Glen Empire Zone was designated as a census
track eligible empire zone, and

WHEREAS, in accordance with State regulations, census track eligible empire
zones have several significant geographic restrictions regarding boundaries, and

WHEREAS, a County-designated zone would allow Montgomery County and New
York State to provide empire zone benefits to existing private sector employers
that employ thousands of people, and

WHEREAS, said designation and benefits would assist these businesses to
expand and enable the County to attract new businesses,

RESOLVED, that the Board of Supervisors hereby authorizes the submittal of
an application for Countywide Empire Zone designation.

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. 108 of 2003 DATED: April 22, 2003
RESOLUTION SUPPORTING CONTINUED NEW YORK STATE FUNDING OF LOCAL EMPIRE
ZONE ADMINISTRATION

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Governor Pataki's budget proposal for 2003-04 eliminates all New
York State funding for local Empire Zone administrative offices, and

WHEREAS, the Empire Zone Program is scheduled to sunset on July 31, 2004,
with businesses certified as of that date being eligible for a full 14-year
benefit, requiring the services of a local Empire Zone office, and

WHEREAS, said Program has been a successful economic development tool that
has resulted in billions of dollars in private investment and thousands of new
jobs created in New York State and Montgomery County,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports
restoration of New York State Empire Zone Administrative funding and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Fred Quist, Empire Zone Coordinator

Officials Named Above

**
RESOLUTION NO. 109 of 2003 DATED: April 22, 2003
RESOLUTION AUTHORIZING CHANGE ORDER NO. 2, CONTRACT NO. 4 - FLORIDA
WATER AND SEWER DISTRICT

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, Contract No. 4, includes provision of water and sewer infrastructure construction along New York State Route 5S, and

WHEREAS, a separate 8-inch water line is needed to provide adequate fire protection services to the new Alpin Haus and Camping world facilities, and

WHEREAS, the entire water and sewer project is funded by several grants related to creation of new jobs,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, hereby is authorized and directed to sign Change Order No. 2, Contract No. 4, with Delaney Construction for the water and sewer project, in an amount not to exceed \$19,800.

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. 110 of 2003 DATED: April 22, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN DESIGN SERVICES AGREEMENT -
TRUDEAU ARCHITECTS (FMCC)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, the 2003 Capital Plan identifies an Air Quality and Safety Project at Fulton-Montgomery Community College, and

WHEREAS, five responses were received to a Request for Proposals for architectural/engineering services to prepare design plans and bid specifications for 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 an Agreement with Trudeau Architects of Latham, for architectural/engineering services for the Building Renovation Project at Fulton-Montgomery Community College, at a cost not to exceed \$17,800, and

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

MOTIOIN TO AMEND by Supervisor DiMezza, seconded by Supervisor Van Kersen, to add, ", and Further Resolved, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

"TRANSFER:

From: A-01-4-1990-00.4440 Contingent Account \$4,450.00
To: A-06-4-9900-00.9950 Interfund Transfers
Trans. to Cap. Proj. Fund \$4,450.00

INCREASE:

Revenue: H-06-3-5031-10 Interfund Transfer by \$4,450.00

Appropriations: H-06-4-2495-10.2202 FMCC Cap. Proj.
Capital Projects by \$4,450.00".

,passed with Aye(1868).

RESOLUTION ADOPTED with Aye(1683). Supervisors Dybas and Hassan voted nay.

Duly adopted upon roll call, all members present (1683) 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
Fulton-Montgomery Community College

**
RESOLUTION NO. 111 of 2003 DATED: April 22, 2003
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT BETWEEN FULMONT
ASSOCIATION OF COLLEGE EDUCATORS, FULTON-MONTGOMERY COMMUNITY COLLEGE,
FULTON COUNTY AND MONTGOMERY COUNTY TO ALTER FACULTY ERI PROVISION FOR
CONTRACT YEAR 2002/2003

Resolution by Supervisor: Paton
Seconded by Supervisor: Quackenbush

WHEREAS, Fulton-Montgomery Community College is faced with a significant projected budget deficit for fiscal year 2003-2004, and

WHEREAS, one proposed expenditure reduction provides an additional opportunity for FMCC faculty members to select the early retirement incentive covered in the existing negotiated agreement between the College and the Fulmont Association of College Educators, and

WHEREAS, the Board of Trustees requests said agreement be amended to allow additional faculty members to take advantage of said incentive from March 29, 2003 through April 30, 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 a Memorandum of Agreement between the Fulmont Association of College Educators, Fulton-Montgomery Community College, Fulton County and Montgomery County, as attached hereto and made a part hereof, 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
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**
RESOLUTION NO. 113 of 2003 DATED: April 22, 2003
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT BETWEEN FULMONT
ASSOCIATION OF COLLEGE EDUCATORS, FULTON-MONTGOMERY COMMUNITY COLLEGE,
FULTON COUNTY AND MONTGOMERY COUNTY AMENDING 2001-04 COLLECTIVE
BARGAINING AGREEMENT

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Paton

WHEREAS, Fulton-Montgomery Community College has recommended amending its 2001-04 Collective Bargaining Agreement with Fulmont Association of College Educators, and

WHEREAS, said amended agreement would table certain negotiated salary increases for 2003-04,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the county Attorney, hereby is authorized and directed to sign a Memorandum of Agreement between the Fulmont Association of College Educators, Fulton-Montgomery Community College, Fulton County and Montgomery County, as attached hereto and made a part hereof, 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
Fulton County Board of Supervisors
Fulton-Montgomery Community College

**
RESOLUTION NO. 114 of 2003 DATED: April 22, 2003
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"),
DATED APRIL 22, 2003, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS;
ESTIMATING THE AGGREGATE COST THEREOF TO BE \$2,021,200; APPROPRIATING
SAID AMOUNT THEREFORE AND AUTHORIZING THE ISSUANCE OF \$2,021,200 SERIAL
BONDS OF THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Hisert

WHEREAS, the Board of Supervisors has heretofore approved funding the rehabilitation and replacement of: (i) the Melick Road Bridge, B.I1.. 3309840, in the Town of Root; (ii) the Triumpho Road Bridge, B.I2.. 3309650, in the Town of St. Johnsville; and (iii) the MacPhail Road Bridge, B.I3.. 3309700, in the Town of Canajoharie, all as more particularly described in Resolution No. 90 of 2003, dated March 25, 2003, and

WHEREAS, the Board of Supervisors has heretofore approved funding the reconstruction of Paris Road and Lynk Street, all as more particularly described in Resolution No. 91 of 2003, dated March 25, 2003 (Resolution 90 and 91 referred to hereinafter, collectively, as the "Prior Resolution"), and

WHEREAS, the Board of Supervisors desires to expand upon the Prior Resolution and approve the method of financing the costs of such capital projects,

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

SECTION 1

Pursuant to Section 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the consolidated Laws of the State of New York (the "Law"), the County hereby authorizes the capital improvements and projects (the "Projects") listed below:

- (a) The rehabilitation and replacement of: (i) the Melick Road Bridge, B.I4.. 3309840, in the Town of Root; (ii) the Triumpho Road Bridge, B.I5.. 3309650, in the Town of St. Johnsville; and (iii) the MacPhail Road Bridge, B.I6.. 3309700, in the Town of Canajoharie (collectively, the "Bridges"), the maximum cost thereof being hereby estimated to be \$1,036,000, appropriating said amount therefor and authorizing the issuance of \$1,036,000 serial bonds to finance such costs, and
- (b) The reconstruction of Paris Road and Lynk Street (collectively, the "Roads"), the maximum cost thereof being hereby estimated to be \$985,200, appropriating said amount therefor and authorizing the issuance of \$985,200

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) Bridges - Twenty (20) years pursuant to Section 11.00(a)(10) of the Law.
- (b) Roads - Fifteen (15) years pursuant to Section 11.00(a)(20) of the Law

SECTION 3

The plan of financing includes the issuance of \$2,021,200 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, 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 contests 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 UNANIMOUSLY(2/3 MAJORITY).

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. 115 of 2003 DATED: April 22, 2003
RESOLUTION ENDORSING STATE LEGISLATION RELATIVE TO LANDLINE E911
SURCHARGE INCREASE (HOME RULE)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery County Board of Supervisors has previously requested authority from the State of New York to increase the landline E-911 surcharge collected in Montgomery County from \$0.35 to \$1.00, and

WHEREAS, Bills S.3928 and A.7924 entitled "AN ACT to amend the County law, in relation to increasing the surcharge in Montgomery County for Enhanced 911 Emergency Telephone Systems" have been introduced in the State Senate and Assembly, respectively,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests their passage by the New York State Legislature.

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
Senator Hugh T. Farley
Assemblyman Paul D. Tonko

**
RESOLUTION NO. 116 of 2003 DATED: April 22, 2003
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY,
INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF
CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES
PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Resolution by: Full Board
Seconded by Supervisor:

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

SECTION 1. A new section 4-A of Resolution No. 311, enacted by the Board of Supervisors of the County of Montgomery on December 5, 1967, imposing sales and compensating use taxes, is added to read as follows:

Section 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of Section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by Sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2005. Such additional taxes shall be identical to the taxes imposed by such Sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such Sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Subdivision (1) of Section 11 of Resolution No. 311 enacted by the Board of Supervisors of the County of Montgomery on December 5, 1967, imposing sales and use taxes, is amended to read as follows:

(1) (A) In respect to the use of property used by the purchaser in this County prior to March 1, 1968.

(B) With respect to the additional tax of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2005, in respect to the use of property used by the purchaser in this County prior to June 1, 2003.

SECTION 3. Section 14 of Resolution No. 311, enacted by the Board of Supervisors of the County of Montgomery on December 5, 1967, imposing sales and use taxes, is amended to read as follows:

Section 14. Disposition of Revenue

Net collections distributed to the County by the State Comptroller pursuant to Section Twelve Hundred Sixty-one of the New York Tax Law shall be disposed of as follows:

(a) 100 percent of such moneys shall be set aside for County purposes and shall be available for any County purpose.

(b) Notwithstanding subdivision (a) of this section, net collections from the County's taxes imposed at the rate of the four percent for the period commencing June 1, 2003, and ending November 30, 2005, shall be set aside or distributed in accordance with the County's agreement with the City of Amsterdam of March 13, 2003, pursuant to the authority of Section 1262(c) of the New York Tax Law, as follows:

(1) Fifty percent of such net collections from taxes imposed at the rate of three percent and ninety percent of such net collections from taxes imposed at the rate of one percent shall be set aside for county purposes and shall be available for any county purpose.

(2) Fifteen percent of such net collections from taxes imposed at the rate of three percent and ten percent of such net collections from taxes imposed at the rate of one percent shall be paid monthly in cash to the City of Amsterdam.

(3) Thirty-five percent of such net collections from taxes imposed at the rate of three percent shall be paid quarterly in cash to the area of the County outside such City. Such net collections to be paid quarterly to the area of the County outside the City shall be divided amongst the towns and villages in such area based on full valuation of real property.

(c) As used in this resolution, the following terms shall mean or include:

(1) Net Collections. The moneys collected from a tax or taxes imposed by this resolution, after the New York State Commissioner of Taxation and Finance deducts therefrom expenses of administration and collection and amounts refunded or to be refunded.

(2) General Town Taxes. Taxes levied for any town purpose, including highways, upon the entire area of a town.

(3) Full Valuation of Real Property. The assessed valuation of real property divided by the equalization rate as determined in accordance with Article Eight of the Real Property Tax Law.

(4) Part-town Activities. Activities of town government, including highway programs, which area chargeable to the area of the town outside of villages, exclusive of special district purposes, unless such special district is a fire protection district coterminous with the area of a town outside of villages.

SECTION 4. This enactment shall take effect on June 1, 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

**
RESOLUTION NO. 117 of 2003 DATED: April 22, 2003
RESOLUTION SUPPORTING COST-EFFECTIVE PRESERVATION OF SCHOHARIE CROSSING
AQUEDUCT

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Schoharie Crossing Aqueduct is an important part of the history of the Erie Canal, Montgomery County, New York State, as well as the United States of America, and

WHEREAS, through the years the Schoharie Crossing Aqueduct has deteriorated and continues to diminish with only a small portion of the original structure remaining, and

WHEREAS, New York State has authorized a study which should be completed by Fall 2003 to analyze the cost and feasibility of preserving what remains of the aqueduct, and

WHEREAS, the Montgomery County Board of Supervisors encourages the preservation of this historic and cultural structure,

RESOLVED, that the Montgomery County Board of Supervisors supports a cost effective preservation effort to stabilize the Schoharie Crossing Aqueduct and requests that Montgomery County be a part of this effort, and

FURTHER RESOLVED, that this resolution be sent to the New York State Office of Parks, Recreation and Historic Preservation and other appropriate agencies and organizations.

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

OTHER

Motion by Supervisor Quackenbush, seconded by Supervisor DiMezza, to enter into Executive Session for the purpose of discussion of negotiations and personnel matters, passed with Aye(1868). The Board entered Executive Session at 7:40 p.m.

Motion by Supervisor DiMezza, seconded by Supervisor Quackenbush, to conclude the Executive Session at 8:25 p.m., passed with Aye(1868).

**
RESOLUTION NO. 112 of 2003 DATED: April 22, 2003
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT BETWEEN FMCC BUILDINGS
AND GROUNDS UNIT, FULTON-MONTGOMERY COMMUNITY COLLEGE, FULTON COUNTY
AND MONTGOMERY COUNTY - 2002-05 COLLECTIVE BARGAINING AGREEMENT

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Paton

WHEREAS, Fulton-Montgomery Community College has recommended entering a Collective Bargaining Agreement with the FMCC Buildings and Grounds Unit, and

WHEREAS, said Agreement shall be for a period commencing on September 1, 2002 and ending on August 31, 2005,

RESOLVED, that the Chairman of the Board of Supervisors, following review

and approval by the County Attorney, hereby is authorized and directed to sign a Memorandum of Agreement between the Civil Service Employees Association, Inc., AFSCME, Local 1000, AFL-CIO, FMCC Buildings and Grounds Unit, Fulton-Montgomery Community College, Fulton County and Montgomery County, as attached hereto and made a part hereof, and

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

RESOLUTION WITHDRAWN BY SPONSOR.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 118 of 2003 DATED: April 22, 2003
RESOLUTION DIRECTING COUNTY ATTORNEY AND CLERK OF BOARD (PERSONNEL)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Hisert

WHEREAS, the Board of Supervisors anticipates eliminating the position of County Administrator subsequent to July 11, 2003,

RESOLVED, that the County Attorney and Clerk of the Board of Supervisors are hereby directed to prepare legislation necessary to repeal those local laws creating the position of County Administrator and relating to the duties of the County Administrator.

RESOLUTION ADOPTED with Aye(1239). Supervisors Dybas, Mancini, McMahon, Paton and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1239) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

_____ ADJOURNMENT

Motion by Supervisor DiMezza, seconded by Supervisor Mancini, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 8:31 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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_____ CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for May 27, 2003, 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 Supervisor Brodie was absent.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor DiMezza, to amend the agenda to allow for the introduction of any Emergency Resolutions, passed with Aye(1729). Supervisor Brodie was absent. Motion by Supervisor McMahon, seconded by Supervisor DiMezza, to adopt the amended agenda, passed with Aye(1729). Supervisor Brodie was absent.

_____ PRIVILEGE OF THE FLOOR

None.

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings of April 15, 2003, April 22, 2003 and Regular Meeting of April 22, 2003, 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. 119 of 2003 DATED: May 27, 2003
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2003

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Sinicropi

WHEREAS, on April 22, 2003, 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", was presented to the Board of Supervisors for consideration, and

WHEREAS, on April 22, 2003, Resolution No. 99 of 2003 was adopted, authorizing and directed that a Public Hearing be held by the Board of Supervisors on the 27th day of May, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 3 of 2003 entitled: "A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose", 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(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
Real Property

County of Montgomery
Introductory Local Law No. 3 of 2003

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 8.52-3-51 and SBL 8.52-2-18.1, located on Mohawk Street and Bridge Street, respectively, in the village of St. Johnsville, 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 St. Johnsville for its use, in the amount of \$1.00.

**

RESOLUTION NO. 120 of 2003 DATED: May 27, 2003
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Hassan
Seconded by Supervisor: Richards

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from October 1, 2002 through March 31, 2003, 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(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. 121 of 2003
RESOLUTION AMENDING RESOLUTION NO. 5 OF 2003

DATED: May 27, 2003

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Hassan

WHEREAS, Resolution No. 5 of 2003 designated depositories for County funds and established maximum deposit amounts, and

WHEREAS, Hudson River Commercial Bank has qualified for designation as a depository of Montgomery County funds,

RESOLVED, that Resolution No. 5 of 2003 hereby is amended by providing, in the Resolved clause, for addition of "Hudson River Commercial Bank, 11 Division Street, Amsterdam, NY", and

FURTHER RESOLVED, that said Resolution also is amended by providing, in the first Further Resolved clause, for addition of "Hudson River Commercial Bank, 11 Division Street, Amsterdam, NY, \$10,000,000.00".

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

**

RESOLUTION NO. 122 of 2003
RESOLUTION AWARDDING BID NO. 05-03

DATED: May 27, 2003

Resolution by Supervisor: Hassan
Seconded by Supervisor: Richards

WHEREAS, the Purchasing Agent was authorized to solicit bids for Food Service and Cleaning Supplies, and

WHEREAS, said bids were opened on April 29, 2003, and

WHEREAS, the Purchasing Agent has reviewed the bid documents and recommended that awards be made to the lowest responsible bidders for each item,

RESOLVED, that the Board of Supervisors hereby awards the Cleaning Supplies portion of Bid No. 05-03 to R.H. Crown, Quandt's, S & J Enterprise, Cole Industrial, Horwitz Supply, Sofco and Hill & Markes, and

FURTHER RESOLVED, that the Food Service portion of said bid hereby is awarded to R.H. Crown, Quandt's, Central Poly, Horwitz Paper, Sofco, Hill & Markes and All-American Poly.

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 Agent

**

RESOLUTION NO. 123 of 2003 DATED: May 27, 2003
RESOLUTION REJECTING PROPOSALS - TELEPHONE AND DATA SYSTEMS

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent, via RFP 04-02, solicited proposals for telephone and data systems, and

WHEREAS, said proposals were opened, but no action was forthcoming, and

WHEREAS, the Purchasing Agent has recommended that all proposals received in response to RFP 04-02 be rejected,

RESOLVED, that all proposals tendered to the Purchasing Agent, in response to RFP 04-02, hereby are rejected, and

FURTHER RESOLVED, that said Purchasing Agent hereby is authorized and directed to provide notification of said rejections, as appropriate, and

FURTHER RESOLVED, that said Purchasing Agent also is authorized and directed to review all proposals received in response to RFP 20-03, advertised on May 7, 2003 and opened on May 23, 2003, and to submit recommendations to the Board of Supervisors.

RESOLUTION ADOPTED with Aye(1586). Supervisor McMahon abstained. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1586) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk
Purchasing Agent

**

RESOLUTION NO. 124 of 2003 DATED: May 27, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT-FMCC (PUBLIC HEALTH)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Thomas

WHEREAS, the Public Health Department has been awarded a New York State Comprehensive Cardiovascular Health Programs Grant for the period commencing on February 1, 2003 and ending June 29, 2003, and

WHEREAS, one objective of said grant is to conduct a public education session, and

WHEREAS, said session is scheduled for June 19, 2003 in the Fulton-Montgomery Community College Theater,

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 Fulton-Montgomery Community College to enable the Public Health Department to conduct a public education session in the FMCC Theater on June 19, 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
Director of Public Health

**

RESOLUTION NO. 125 of 2003 DATED: May 27, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT
- 2003 BRIDGE PROGRAM (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Hisert

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 90 of 2003, has approved the 2003 Bridge Program, including engineering services, and

WHEREAS, funding for said program was approved, by adoption of Resolution No. 114 of 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 with Earth Tech, Inc., of Albany, for provision of engineering services for the 2003 Bridge Program, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$156,600.

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
Commissioner of Public Works

**

RESOLUTION NO. 126 of 2003 DATED: May 27, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - COURT
SECURITY SERVICES (SHERIFF)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Dybas

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 \$54,000, for the period commencing on April 1, 2003 and ending on March 31, 2004.

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. 127 of 2003 DATED: May 27, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - CITY OF
AMSTERDAM (DATA PROCESSING)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Hisert

WHEREAS, the Director of Data Processing has recommended renewal of a contract to provide data processing services to the City of Amsterdam, and

WHEREAS, said contract will generate annual revenue of approximately \$26,250,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement for provision of data processing services to the City of Amsterdam for the period commencing July 1, 2003 and ending on June 30, 2004.

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 of Data Processing

**

RESOLUTION NO. 128 of 2003 DATED: May 27, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN EQUIPMENT LEASE AGREEMENT
(DATA PROCESSING)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Director of Data Processing has recommended that the County contract with SCS, or an equivalent vendor, in a multi-year lease agreement,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with SCS, or equivalent vendor, for the acquisition, installation and implementation of an enhanced computer system with remote communication, and

FURTHER RESOLVED, that all costs associated with said system shall not exceed \$46,000 per year, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From: A-14-4-1680-00	Data Processing	
.1110(99)	Comp Programmer Analyst	\$ 1,600.00
.1110(333)	Sr Computer Programmer	3,969.00
.1110(1349)	Programmer/Analyst Special	11,424.00
.4438	Misc. Supporting Services	3,000.00
.4459	Computer Software	7,007.00
A-01-4-1990-00.4400	Contingent Account	
	Contractual Services	10,000.00
To: A-14-4-1680-00	Data Processing	
.2259	Computer Equipment	\$ 3,000.00
.4422	Equip Rental/Lease/Repair	34,000.00

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
Director of Data Processing

**

RESOLUTION NO. 129 of 2003 DATED: May 27, 2003
RESOLUTION AUTHORIZING SOLICITATION OF BIDS - BUILDINGS RENOVATION
PROJECT (FMCC)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, Trudeau Associations has been hired to prepare design plans for a four-part Buildings Renovation Project at Fulton-Montgomery Community College,

RESOLVED, that the Board of Supervisors hereby authorizes solicitation of bids for a Buildings Renovation Project 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(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
FMCC
Fulton County Board of Supervisors

**

RESOLUTION NO. 130 of 2003 DATED: May 27, 2003
RESOLUTION APPROVING THE TERMS AND CONDITIONS OF A CERTAIN AMENDED AND
RESTATED PILOT AGREEMENT TO BE ENTERED INTO BETWEEN MONTGOMERY COUNTY
INDUSTRIAL DEVELOPMENT AGENCY AND TARGET CORPORATION IN CONNECTION WITH
THE TARGET CORPORATION PROJECT

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, on December 28, 2001, the Montgomery County Industrial Development Agent (the "Agency") and Kmart of Amsterdam, NY Distribution Center, Inc. ("Kmart Amsterdam") entered into a payment in lieu of tax agreement dated as of December 1, 2001 (the "Kmart PILOT Agreement"), and

WHEREAS, the Kmart PILOT Agreement provided for the payment by Kmart Amsterdam of certain payment in lieu of taxes with respect to a warehouse/distribution facility (the "Project Facility") located in the Town of Florida, Montgomery County, New York, and

WHEREAS, the terms of the Kmart PILOT Agreement were approved by resolutions adopted by Montgomery County, the Town of Florida, the Greater Amsterdam City School District and the Fonda-Fultonville Central School District, and

WHEREAS, Kmart Amsterdam and Target Corporation ("Target") have reached agreement on the conveyance of the Project Facility from Kmart Amsterdam to Target, and

WHEREAS, in connection with the conveyance of the Project Facility from Kmart Amsterdam to Target, the Agency and Target will enter into an amended and restated payment in lieu of tax agreement dated as of June 1, 2003 (the "Target PILOT Agreement") which will provide for the payment by Target of certain payment in lieu of taxes with respect to the Project Facility, and

WHEREAS, Section 858(15) of the General Municipal Law ("GML") requires, in certain instances, that any agreement requiring payments in lieu of taxes be approved by the "affected tax jurisdictions" (as defined in Section 854(16) of the GML), and

WHEREAS, the Agency desires that Montgomery County, the Town of Florida, the Greater Amsterdam City School District (the "City School District") and the Fonda-Fultonville Central School District, as the affected tax jurisdictions with respect to the Project Facility, adopt resolutions approving the terms of the Target PILOT Agreement,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Montgomery, as follows:

SECTION 1. For the purpose of satisfying the requirements contained in Section 858(15) of the GML, the Board of Supervisors of the County of Montgomery hereby approves the terms and conditions of the Target PILOT Agreement, including but not limited, to the payment terms. The payment terms to be contained in the Target PILOT Agreement are substantially described in Schedule A attached hereto.

SECTION 2. The Chairman of the Board of Supervisors is hereby authorized, on behalf of the County of Montgomery, to execute and deliver the Target PILOT Agreement, said Target PILOT Agreement to contain the payment terms substantially in the form thereof presented at this meeting with such changes, variations, omissions and insertions as the Chairman of the Board of Supervisors shall approve, the execution thereof by the Chairman of the Board of Supervisors to constitute conclusive evidence of such approval.

SECTION 3. The officers, employees and agents of the County of Montgomery are hereby authorized and directed for an in the name and on behalf of the County of Montgomery to do all acts and things required or provided for by the applicable provisions of the GML in order to ensure compliance with such provisions as they relate to the execution and delivery of the Target PILOT Agreement, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

SECTION 4. This resolution shall take effect immediately.

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
Economic Opportunity & Development
MCIDA

**

RESOLUTION NO. 131 of 2003 DATED: May 27, 2003
RESOLUTION AUTHORIZING LAND PURCHASES - TOWN OF FLORIDA WATER AND SEWER DISTRICT

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County is constructing infrastructure for water and sewer districts located in the Town of Florida, and

WHEREAS, Montgomery County must acquire certain parcels of land to enable construction of water and sewer pump stations and related apparatus,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign all necessary legal documents allowing for the purchases of the following parcels:

SBL	OWNER'S NAME	NUMBER OF ACRES	FOR A COST NOT TO EXCEED
55-1-2.112	Ronald Mead	1.33 of 60 Acres	\$9,000.00

54-1-28 Cytech Hardwood .049 of .84 acres 950.00

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
Economic Development

**

RESOLUTION NO. 132 of 2003 DATED: May 27, 2003
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 4 OF 2003

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 4 of 2003, a Local Law Repealing Local Law No. 1 of 1978, Local Law No. 2 of 1983, Local Law No. 1 of 1984 and Local Law No. 3 of 2001, which Created the Office of County Administrator,

RESOLVED, that Introductory Local Law No. 4 of 2003 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 24, 2003 at 6:00 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1188). Supervisors Dybas, McMahon, Hassan, Paton and Van Kersen voted nay. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1188) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 133 of 2003 DATED: May 27, 2003
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 5 OF 2003

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 5 of 2003, a Local Law Repealing Local Law No. 7 of 1988 and Local Law No. 6 of 1999, which Empowered the Montgomery County Administrator to Authorize Budgetary Transfers Between Expense Categories Within the Same Appropriation Account,

RESOLVED, that Introductory Local Law No. 5 of 2003 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 24, 2003 at 6:30 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

to law.

RESOLUTION ADOPTED with Aye(1254). Supervisors Dybas, McMahon, Hassan and Paton voted nay. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1254) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 134 of 2003 DATED: May 27, 2003
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW
NO. 6 OF 2003

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 6 of 2003, a Local Law Empowering the Chairman of the Montgomery County Board of Supervisors to Authorize Budgetary Transfers Between Expense Categories within the Same Appropriation Account,

RESOLVED, that Introductory Local Law No. 6 of 2003 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 24, 2003, at 6:40 p.m., in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor DiMezza, in the title and body of Introductory Local Law No. 6 of 2003, delete "Chairman of the Board" and insert, in its stead, "Budget Officer", passed with Aye(1188). Supervisors Dybas, McMahon, Hassan, Paton and Van Kersen voted nay. Supervisor Brodie was absent.

RESOLUTION ADOPTED with Aye(1188). Supervisors Dybas, McMahon, Hassan, Paton and Van Kersen voted nay. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1188) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Administrator
County Clerk

**

RESOLUTION NO. 135 of 2003 DATED: May 27, 2003
RESOLUTION ESTABLISHING POSITION OF ADMINISTRATIVE AIDE

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors is establishing a new position of Administrative Aide, and

WHEREAS, this position will work for the Board of Supervisors and is supervised by the Chairman of the Board,

RESOLVED, that a base annual salary of \$43,500 is established, and

FURTHER RESOLVED, June 16, 2003 the Treasurer hereby is authorized and directed to amend the 2003 operating Budget, as follows:

ADD: A-01-4-1010-00.1110(122) Legislative Board
Administrative Aide

TRANSFER:

From: A-01-4-1990-00.4400 Contingent Account \$28,400.00
Contractual
To: A-01-4-1010-00.1110(122) Legislative Board \$23,900.00
Administrative Aide
A-10-4-9001-00 Fringe Benefits
.8810 FICA 2,000.00
.8850 Hospital & Medical 2,500.00

RESOLUTION ADOPTED with Aye(1188). Supervisors Dybas, McMahon, Hassan, Paton and Van Kersen voted nay. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1188) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Personnel/Payroll

**
RESOLUTION NO. 136 of 2003 DATED: May 27, 2003
RESOLUTION TRANSFERRING POSITION IN COUNTY ADMINISTRATOR'S OFFICE

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

WHEREAS, the position of Account Clerk Typist in the County Administrator's office is being transferred to the Auditing Department,

RESOLVED, effective June 2, 2003, the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1011-00.1110(570) County Administrator \$13,116.97
Account Clerk Typist
To: A-30-4-1320-00.1110(570) County Auditor \$13,116.97
Account Clerk Typist

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, in the RESOLVED clause, delete "June 2" and insert, in its stead, "June 30", and in "TRANSFER" delete "13,116.97" and insert, in its stead, "11,427.76", passed with Aye(1288). Supervisors Dybas and Quackenbush voted nay. Supervisor Paton abstained. Supervisor Brodie was absent.

RESOLUTION ADOPTED with Aye(1145). Supervisors Dybas, McMahon and Quackenbush voted nay. Supervisor Paton abstained. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1145) 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. 137 of 2003 DATED: May 27, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET - COUNTY ADMINISTRATOR

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Richards

WHEREAS, the resignation of the County Administrator is effective May 31, 2003, and

WHEREAS, it is the intention of the Board of Supervisors to rescind the Local Law that created that position, totally eliminating this position, and

WHEREAS, there remains balances and residues in the departmental budget identified as A-01-1011, County Administrator,

RESOLVED, that after all outstanding claims, including payroll, are satisfied, the County Treasurer is directed to transfer all balances, in all objects of expense, within the department budget A-01-1011, to the departmental budget of the Board of Supervisors A-01-1010, or as any other resolution should direct, and

FURTHER RESOLVED, that the County Treasurer furnish the Board of Supervisors with a detailed listing of all such transfers, upon completion, and

FURTHER RESOLVED, that the delineation of department 01 in all County business and matters, shall pertain to the Board of Supervisors only.

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

**

RESOLUTION NO. 138 of 2003 DATED: May 27, 2003
RESOLUTION TRANSFERRING POSITION IN AUDITING DEPARTMENT

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

WHEREAS, the shared position of Account Clerk Typist in the Auditing Department is being transferred to the Purchasing Department,

RESOLVED, effective June 2, 2003, the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From: A-30-4-1320-00.1110(654)	County Auditor Account Clerk Typist	\$7,317.88
To: A-31-4-1345-00.1110(856)	Central Purchasing Account Clerk Typist	\$7,317.88

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, in the first RESOLVED clause, delete "June 2" and insert, in its stead, "June 30", passed with Aye(1729). Supervisor Brodie was absent.

RESOLUTION ADOPTED with Aye(1582). Supervisor Paton abstained. Supervisor Brodie was 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
County Auditor
Purchasing Agent

**

RESOLUTION NO. 139 of 2003
RESOLUTION REGARDING TRANSFER OF FUNDS

DATED: May 27, 2003

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Thomas

WHEREAS, when it becomes necessary for the transfer of funds in the Montgomery County's adopted operating budget,

RESOLVED, effective June 1, 2003, the Budget Officer will be the public official that will be authorized to sign transfer forms to initiate the transfer, and

FURTHER RESOLVED, that the attached form, which shall be utilized to effect said transfers, hereby is made part of this Resolution.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Hisert, in the RESOLVED clause, delete "Budget Officer", and insert, in its stead, "County Treasurer" and after "forms" insert, "not to exceed \$5,000", passed with Aye(1729). Supervisor Brodie was absent.

RESOLUTION ADOPTED with Aye(1663). Supervisor Van Kersen voted nay. Supervisor Brodie was absent.

Duly adopted upon roll call, all members present (1663) 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. 140 of 2003
RESOLUTION ESTABLISHING POLICY FOR DEPARTMENT HEAD ABSENCE NOTIFICATION

DATED: May 27, 2003

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Richards

WHEREAS, effective June 1, 2003, the Board of Supervisors is establishing a policy regarding Department Head absence notification, and

WHEREAS, that appointed full-time Department Heads pre-notify the Chairman of the Board Office of any schedule absences, and

WHEREAS, vacation leave utilization, said Department Heads must provide the Chairman's Office with two week advance written notice, and

WHEREAS, for personal leave, a one day advance written notice is advised, and

WHEREAS, notify the Chairman of the Board Office of all other absences, such as sick, bereavement, etc., in a timely manner,

RESOLVED, that the Chairman's Office be notified when an appointed Full-Time Department Head will be away from the office, for business reasons, for three hours or more, and

FURTHER RESOLVED, that a notification form be established by the Personnel officer for use in this process.

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
All Department Heads

**

RESOLUTION NO. 141 of 2003 DATED: May 27, 2003
RESOLUTION AMENDING RESOLUTION NO. 189 OF JUNE 11, 1991 AND RESOLUTION
NO. 106 OF MARCH 10, 1992

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Stagliano

WHEREAS, the policy that was established by Resolution No 106 of 1992 and
Resolution No. 189 of 1991 regarding the filling of budget positions be amended,

RESOLVED, that effective June 1, 2003, the policy now establishes that the
Department Head approves budgeted vacancies which are established in the
County's adopted operating budget, after the attached "RTFV" form has been
completed and executed by the Department Head and Personnel Officer.

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
All Department Heads

**

RESOLUTION NO. 142 of 2003 DATED: May 27, 2003
RESOLUTION ESTABLISHING POLICY FOR CONFERENCE ATTENDANCE

Resolution by Supervisor: Hisert
Seconded by Supervisor: Sinicropi

WHEREAS, a County Employee who is interested in attending a conference,
must have authorization to attend,

RESOLVED, that the Request to Authorize Conference Attendance form must be
used and signed/approved by the Department Head and the Chairman of the Board of
Supervisors.

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
All Department Heads

**

RESOLUTION NO. 143 of 2003 DATED: May 27, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County has received an allocation from the State
Emergency Management Office to help enhance anti-terrorism plans,

RESOLVED, that the County Treasurer hereby is authorized and directed to
amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:	A-02-3-4305-00	Emergency Management Office	by \$21,900.00
Appropriations:	A-02-4-3640-00	Emergency Management	
	.2259	Computer Equipment	by \$ 5,500.00
	.4408	Office Supplies	by 4,800.00
	.4438	Misc. Supporting Services	by 5,100.00

.4455 Training by 6,500.00

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
Emergency Management Director

**
RESOLUTION NO. 144 of 2003 DATED: May 27, 2003
RESOLUTION ACCEPTING BIDS - 2003 COUNTY AUCTION

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, an open-bid auction of certain County-owned real property was held on Wednesday, May 23, 2003, and

WHEREAS, the respective successful bidders were, as follows:

HIGH BIDDER	SECOND BIDDER	PARCEL	PRICE
Norma J. Soodsma	Jaroslav Lenczewski	2	\$ 9,500.00
George P. Alvarez	Haralamos Garoutsos	8	400.00
None	None	12	--
Joseph Scarpa	David Hewitt	13	45,000.00
Sunset Refuse	None	15	50.00
None	None	16	--
Allen Pileckas	Haralamos Garoutsos	19	400.00
Jeannette M. Cowles	Jaroslav Lenczewski	25	10,000.00
Michael Patierno	Daniel Miller, Jr.	28	3,500.00
Michael Patierno	Daniel C. Morey	29	12,000.00
Vincent Crockett	Joseph Charles King	32	3,250.00
James H. Hoffman	None	44	100.00
Edward & Pamela Minch	None	45	25.00
John P. Wynne	Jaroslav Lenczewski	55	8,000.00
J K Brundage	Haralamos Garoutsos	56	11,000.00
Anthony S. Neglia	Daniel Richardson	73	5,500.00
Anthony S. Neglia	James D. Baker	74	4,250.00
Michelle Lasher	Anthony S. Neglia	75	500.00
J K Brundage	Mohamed A. Hafez	82	20,000.00
Anna Billington	Joseph DiStefano	83	9,000.00
Daniel Miller, Jr.	None	85	100.00
None	None	104	--
Stephen W. Marks	Robert Guisti, Jr.	112	2,500.00
Lula K. Wilmot	Audrey Fountain	113	6,500.00
Lula K. Wilmot	Jennette M. Cowles	114	20,000.00
Dean E. Blair	Haralamos Garoutsos	119	5,000.00
Haralambos Garoutsos	Peter Fields	120	450.00
Haralambos Garoutsos	None	122	100.00
Andrew Dingman	James D. Baker	126A	300.00
Stephanie Lyons	Daniel Miller, Jr.	128	700.00
Daniel C. Morey	Stephen Marks	133	8,000.00
James D. Baker	None	135	50.00
Starr Stevenson	Daniel C. Morey	136	17,500.00
John P. Wynne	Shelley Hume	141	8,500.00
Frederick Wagner	Jeffrey Darrach	142	400.00
Ronald Hezel	Peter Fields	145	500.00
HIGH BIDDER	SECOND BIDDER	PARCEL	PRICE
Jeffrey Darrach	Daniel Miller, Jr.	145A	350.00
Jeffrey Darrach	Daniel Miller, Jr.	145B	350.00
John P. Wynne	Shelley Hume	149	6,000.00
		TOTAL	\$219,775.00

, 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 for the accepted bid, taxes levied on the property after auction date, search fee, advertising charge 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(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. 145 of 2003 DATED: May 27, 2003
RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN COUNTY OF
MONTGOMERY AND MONTGOMERY COUNTY LOCAL 829 OF C.S.E.A., INC. AND
AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF JANUARY 1, 2003
- DECEMBER 31, 2003

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, negotiations for a successor employment agreement to the contract with Montgomery County Local 829 of C.S.E.A. have been conducted, with the parties reaching a Memorandum of Agreement, and

WHEREAS, said Memorandum of Agreement includes establishment of new schedule for full-time and parttime C.S.E.A. Bargaining unit employees, with an annual increase of 2.5 percent, effective January 1, 2003, and

WHEREAS, the membership of Montgomery County Local 829 of C.S.E.A. has ratified said Memorandum of Agreement,

RESOLVED, that the Board of Supervisors hereby ratifies and approves a Memorandum of Agreement between the County of Montgomery and Local 829 C.S.E.A., Inc., pertaining to a successor employment contracts for full-time and part-time, 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 the ensuring contract, incorporating said Memorandum of Agreement, with C.S.E.A. for the period January 1, 2003 - 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
Personnel Officer

_____ OTHER

Motion by Supervisor Stagliano, seconded by Supervisor DiMezza, to enter Executive Session at 7:55 p.m. for the purpose of contract negotiations, passed with Aye(1729). Supervisor Brodie was absent.

Motion by Supervisor Quackenbush, seconded by Supervisor Stagliano, to conclude the Executive Session at 8:07 p.m., passed with Aye(1729). Supervisor Brodie was absent.

_____ ADJOURNMENT

Motion by Supervisor DiMezza, seconded by Supervisor Sinicropi, to adjourn the meeting, passed with Aye(1729). Supervisor Brodie was absent. Chairman Barone declared the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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_____ CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for June 24, 2003, was called to order at 7:07 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor McMahon. Roll call indicated that all Supervisors were present.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Thomas, to amend the agenda to allow for the introduction of Resolution No. 159, to consider Resolution No. 159 prior to Resolution No. 158, and to conduct an Executive Session prior to Resolution No. 158, 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

Brian Cechnicki, Town of Root, spoke against elimination of the County Administrator position.

David Smith, Town of Mohawk; Eric Mead, Town of Florida; Larry Buchanan, Tribes Hill; and Burt Wilson, Fulton County, spoke in favor of snowmobile use on the recreation trail through Montgomery County.

Seids Jonker, Town of Palatine, discussed time restrictions for use of portions of the trail.

Clifford Douglass, Town of Canajoharie, said the County does not have the manpower or money to maintain the path.

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearing and Regular Meeting of May 27, 2003, 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. 146 of 2003 DATED: June 24, 2003
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 4 OF 2003

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, on May 27, 2003, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Repealing Local Law No. 1 of 1978, Local Law No. 2 of 1983, Local Law No. 1 of 1984 and Local Law No. 3 of 2001, which Created the Office of County Administrator", was presented to the Board of Supervisors for consideration, and

WHEREAS, on May 27, 2003, Resolution No. 132 of 2003 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 24th day of June, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 4 of 2003 entitled: "A Local Law Repealing Local Law No. 1 of 1978, Local Law No. 2 of 1983, Local Law No. 1 of 1984 and Local Law No. 3 of 2001, which Created the Office of County Administrator", hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file 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(1190). Supervisors Dybas, Mancini, McMahon, Hassan, Paton and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1190) 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. 4 of the Year 2003

A Local Law Repealing Local Law No. 1 of 1978,
Local Law No. 2 of 1983, Local Law No. 1 of 1984
and Local Law No. 3 of 2001, which Created the
Office of the county Administrator

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

SECTION 1: The Local Laws which created the office of the County Administrator hereby are repealed.

SECTION 2. This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been fully complied with and it has been filed in the Office of the Secretary of State.

**
RESOLUTION NO. 147 of 2003 DATED: June 24, 2003
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 5 OF 2003

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

WHEREAS, on May 27, 2003, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Repealing Local Law No. 7 of 1999, which Empowered the Montgomery County Administrator to Authorize Budgetary Transfers Between Expense Categories Within the Same Appropriation Account", was presented to the Board of Supervisors for consideration, and

WHEREAS, on May 27, 2003, Resolution No. 133 of 2003 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 24th day of June, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 5 of 2003 entitled: "A Local Law Repealing Local Law No. 7 of 1999, which Empowered the Montgomery County Administrator to Authorize Budgetary Transfers Between Expense Categories Within the Same Appropriation Account", 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(1376). Supervisors Dybas, McMahon, Paton and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1376) 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. 5 of 2003

A Local Law Repealing Local Law No. 7 of 1988 and Local Law No. 6 of 1999, which Empowered the Montgomery County Administrator to Authorize Budgetary Transfers Between Expense Categories Within the Same Appropriation Account

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

SECTION 1. The Local Laws which empowered the County Administrator to authorize budgetary transfers between expense categories within the same appropriation account hereby are repealed.

SECTION 2. This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been fully complied with and it has been filed in the Office of the Secretary of State.

**
RESOLUTION NO. 148 of 2003 DATED: June 24, 2003
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 6 OF 2003

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, on May 27, 2003, a proposed Local Law for the County of Montgomery, entitled: "A Local Law Empowering the Budget Officer to Authorize Budgetary Transfers Between Expense Categories Within the Same Appropriation

Account", was presented to the Board of Supervisors for consideration, and

WHEREAS, on May 27, 2003, Resolution No. 134 of 2003 was adopted, authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 24th day of June, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 6 of 2003 entitled: "A Local Law Empowering the Budget Officer to Authorize Budgetary Transfers Between Expense Categories Within the Same Appropriation Account", 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(1721). Supervisor Paton voted nay.

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. 6 of 2003

A Local Law Empowering the Budget Officer to Authorize
Budgetary Transfers Between Expense Categories Within the
Same Appropriation Account

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

SECTION 1. LEGISLATIVE INTENT: The Board of Supervisors of the County of Montgomery hereby intends to enact appropriate legislation to bring greater efficiency, responsiveness and accountability to the County budgetary process. The Board of Supervisors intends to empower the Budget Officer with the authority to make certain budget transfers under certain guidelines.

SECTION 2. COUNTY LAW: The County Law of the State of New York stipulates that, except as otherwise specified by a County governing body by the adoption of a Local Law or an ordinance, transfers of funds between categories of appropriation expenditure items (objects of expense) of personal services, equipment and contractual services within the same appropriation account may be authorized only by the adoption of a resolution by the governing body.

SECTION 3. CURRENT AUTHORITY: The County Administrator of the County of Montgomery previously was authorized to approve the transfer of funds within the same appropriation account of the County budget between the three categories of (a.) personal services; (b.) equipment and (c.) contractual expenses in separate amounts of less than five thousand dollars (\$5,000.00) without the necessity of the adoption of a resolution of the Board of Supervisors under certain conditions.

SECTION 4. NEW AUTHORITY: The Board of Supervisors of the County of Montgomery hereby empowers the Budget Officer to authorize and approve the transfer of funds within the same appropriation account of the County Budget between the three categories of (a.) personal services; (b.) equipment and (c.) contractual expenses in separate amounts of less than five thousand dollars (\$5,000.00) without the necessity of the adoption of a resolution of the Board of Supervisors, subject to the following conditions:

- A. That such authorization to transfer funds in this manner be given only if the County Department/Agency requesting such transfer has given prior written documentation to explain and justify the fund transfer request;

- B. That the Budget Officer submit a monthly report to the Board of Supervisors which details and summarizes all such financial transactions:
- C. That such authority be applied only to the extent as may be permissible by the County Law.
- D. That such authority does not apply to transfers from the Contingent Account of any fund of the County Budget.

SECTION 5. SAVING CLAUSE: If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE: This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been fully complied with and it has been filed in the Office of the Secretary of State.

**
RESOLUTION NO. 149 of 2003 DATED: June 24, 2003
RESOLUTION AMENDING RESOLUTION NO. 140 OF 2003

Resolution by Supervisor: Richards
Seconded by Supervisor: Sinicropi

RESOLVED, that Resolution No. 140 of 2003 hereby is amended by deleting the third WHEREAS clause and inserting, in its stead, the following:

"WHEREAS, for vacation leave utilization, said Department Heads must provide advance notice to said Chairman's Office, and".

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. 150 of 2003 DATED: June 24, 2003
RESOLUTION ESTABLISHING CORRECTION FACILITY NURSE POSITION (JAIL)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has recommended establishment of a second Correction Facility Nurse position at the Montgomery County Jail,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of a full time Correction Facility Nurse position, at a base annual salary of \$34,804, and

FURTHER RESOLVED, that the full time Licensed Practical Nurse position at the Montgomery County Jail hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 operating Budget, as follows:

ADD: A-15-4-3150-00.1110(130) Correction Facility Nurse

TRANSFER:

From: A-15-4-3150-00.1110(90) Jail LPN \$17,524.00

To: A-15-4-3150-00.1110(130) Jail Correction Facility Nurse \$17,524.00

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
Personnel Payroll

**
RESOLUTION NO. 151 of 2003 DATED: June 24, 2003
RESOLUTION MODIFYING AGRICULTURAL DISTRICT NO. 3

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the Montgomery County Planning Board and the Montgomery County Agricultural and Farmland Protection Board have submitted recommendations concerning the review of Agricultural District No. 3, and

WHEREAS, a public hearing concerning the proposed modifications was conducted on Tuesday, April 22, 2003,

RESOLVED, that said District include only those listed Real Property Tax parcels which are attached and made part of this resolution, and

FURTHER RESOLVED, that the Director of Planning and Development hereby is authorized and directed to submit said plan and related documentation to the commissioner of the Department of Agriculture and Markets for certification and to file a description of said district with the County Clerk and the Commissioner of Agriculture and Markets.

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. 152 of 2003 DATED: June 24, 2003
RESOLUTION REAPPOINTING MONTGOMERY COUNTY PLANNING BOARD MEMBERS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the terms of several Planning Board members will expire on June 30, 2003

RESOLVED, that the following persons hereby are reappointed members of Montgomery County Planning Board for three-year terms commencing on July 1, 2003 and ending on June 30, 2006:

Robert DiCaprio	40 Sanford Avenue, Amsterdam
Robert L. Mead	1 Northampton Road, Amsterdam
Sandra Shatley	1158 STHWY 161, Amsterdam
Joseph Ouderkirk	463 Stone Arabia Road, Fort Plain
Ronald Hezel	1679 Mill Road, St. Johnsville

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
Appointees

**
RESOLUTION NO. 153 of 2003 DATED: June 24, 2003
RESOLUTION AUTHORIZING COUNTY CONTRIBUTION TO TOWN OF GLEN WATERFRONT
REVITALIZATION APPLICATION

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, under the leadership of Governor Pataki there have been successful community development, waterfront revitalization and environmental protection program which has enhanced community growth throughout New York State, and

WHEREAS, the Division of Coastal Resources has 50/50 grant money available to eligible communities for planning of specific projects to advance the eligible activity of making the most of the municipal waterfront community visioning and development of revitalization strategies and completing a local waterfront revitalization program, and

WHEREAS, the Towns of Glen and Mohawk and the Villages of Fonda and Fultonville wish to participate in such programs, and

WHEREAS, the Town of Glen will be the applicant on behalf of the four municipalities, and

WHEREAS, the project will be guided by a municipal consortium consisting of 1-3 members in equal membership from each municipality - the membership being named by the Supervisors and Mayors of each municipality when appropriate, and

WHEREAS, Montgomery County wishes to partially fund the program in an equal amount (\$10,000), and

WHEREAS, each municipality will provide \$2,500 cash to this project,

RESOLVED, that the Town of Glen will be the governing body designated by the four community municipal groups to make application, and

FURTHER RESOLVED, that the Town of Glen Supervisor is the representative to act on behalf of that body in all matters related to the financial assistance, and

FURTHER RESOLVED, a copy of this Resolution shall be forwarded to the Town of Glen and the New York State Department of State.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Thomas, in the sixth WHEREAS clause, after "fund", insert "in kind", 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
Town of Glen
NYS Department of State

**
RESOLUTION NO. 154 of 2003 DATED: June 24, 2003
RESOLUTION DESIGNATING OFFICIAL TOURISM PROMOTION AGENCY

Resolution by: Full Board

Seconded by Supervisor:

WHEREAS, the Board of Supervisors encourages and supports promotion of tourism within Montgomery County,

RESOLVED, that the Board of Supervisors hereby designates the Montgomery County Chamber of Commerce as the official Tourism Promotion Agency for Montgomery County for the period commencing October 1, 2003 and ending September 30, 2004.

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
Chamber of Commerce

**
RESOLUTION NO. 155 of 2003 DATED: June 24, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT -
CYTECH HARDWOODS, INC.

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

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 CyTech Hardwoods, Inc., and

WHEREAS, the applicant's primary banking institution has requested the refinancing of their current debt due to their geographic location, and

WHEREAS, said applicant has indicated that this loan will provide additional savings which would allow the company to retain at least fifteen (15) positions,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, and the Department of Housing and Urban Development is hereby authorized and directed to sign an agreement and any other necessary legal documents, to process an economic development loan, in an principal amount not to exceed \$251,500 to CyTech Hardwoods, Inc., 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 60 monthly installments, with interest of prime minus two percent (at time of closing), and

FURTHER RESOLVED, that CyTech Hardwoods, Inc. 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.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Van Kersen, in the first Further Resolved clause, between "account," and "and", insert "when funds become available", 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. 156 of 2003 DATED: June 24, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY
SNOWMOBILE ASSOCIATION

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Vankersen

WHEREAS, it has been proposed that Montgomery County contract with the Montgomery County Snowmobile Association, Inc., for provision of maintenance services on a portion of the New York State Canalway Trail,

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 the Montgomery County Snowmobile Association, Inc., for provision of maintenance services on a portion of the New York State Canalway Trail within Montgomery County, and

FURTHER RESOLVED, that the portion of said Trail located within the Village of Canajoharie is excluded from said Agreement, and

FURTHER RESOLVED, that said Agreement also establishes provisions for use of snowmobiles on said Trail.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Quackenbush, to add, ", and FURTHER RESOLVED, that this agreement is contingent upon passage of an identical resolution by the affected municipalities.", failed with Aye(685). Supervisors Dybas, McMahon, Hassan, Richards, Quackenbush and Stagliano voted aye. Supervisors Barone and Paton abstained.

RESOLUTION ADOPTED with Aye(1139). Supervisors McMahon, Hassan and Stagliano voted nay.

Duly adopted upon roll call, all members present (1139) voting aye.

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

cc: County Treasurer
County Administrator
County Clerk
Planning & Development

**
RESOLUTION NO. 157 of 2003 DATED: June 24, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET - CSEA AGREEMENT

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER

From: A-10-4-9001-00.8850 Hospital & Medical Insurance \$190,605.35

To:

ACCOUNT NUMBER/LINE ITEM	TITLE	AMOUNT
A-25-4-1165-00.1110(1283)	Clerk Typist	511.85
A-25-4-1165-00.1110(1283)	Clerk Typist	211.83
A-25-4-1165-00.1120(547)	Principal Clerk	86.79
A-30-4-1320-00.1110(26)	Senior Acct Clerk Typist	583.81
A-30-4-1320-00.1110(26)	Senior Acct Clerk Typist	241.61
A-30-4-1320-00.1110(654)	Account Clerk Typist	40.45
A-30-4-1320-00.1111(160)	Overtime	9.29
A-06-4-1325-00.1110(113)	Accountant	147.45
A-06-4-1325-00.1110(545)	Accountant	395.87
A-06-4-1325-00.1110(545)	Accountant	267.32
A-06-4-1325-00.1110(1331)	Account Clerk Typist	127.93

A-06-4-1325-00.1110(1331)	Account Clerk Typist	218.48
A-06-4-1325-00.1110(1406)	Principal Account Clerk	618.89
A-06-4-1325-00.1110(1406)	Principal Account Clerk	256.13
A-31-4-1345-00.1110(856)	Account Clerk Typist	4,453.04
A-31-4-1345-00.1110(856)	Account Clerk Typist	40.46
A-31-4-1345-00.1110(1312)	Purchasing Buyer	645.86
A-31-4-1345-00.1110(1312)	Purchasing Buyer	267.32
A-07-4-1355-00.1110(55)	Graphic Info. Sys. Spec.	395.87
A-07-4-1355-00.1110(55)	Graphic Info. Sys. Spec.	267.32
A-07-4-1355-00.1110(1029)	Real Prop Info Spec	645.95
A-07-4-1355-00.1110(1029)	Real Prop Info Spec	267.32
A-07-4-1355-00.1110(1053)	Real Prop Tax Resrch Tech	527.93
A-07-4-1355-00.1110(1053)	Real Prop Tax Resrch Tech	218.48
A-08-4-1410-00.1110(62)	Index/Recording Clerk	611.95
A-08-4-1410-00.1110(62)	Index/Recording Clerk	253.26
A-08-4-1410-00.1110(197)	Motor Vehicle Clerk	44.50
A-08-4-1410-00.1110(199)	Motor Vehicle Clerk	527.93
A-08-4-1410-00.1110(199)	Motor Vehicle Clerk	218.48
A-08-4-1410-00.1110(200)	Motor Vehicle Clerk	527.93
A-08-4-1410-00.1110(200)	Motor Vehicle Clerk	218.48
A-08-4-1410-00.1110(254)	Motor Vehicle Clerk	127.93
A-08-4-1410-00.1110(254)	Motor Vehicle Clerk	218.48
A-08-4-1410-00.1110(258)	Motor Vehicle Clerk	1,035.08
A-08-4-1410-00.1110(258)	Motor Vehicle Clerk	139.37
A-08-4-1410-00.1110(287)	Motor Veh Supervisor	242.69
A-08-4-1410-00.1110(332)	Sr Clerk Typist	527.93
A-08-4-1410-00.1110(332)	Sr Clerk Typist	218.48
A-08-4-1410-00.1110(381)	Index Clerk/Recording Clerk	624.86
A-08-4-1410-00.1110(381)	Index Clerk/Recording Clerk	258.62
A-08-4-1410-00.1110(876)	Micrographics Equip Op	583.93
A-08-4-1410-00.1110(876)	Micrographics Equip Op	241.61
A-08-4-1410-00.1110(1268)	Principal Clerk	569.92
A-08-4-1410-00.1110(1268)	Principal Clerk	235.87
A-08-4-1410-00.1111(496)	Overtime	1.39
A-08-4-1410-00.1120(632)	Account Clerk Typist	88.62
A-10-4-1430-00.1110(1391)	Payroll Benefits Coord	62.29
A-10-4-1430-00.1110(1420)	Account Clerk Typist	527.93
A-10-4-1430-00.1110(1420)	Account Clerk Typist	218.48
A-10-4-1430-00.1111(1281)	Overtime Pay	0.07
A-11-4-1450-00.1110(453)	Clerk/Election Data	583.94
A-11-4-1450-00.1110(453)	Clerk/Election Data	241.61
A-11-4-1450-00.1110(454)	Clerk/Election Data	583.89
A-11-4-1450-00.1110(454)	Clerk/Election Data	241.61
A-12-4-1490-00.1110(8)	Acctng Supr P/W	791.90
A-12-4-1490-00.1110(8)	Acctng Supr P/W	327.72
A-12-4-1490-00.1110(501)	Executive Secretary	618.84
A-12-4-1490-00.1110(501)	Executive Secretary	256.13
A-12-4-1620-00.1110(149)	Hourly Employees	3,393.44
A-12-4-1620-00.1110(149)	Hourly Employees	8,467.00
A-12-4-1620-00.1110(421)	Custodian	527.91
A-12-4-1620-00.1110(421)	Custodian	218.50
A-12-4-1620-00.1110(425)	Cleaner	555.95
A-12-4-1620-00.1110(425)	Cleaner	230.08
A-12-4-1620-00.1110(427)	Struc Maint Super II	765.59
A-12-4-1620-00.1110(427)	Struc Maint Super II	341.88
A-12-4-1620-00.1110(621)	Cleaner	195.23
A-12-4-1620-00.1110(666)	Structural Maint Helper	229.91
A-12-4-1620-00.1110(666)	Structural Maint Helper	230.08
A-12-4-1620-00.1110(667)	Struct Maint Super #1	736.05
A-12-4-1620-00.1110(667)	Struct Maint Super #1	328.66
A-12-4-1620-00.1111(955)	Overtime Pay	56.82
A-12-4-1620-00.1113(663)	Shift Differential	20.85
A-14-4-1670-00.1110(1389)	Sr Printer/Composer	618.93
A-14-4-1670-00.1110(1389)	Sr Printer/Composer	256.13
A-12-4-1671-00.1110(83)	Mail Clerk	218.36
A-12-4-1671-00.1110(83)	Mail Clerk	218.48
A-12-4-1671-00.1120(398)	Mail Clerk/PT	7.07
A-14-4-1680-00.1110(17)	Micro Computer Technician	695.01
A-14-4-1680-00.1110(17)	Micro Computer Technician	287.58
A-14-4-1680-00.1110(88)	Data Entry Mach Operator	527.93
A-14-4-1680-00.1110(88)	Data Entry Mach Operator	218.48
A-14-4-1680-00.1110(93)	Sr. Computer Prog Analyst	943.46
A-14-4-1680-00.1110(93)	Sr. Computer Prog Analyst	89.17
A-14-4-1680-00.1110(99)	Comp. Programmer/Analyst	89.78
A-14-4-1680-00.1110(280)	Micro Comoputer Technician	695.01

A-14-4-1680-00.1110(280)	Micro Comoputer Technician	287.58
A-14-4-1680-00.1110(285)	Senior Computer Operator	123.32
A-14-4-1680-00.1110(286)	Sr Account Clk/Demo	618.89
A-14-4-1680-00.1110(286)	Sr Account Clk/Demo	256.13
A-14-4-1680-00.1110(292)	Computer Program	228.60
A-14-4-1680-00.1110(333)	Sr. Computer Programmer	199.70
A-14-4-1680-00.1110(1349)	Programmer/Analyst Specia	40.60
A-14-4-1680-00.1110(1368)	Sr Computer Services Coor	765.50
A-14-4-1680-00.1110(1368)	Sr Computer Services Coor	313.21
A-14-4-1680-00.1110(1370)	Network Coordinator	544.88
A-14-4-1680-00.1110(1370)	Network Coordinator	391.00
A-14-4-1680-00.1111(324)	Overtime Pay	47.50
A-15-4-3110-00.1110(110)	Dispatcher	242.77
A-15-4-3110-00.1110(399)	Dispatcher	242.77
A-15-4-3110-00.1110(406)	Dispatcher	242.77
A-15-4-3110-00.1110(498)	Dispatcher	185.72
A-15-4-3110-00.1110(930)	Dispatcher	241.66
A-15-4-3110-00.1110(931)	Dispatcher	185.71
A-15-4-3110-00.1110(1411)	Dispatcher	246.13
A-15-4-3110-00.1110(1412)	Dispatcher	240.54
A-15-4-3110-00.1110(1413)	Dispatcher	44.75
A-15-4-3110-00.1111(1212)	Overtime Pay	130.36
A-15-4-3110-00.1113(1213)	Shift Differential	104.45
A-15-4-3110-00.1120(548)	Account Clerk Typist	13.22
A-15-4-3110-00.1120(932)	Dispatcher PT	624.14
A-27-4-3140-00.1110(102)	Acct Clk Typist	177.80
A-27-4-3140-00.1110(102)	Acct Clk Typist	218.48
A-27-4-3140-00.1110(112)	Work Project Supervisor	218.28
A-27-4-3140-00.1110(112)	Work Project Supervisor	218.48
A-27-4-3140-00.1110(136)	Probation Supervisor	1,069.95
A-27-4-3140-00.1110(136)	Probation Supervisor	442.78
A-27-4-3140-00.1110(137)	Sr. Probation Officer	861.93
A-27-4-3140-00.1110(137)	Sr. Probation Officer	356.68
A-27-4-3140-00.1110(394)	Probation Officer	806.00
A-27-4-3140-00.1110(394)	Probation Officer	333.54
A-27-4-3140-00.1110(1254)	Probation Officer	805.91
A-27-4-3140-00.1110(1254)	Probation Officer	333.54
A-27-4-3140-00.1110(1255)	Probation Officer	902.95
A-27-4-3140-00.1110(1255)	Probation Officer	373.69
A-27-4-3140-00.1110(1256)	Probation Officer	153.59
A-27-4-3140-00.1110(1256)	Probation Officer	318.10
A-27-4-3140-00.1110(1257)	Probation Officer	805.88
A-27-4-3140-00.1110(1257)	Probation Officer	333.54
A-27-4-3140-00.1110(1258)	Probation Officer	805.91
A-27-4-3140-00.1110(1258)	Probation Officer	333.54
A-27-4-3140-00.1110(1259)	Probation Officer	805.97
A-27-4-3140-00.1110(1259)	Probation Officer	333.54
A-27-4-3140-00.1110(1261)	Administrative Assistant	618.84
A-27-4-3140-00.1110(1261)	Administrative Assistant	256.13
A-27-4-3140-00.1110(1277)	Intensive Supvr-Prob Off.	805.91
A-27-4-3140-00.1110(1277)	Intensive Supvr-Prob Off.	333.54
A-27-4-3140-00.1110(1278)	Sr Acct Clerk Typist	583.81
A-27-4-3140-00.1110(1278)	Sr Acct Clerk Typist	241.61
A-27-4-3140-00.1111(553)	Overtime	4.81
A-15-4-3150-00.1110(29)	Head Cook	293.41
A-15-4-3150-00.1110(63)	Cook	241.66
A-15-4-3150-00.1110(262)	Correction Facility Nurse	391.04
A-15-4-3150-00.1110(1417)	Cook	243.89
A-15-4-3150-00.1111(1214)	Overtime Pay	19.11
A-15-4-3150-00.1113(1176)	Shift Differential	14.78
A-15-4-3150-00.1120(305)	Cook PT	130.15
A-15-4-3150-00.1120(854)	Account Clerk Typist PT	107.53
A-15-4-3150-00.1120(1342)	Regist Professional Nurse	30.28
A-02-4-3640-00.1110(1407)	Acct Clerk Typist 70%	527.93
A-02-4-3640-00.1110(1407)	Acct Clerk Typist 70%	218.48
A-16-4-4010-00.1110(27)	Program Specialist CCS-100	722.88
A-16-4-4010-00.1110(27)	Program Specialist CCS-100	299.14
A-16-4-4010-00.1110(183)	Account Clerk Typist - 100%	524.97
A-16-4-4010-00.1110(183)	Account Clerk Typist - 100%	218.41
A-16-4-4010-00.1110(255)	RPN - 70%	5,496.91
A-16-4-4010-00.1110(255)	RPN - 70%	201.30
A-16-4-4010-00.1110(256)	RPN - 50%	8,889.31
A-16-4-4010-00.1110(256)	RPN - 50%	143.79
A-16-4-4010-00.1110(268)	Accounting Super.	756.93
A-16-4-4010-00.1110(268)	Accounting Super.	313.21

A-16-4-4010-00.1110(298)	Principal Clerk	590.99
A-16-4-4010-00.1110(298)	Principal Clerk	244.56
A-16-4-4010-00.1110(387)	Principal Clerk-50%	7,340.73
A-16-4-4010-00.1110(387)	Principal Clerk-50%	115.02
A-16-4-4010-00.1110(391)	Account Clerk Typist-20%	10,260.72
A-16-4-4010-00.1110(391)	Account Clerk Typist-20%	43.69
A-16-4-4010-00.1110(430)	CCS Specialist 100%	722.88
A-16-4-4010-00.1110(430)	CCS Specialist 100%	299.14
A-16-4-4010-00.1110(1337)	Public Health Educator-80	756.92
A-16-4-4010-00.1110(1337)	Public Health Educator-80	313.21
A-16-4-4010-00.1110(1365)	Nurse Coordinator-50%	156.60
A-16-4-4010-00.1110(1366)	Community Health Worker	583.93
A-16-4-4010-00.1110(1366)	Community Health Worker	241.61
A-16-4-4010-00.1111(320)	Overtime Pay	23.68
A-16-4-4010-01.1110(1287)	Account Clerk Typist-80%	174.78
A-16-4-4010-01.1110(1288)	RPN-50%	143.78
A-16-4-4010-03.1110(627)	RPN-30%	86.27
A-16-4-4010-03.1110(1305)	Principal Clerk-25%	57.51
A-16-4-4010-03.1120(103)	RPN - 100%	47.34
A-16-4-4010-05.1110(1307)	Principal Clerk-25%	57.50
A-16-4-4010-05.1110(1364)	Nurse Coordinator-50%	9,671.20
A-16-4-4010-05.1110(1364)	Nurse Coordinator-50%	156.60
A-18-4-6010-00.1110(11)	Clerk-Typist	161.94
A-18-4-6010-00.1110(11)	Clerk-Typist	211.83
A-18-4-6010-00.1110(18)	RPN	694.90
A-18-4-6010-00.1110(18)	RPN	287.58
A-18-4-6010-00.1110(34)	Social Wlfare Examiner	555.81
A-18-4-6010-00.1110(34)	Social Wlfare Examiner	230.05
A-18-4-6010-00.1110(80)	Social Welfare Examiner	555.93
A-18-4-6010-00.1110(80)	Social Welfare Examiner	230.05
A-18-4-6010-00.1110(87)	Caseworker	104.35
A-18-4-6010-00.1110(91)	Computer Console Operator	527.88
A-18-4-6010-00.1110(91)	Computer Console Operator	218.48
A-18-4-6010-00.1110(92)	Computer Console Operator	527.88
A-18-4-6010-00.1110(92)	Computer Console Operator	218.48
A-18-4-6010-00.1110(94)	Social welfare Examiner	555.93
A-18-4-6010-00.1110(94)	Social welfare Examiner	230.05
A-18-4-6010-00.1110(95)	Caseworker	35.57
A-18-4-6010-00.1110(96)	Social Welfare Examiner	555.93
A-18-4-6010-00.1110(96)	Social Welfare Examiner	230.05
A-18-4-6010-00.1110(104)	Senior Acct Clk Typist	233.81
A-18-4-6010-00.1110(104)	Senior Acct Clk Typist	241.61
A-18-4-6010-00.1110(213)	Caseworker	618.93
A-18-4-6010-00.1110(213)	Caseworker	256.13
A-18-4-6010-00.1110(273)	Staff Dev Coordinator	694.88
A-18-4-6010-00.1110(273)	Staff Dev Coordinator	287.58
A-18-4-6010-00.1110(282)	Prin. Social Wel Examiner	687.84
A-18-4-6010-00.1110(282)	Prin. Social Wel Examiner	284.70
A-18-4-6010-00.1110(293)	WMS Supervisor	618.84
A-18-4-6010-00.1110(293)	WMS Supervisor	256.13
A-18-4-6010-00.1110(321)	Social welfare Examiner	555.85
A-18-4-6010-00.1110(321)	Social welfare Examiner	230.05
A-18-4-6010-00.1110(322)	Social welfare Examiner	205.93
A-18-4-6010-00.1110(322)	Social welfare Examiner	230.05
A-18-4-6010-00.1110(325)	Sr. Casework	645.87
A-18-4-6010-00.1110(325)	Sr. Casework	267.32
A-18-4-6010-00.1110(328)	Sr Social Welfare Examin	233.81
A-18-4-6010-00.1110(328)	Sr Social Welfare Examin	241.61
A-18-4-6010-00.1110(345)	Support Investigator	618.89
A-18-4-6010-00.1110(345)	Support Investigator	256.13
A-18-4-6010-00.1110(346)	Social welfare Examiner	131.37
A-18-4-6010-00.1110(349)	Community Services Aide	502.87
A-18-4-6010-00.1110(349)	Community Services Aide	208.12
A-18-4-6010-00.1110(354)	Account Clerk Typist	277.93
A-18-4-6010-00.1110(354)	Account Clerk Typist	218.48
A-18-4-6010-00.1110(357)	Account Clerk Typist	165.88
A-18-4-6010-00.1110(358)	Account Clerk Typist	215.81
A-18-4-6010-00.1110(359)	Social welfare Examiner	149.10
A-18-4-6010-00.1110(361)	Account Clerk Typist	137.56
A-18-4-6010-00.1110(363)	Account Clerk Typist	527.80
A-18-4-6010-00.1110(363)	Account Clerk Typist	218.48
A-18-4-6010-00.1110(364)	Social Welfare Examiner	555.85
A-18-4-6010-00.1110(364)	Social welfare Examiner	230.05
A-18-4-6010-00.1110(365)	Account Clerk Typist	527.88
A-18-4-6010-00.1110(365)	Account Clerk Typist	218.48

A-18-4-6010-00.1110(371)	Case Supervisor (B)	805.92
A-18-4-6010-00.1110(371)	Case Supervisor (B)	333.54
A-18-4-6010-00.1110(372)	Case Supervisor (B)	1,015.23
A-18-4-6010-00.1110(372)	Case Supervisor (B)	281.41
A-18-4-6010-00.1110(373)	Case worker	618.93
A-18-4-6010-00.1110(373)	Case worker	256.13
A-18-4-6010-00.1110(374)	Case worker	618.93
A-18-4-6010-00.1110(374)	Case worker	256.13
A-18-4-6010-00.1110(375)	Case worker	618.93
A-18-4-6010-00.1110(375)	Case worker	256.13
A-18-4-6010-00.1110(376)	Case worker	618.93
A-18-4-6010-00.1110(376)	Case worker	256.13
A-18-4-6010-00.1110(378)	Sr Social welfare Exam	583.94
A-18-4-6010-00.1110(378)	Sr Social welfare Exam	241.61
A-18-4-6010-00.1110(379)	Case worker	618.84
A-18-4-6010-00.1110(379)	Case worker	256.13
A-18-4-6010-00.1110(382)	Case worker	618.93
A-18-4-6010-00.1110(382)	Case worker	256.13
A-18-4-6010-00.1110(383)	Case worker	618.93
A-18-4-6010-00.1110(383)	Case worker	256.13
A-18-4-6010-00.1110(384)	Case worker	229.53
A-18-4-6010-00.1110(386)	Case worker	618.93
A-18-4-6010-00.1110(386)	Case worker	256.13
A-18-4-6010-00.1110(400)	Clerk Typist	511.87
A-18-4-6010-00.1110(400)	Clerk Typist	211.83
A-18-4-6010-00.1110(402)	Clerk Typist	74.53
A-18-4-6010-00.1110(405)	Community Service worker	415.64
A-18-4-6010-00.1110(405)	Community Service worker	226.85
A-18-4-6010-00.1110(409)	Coordinator-Child Support	861.93
A-18-4-6010-00.1110(409)	Coordinator-Child Support	356.68
A-18-4-6010-00.1110(443)	Clerk Typist	211.64
A-18-4-6010-00.1110(443)	Clerk Typist	211.64
A-18-4-6010-00.1110(443)	Clerk Typist	211.82
A-18-4-6010-00.1110(448)	Executive Secretary	237.16
A-18-4-6010-00.1110(459)	Homemaker	495.55
A-18-4-6010-00.1110(459)	Homemaker	218.48
A-18-4-6010-00.1110(461)	Homemaker	527.93
A-18-4-6010-00.1110(461)	Homemaker	218.48
A-18-4-6010-00.1110(471)	Medical Audit Clerk	218.48
A-18-4-6010-00.1110(480)	Soc Welfare Exmnr. Span	555.81
A-18-4-6010-00.1110(480)	Soc Welfare Exmnr. Span	230.05
A-18-4-6010-00.1110(487)	Accountant	708.94
A-18-4-6010-00.1110(487)	Accountant	293.40
A-18-4-6010-00.1110(488)	Principal Account Clerk	618.84
A-18-4-6010-00.1110(488)	Principal Account Clerk	256.13
A-18-4-6010-00.1110(490)	Principal welfare Examiner	284.70
A-18-4-6010-00.1110(514)	Social welfare Examiner	255.81
A-18-4-6010-00.1110(514)	Social welfare Examiner	230.05
A-18-4-6010-00.1110(515)	Social welfare Examiner	555.81
A-18-4-6010-00.1110(515)	Social welfare Examiner	230.05
A-18-4-6010-00.1110(516)	Social welfare Examiner	583.85
A-18-4-6010-00.1110(516)	Social welfare Examiner	241.61
A-18-4-6010-00.1110(518)	Social welfare Examiner	555.85
A-18-4-6010-00.1110(518)	Social welfare Examiner	230.05
A-18-4-6010-00.1110(520)	Social welfare Examiner	255.85
A-18-4-6010-00.1110(520)	Social welfare Examiner	230.05
A-18-4-6010-00.1110(521)	Social welfare Examiner	555.85
A-18-4-6010-00.1110(521)	Social welfare Examiner	230.05
A-18-4-6010-00.1110(525)	Sr Acct Clerk Typist	583.89
A-18-4-6010-00.1110(525)	Sr Acct Clerk Typist	241.61
A-18-4-6010-00.1110(527)	Sr Caseworker	205.62
A-18-4-6010-00.1110(528)	Sr Caseworker	645.98
A-18-4-6010-00.1110(528)	Sr Caseworker	267.32
A-18-4-6010-00.1110(530)	Clerk Typist	511.87
A-18-4-6010-00.1110(530)	Clerk Typist	211.83
A-18-4-6010-00.1110(532)	Clerk Typist	117.47
A-18-4-6010-00.1110(537)	Sr Clerk Typist	538.41
A-18-4-6010-00.1110(537)	Sr Clerk Typist	218.48
A-18-4-6010-00.1110(538)	Sr Social welfare Examnr	583.89
A-18-4-6010-00.1110(538)	Sr Social welfare Examnr	241.61
A-18-4-6010-00.1110(539)	Sr Social welfare Examnr	178.97
A-18-4-6010-00.1110(542)	Sr Caseworker	708.94
A-18-4-6010-00.1110(542)	Sr Caseworker	293.40
A-18-4-6010-00.1110(543)	Sr Social welfare Examnr	583.81
A-18-4-6010-00.1110(543)	Sr Social welfare Examnr	241.61

A-18-4-6010-00.1110(556)	Receptionist	527.93
A-18-4-6010-00.1110(556)	Receptionist	218.48
A-18-4-6010-00.1110(583)	Sr Support Investigator	708.94
A-18-4-6010-00.1110(583)	Sr Support Investigator	293.40
A-18-4-6010-00.1110(595)	Social Welfare Examiner	255.85
A-18-4-6010-00.1110(595)	Social Welfare Examiner	230.05
A-18-4-6010-00.1110(596)	Social Welfare Examiner	229.91
A-18-4-6010-00.1110(596)	Social Welfare Examiner	230.04
A-18-4-6010-00.1110(853)	Social Welfare Examiner	555.85
A-18-4-6010-00.1110(853)	Social Welfare Examiner	230.05
A-18-4-6010-00.1110(889)	Social Welfare Examiner	555.85
A-18-4-6010-00.1110(889)	Social Welfare Examiner	230.05
A-18-4-6010-00.1110(938)	Homemaker	527.93
A-18-4-6010-00.1110(938)	Homemaker	218.48
A-18-4-6010-00.1110(941)	Caseworker	618.93
A-18-4-6010-00.1110(941)	Caseworker	256.13
A-18-4-6010-00.1110(942)	Clerk Typist	511.85
A-18-4-6010-00.1110(942)	Clerk Typist	211.83
A-18-4-6010-00.1111(944)	Overtime Pay	230.17
A-18-4-6010-00.1110(1036)	Long Term Care Coordinatr	889.87
A-18-4-6010-00.1110(1036)	Long Term Care Coordinatr	368.24
A-18-4-6010-00.1110(1120)	Job Trng Developer	626.90
A-18-4-6010-00.1110(1120)	Job Trng Developer	307.91
A-18-4-6010-00.1110(1132)	Clerk Typist	511.85
A-18-4-6010-00.1110(1132)	Clerk Typist	211.83
A-18-4-6010-00.1110(1154)	Caseworker	618.93
A-18-4-6010-00.1110(1154)	Caseworker	256.13
A-18-4-6010-00.1110(1155)	Caseworker	618.93
A-18-4-6010-00.1110(1155)	Caseworker	256.13
A-18-4-6010-00.1110(1156)	Account Clerk Typist	527.80
A-18-4-6010-00.1110(1156)	Account Clerk Typist	218.48
A-18-4-6010-00.1110(1347)	Caseworker	618.93
A-18-4-6010-00.1110(1347)	Caseworker	256.13
A-18-4-6010-00.1110(1380)	Caseworker	184.39
A-18-4-6010-00.1125(902)	Other Compensation	230.70
A-22-4-7510-00.1110(24)	Historical Archives Asst.	586.97
A-22-4-7510-00.1110(24)	Historical Archives Asst.	224.15
A-24-4-6430-00.1110(40)	E.O.D. Spec.-Fin. Analyst	722.88
A-24-4-6430-00.1110(40)	E.O.D. Spec.-Fin. Analyst	299.14
A-24-4-6430-00.1110(1381)	Principal Stenographer	218.93
A-24-4-6430-00.1110(1381)	Principal Stenographer	256.13
A-19-4-6510-00.1120(57)	Motor Vehicle Oper.-PT	219.92
A-19-4-6510-00.1110(1355)	Sr Acct Clk Typist/21	7,688.11
A-19-4-6510-00.1110(1355)	Sr Acct Clk Typist/21	120.80
A-12-4-7180-00.1110(290)	Rec Fac Maint-Bike Path	44.04
A-12-4-7180-00.1110(830)	FT Empls Nature Trail	3.90
A-21-4-7310-00.1110(1356)	Sr Acct Clk Typist/19	120.80
A-22-4-7510-00.1120(549)	Principal Clerk	57.08
A-23-4-8020-00.1110(47)	Senior Planner	805.88
A-23-4-8020-00.1110(47)	Senior Planner	333.54
A-23-4-8020-00.1110(89)	Senior Acct Clerk Typist	583.94
A-23-4-8020-00.1110(89)	Senior Acct Clerk Typist	241.61
A-23-4-8020-00.1110(550)	Senior Planner	63.21
A-23-4-8020-00.1110(550)	Senior Planner	313.21
A-23-4-8020-00.1111(439)	Overtime	19.68

TRANSFER:

From:	A-10-4-9001-00.8850	Hospital & Medical Insurance	\$139,965.13
To:	A-06-4-9900-00.9901	Transfer to Co. Rd. Fund	21,348.09
	A-06-4-9900-00.9903	Transfer to Rd Mach. Fund	8,428.79
	A-06-4-9900-00.9950	Transfer to Capt. Proj. Fund	331.45
	A-06-4-9900-00.9961	Transfer to Mont. Meadows	109,856.80

INCREASE:

Revenue:	D-12-3-5031-00	Interfund Transfer	\$21,348.09
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Appropriations:

ACCOUNT NUMBER/LINE ITEM	TITLE	AMOUNT
D-12-4-3310-00.1110(277)	Hourly Employees	474.11

D-12-4-5010-00.1110(41)	Sr. Acct. Clerk Typist	233.81
D-12-4-5010-00.1110(41)	Sr. Acct. Clerk Typist	241.61
D-12-4-5010-00.1110(502)	Principal Acct Clk Typist	318.89
D-12-4-5010-00.1110(502)	Principal Acct Clk Typist	256.13
D-12-4-5020-00.1110(118)	Sr. Engineering Technician	645.97
D-12-4-5020-00.1110(118)	Sr. Engineering Technician	267.32
D-12-4-5020-00.1110(624)	Sr. Engineering Technician	708.94
D-12-4-5020-00.1110(624)	Sr. Engineering Technician	293.41
D-12-4-5110-00.1110(144)	Highway Labor	4,979.96
D-12-4-5110-00.1110(144)	Highway Labor	12,337.00
D-12-4-5142-00.1110(279)	Hourly Employees	531.26
D-12-4-5148-00.1110(901)	Hourly Employees	59.68

INCREASE:

Revenue: DM-12-3-5031-00 Interfund Transfer \$8,428.79

Appropriations:

ACCOUNT NUMBER/LINE ITEM	TITLE	AMOUNT
DM-12-4-5130-00.1110(148)	Hourly Employees	2,078.85
DM-12-4-5130-00.1110(148)	Hourly Employees	5,250.00
DM-12-4-5130-00.1110(1338)	Supervising Auto Mechanic	778.02
DM-12-4-5130-00.1110(1338)	Supervising Auto Mechanic	321.92

INCREASE:

Revenue: EH-34-3-5031-00 Interfund Transfer \$109,856.80

Appropriations:

ACCOUNT NUMBER/LINE ITEM	TITLE	AMOUNT
EH-34-4-6020-00.1110(7)	Accountant	345.98
EH-34-4-6020-00.1110(7)	Accountant	267.32
EH-34-4-6020-00.1110(23)	Bldg Maintenance Supr	853.09
EH-34-4-6020-00.1110(23)	Bldg Maintenance Supr	332.44
EH-34-4-6020-00.1110(25)	Building Maint Worker	673.80
EH-34-4-6020-00.1110(25)	Building Maint Worker	278.89
EH-34-4-6020-00.1110(28)	Building Maint worker	680.89
EH-34-4-6020-00.1110(28)	Building Maint worker	281.75
EH-34-4-6020-00.1110(30)	Building Maint worker	66.41
EH-34-4-6020-00.1110(31)	Caseworker	618.83
EH-34-4-6020-00.1110(31)	Caseworker	256.13
EH-34-4-6020-00.1110(35)	Cleaner	124.08
EH-34-4-6020-00.1110(36)	Cleaner	169.99
EH-34-4-6020-00.1110(36)	Cleaner	141.49
EH-34-4-6020-00.1110(37)	Cleaner	527.85
EH-34-4-6020-00.1110(37)	Cleaner	218.50
EH-34-4-6020-00.1110(39)	Cleaner	615.81
EH-34-4-6020-00.1110(39)	Cleaner	220.52
EH-34-4-6020-00.1110(43)	Cleaner	548.93
EH-34-4-6020-00.1110(43)	Cleaner	227.14
EH-34-4-6020-00.1110(44)	Cleaner	685.30
EH-34-4-6020-00.1110(44)	Cleaner	161.94
EH-34-4-6020-00.1110(45)	Cleaner	610.81
EH-34-4-6020-00.1110(45)	Cleaner	220.52
EH-34-4-6020-00.1110(49)	Scheduling Clerk	548.93
EH-34-4-6020-00.1110(49)	Scheduling Clerk	227.14
EH-34-4-6020-00.1110(58)	Cook	603.46
EH-34-4-6020-00.1110(58)	Cook	248.37
EH-34-4-6020-00.1110(59)	Cook	346.95
EH-34-4-6020-00.1110(59)	Cook	246.12
EH-34-4-6020-00.1110(60)	Cook	721.03
EH-34-4-6020-00.1110(60)	Cook	259.55
EH-34-4-6020-00.1110(61)	Cook	710.38
EH-34-4-6020-00.1110(61)	Cook	254.58
EH-34-4-6020-00.1110(84)	Custodial worker	46.27
EH-34-4-6020-00.1110(85)	Custodial worker	613.37
EH-34-4-6020-00.1110(85)	Custodial worker	220.52
EH-34-4-6020-00.1110(86)	Custodial worker	614.79
EH-34-4-6020-00.1110(86)	Custodial worker	220.52

EH-34-4-6020-00.1110(100)	Dietetic Technician	618.98
EH-34-4-6020-00.1110(100)	Dietetic Technician	256.17
EH-34-4-6020-00.1110(101)	Occ Therapist Asst	618.98
EH-34-4-6020-00.1110(101)	Occ Therapist Asst	256.17
EH-34-4-6020-00.1110(109)	ward Clerk	527.85
EH-34-4-6020-00.1110(109)	ward Clerk	218.50
EH-34-4-6020-00.1110(120)	Food Service Helper	511.84
EH-34-4-6020-00.1110(120)	Food Service Helper	211.85
EH-34-4-6020-00.1110(121)	Food Service Helper	219.85
EH-34-4-6020-00.1110(121)	Food Service Helper	170.65
EH-34-4-6020-00.1110(123)	Food Service Helper	592.18
EH-34-4-6020-00.1110(123)	Food Service Helper	213.81
EH-34-4-6020-00.1110(127)	Food Service Helper	587.16
EH-34-4-6020-00.1110(127)	Food Service Helper	213.69
EH-34-4-6020-00.1110(128)	Food Service Helper	524.39
EH-34-4-6020-00.1110(128)	Food Service Helper	212.15
EH-34-4-6020-00.1110(129)	Food Service Helper	592.18
EH-34-4-6020-00.1110(129)	Food Service Helper	213.81
EH-34-4-6020-00.1110(131)	Food Service Helper	541.87
EH-34-4-6020-00.1110(131)	Food Service Helper	224.29
EH-34-4-6020-00.1110(132)	Food Service Helper	511.83
EH-34-4-6020-00.1110(132)	Food Service Helper	211.85
EH-34-4-6020-00.1110(134)	Head Nurse	889.92
EH-34-4-6020-00.1110(134)	Head Nurse	368.23
EH-34-4-6020-00.1110(138)	Head Nurse	889.84
EH-34-4-6020-00.1110(138)	Head Nurse	368.23
EH-34-4-6020-00.1110(143)	Patients Accounts worker	527.80
EH-34-4-6020-00.1110(143)	Patients Accounts worker	218.48
EH-34-4-6020-00.1110(151)	Housekeeper	1,033.08
EH-34-4-6020-00.1110(151)	Housekeeper	312.44
EH-34-4-6020-00.1110(166)	Leisure Time Activity Aide	541.87
EH-34-4-6020-00.1110(166)	Leisure Time Activity Aide	224.29
EH-34-4-6020-00.1110(167)	Leisure Time Activity Aide	511.84
EH-34-4-6020-00.1110(167)	Leisure Time Activity Aide	211.85
EH-34-4-6020-00.1110(171)	LPN	8,635.58
EH-34-4-6020-00.1110(171)	LPN	10,138.65
EH-34-4-6020-00.1110(171)	LPN	488.38
EH-34-4-6020-00.1110(172)	Leisure Time Act Director	673.80
EH-34-4-6020-00.1110(172)	Leisure Time Act Director	278.89
EH-34-4-6020-00.1110(173)	Licensed Practical Nurse	209.69
EH-34-4-6020-00.1110(175)	Licensed Practical Nurse	21.34
EH-34-4-6020-00.1110(176)	Licensed Practical Nurse	618.91
EH-34-4-6020-00.1110(176)	Licensed Practical Nurse	256.17
EH-34-4-6020-00.1110(177)	Licensed Practical Nurse	721.13
EH-34-4-6020-00.1110(177)	Licensed Practical Nurse	258.54
EH-34-4-6020-00.1110(178)	Licensed Practical Nurse	618.91
EH-34-4-6020-00.1110(178)	Licensed Practical Nurse	256.17
EH-34-4-6020-00.1110(181)	Licensed Practical Nurse	785.82
EH-34-4-6020-00.1110(181)	Licensed Practical Nurse	281.48
EH-34-4-6020-00.1110(184)	Licensed Practical Nurse	230.08
EH-34-4-6020-00.1110(185)	Licensed Practical Nurse	721.13
EH-34-4-6020-00.1110(185)	Licensed Practical Nurse	258.54
EH-34-4-6020-00.1110(186)	Licensed Practical Nurse	232.45
EH-34-4-6020-00.1110(187)	Licensed Practical Nurse	716.14
EH-34-4-6020-00.1110(187)	Licensed Practical Nurse	258.54
EH-34-4-6020-00.1110(189)	Licensed Practical Nurse	680.89
EH-34-4-6020-00.1110(189)	Licensed Practical Nurse	281.75
EH-34-4-6020-00.1110(191)	Licensed Practical Nurse	722.14
EH-34-4-6020-00.1110(191)	Licensed Practical Nurse	258.54
EH-34-4-6020-00.1110(192)	Licensed Practical Nurse	90.83
EH-34-4-6020-00.1110(192)	Licensed Practical Nurse	101.15
EH-34-4-6020-00.1110(194)	Licensed Practical Nurse	618.93
EH-34-4-6020-00.1110(194)	Licensed Practical Nurse	256.17
EH-34-4-6020-00.1110(195)	Medical Records Assistant	624.80
EH-34-4-6020-00.1110(195)	Medical Records Assistant	258.59
EH-34-4-6020-00.1110(204)	Nursing Assistant	615.81
EH-34-4-6020-00.1110(204)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(205)	Nursing Assistant	527.99
EH-34-4-6020-00.1110(205)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(206)	Nursing Assistant	211.67
EH-34-4-6020-00.1110(207)	Nursing Assistant	198.26
EH-34-4-6020-00.1110(208)	Nursing Assistant	227.86
EH-34-4-6020-00.1110(208)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(209)	Nursing Assistant	208.38
EH-34-4-6020-00.1110(211)	Nursing Assistant	531.52

EH-34-4-6020-00.1110(211)	Nursing Assistant	190.17
EH-34-4-6020-00.1110(212)	Nursing Assistant	58.67
EH-34-4-6020-00.1110(214)	Nursing Assistant	527.90
EH-34-4-6020-00.1110(214)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(215)	Nursing Assistant	204.20
EH-34-4-6020-00.1110(217)	Nursing Assistant	614.79
EH-34-4-6020-00.1110(217)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(218)	Nursing Assistant	210.40
EH-34-4-6020-00.1110(219)	Nursing Assistant	171.77
EH-34-4-6020-00.1110(220)	Nursing Assistant	527.86
EH-34-4-6020-00.1110(220)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(221)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(222)	Nursing Assistant	314.79
EH-34-4-6020-00.1110(222)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(223)	Nursing Assistant	614.79
EH-34-4-6020-00.1110(223)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(227)	Nursing Assistant	444.88
EH-34-4-6020-00.1110(227)	Nursing Assistant	216.47
EH-34-4-6020-00.1110(229)	Nursing Assistant	615.81
EH-34-4-6020-00.1110(229)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(230)	Nursing Assistant	218.44
EH-34-4-6020-00.1110(230)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(231)	Nursing Assistant	305.24
EH-34-4-6020-00.1110(231)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(232)	Nursing Assistant	614.79
EH-34-4-6020-00.1110(232)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(233)	Nursing Assistant	614.79
EH-34-4-6020-00.1110(233)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(234)	Nursing Assistant	527.90
EH-34-4-6020-00.1110(234)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(236)	Nursing Assistant	393.04
EH-34-4-6020-00.1110(236)	Nursing Assistant	215.20
EH-34-4-6020-00.1110(237)	Nursing Assistant	111.26
EH-34-4-6020-00.1110(238)	Nursing Assistant	218.43
EH-34-4-6020-00.1110(238)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(239)	Nursing Assistant	380.07
EH-34-4-6020-00.1110(239)	Nursing Assistant	214.89
EH-34-4-6020-00.1110(240)	Nursing Assistant	315.81
EH-34-4-6020-00.1110(240)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(241)	Nursing Assistant	127.84
EH-34-4-6020-00.1110(241)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(243)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(245)	Nursing Assistant	177.90
EH-34-4-6020-00.1110(245)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(246)	Nursing Assistant	144.10
EH-34-4-6020-00.1110(246)	Nursing Assistant	160.97
EH-34-4-6020-00.1110(247)	Nursing Assistant	115.31
EH-34-4-6020-00.1110(248)	Nursing Assistant	527.84
EH-34-4-6020-00.1110(248)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(249)	Nursing Assistant	194.25
EH-34-4-6020-00.1110(250)	Nursing Assistant	203.00
EH-34-4-6020-00.1110(251)	Nursing Assistant	610.81
EH-34-4-6020-00.1110(251)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(252)	Nursing Assistant	218.42
EH-34-4-6020-00.1110(252)	Nursing Assistant	218.49
EH-34-4-6020-00.1110(253)	Nursing Assistant	429.32
EH-34-4-6020-00.1110(253)	Nursing Assistant	216.09
EH-34-4-6020-00.1110(263)	Orderly	649.42
EH-34-4-6020-00.1110(263)	Orderly	232.21
EH-34-4-6020-00.1110(264)	Orderly	527.84
EH-34-4-6020-00.1110(264)	Orderly	218.49
EH-34-4-6020-00.1110(265)	Nursing Assistant	303.94
EH-34-4-6020-00.1110(265)	Nursing Assistant	220.52
EH-34-4-6020-00.1110(266)	Orderly	555.95
EH-34-4-6020-00.1110(266)	Orderly	230.08
EH-34-4-6020-00.1110(267)	Orderly	165.90
EH-34-4-6020-00.1110(269)	Laundry Worker	548.93
EH-34-4-6020-00.1110(269)	Laundry Worker	227.14
EH-34-4-6020-00.1110(299)	Stores Assistant	511.89
EH-34-4-6020-00.1110(299)	Stores Assistant	211.85
EH-34-4-6020-00.1110(339)	Stores Clerk	771.99
EH-34-4-6020-00.1110(339)	Stores Clerk	283.20
EH-34-4-6020-00.1110(348)	Receptionist	527.93
EH-34-4-6020-00.1110(348)	Receptionist	218.48
EH-34-4-6020-00.1110(350)	watchperson	555.86

EH-34-4-6020-00.1110(350)	Watchperson	230.08
EH-34-4-6020-00.1110(380)	Custodial Worker	209.78
EH-34-4-6020-00.1110(446)	Physical Therapy Asst	618.98
EH-34-4-6020-00.1110(446)	Physical Therapy Asst	256.17
EH-34-4-6020-00.1110(475)	Nurse Service Train Coord	489.92
EH-34-4-6020-00.1110(475)	Nurse Service Train Coord	368.23
EH-34-4-6020-00.1110(541)	Restorative Nursing Asst.	42.06
EH-34-4-6020-00.1110(562)	Ward Clerk	527.91
EH-34-4-6020-00.1110(562)	Ward Clerk	218.50
EH-34-4-6020-00.1110(609)	Licensed Practical Nurse	241.27
EH-34-4-6020-00.1110(650)	Account Clerk Typist	177.80
EH-34-4-6020-00.1110(650)	Account Clerk Typist	218.48
EH-34-4-6020-00.1110(665)	Sr Building Maint worker	198.01
EH-34-4-6020-00.1110(907)	Senior Acct Clerk Typist	580.52
EH-34-4-6020-00.1110(907)	Senior Acct Clerk Typist	241.53
EH-34-4-6020-00.1110(1038)	Accountant	645.95
EH-34-4-6020-00.1110(1038)	Accountant	267.32
EH-34-4-6020-00.1110(1052)	Senior Food Service Helper	218.12
EH-34-4-6020-00.1110(1056)	Head Nurse	205.85
EH-34-4-6020-00.1110(1057)	Licensed Practical Nurse	318.91
EH-34-4-6020-00.1110(1057)	Licensed Practical Nurse	256.17
EH-34-4-6020-00.1110(1129)	Caseworker	618.84
EH-34-4-6020-00.1110(1129)	Caseworker	256.13
EH-34-4-6020-00.1110(1421)	Admissions Coordinator	480.29
EH-34-4-6020-00.1110(1421)	Admissions Coordinator	223.72
EH-34-4-6020-00.1111(926)	Overtime Pay	2,975.06
EH-34-4-6020-00.1113(1211)	Shift Differential	701.95
EH-34-4-6020-00.1120(115)	Part Time Employees	4,251.54
EH-34-4-6020-00.1120(115)	Part Time Employees	6,862.00
EH-34-4-6020-00.1130(216)	Temp Employees	546.09
EH-34-4-6020-00.1150(1231)	Allowances	0.29

INCREASE:

Revenue: H-12-3-5031-18 Interfund Transfer \$331.45

Appropriations:

ACCOUNT NUMBER/LINE ITEM	TITLE	AMOUNT
H-12-4-5110-18.2202(395)	Capital Road Projects	331.45

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. 159 of 2003 DATED: June 24, 2003
RESOLUTION AMENDING RESOLUTION NO. 136 OF 2003

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

RESOLVED, that Resolution No. 136 of 2003 hereby is amended by inserting, in the Resolved clause, prior to "TRANSFER", the following:

"ADD: A-30-4-1320-00.1110(124) County Auditor
Account Clerk Typist"

, and

FURTHER RESOLVED, that said Resolution also is amended by deleting, in the Resolved clause, "To: A-30-4-1320-00.1110(570)" and inserting, in its stead, "To: A-30-4-1320-00.1110(124)".

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

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
Auditing
Personnel/Payroll

Motion by Supervisor Hisert, seconded by Supervisor Thomas, to Suspend the Rules of Procedure to allow for the introduction of Resolution NO. 160, passed with Aye(1246-2/3 majority).

**
RESOLUTION NO. 160 of 2003 DATED: June 24, 2003
RESOLUTION AMENDING RESOLUTION NO. 192 OF 2002

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, since the original award date of the Part B of Contract 4 Florida Water and Sewer District, the project has not commenced, the scope has changed significantly, and the contractor has submitted for a cost adjustment due to the time delay of the original start up,

RESOLVED, that Resolution No. 192 of 2002 is hereby amended by deleting the Further Resolved clause.

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

**
Motion by Supervisor Hisert, seconded by Supervisor Thomas, to enter Executive Session at 8:20 p.m. for the purpose of discussion of personnel, passed with Aye(1868).

Motion by Supervisor Thomas, seconded by Supervisor Hisert, to conclude the Executive Session at 8:40 p.m., passed with Aye(1868).

**
RESOLUTION NO. 158 of 2003 DATED: June 24, 2003
RESOLUTION APPOINTING ADMINISTRATIVE AIDE (BOARD OF SUPERVISORS)

Resolution by Supervisor: Brodie
Seconded by Supervisor: Hisert

WHEREAS, the Board of Supervisors, meeting as a Committee-of-the-whole, interviewed candidates for Administrative Aide to the Board of Supervisors,

RESOLVED, that _____, one of the qualified applicants, hereby is appointed Administrative Aide, effective June 30, 2003, at an annual base salary of \$43,500, serving at the pleasure of the Board of Supervisors in the unclassified class, and

FURTHER RESOLVED, that said Administrative Aide shall be entitled to managerial benefits contained in the Personnel Policy for presented employees.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Brodie, in the RESOLVED clause, insert "Jacki Meola", passed with Aye(1802). Supervisor Van Kersen voted nay.

RESOLUTION ADOPTED with Aye(1666). Supervisors Dybas and Van Kersen voted nay.

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
Personnel/Payroll

**

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor Thomas, seconded by Supervisor Stagliano, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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_____ CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for July 22, 2003, was called to order at 7:12 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Brodie. Roll call indicated that Supervisor Sinicropi was absent.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Dybas, to amend the agenda to allow for the introduction of Resolution No. 182, passed with Aye(1731). Supervisor Sinicropi was absent. Motion by Supervisor McMahon, seconded by Supervisor Dybas, to adopt the amended agenda, passed with Aye(1731). Supervisor Sinicropi was absent.

_____ PRIVILEGE OF THE FLOOR

Pat Petteys, CSEA Office Unit President, spoke regarding nursing position upgrades and said all county employees continue to be underpaid.

Bethany Schuman, City of Amsterdam, spoke against proposed Resolution No. 173.

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings and Regular Meeting of June 24, 2003, 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. 161 of 2003 DATED: July 22, 2003
RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION (CHAMBER OF COMMERCE)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the Montgomery County Chamber of Commerce is applying for \$288,850.00 in the State of New York "I Love New York" funds for the 2003-2004 tourism year, and

WHEREAS, said Chamber of Commerce has been designated the County's Tourism Promotion Agency,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses the Montgomery County Chamber of Commerce's application for "I Love New York" Tourism Matching Funds, and

FURTHER RESOLVED, that Montgomery County hereby agrees to commit up to \$288,850.00 toward the local share of said matching funds program for the 2003-2004 tourism year.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk

Montgomery County Chamber of Commerce

**
RESOLUTION NO. 162 of 2003 DATED: July 22, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Sinicropi

WHEREAS, the Fiscal Officer has been notified that the State Emergency Management Office will be processing a payment to Montgomery County in the amount of \$75,401.89 for the 2002 Christmas Eve Snowstorm, and

WHEREAS, the Federal share is \$64,987.26 and the State share is \$10,414.63 for a total payment of \$75,401.89

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 operating Budget, as follows:

Public Works
ADD/INCREASE:
Revenue:
A-12-3-49650-00 Federal Aid Emergency Disaster \$3,000.00

INCREASE:
Appropriation:
A-12-4-1620-00-1111 (955)overtime \$3,000.00

Sheriff Dept.
ADD/INCREASE:
Revenue:
A-15-3-3960-00 State Aid-Emergency Disaster \$383.13

A-15-3-4960-00	Federal Aid-Emergency Disaster	\$2,298.74
INCREASE:		
Appropriation:		
A-15-4-3110-00-.4441	Gas, Fuel	\$489.11
A-15-4-3110-00.1111(1212)	Overtime	\$982.10
A-15-4-3150-00.1111(1214)	Overtime	\$1,210.66

Public Works		
INCREASE:		
Revenue:		
D-12-3-3960-00	State Aid-Emergency Disaster	\$9,178.62
D-12-3-4960-00	Federal Aid-Emergency Disaster	\$55,071.82

Appropriation:		
D-12-4-5142-00.4448	Construction & Maintenance	\$64,250.44

Revenue:		
DM-12-3-3960-00	State Aid-Emergency Disaster	\$852.88
DM-12-3-4960-00	Federal Aid-Emergency Disaster	\$4,616.70
Appropriation:		
DM-12-4-5130-00.4441	Gas, Diesel Fuel	\$5,469.58

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi voted nay.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk

Commissioner of Public Works

**
RESOLUTION NO. 163 of 2003 DATED: July 22, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN TOURISM PROMOTION
ADMINISTRATION AGREEMENT - MONTGOMERY COUNTY CHAMBER OF COMMERCE

Resolution by Supervisor: Richards
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 154 of 2003, designated the Montgomery County Chamber of Commerce as the official Tourism Promotion Agency for Montgomery County, and

WHEREAS, said designation is for the one-year period commencing on October 1, 2003 and ending on September 30, 2004, and

WHEREAS, said Chamber of Commerce has requested payment of \$38,587.00 to administer the County's tourism program for 2003-2004,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an Agreement with the Montgomery County Chamber of Commerce for administration of the 2003-2004 tourism program, and

FURTHER RESOLVED, that said Agreement shall be for the one-year period commencing on October 1, 2003 and ending on September 30, 2004, and

FURTHER RESOLVED, that payment for said administration services shall be in an amount not to exceed \$38,587.00.

FURTHER RESOLVED, that said contract be attached hereto.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk

Montgomery County Chamber of Commerce

**
RESOLUTION NO. 164 of 2003 DATED: July 22, 2003
RESOLUTION AUTHORIZING RELOCATION OF CSEA TITLES

Resolution by Supervisor: Thomas
Seconded by Supervisor: DiMezza

WHEREAS, it has been recommended that certain CSEA titles be relocated to higher pay grades, and

WHEREAS, the critical shortages for LPN's at the Montgomery Meadows necessitates a higher salary to recruit LPN's, and

RESOLVED, that the title of LPN presently grade "F" with a base salary of \$25,359, hereby is relocated to grade "H" at a base salary of \$28,493, and

FURTHER RESOLVED, that the title of RN in the Public Health Department and Social Services Department presently grade "H", with a base salary of \$28,493, hereby is relocated to grade "J" at a base salary of \$31,055, and

FURTHER RESOLVED, that the title of Nurse Coordinator in the Public Health Department presently grade "J" at a base salary of \$31,055, hereby is relocated to grade "L" at a base salary of \$33,051, and

FURTHER RESOLVED, that the Board of Supervisors hereby directs that said changes shall be effective on July 28, 2003, and

FURTHER RESOLVED, that the Meadows, Social Services and Public Health Department Heads make the appropriate transfers needed with the County Treasurer (Budget Officer) to ensure that their budget lines are funded.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor DiMezza, in the second WHEREAS clause, after "Meadows", insert, "which operates as a 24 hour a day, seven day a week facility", passed with Aye(1477). Supervisors Quackenbush and Stagliano voted nay. Supervisor Quackenbush was absent.

RESOLUTION ADOPTED with Aye(1477). Supervisors Quackenbush and Stagliano voted nay. Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1477) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Director of Human Resources
Meadows Administrator
Director of Public Health
Director of Social Services

**
RESOLUTION NO. 165 of 2003 DATED: July 22, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LGRMIF GRANT ACCEPTANCE AGREEMENT

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: DiMezza

WHEREAS, the County Clerk has been advised that Montgomery County has been offered a \$50,000 Local Government Records Management Improvement Fund Grant, and

WHEREAS, receipt of said Grant is contingent upon the Commissioner of Education's receipt of a signed grant acceptance,

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 \$50,000 Local Government Records Management Improvement Fund Grant.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

**
RESOLUTION NO. 166 of 2003 DATED: July 22, 2003
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF RIVER ROAD
RELOCATION AND TWO-SPAN REMOVAL (BIN 4425030) PROJECT

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: DiMezza

WHEREAS, A project for the highway reconstruction of CR 65 River Road Relocation and 2 Span Removal/Abandoned West Shore Railroad (BIN 4425030), Town of Minden, Montgomery County, PIN 2753.82 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, with apportionment of costs to be borne at the ration of 80 percent Federal Funds and 20 percent non-federal funds, and

WHEREAS, the total project costs are estimated at \$1,384,000, 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 CR 65 River Road Relocation and 2 Span Removal, 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 \$276,800 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 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, within 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.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor DiMezza, to add, ", and FURTHER RESOLVED, that funds shall be provided in the 2004 Operating Budget of Montgomery County", passed with Aye(1731). Supervisor Sinicropi was absent.

RESOLUTION ADOPTED with Aye(1595). Supervisor Dybas voted nay. Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1595) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Commissioner of Public Works

**

RESOLUTION NO. 167 of 2003 DATED: July 22, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT-
PARIS ROAD BRIDGE REPLACEMENT PROJECT

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: DiMezza

WHEREAS, implementation and funding of the Bridge Replacement Project, PIN 2753.36, Paris Road, was authorized by Resolution No. 59 of 2003, 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 Earth Tech of 40 British American Boulevard of Latham, New York, to perform services described in Attachment "B", annexed to the Architectural/Engineering Consultant Agreement, for the sum of \$200,000, as set forth in Attachment "A" of said Agreement.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk

Commissioner of Public Works

**
RESOLUTION NO. 168 of 2003 DATED: July 22, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Sinicropi

WHEREAS, the final allocation of State Consolidated Highway Improvement Program funds has been clarified, and

WHEREAS, it is necessary to adjust the County Road fund to reflect increased revenue and appropriations,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:		
D-12-3-3501-00	Consolidated Highway Aid	\$317,041.00
Appropriations:		
D-12-4-9900-00.9950	Interfund Transfer	\$317,041.00
	Transfer Cap. Project Fund	

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk

Commissioner of Public Works

**
RESOLUTION NO. 169 of 2003 DATED: July 22, 2003
RESOLUTION AWARING BID 06-03 - CRUSHED ROCK SALT

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Sinicropi

WHEREAS, the Purchasing Department was authorized to solicit bids for crushed rock salt, and

WHEREAS, said bids were opened on July 10, 2003,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 06-03 to American Rock Salt of Mt. Morris, New York.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Dybas, in the RESOLVED clause, after "New York", insert, "at a bid price of \$29.62 per ton delivered", passed with Aye(1731). Supervisor Sinicropi was absent.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Commissioner of Public Works

**

RESOLUTION NO. 170 of 2003 DATED: July 22, 2003
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Van Kersen

WHEREAS, the Nursing Home Administrator has requested a transfer of funds for inadvertently budgeted line items

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

FROM:	EH-34-4-6020-00-4448	Construction	\$27,000.00
TO:	EH-34-4-6020-00-4421	Property Repair	\$27,000.00
FROM:	EH-34-4-6020-00-4449	Special Supplies	\$8,000.00
TO:	EH-34-4-6020-00-4408	Office Supplies	\$8,000.00
FROM:	EH-34-4-6020-00-4449	Special Supplies	\$116,000.00
TO:	EH-34-4-6020-00-4444	Custodial	\$116,000.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Meadows Administrator

**

RESOLUTION NO. 171 of 2003 DATED: July 22, 2003
RESOLUTION AUTHORIZING RE-ADVERTISEMENT FOR BIDS FOR BUILDINGS
RENOVATION PROJECT - (FMCC)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, Resolution 129 of 2003 authorized advertisement for bids for the FMCC four-part Buildings Renovation Project at Fulton-Montgomery Community College and no bids were received for said project by the bid submission deadline date,

RESOLVED, that the Board of Supervisors hereby authorizes re-solicitation of bids for the Buildings Renovation Project 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(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

FMCC

**
RESOLUTION NO. 172 of 2003 DATED: July 22, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE CONTRACT (FMCC MASTER
PLAN UPDATE SERVICES)

Resolution by Supervisor: McMahon
Seconded by Supervisor: DiMezza

WHEREAS, Resolution 63 of 2003 authorized payment of Montgomery County's 25 percent share of certain Capital Projects at Fulton-Montgomery Community College, and

WHEREAS, Resolution 64 of 2003 authorized solicitation of proposals for architectural services to update the Facilities Master Plan and six (6) proposals were received, and

WHEREAS, the FMCC Master Plan Steering Committee, College Officials and Committee on Finance have reviewed the proposals and recommend the submission from Joy, McCoola and Zilch, Architects and Planners, PC as the best proposal,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized and directed to sign a contract with Joy, McCoola and Zilch, Architects and Planners, of Glens Falls, NY to prepare a Master Plan Update for Fulton Montgomery Community College; at a cost not to exceed \$72,222.00, and

FURTHER RESOLVED, that the 2003 County Operating Budget be amended as follows:

Revenue Account:

\$18,055.50

Appropriation Account:

H-06-4-2495-10-2202

FMCC Capital Projects

\$18,055.50

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 McMahon, seconded by Supervisor Thomas, in the first FURTHER RESOLVED clause, insert "H-06-3-5031-10", passed with Aye(1731). Supervisor Sinicropi was absent.

RESOLUTION ADOPTED with Aye(1595). Supervisor Dybas voted nay. Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1595) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

FMCC

**
RESOLUTION NO. 173 of 2003 DATED: July 22, 2003
RESOLUTION ESTABLISHING POSITION OF CLERK TYPIST (BOARD OF SUPERVISORS)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Brodie

WHEREAS, the Board of Supervisors is establishing a new position of Clerk Typist, and

WHEREAS, this position will work for the Board of Supervisors and is supervised by the Administrative Aide to the Board of Supervisors, and

WHEREAS, this position is in the non-bargaining management class with an annual base salary of \$22,475, and

RESOLVED, on July 23, the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

Add: A-01-4-1010-00-1110 (139) Clerk Typist

Transfer:

From: A-01-4-1990-00-4400	Contingent Account	\$11,411.29
To: A-01-4-1010-00-1110 (139)	Clerk Typist	\$8,276.29
A-10-4-9001-00	Fringe Benefits	
	FICA	\$635.00
.8810	Hospital & Med	\$2,500.00
.8850		

RESOLUTION ADOPTED with Aye(1382). Supervisors Dybas, Paton and Van Kersen voted nay. Supervisor Sinicropi 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 Clerk
Director of Human Resources

**
RESOLUTION NO. 174 of 2003 DATED: July 22, 2003
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 7 OF 2003

Resolution by Supervisor: McMahon
Seconded by Supervisor: Quackenbush

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 7 of 2003, a Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose.

RESOLVED, that Introductory Local Law No. 7 of 2003 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 26, 2003, 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(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk

**
RESOLUTION NO. 175 of 2003 DATED: July 22, 2003
RESOLUTION REQUIRING APPROVED APPRENTICESHIP AGREEMENTS - CONSTRUCTION
CONTRACTS

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Quackenbush

WHEREAS, current state law does not compel any governmental entity that is party to a construction contract to require that any contractors or sub-contractors participate in apprenticeship training programs approved by the State Commissioner of Labor, and

WHEREAS, there is a long and productive history of partnership between labor and management for the training of skilled craft workers in our state, and

WHEREAS, the New York State Legislature adopted Article 23 of New York State Labor Law in 1961, to authorize the State Commissioner of Labor to develop standards for apprenticeship training and a process for certifying programs which meet said standards, and

WHEREAS, the promotion of apprenticeship training programs will expand the pool of skilled workers in Montgomery County by providing many residents with the means to earn a decent living thereby fostering the local and regional economy, and

WHEREAS, legislation has been offered and signed into law in the State Senate (S.5335-A) and the State Assembly (A.8612-A) to amend the labor law which grants governmental entities the authority to require contractors and sub-contractors, parties to construction contracts within the County of Montgomery, to have an Approved New York State Apprenticeship Program, and

WHEREAS, the Montgomery County Board of Supervisors desires to implement the aforementioned labor law addition, new Section 816b, which further provides authority to governmental entities to require that before entering into a construction contract with a contractor or sub-contractor, the contractors must have an Apprenticeship Program approved by the New York State Commissioner of Labor

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes a policy to promote apprenticeship training as authorized by Section 816b of the New York State Labor Law, and

FURTHER RESOLVED, that "construction contract" shall mean any contract to which the Montgomery County Board of Supervisors, (or department thereof), shall be a signatory which involves the construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition, or otherwise providing for any building, facility or physical structure of any kind with an aggregate value in excess of \$350,000,

FURTHER RESOLVED, that "contractor or sub-contractor" shall mean a contractor or sub-contractor, which directly employs labor under a construction contract for which an apprenticeship program has been approved by the New York State Commissioner of Labor in accordance with Article 23 of the New York State Labor Law, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby requires any contractor, prior to entering into a construction contract with the County of Montgomery, (or department thereof), or any sub-contractor entering into a contract with a contractor who has a construction contract with the County of Montgomery, (or department thereof), to have apprenticeship agreements appropriate for the type and scope of work to be performed, which have been registered with, and approved by, the New York State Commissioner of Labor, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors shall promulgate such rules and regulations as necessary and appropriate for the implementation and enforcement of any provisions of the resolution, and

FURTHER RESOLVED, that this resolution shall apply to construction contracts advertised for bids on or after the effective date, and

FURTHER RESOLVED, that if any clause, sentence, paragraph, subdivision, section or part of the resolution or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this resolution, or in its application to the person, individual, corporation, firm, partnership, entity or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

RESOLUTION ADOPTED with Aye(1308). Supervisors McMahon, Hassan, Thomas and Paton voted nay. Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1308) voting aye.

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

cc: County Treasurer
County Clerk

**
RESOLUTION NO. 176 of 2003 DATED: July 22, 2003
RESOLUTION AMENDING RESOLUTION 269 OF 2002 AND NAMING APPOINTMENTS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Resolution 269 of 2002 established the Montgomery County SEMATECH Task Force, and

WHEREAS, it has been recommended that the name of said task force be changed to the Montgomery County Tech Valley Task Force to reflect a more regional economic development initiative occurring in the Capital District, and

WHEREAS, said Resolution also calls for certain appointments to be made to this task force,

RESOLVED, that Resolution 269 of 2002 be amended to change the name of the "Montgomery County SEMATECH Task Force" to the "Montgomery County Tech Valley Task Force", and

FURTHER RESOLVED, that the following appointments to said task force be made:

Montgomery County Chamber of Commerce Representative: Debbie Auspelmeyer
Fulton Montgomery Community College Representative: Dr. Barry Weinberg
Board of Supervisors Representative: Bill Hisert
Private Business Representatives: Gary Greco
Vince Mautone
Chairman Appointments: Guenther Langner
Jacki Meola
Bob McMahon
Ron Barone

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk

Director of Economic Development
Director of Planning

**

WORKER SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Thomas

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, upon review and approval of 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, 2003 and ending on June 30, 2004, 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 with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Meadows Administrator

**

RESOLUTION NO. 180 of 2003 DATED: July 22, 2003
RESOLUTION ESTABLISHING FINGERPRINTING FEE FOR SHERIFF'S DEPARTMENT

Resolution by Supervisor: Thomas
Seconded by Supervisor: Van Kersen

WHEREAS, it has been determined to be in the best interest of Montgomery County to increase fingerprinting fees in the Sheriff's Department,

RESOLVED, that effective immediately, the fee imposed for fingerprinting services in the Sheriff's Department will be \$20.00, and

FURTHER RESOLVED, that the above fee will be payable to the Sheriff of Montgomery County and shall be credited as departmental revenue.

RESOLUTION ADOPTED with Aye(1303). Supervisors DiMezza, McMahon and Van Kersen voted nay. Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1303) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Sheriff

**

RESOLUTION NO. 181 of 2003 DATED: July 22, 2003
RESOLUTION AMENDING RESOLUTION 150 OF 2003

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

RESOLVED, that Resolution No. 150 of 2003 hereby is amended by changing the first WHEREAS clause to state

"RESOLVED, that the Board of Supervisors hereby authorizes establishment of a full time Correction Facility Nurse position, at a base annual salary of \$38,749 at a grade level "0".

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Sheriff
Director of Human Resources

**
RESOLUTION NO. 182 of 2003 DATED: July 22, 2003
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Thomas

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for overtime costs due to vacant positions,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From: EH-34-4-6020-11.1110		
(035) Cleaner		\$7,000.00
(084) Custodial worker		\$7,000.00
(175) Licensed Practical Nurse		\$9,000.00
(179) Licensed Practical Nurse		\$9,000.00
(186) Licensed Practical Nurse		\$4,000.00
(210) Nursing Assistant		\$6,000.00
(212) Nursing Assistant		\$6,000.00
(219) Nursing Assistant		\$5,000.00
(244) Nursing Assistant		\$5,000.00
(246) Nursing Assistant		\$1,000.00
(247) Nursing Assistant		\$1,000.00
(249) Nursing Assistant		\$1,000.00
(306) Licensed Practical Nurse		\$9,000.00
(342) Supervising Nurse		\$9,000.00
(541) Restorative Nursing Assistant		\$3,000.00
(594) ward clerk		\$5,000.00
(1422) Supervising Nurse		\$9,000.00
TOTAL		\$96,000.00
To: EH-34-4-6020-00.1111 (926)		\$96,000.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Meadows Administrator

**

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor Dybas, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1731). Supervisor Sinicropi was absent. Chairman Barone declared the meeting adjourned at 8:16 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 26, 2003, was called to order at 7:04 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Paton. Roll call indicated that Supervisors Sinicropi and Mancini were absent.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor Hisert, seconded by Supervisor Quackenbush, to amend the agenda to allow for the introduction of Resolution No. 202, passed with Aye(1594). Supervisors Sinicropi and Mancini were absent. Motion by Supervisor Quackenbush, seconded by Supervisor Hisert, to adopt the amended agenda, passed with Aye(1594). Supervisors Sinicropi and Mancini were absent.

_____ PRIVILEGE OF THE FLOOR

Evelyn Lindley, Town of Root, spoke in opposition of proposed Resolution No. 198.

Bethany Schuman, City of Amsterdam, said County officials are shortchanging residents by not offering a one-week sales tax exemption on clothing.

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings and Regular Meeting of July 22, 2003, 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. 183 of 2003 DATED: August 26, 2003
RESOLUTION NAMING APPOINTMENTS - (TRAFFIC SAFETY BOARD)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 157 of 2002 names appointments to the Montgomery County Traffic Safety Board which included Mary Lou Del Rio, Ray Dumar and Paul Parillo, and

WHEREAS, said appointments have requested that they be removed from the Traffic Safety Board, and

RESOLVED, that Mary Lou Del Rio, Ray Dumar and Paul Parillo be removed from the Montgomery County Traffic Safety Board, and

FURTHER RESOLVED, that the following appoints be made:_____

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Thomas, to delete the "FURTHER RESOLVED clause, and in the title delete "Naming" and insert, in its stead, "Removing", passed with Aye(1594). Supervisors Sinicropi and Mancini were absent.

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Chairman - Traffic Safety Board

**
RESOLUTION NO. 184 of 2003 DATED: August 26, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PROBATION ELIGIBLE
DIVERSION INITIATIVE (PROBATION)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Thomas

WHEREAS, the Probation Director has recommended that Montgomery County enter into an agreement with the New York State Division of Probation and Correctional Alternatives to receive funding for the Probation Eligible Diversion Initiative,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, hereby is authorized and directed to sign an agreement with the New York State Division of Probation and Correctional Alternatives for receipt of State Aid for the Probation Eligible Diversion Initiative, and

FURTHER RESOLVED, said agreement may be renewed without further legislative action, in the absence of substantive modifications.

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Probation Director

**
RESOLUTION NO. 185 of 2003 DATED: August 26, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STATE AID
(PROBATION)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Thomas

WHEREAS, the Probation Director has recommended that Montgomery County enter into an agreement with the New York State Division of Probation and Correctional Alternatives to receive State Aid for Probation Services,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, hereby is authorized and directed to sign an agreement with the New York State Division of Probation and Correctional Alternatives for receipt of State Aid, and

FURTHER RESOLVED, said agreement may be renewed without further legislative action, in the absence of substantive modifications.

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Probation Director

**
RESOLUTION NO. 186 of 2003 DATED: August 26, 2003
RESOLUTION ESTABLISHING PUBLIC HEARING - 2003-2004 FMCC OPERATING
BUDGET

Resolution by Supervisor: Thomas
Seconded by Supervisor: Mancini

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposed 2003-2004 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 hereby is directed to cause legal notice of said public hearing to be published according to local law.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Hisert, in the RESOLVED clause, insert "September 23, 2003 at 6:30 p.m.", passed with Aye(1594). Supervisors Sinicropi and Mancini were absent.

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

FMCC
Fulton County Board of Supervisors

**
RESOLUTION NO. 187 of 2003 DATED: August 26, 2003
RESOLUTION AUTHORIZING EXTENSION OF MEMORANDUM OF AGREEMENT BETWEEN
FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD AND
CONSORTIUM FOR ONE-STOP OPERATOR SERVICES

Resolution by Supervisor: Dybas
Seconded by Supervisor: DiMezza

WHEREAS, The Fulton-Montgomery-Schoharie Workforce Development Board utilizes a consortium of the Schoharie County Community Action Program, NYS Department of Labor and Schoharie County Department of Social Services to operate its local Workforce Solution Centers in Gloversville, Amsterdam and Cobleskill, and

WHEREAS, under Section 121 of the Workforce Investment Act, the local Workforce Investment Board must "with the agreement of the chief elected official(s)" designate or certify one-stop operators, and

WHEREAS, a Memorandum of Agreement between the FMS Workforce Development Board and consortium for one-stop operator services had been in place and expired on June 30, 2003, and

WHEREAS, said consortium is requesting and the One-Stop Oversight Committee is recommending that the FMS Workforce Development Board and the chief elected officials of Fulton, Montgomery and Schoharie Counties continue this designation through June 30, 2004.

RESOLVED, that the Montgomery County Board of Supervisors is in agreement with the continued designation of said consortium and hereby consents to the extension of the Memorandum of Agreement between Fulton-Montgomery-Schoharie Workforce Development Board and the Schoharie County Community Action Program, NYS Department of Labor and Schoharie County Department of Social Services to operate its local Workforce Solution Centers in Gloversville, Amsterdam and Cobleskill.

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Exec. Director - Workforce Dev. Board

**
RESOLUTION NO. 188 of 2003 DATED: August 26, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE AMENDMENT #1 TO CONTRACT
WITH TRUDEAU ASSOCIATES (FMCC AIR QUALITY AND SAFETY PROJECT)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Mancini

WHEREAS, there were no bids received on July 2, 2003 for the FMCC Air Quality and Safety Project, and

WHEREAS, Resolution 171 of 2003 authorized the re-advertising for the bids for this project, and

WHEREAS, Trudeau Architects and FMCC have discussed restructuring the original bid into two components to encourage firms to bid on the project, and

WHEREAS, Trudeau Architects has submitted a proposal to restructure and reprint the plans and specifications to reflect this repackaging of the project for a fee of \$5,400,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, hereby is authorized and directed to execute amendment #1 to contract with Trudeau Associates of Latham, at a cost not to exceed \$5,400, 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(1458). Supervisor Dybas voted nay. Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1458) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 189 of 2003 DATED: August 26, 2003
RESOLUTION ESTABLISHING POSITION (SOCIAL SERVICES)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: DiMezza

WHEREAS, the Commissioner of Social Services has recommended the establishment of a Social Welfare Examiner as part of the reorganization,

RESOLVED, that the Board of Supervisors establishes said position at a base salary of \$22,795, and

FURTHER RESOLVED, that the position of Support Collector is abolished, and

FURTHER RESOLVED, that the County Treasurer is authorized and directed to amend the 2003 Operating Budget as follows:

ADD:

A-18-4-6010-00.1110(940) Social Welfare Examiner

TRANSFER:

From:

A-18-4-6010-00.110(53) Support Collector \$7,600

To:

A-18-4-6010-00.1110(940) Social Welfare Examiner \$7,600

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Commissioner of Social Services

**
RESOLUTION NO. 190 of 2003 DATED: August 26, 2003
RESOLUTION ESTABLISHING POSITION (SOCIAL SERVICES)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Richards

WHEREAS, the Commissioner of Social Services has recommended that the line item for HEAP personnel be reinstated,

RESOLVED, that the Board of Supervisors re-establishes said line item,

FURTHER RESOLVED, that the County Treasurer is authorized and directed to amend the 2003 Operating Budget as follows:

ADD:

A-18-4-6010-00.1110(1061) HEAP Personnel

Transfer:

From:

A-18-4-6010-00.1110(53) Support Collector \$10,450

To:

A-18-4-6010-00.1110(1061) HEAP Personnel \$10,450

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Commissioner of Social Services

**
RESOLUTION NO. 191 of 2003 DATED: August 26, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SNOW AND ICE
CONTROL

Resolution by Supervisor: Thomas
Seconded by Supervisor: Van Kersen

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,

FURTHER RESOLVED, that payment for work to be performed under the terms of said agreements, shall be at the rate of \$3000 per centerline mile, during the winter of 2003-2004.

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Commissioner of Public Works
Town Offices
City of Amsterdam
Village of St. Johnsville

**
RESOLUTION NO. 192 of 2003 DATED: August 26, 2003
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 7 OF 2003

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: Paton

WHEREAS, on July 22, 2003, 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 Fonda) was presented to the Board of Supervisors for consideration, and

WHEREAS, on July 22, 2003 Resolution No. 174 of 2003 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 26th day of August, 2003, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 7 of

2003, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose" (Village of Fonda) 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(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

**

RESOLUTION NO. 193 of 2003 DATED: August 26, 2003
RESOLUTION RESCINDING RESOLUTION NO. 207 OF 1999

Resolution by Supervisor: Dybas
Seconded by Supervisor: Van Kersen

RESOLVED, that Resolution No. 207 of 1999, adopted on May 25, 1999, hereby is rescinded.

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Economic Development Director

**

RESOLUTION NO. 194 of 2003 DATED: August 26, 2003
RESOLUTION AUTHORIZING BREAST CANCER AWARENESS DAY FUNDRAISER

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Lee National Denim Day will be observed on Friday, October 10, 2003 and

WHEREAS, on this day, companies and organizations nationwide will join the fight against breast cancer by asking supporters to donate at least \$5.00 in exchange for wearing denim on this day, and

WHEREAS, every cent collected from this event will go to the Susan G. Komen Breast Cancer Foundation, and

WHEREAS, various Montgomery County employees have recommended that said 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 participate in Lee National Denim Day on Friday, October 10, 2003, 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 with Aye(1594). Supervisors Sinicropi and Mancini were

absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
All Department Heads

**
RESOLUTION NO. 195 of 2003 DATED: August 26, 2003
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Thomas

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for agency nursing costs due to vacant positions,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From: EH-34-4-6020-00.1110		
(177)	Licensed Practical Nurse	\$1,000.00
(179)	Licensed Practical Nurse	\$2,000.00
(180)	Licensed Practical Nurse	\$9,000.00
(184)	Licensed Practical Nurse	\$2,000.00
(186)	Licensed Practical Nurse	\$2,000.00
(206)	Nursing Assistant	\$2,000.00
(207)	Nursing Assistant	\$1,000.00
(212)	Nursing Assistant	\$1,000.00
(232)	Nursing Assistant	\$2,000.00
(237)	Nursing Assistant	\$ 750.00
(238)	Nursing Assistant	\$2,500.00
(247)	Nursing Assistant	\$ 750.00
(267)	Orderly	\$1,000.00
(306)	Licensed Practical Nurse	\$1,000.00
(342)	Supervising Nurse	\$4,000.00
(541)	Restorative Nursing Assistant	\$1,000.00
(594)	Ward Clerk	\$3,000.00
(1422)	Supervising Nurse	\$4,000.00
FROM: EH-34-4-6020-00.1130	(216) Temporary Employees	\$45,000.00
		<hr/>
		\$85,000.00

TO: EH-34-4-6020-00.4436 Medical Fees \$85,000.00

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Meadows Administrator

**
RESOLUTION NO. 196 of 2003 DATED: August 26, 2003
RESOLUTION APPROVING COLLECTIVE BARGAINING AGREEMENT (FMCC & CSEA)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

RESOLVED, that the Montgomery County Board of Supervisors, by this Resolution, hereby approves the official Memorandum of Agreement, dated March 5, 2003, as attached hereto, between Fulton-Montgomery Community College, Fulton County, Montgomery County and FMCC Buildings and Grounds Unit, CSEA, Inc.,

AFSCME, Local 1000, AFL-CIO, for the period beginning from and as of September 1, 2002, through August 31, 2005; and

FURTHER RESOLVED, that said approval is contingent upon similar action by the Fulton County Board of Supervisors; and

FURTHER RESOLVED, that the Fulton Montgomery Community College Board of Trustees and Administration do each and every other thing necessary to carry out the purport of this Resolution.

RESOLUTION ADOPTED with Aye(1458). Supervisor Dybas voted nay. Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1458) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**

RESOLUTION NO. 197 of 2003
RESOLUTION ADOPTING 2004 STOP DWI PROGRAM

DATED: August 26, 2003

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the Stop DWI Coordinator has submitted a Stop-DWI plan for 2004, and

RESOLVED, that the Board of Supervisors hereby adopts the 2004 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.

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Dybas, passed with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Stop DWI Coordinator

**

RESOLUTION NO. 198 of 2003
RESOLUTION ESTABLISHING POSITION OF SOLID WASTE AND RECYCLING MARKETING COORDINATOR

DATED: August 26, 2003

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors is establishing a new position of Solid Waste and Recycling Marketing Coordinator, and

WHEREAS, this position will work for the Board of Supervisors Solid Waste Committee and is supervised by the Chairman of the Board,

RESOLVED, that a base annual salary of \$29,000 is established effective 9/22/03, and is in the Non-Bargaining Managerial class, and is in the Competitive Civil Service Class, and

ADD:

A-01-4-1010-00.1110 (142) Solid Waste and Recycling Marketing Coordinator

TRANSFER:

From:

A-01-4-1990-00.4400 Contingent Account \$8,112.00
Contractual

To:

A-01-4-1010-00.1110(142) Legislative Board \$8,112.00
Solid Waste and Recycling Marketing Coordinator

MOTION TO CALL THE QUESTION by Supervisor Hisert, seconded by Supervisor McMahon, passed with Aye(1594-2/3 majority). Supervisors Sinicropi and Mancini were absent.

RESOLUTION ADOPTED with Aye(1038). Supervisors Dybas, Hassan, Quackenbush, Paton and Van Kersen voted nay. Supervisors Sinicropi and Mancini were absent.

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 Clerk
HR Director

**

RESOLUTION NO. 199 of 2003
RESOLUTION TRANSFERRING FUNDS (PERSONNEL)

DATED: August 26, 2003

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, the Personnel officer needs additional funds to pay certain invoices regarding the new photo I.D.system, printers, and;

RESOLVED that the following funds be transferred:

From:

A-10-4-1430-00-4406(Tuition Reimbursement) \$1,190.00
A-10-4-1430-00-4455(Training) \$1,000.00
A-10-4-1430-00-4491(Legal Notice & Advertising) \$1,000.00

To:

A-10-4-1430-00-2220(Office Equipment) \$2,300.00
A-10-4-1430-00-2259(Computer Equipment) \$ 890.00

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
HR Director

**

RESOLUTION NO. 200 of 2003
RESOLUTION ACCEPTING OFFER FROM M&T BANK - MORAT INDUSTRIES

DATED: August 26, 2003

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County entered into a loan agreement with Morat

Industries for the purpose of starting a business in the Glen Canal View Business Park, and

WHEREAS, Morat Industries subsequently went out of business and became delinquent on said loan, and

WHEREAS, Montgomery County has received an offer from M&T Bank, the prime lender in the project, on said delinquent loan,

RESOLVED, that the Board of Supervisors hereby accepts the offer from M&T Bank as outlined in the letter dated August 11, 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 execute documents necessary to effectuate said agreement.

RESOLUTION ADOPTED with Aye(1409). Supervisor Dybas voted nay. Supervisor Hassan abstained. Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1409) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Economic Development Director

**
RESOLUTION NO. 201 of 2003 DATED: August 26, 2003
RESOLUTION REQUESTING THE STATE NOT TO RECOUP "MMIS SEED MONEY"
ADVANCEMENTS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, New York State has advanced monies to the counties for Medicaid payments for the treatment of persons with mental illness and developmental disabilities who were released from institutions and returned to the community and,

WHEREAS, Montgomery County received \$733,836.00 in advances from December 20, 1995 to April 2, 2002 and,

WHEREAS, the Executive Office and the Legislature have agreed, in principal, to not recoup this seed money from the counties,

RESOLVED, that the Montgomery County Board of Supervisors implores the Executive Office and the Legislature to officially forgive this debt, as it would be desirous for the county to utilize the money to reduce the increase in the local tax levy for the 2004 budget and,

FURTHER RESOLVED, that the Montgomery County Board of Supervisors concurs with the effort of the New York State Association of Counties and the New York Public Welfare Association in their efforts to resolve this issue.

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Commissioner of Social Services

**
RESOLUTION NO. 202 of 2003 DATED: August 26, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MAINTENANCE AGREEMENT FOR NEW
ID BADGE SYSTEM (PERSONNEL)

Resolution by Supervisor: Hisert
Seconded by Supervisor: McMahon

WHEREAS, the Personnel Officer is requiring a Maintenance Agreement for the new Identocard IVIS Plus Badge System Software, Digital Camera and Badge Printer, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a one-year maintenance agreement for the Identocard IVIS Plus Badge System with M.M. Hayes, at a cost not to exceed \$2,500, for the period commencing on September 1, 2003 and ending on August 31, 2004, and

FURTHER RESOLVED, that said agreement may be renewed, without further legislative action, providing there are no substantive modifications.

RESOLUTION ADOPTED with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Duly adopted upon roll call, all members present (1594) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Human Resource Director

**

_____ OTHER

Chairman Barone stated Montgomery County does not have the luxury of offering a sales tax reduction, even for one week.

Motion by Supervisor Hisert, seconded by Supervisor DiMezza, to enter into Executive Session, at 8:24 p.m., for the purpose of discussion of personnel, passed with Aye(1594). Supervisors Sinicropi and Mancini were absent.

Motion by Supervisor DiMezza, seconded by Supervisor Hisert, to conclude the Executive Session at 9:15p.m., passed with Aye(1594). Supervisors Sinicropi and Mancini were absent.

_____ ADJOURNMENT

Motion by Supervisor Dybas, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1594). Supervisors Sinicropi and Mancini were absent. Chairman Barone declared the meeting adjourned at 9:16 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 September 24, 2003, was called to order at 7:02 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Dybas. Roll call indicated that all Supervisors were present.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor Hisert, seconded by Supervisor Thomas, to amend the agenda to allow for the introduction of Resolution No. 224, passed with Aye(1868). Motion by Supervisor Hisert, seconded by Supervisor Thomas, to adopt the amended agenda, passed with Aye(1868).

_____ PRIVILEGE OF THE FLOOR

Proclamation honoring Bernard Andrzejewski as 2003 Montgomery County Older worker of the Year was presented by Supervisor Dybas.

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings and Regular Meeting of August 26, 2003, were accepted with no corrections, additions or deletions.

_____ REPORTS OF STANDING COMMITTEES

None.

_____ REPORTS OF SPECIAL COMMITTEES

None.

_____ UNFINISHED BUSINESS

**
RESOLUTION NO. 197 of 2003
RESOLUTION ADOPTING 2004 STOP DWI PROGRAM

DATED: August 26, 2003

Resolution by Supervisor: Thomas

Seconded by Supervisor: Richards

WHEREAS, the Stop DWI Coordinator has submitted a Stop-DWI plan for 2004, and

RESOLVED, that the Board of Supervisors hereby adopts the 2004 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.

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Dybas, passed with Aye(1594). Supervisors Sinicropi and Mancini were absent.

MOTION TO REMOVE FROM TABLE by Supervisor Van Kersen, seconded by Supervisor Mancini, passed with Aye(1069). Supervisors McMahon, Hassan, Richards, Thomas, Quackenbush, Paton and Hisert voted nay. (9/23/03)

RESOLUTION ADOPTED with Aye(1129). Supervisors Dybas, McMahon, Hassan, Richards, Thomas, Quackenbush and Van Kersen voted nay.

Duly adopted upon roll call, all members present (1129) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Stop DWI Coordinator

Motion by Supervisor McMahon, seconded by Supervisor Van Kersen, to consider Resolutions 207 and 213 after Resolution No. 197, passed with Aye(1246-2/3 majority).

NEW BUSINESS

**
RESOLUTION NO. 207 of 2003 DATED: September 23, 2003
RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 - WEATHERGUARD ROOFING
PE BUILDING ROOF REPLACEMENT PROJECT (FMCC)

Resolution by Supervisor: Paton
Seconded by Supervisor: Dybas

WHEREAS, Resolution 161 of 2002 awarded a construction contract for the Physical Education Building Roof Replacement Project to Weatherguard Roofing Company, and

WHEREAS, Resolution 291 of 2002 authorized Change Order No. 1 to replace a portion of rotten wood blocking that was not discovered during the design phase of the project, and

WHEREAS, Resolution 335 of 2002 authorized Change Order No. 2 to replace damaged insulation that is part of the existing roof system, and

WHEREAS, leaking has been discovered in certain concealed pipes in the PE Building that must be identified and repaired,

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 Roof Replacement Project:

Change Order No. 3	Investigate and repair piping	(+) \$4,000.00
Original Contract Amount:		\$234,395.00
Previously Approved Change Orders #1 & #2		(+)21,305.03
Proposed Change Order #3		(+) 4,000.00

\$259,700.03

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 Clerk
FMCC
Fulton County Board of Supervisors

**
RESOLUTION NO. 213 of 2003 DATED: September 23, 2003
RESOLUTION ADOPTING 2003-2004 FMCC OPERATING BUDGET

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented Fulton and Montgomery County, the sponsoring counties, with a 2003-2004 budget request, 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, 2003 and ending on August 31, 2004, with appropriations totaling \$14,496,689.00, hereby is accepted and approved, and

FURTHER RESOLVED, that the amount to be appropriated by the County of Montgomery County as its sponsor share of said Budget, shall be \$1,245,821, and

FURTHER RESOLVED, that said sponsor's share shall be included in the Montgomery County Operating Budget for 2004, 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.

RESOLUTION ADOPTED with Aye(1211). Supervisors Dybas, Hassan, Richards, Quackenbush, Hisert and Stagliano voted nay.

Duly adopted upon roll call, all members present (1211) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 203 of 2003 DATED: September 23, 2003
RESOLUTION INCREASING SPHN SALARY (PUBLIC HEALTH)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Dybas

WHEREAS, Resolution 164 of 2003 called for a relocation of CSEA Titles, which included the RN in the Public Health Department, and

WHEREAS, said relocation has caused an inequity in the pay scale between the non-bargaining Supervising Public Health Nurse and the bargaining Registered Nurse, and

WHEREAS, it has been recommended by the Public Health Director that the Supervising Public Health Nurse salary be increased to eliminate this inequity,

RESOLVED, that the Supervising Public Health Nurse, who currently has a base salary of \$38,617 be increased to a base salary of \$42,479.

RESOLUTION DEFEATED with Aye(772). Supervisors Sinicropi, Dybas, Mancini, DiMezza and McMahon voted aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Public Health
Director of Human Resources

**
RESOLUTION NO. 204 of 2003 DATED: September 23, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RABIES POST
EXPOSURE TREATMENT SERVICES

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

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 \$1000 per patient, for the period commencing on October 1, 2003 and ending on December 31, 2004

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 Clerk
Director of Public Health

**
RESOLUTION NO. 205 of 2003 DATED: September 23, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT EXTENSION - AMSTERDAM
ANIMAL HOSPITAL - RABIES SPECIMEN PREPARATION SERVICES

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hassan

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, an extension was granted for a one year period commencing on November 1, 2002 and ending on October 31, 2003 and

WHEREAS, the Public Health Director has recommended that said contract be extended for another year with no changes in terms, conditions or costs

RESOLVED, that the extension shall be for a one year period commencing on November 1, 2003 and ending on December 31, 2004

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 a contract addendum with Amsterdam Animal Hospital for the provision of Rabies Specimen Preparation 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 Clerk
Director of Public Health

**
RESOLUTION NO. 206 of 2003 DATED: September 23, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PUBLIC HEALTH
PREPAREDNESS AND RESPONSE TO BIOTERRORISM

Resolution by Supervisor: Dybas
Seconded by Supervisor: Hassan

WHEREAS, the Montgomery County Public Health Department has been awarded a Public Health Preparedness and Response to Bioterrorism grant in the amount of \$111,170, and

WHEREAS, the grant will commence on September 1, 2003 and will end on August 31, 2004,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the Public Health Preparedness and Response to Bioterrorism Grant, and

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

RESOLUTION ADOPTED 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 Clerk
Director of Public Health

**
RESOLUTION NO. 208 of 2003 DATED: September 23, 2003
RESOLUTION AUTHORIZING ACCEPTANCE OF AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Thomas

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 Montgomery County Board of Supervisors hereby authorizes acceptance of a \$42,500 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 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 Clerk
District Attorney

**
RESOLUTION NO. 209 of 2003 DATED: September 23, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RIGHT OF ENTRY AGREEMENT - AMERICAN TOWER, L.P. (SHERIFF'S DEPARTMENT)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff's Department needs to take certain measures to improve radio communications in the western portion of Montgomery County, and

WHEREAS, said improvements can not be made without conducting tests at various sites to find the optimal location for such improvements, and

WHEREAS, American Tower, L.P., owner of a potential location for said improvements, has requested that a "Right of Entry Agreement" be signed prior to the commencement of said testing,

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 "Right of Entry Agreement" with American Tower, L.P. for the purposes of conducting certain tests on the property in order to determine whether the property is suitable for its intended use.

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 Clerk
Sheriff

**
RESOLUTION NO. 210 of 2003 DATED: September 23, 2003
RESOLUTION ADOPTING AUDIT GUIDELINES

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Thomas

WHEREAS, it has been recommended that audit guidelines be adopted by the Board of Supervisors,

RESOLVED, that the Board of Supervisors hereby adopts the Montgomery County Audit Guidelines, effective immediately, and

FURTHER RESOLVED, that the new guidelines will amend certain provisions of the existing voucher processing procedures, and

FURTHER RESOLVED, that the new guidelines will add certain provisions not currently addressed by the voucher processing procedures, and

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

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 Clerk
Auditor
Department Heads

**
RESOLUTION NO. 211 of 2003 DATED: September 23, 2003
RESOLUTION AUTHORIZING MVEDD TO PREPARE MONTGOMERY COUNTY CEDS

Resolution by Supervisor: Thomas
Seconded by Supervisor: Paton

WHEREAS, Montgomery County actively participates in the Mohawk Valley Economic Development District (MVEDD), which provides the County access to grants and loans from the US Department of Commerce, Economic Development

Administration (EDA), and

WHEREAS, the primary goal of the MVEDD is to assist local governments and the private sector in expediting projects that will create and/or retain jobs in the Mohawk Valley Region, which includes Montgomery County, and

WHEREAS, said assistance is provided by the development of a Comprehensive Economic Development Strategy (CEDS) on a regional basis by the MVEDD, and

RESOLVED, that the Montgomery County Board of Supervisors authorizes MVEDD to prepare the County's Comprehensive Economic Development Strategy for the fiscal year 2004.

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 Clerk
MVEDD
Planning Director
EOD Director

**
RESOLUTION NO. 212 of 2003 DATED: September 23, 2003
RESOLUTION AMENDING 2003 BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County has been notified of the 2003-2004 State Fiscal year Medicaid Intergovernmental Transfer (IGT) dollars to be passed through the County's Medicaid and Montgomery Meadow's accounts as additional revenue during September 2003,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating budget, as follows:

INCREASE

Revenue:	A-18-3-2772-00	Miscellaneous State Bond Act	\$2,034,376
Appropriations:	A-18-4-6011-00.6102	Social Services Programs Medical Assistance-MMIS	\$2,034,376

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 Clerk
Commissioner of Social Services
Meadows Administrator

**
RESOLUTION NO. 214 of 2003 DATED: September 23, 2003
RESOLUTION AUTHORIZING AGREEMENT - PROFESSIONAL ENVIRONMENTAL
ENGINEERING SERVICES FOR TRYON OIL SITE

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, Montgomery County is conducting an investigation of the former Tryon Petroleum Storage Site in Fort Johnson through the NYS Brownfield Redevelopment Program, and

WHEREAS, NYS DEC is requesting that the County, as part of this program, collect and test water samples from two up gradient and six down gradient wells

of nearby residential properties, and

WHEREAS, NY DEC has required that the quality control for the analytical testing be provided with the analytical results and that well contamination detail be provided, and

WHEREAS, none of these additional costs were part of Montgomery County's contract with North American Environmental, and

WHEREAS, Montgomery County has received 75% funding for the investigation of the Brownfield cleanup of the former Tryon Petroleum Storage Site in Fort Johnson and will receive 75% reimbursement for the well samples, and

WHEREAS, Montgomery County has made a request of three proposals for the groundwater well samples, and

WHEREAS, three companies have sent verbal replies,

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 Specialized Environmental Monitoring (SEM), of Wilton, New York, for an amount not to exceed \$4,556.00 to perform the groundwater samplings, 75% (\$3,417) of which shall be reimbursed by New York State, and

FURTHER RESOLVED, the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget as follows:

INCREASE:			
Revenue	A-23-3-3989-00	Other Home & Comm. Serv.	\$3,417.00
Appropriation	A-23-4-8020-00.4431	Professional Services	\$3,417.00
TRANSFER:			
From:	A-23-4-8020-00.1110(47)	Senior Planner	\$1,139.00
To:	A-23-4-8020-00.4431	Professional Services	\$1,139.00

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 Clerk
Director of Planning

**
RESOLUTION NO. 215 of 2003 DATED: September 23, 2003
RESOLUTION APPROVING THE EXCHANGE OF A MANDATORY PUBLIC SECTOR
REPRESENTATIVE APPOINTMENT ON THE FULTON, MONTGOMERY, SCHOHARIE
WORKFORCE DEVELOPMENT BOARD WITH FULTON COUNTY

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Resolution 209 of 2000 authorizes Montgomery County to enter into a formal Chief Local Elected Officials Agreement with Fulton County and Schoharie County for the creation of the Fulton-Montgomery-Schoharie Workforce Development Board, and

WHEREAS, said agreement requires that each County maintain five public sector appointments as listed under the Workforce Investment Act, Section 117, and

WHEREAS, Montgomery County's public sector appointments include the Department of Labor, Organized Labor, General Education, and two Community-Based Organizations, and

WHEREAS, Fulton County's public sector appointments include Adult Education and Literacy, Vocational Rehabilitation, Older Americans Act, Perkins Act and Economic Development, and

WHEREAS, due to a resignation by a board member, there has been a vacancy in the Montgomery County Education appointment that has been unable to be

replaced, and

WHEREAS, it has been recommended to have adequate representation and all Workforce Development Board positions filled that Montgomery County exchange its General Education Appointment with Fulton County's Vocational Rehabilitation Appointment,

RESOLVED, that the Montgomery County Board of Supervisors agrees to exchange its General Education Appointment to the Fulton-Montgomery-Schoharie Workforce Development Board with Fulton County's Vocational Rehabilitation Appointment, and

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

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Workforce Development Board
Fulton County Board of Supervisors

**
RESOLUTION NO. 216 of 2003 DATED: September 23, 2003
RESOLUTION NAMING APPOINTMENT (WORKFORCE DEVELOPMENT BOARD)

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that the following person hereby is appointed as a member of the Fulton-Montgomery-Schoharie Workforce Development Board, Inc.:

Appointee	Representing
Philip G. Hubbard, 87 Main Street, Fort Plain	Vocational Rehabilitation

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Thomas, to add, " and FURTHER RESOLVED, that this Resolution is contingent upon passage of Resolution similar to Resolution No. 215 of 2003 by the Fulton County Board of Supervisors.", 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 Clerk
Workforce Development Board
Appointee

**
RESOLUTION NO. 217 of 2003 DATED: September 23, 2003
RESOLUTION AMENDING RESOLUTION NO. 54 OF 2003

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County provides financial and in-kind support to the Amsterdam-Florida-Glen Empire Zone, and

WHEREAS, New York State has reduced its financial commitments to the local zone administration program, and

WHEREAS, in order to keep funding levels for the program at historical levels, each local sponsor would have to provide additional financial support,

RESOLVED that Montgomery County hereby amends Resolution No. 54 of 2003 to change the further resolved clause as follows: "for a total annual payment of \$11,700", and

FURTHER RESOLVED, that said agreement shall be funded through the CD fund.

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Empire Zone Coordinator
EOD Director

**
RESOLUTION NO. 218 of 2003 DATED: September 23, 2003
RESOLUTION EARMARKING LAND SALE PROCEEDS FOR SPEC BUILDING - GLEN CANAL
VIEW BUSINESS PARK

Resolution by Supervisor: Thomas
Seconded by Supervisor: Stagliano

WHEREAS, Montgomery County has sold land on Sandy Drive for \$78,500, and

WHEREAS, the Board of Supervisors would like, through the Montgomery County Industrial Development Agency, to develop a shell building in the Glen Canal View Business Park, and

WHEREAS, the Board would like to utilize the \$78,500 as seed money for said project,

RESOLVED, that the Treasurer is hereby authorized and directed to transfer \$78,500 into Capital Project 86 fund for the purpose of developing a shell building in the Glen Canal View Business Park.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor DiMezza, to delete the title and replace with "RESOLUTION ESTABLISHING CAPITAL PROJECT SPEC BUILDING" and to delete the three WHEREAS clauses and the RESOLVED clause, and insert, in its stead:

WHEREAS, Montgomery County has sold land on Sandy Drive for \$78,500, and

WHEREAS, the Board of Supervisors would like, through the Montgomery County Industrial Development Agency, to develop a shell building in the Glen Canal View Business Park, and

WHEREAS, the Board would like to utilize the \$78,500 as seed money for said project, and

WHEREAS, it is estimated that a 20,000 sq. ft. building would cost approximately \$600,000, and

WHEREAS, a new Capital Project fund should be established for this and future industrial facility projects,

RESOLVED, that the Board of Supervisors hereby creates Capital Project 87 for the purpose of developing industrial facilities in the County Industrial Parks, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2003 Operating Budget, as follows:

Add and increase: A 06 3 2660 00	\$ 78,500
Add and increase: A 06 4 9900 00.9950 Interfund Transfer Trans. to Cap. Proj. Fund	\$ 78,500
Add and increase:	
H 24 3 5031 87 Interfund Revenue	\$ 78,000

H 24 3 2389 87 Other Home/Comm Services: Other Gov't \$521,500
Add and increase: H 24 4 6430 87 .2202 Industrial Facilities
Capital Projects \$600,000

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor McMahon, passed with Aye(1225). Supervisors Sinicropi, Mancini, Quackenbush, Hisert and Stagliano voted nay. (9/23/03)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
EOD Director

**
RESOLUTION NO. 219 of 2003 DATED: September 23, 2003
RESOLUTION ALLOCATING LEASE PAYMENTS FOR WIRELESS COMMUNICATION
PROVIDERS FLORIDA PARK WATER TANK

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, Montgomery County will be the recipient of lease payments for wireless communication providers co-located on the Florida water tank, and

WHEREAS, the Town of Florida is responsible for all issues related to operations and maintenance for the Florida Water District,

RESOLVED, that the Board of Supervisors hereby allocates an amount equal to 50% of all lease revenues generated from said wireless communication providers to the Town of Florida.

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 Clerk
Town of Florida
EOD Director

**
RESOLUTION NO. 220 of 2003 DATED: September 23, 2003
RESOLUTION AWARDED CONTRACT NO. 4 - FLORIDA PARK INDUSTRIAL ACCESS
PROGRAM

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

RESOLVED that Contract No. 4 Florida Park Industrial Access Program is hereby awarded to _____ for \$ _____.

MOTION TO AMEND by Supervisor Richards, seconded by Supervisor Thomas, to insert, in the RESOLVED clause, "Cobleskill Stone Products, Inc." and "1,432,000" respectively, passed with Aye(1868).

RESOLUTION ADOPTED UNANIMOUSLY.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
EOD Director

**

RESOLUTION NO. 221 of 2003
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

DATED: September 23, 2003

Resolution by Supervisor: Dybas
Seconded by Supervisor: Sinicropi

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for part-time personnel costs due to vacant positions,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From:	EH-34-4-6020-00.1110		
	(035) Cleaner		\$2,000.00
	(084) Custodial worker		\$2,000.00
	(129) Food Service Helper		\$3,000.00
	(175) Licensed Practical Nurse		\$3,000.00
	(177) Licensed Practical Nurse		\$2,000.00
	(179) Licensed Practical Nurse		\$2,000.00
	(180) Licensed Practical Nurse		\$2,000.00
	(186) Licensed Practical Nurse		\$2,000.00
	(210) Certified Nursing Assistant		\$2,000.00
	(212) Certified Nursing Assistant		\$2,000.00
	(219) Certified Nursing Assistant		\$1,500.00
	(342) Supervising Nurse		\$3,000.00
	(541) Restorative Nursing Assistant		\$2,000.00
	(1422) Supervising Nurse		\$3,000.00

			\$31,500.00

To: EH-34-4-6020-00.1120 (115) Part-time Employees \$31,500.00

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 Clerk
Meadows Administrator

**
RESOLUTION NO. 222 of 2003 DATED: September 23, 2003
RESOLUTION FOR INTENSIVE SUPERVISION PROGRAM (PROBATION)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the Probation Director has recommended that Montgomery County enter into an agreement with the New York State Division of Probation and Correctional Alternatives to receive funding for the Probation Intensive Supervision Program,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, hereby is authorized and directed to sign an agreement with the New York State Division of Probation and Correctional Alternatives for receipt of State Aid for the Probation Intensive Supervision Program, and

FURTHER RESOLVED, said agreement may be renewed without further legislative action, in the absence of substantive modifications.

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 Clerk
Probation Director

**
RESOLUTION NO. 223 of 2003 DATED: September 23, 2003
RESOLUTION ACCEPTING GRANT AWARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the County has been notified of a \$29,890 Homeland Security Exercise and Evaluation Grant, and

WHEREAS, the HSEEP Program has a no cost requirement to the County,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes acceptance of a \$29,890 Homeland Security Exercise and Evaluation 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 an agreement accepting said Grant, and

FURTHER RESOLVED, that this revenue will be recognized in the 2004 Operating Budget.

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 Clerk
Director of Emergency Management

**
RESOLUTION NO. 224 of 2003 DATED: September 23, 2003
RESOLUTION AUTHORIZING PURCHASE OF A DOOR SECURITY ACCESS SYSTEM

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, the Personnel Officer has reviewed quotes for a new Door Security Access System that is IBM AS400 compatible, and

RESOLVED, that M.M. Hayes Co., Inc. has a Door Security Access System that meets the requirements needed at a cost of \$ 39,960.00.

RESOLVED, that a transfer of funds is necessary and that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

FROM: A-06-4-9700-00-7107 (Serial Bond Interest) \$39,960.00

TO: A-10-4-1430-00-2252 (Security) \$39,960.00

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Hisert, to add, " 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 M.M. Hayes, Co., Inc. for a Door Security Access System.", 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 Clerk
Human Resources Director

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1868). Chairman Barone declared the meeting adjourned at 8:03 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 28, 2003, was called to order at 7:05 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Dybas. Roll call indicated that Supervisor Sinicropi was absent.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor Dybas, seconded by Supervisor Hisert, to amend the agenda to allow for the introduction of Resolutions No. 247, 248 and 249, passed with Aye(1731). Supervisor Sinicropi was absent. Motion by Supervisor Dybas, seconded by Supervisor Hisert, to adopt the amended agenda, passed with Aye(1731). Supervisor Sinicropi was absent.

_____ PRIVILEGE OF THE FLOOR

None.

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings and Regular Meeting of September 23, 2003, were accepted with no corrections, additions or deletions.

_____ REPORTS OF STANDING COMMITTEES

None.

_____ REPORTS OF SPECIAL COMMITTEES

None.

_____ UNFINISHED BUSINESS

**
RESOLUTION NO. 218 of 2003 DATED: September 23, 2003
RESOLUTION EARMARKING LAND SALE PROCEEDS FOR SPEC BUILDING - GLEN CANAL
VIEW BUSINESS PARK

Resolution by Supervisor: Thomas
Seconded by Supervisor: Stagliano

WHEREAS, Montgomery County has sold land on Sandy Drive for \$78,500, and

WHEREAS, the Board of Supervisors would like, through the Montgomery County Industrial Development Agency, to develop a shell building in the Glen Canal View Business Park, and

WHEREAS, the Board would like to utilize the \$78,500 as seed money for said project,

RESOLVED, that the Treasurer is hereby authorized and directed to transfer \$78,500 into Capital Project 86 fund for the purpose of developing a shell building in the Glen Canal View Business Park.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor DiMezza, to delete the title and replace with "RESOLUTION ESTABLISHING CAPITAL PROJECT SPEC BUILDING" and to delete the three WHEREAS clauses and the RESOLVED clause, and insert, in its stead:

WHEREAS, Montgomery County has sold land on Sandy Drive for \$78,500, and

WHEREAS, the Board of Supervisors would like, through the Montgomery County Industrial Development Agency, to develop a shell building in the Glen Canal View Business Park, and

WHEREAS, the Board would like to utilize the \$78,500 as seed money for said project, and

WHEREAS, it is estimated that a 20,000 sq. ft. building would cost approximately \$600,000, and

WHEREAS, a new Capital Project fund should be established for this and future industrial facility projects,

RESOLVED, that the Board of Supervisors hereby creates Capital Project 87 for the purpose of developing industrial facilities in the County Industrial Parks, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2003 Operating Budget, as follows:

Add and increase: A 06 3 2660 00	\$ 78,500
Add and increase: A 06 4 9900 00.9950 Interfund Transfer Trans. to Cap. Proj. Fund	\$ 78,500
Add and increase:	
H 24 3 5031 87 Interfund Revenue	\$ 78,500
H 24 3 2389 87 Other Home/Comm Services: Other Gov't	\$521,500
Add and increase: H 24 4 6430 87 .2202 Industrial Facilities Capital Projects	\$600,000

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor McMahon, passed with Aye(1225). Supervisors Sinicropi, Mancini, Quackenbush, Hisert and Stagliano voted nay. (9/23/03)

MOTION TO REMOVE FROM TABLE by Supervisor Thomas, seconded by Supervisor Richards, passed with Aye(1588). Supervisor McMahon voted nay. Supervisor Sinicropi was absent. (10/28/03)

RESOLUTION DEFEATED with Aye(398). Supervisors Richards, Thomas and Hisert voted aye. Supervisor Sinicropi was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
EOD Director

NEW BUSINESS

**
RESOLUTION NO. 225 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN FBI ANTENNA SITE LICENSE
RENEWAL AGREEMENT - SHERIFF'S OFFICE

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has entered into a license agreement with the US 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 US Department of Justice, Federal Bureau of Investigation, with said license to pay a \$200.00 monthly fee for a one-year period commencing on October 1, 2003 and ending on September 30, 2004

FURTHER RESOLVED, said agreement may be renewed without further legislative action, in the absence of substantive modifications.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk
Sheriff

**
RESOLUTION NO. 226 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SOFTWARE MAINTENANCE
AGREEMENT - NEW WORLD SYSTEMS (SHERIFF'S OFFICE)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has recommended the renewal of a Standard Software Maintenance Agreement for the department's Computer-Aided Dispatch, Law Enforcement Records Software and Public Safety Interface Software,

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 New World Systems for the maintenance of the Sheriff department's Computer-Aided Dispatch, Law Enforcement Records Software and Public Safety Interface Software, and

FURTHER RESOLVED, said agreement shall be for a period commencing on January 1, 2004 and ending on December 31, 2006 with payments not to exceed a total of \$32,200 in 2004, \$34,500 in 2005 and \$36,800 in 2006.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk
Sheriff

**
RESOLUTION NO. 227 of 2003 DATED: October 28, 2003
RESOLUTION TRANSFERRING FUNDS (SHERIFF)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has requested a transfer of funds to purchase a lecture podium and plaque for the Sheriff's Office training room, and

WHEREAS, donations in memory of a deceased deputy sheriff have been made to the Gifts and Donations Fund for the purpose of purchasing said equipment and plaque to be used for training,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

A 15 3 2705 00 Gifts and Donations \$835.00

ADD & INCREASE:

A 15 4 3110 00.2210 Office Furniture \$746.00

INCREASE:

A 15 4 3110 00.4449 Special Supplies & Materials \$ 89.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Sheriff

**
RESOLUTION NO. 228 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GOVERNOR'S TRAFFIC SAFETY GRANT
- BUCKLE UP NEW YORK (SHERIFF'S OFFICE)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

WHEREAS, the Sheriff has recommended acceptance of a \$6,065 grant from the Governor's Traffic Safety Committee for the "Buckle Up New York" Campaign,

RESOLVED, that the Board of Supervisors hereby accepts a \$6,065 grant from the Governor's Traffic Safety Committee for the "Buckle Up New York" Campaign, 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 agreement.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Sheriff

**
RESOLUTION NO. 229 of 2003 DATED: October 28, 2003
RESOLUTION REJECTING BIDS AND AUTHORIZING READVERTISEMENT - FMCC AIR
QUALITY AND SAFETY PROJECT

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Paton

WHEREAS, there were no bids received on July 2, 2003 for the FMCC Air Quality and Safety Project, and

WHEREAS, Resolution 171 of 2003 authorized the re-advertising for bids for this project, and

WHEREAS, Trudeau Architects and FMCC restructured the original bid to encourage firms to bid on the project, and

WHEREAS, there was only one proposal received on September 17, 2003 from Near-Rychcik of Scotia, New York, and

WHEREAS, said proposal was not for the entire scope of work and was also significantly higher than Trudeau estimated for the portions that were bid on, and

WHEREAS, it is because of this that it is the collective recommendation of Trudeau Architects and FMCC to reject this bid, and

WHEREAS, there is still a continued water infiltration problem in the Lower Level of the College Union that must be addressed, and

WHEREAS, The restructured Air Quality and Safety Project contained five work components - three of which will address the water infiltration problem, and

WHEREAS, it has been recommended by Trudeau Architects and FMCC that in order to attract contractors to bid on this work, the bid be restructured again to have each of the three (3) individual work tasks that pertain to the water infiltration as separate bids to allow any contractor to bid on (1), two (2) or all three (3) projects,

RESOLVED, that the proposal from Near-Rychcik of Scotia, New York is hereby rejected, and

RESOLVED, that the Board of Supervisors hereby authorizes re-solicitation of bids for the Buildings Renovation Project 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 passage of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

**
RESOLUTION NO. 230 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHANGE ORDERS AND CLOSEOUT OF CONTRACT -
T&J ELECTRIC - ELECTRICAL VAULT PROJECT (FMCC)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Richards

WHEREAS, Resolution 215 of 2001 awarded an electric contract for the Electrical Vault Project to T&J Electric of Troy, New York, and

WHEREAS, said contract is ready to be closed out and to do so requires two credit Change Orders,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the following Change Orders to the contract with T&J Electric for the Electrical Vault Project:

Change Order No. 1 (To credit back to Montgomery County the unused balance of the Contingency Allowance contained in the original contract) (-)\$3,536.62

Change Order No. 2 (To credit back to Montgomery County the following alternates: (-)\$7,680.00

Alternative #2E in the amount of \$2,560
Alternative #3E in the amount of \$5,120
(This work became part of transformer failure insurance claim)

Original Contract Amount:	\$351,425.00
Previously Approved Change Orders	\$ 0.00
Proposed Change Orders	(-)11,216.62

	\$340,208.38

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

RESOLUTION ADOPTED with Aye(1595). Supervisor Dybas voted nay. Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1595) voting aye.

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

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

**
RESOLUTION NO. 231 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE AMENDMENT #2 TO CONTRACT WITH TRUDEAU ASSOCIATES (FMCC AIR QUALITY AND SAFETY PROJECT)

Resolution by Supervisor: Mancini
Seconded by Supervisor: Richards

WHEREAS, there is still a continued water infiltration problem in the Lower Level of the College Union that must be addressed, and

WHEREAS, Resolution 188 of 2003 authorized the restructuring of the Air Quality and Safety Project to contained five work components - three of which will address said water infiltration problem, and

WHEREAS, there was only one proposal received in September on the restructured bid, which was not for the entire scope of work and was also significantly higher than Trudeau estimated for the portions that were bid on, and

WHEREAS, it has been recommended that said proposal be rejected, and

WHEREAS, it has also been recommended by Trudeau Architects and FMCC that in order to attract contractors to bid on this work, the bid be restructured again to have each of the three (3) individual work tasks that pertain to the water infiltration as separate bids to allow any contractor to bid on one (1), two (2) or all three (3) projects,

WHEREAS, to accomplish this, Trudeau Architects must restructure the bid document again to allow for this change, and

WHEREAS, Trudeau Architects has submitted a proposal to restructure and reprint the plans and specifications to reflect this repackaging of the project for a fee of \$4,500,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, hereby is authorized and directed to execute amendment #2 to contract with Trudeau Associates of Latham, at a cost not to exceed \$4,500, 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(1595). Supervisor Dybas voted nay. Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1595) voting aye.

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

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

**
RESOLUTION NO. 232 of 2003 DATED: October 28, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors authorized acceptance of the Public Health Preparedness and Response to Bioterrorism Grant funds for the period commencing September 1, 2003 and ending August 31, 2004,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-06	Public Health Grant	\$111,170.00
Appropriations:	A-16-4-4010-06	Public Health Grant	
	.2250	Technical Equipment	\$25,000.00
	.2259	Computer Equipment	\$12,500.00
	.4407	Office Equipment	\$ 1,000.00
	.4408	Office Supplies	\$ 3,500.00
	.4409	Office Furniture	\$ 8,000.00
	.4425	Bldg & Maint. Contracts	\$ 1,500.00
	.4431	Professional Services	\$18,000.00
	.4438	Misc. Supporting Svcs.	\$ 8,000.00
	.4445	Medical Supplies	\$ 5,170.00
	.4446	Food Supplies	\$ 1,500.00
	.4448	Const. & Maint. Supplies	\$ 2,000.00
	.4452	Printing/Copying	\$ 3,000.00
	.4455	Training	\$ 3,500.00
	.4459	Computer Software	\$ 500.00
	.4491	Legal Notice & Advertising	\$ 8,000.00
	.4526	Education Programs	\$10,000.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

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

cc: County Treasurer
County Clerk
Public Health Director

**
RESOLUTION NO. 233 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR ATTORNEY SERVICES RELATED TO PH PREPAREDNESS (PUBLIC HEALTH)

Resolution by Supervisor: Hassan
Seconded by Supervisor: McMahon

WHEREAS, the Public Health Department has received a Public Health Preparedness Grant, and

WHEREAS, the Public Health Director has determined the need to contract with an Attorney to assist in reviewing Public Health Law and reviewing and approving policies related to quarantine and isolation,

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 _____ to assist in reviewing Public Health Law and reviewing and approving policies related to quarantine and isolation, associated with the Public Health Preparedness Grant received by the Public Health Department, and

FURTHER RESOLVED that the total cost of said agreement shall not exceed \$9,000.00

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Dybas, passed with Aye(1731). Supervisor Sinicropi was absent. (10/28/03)

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Public Health

**
RESOLUTION NO. 234 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR PUBLIC HEALTH
PREPAREDNESS CONSULTING SERVICES (PUBLIC HEALTH)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Hassan

WHEREAS, the Public Health Department has received a Public Health Preparedness Grant, and

WHEREAS, the Public Health Director has determined the need to contract with someone to assist in preparedness and education activities,

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 _____ with to provide preparedness and education activities, associated with the Public Health Preparedness Grant received by the Public Health Department, and

FURTHER RESOLVED that the total cost of said agreement shall not exceed \$9,000.00.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Hassan, in the RESOLVED clause, insert "Fred Hauck", passed with Aye(1731). Supervisor Sinicropi was absent.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Public Health

**
RESOLUTION NO. 235 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN APPENDIX A-1 OF THE LEAD
POISONING PREVENTION GRANT

Resolution by Supervisor: McMahon
Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has been notified by NYSDOH that a new Appendix A-1 must be incorporated into the existing Lead Poisoning Prevention Grant for the period of April 1, 2003 to March 31, 2004

RESOLVED, That the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign Appendix A-1.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Public Health Director

**
RESOLUTION NO. 236 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYSDOH FOR
REIMBURSEMENT OF RABIES EXPENSES (PUBLIC HEALTH)

Resolution by Supervisor: Dybas
Seconded by Supervisor: McMahon

WHEREAS, NYSDOH has requested an agreement be signed for reimbursement of Rabies expenses, and

WHEREAS, Montgomery County receives up to \$7000.00 from NYSDOH for the period of April 1, 2003 to March 31, 2004

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 NYSDOH for Reimbursement of Rabies Expenses.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Public Health Director

**
RESOLUTION NO. 237 of 2003 DATED: October 28, 2003
RESOLUTION INCREASING SPHN SALARY (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

WHEREAS, Resolution 164 of 2003 called for a relocation of CSEA Titles, which included the RN positions in the Public Health Department, and

WHEREAS, said resolution has caused an inequity in the pay scale between the non-bargaining Supervising Public Health Nurse and the bargaining Registered Nurse, and

WHEREAS, it has been recommended by the Public Health Director that the SPHN salary be increased to eliminate this inequity, and

WHEREAS, any additional pay increase will fall within the 100% reimbursable cap of Article 6 State Aid,

RESOLVED, that the Supervising Public Health Nurse, who currently has a base salary of \$38,617 be increased to a base salary of \$42,475.

RESOLUTION DEFEATED with Aye(848). Supervisors Dybas, Mancini, DiMezza, McMahon, Paton and Van Kersen voted aye. Supervisor Sinicropi was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

Public Health Director
Human Resources Director

**
RESOLUTION NO. 238 of 2003 DATED: October 28, 2003
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Thomas

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for overtime costs due to vacant positions,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From:	EH-34-4-6020-00.1110		
	(035) Cleaner	\$	2,000.00
	(084) Custodial worker	\$	2,000.00
	(171) Licensed Practical Nurse	\$	4,000.00
	(175) Licensed Practical Nurse	\$	2,000.00
	(177) Licensed Practical Nurse	\$	3,000.00
	(178) Licensed Practical Nurse	\$	1,000.00
	(179) Licensed Practical Nurse	\$	2,000.00
	(180) Licensed Practical Nurse	\$	3,000.00
	(186) Licensed Practical Nurse	\$	2,000.00
	(210) Certified Nursing Assistant	\$	2,000.00
	(212) Certified Nursing Assistant	\$	2,000.00
	(219) Certified Nursing Assistant	\$	1,000.00
	(237) Certified Nursing Assistant	\$	2,000.00
	(238) Certified Nursing Assistant	\$	3,000.00
	(251) Certified Nursing Assistant	\$	1,000.00
	(306) Licensed Practical Nurse	\$	1,000.00
	(341) Asst. Director of Nursing	\$	2,000.00
	(342) Supervising Nurse	\$	4,000.00
	(594) Ward Clerk	\$	3,000.00
	(1056) Head Nurse	\$	2,000.00
	(1421) Admissions Coordinator	\$	4,000.00
	(1422) Supervising Nurse	\$	4,000.00
		\$	52,000.00
To:	EH-34-4-6020-00.1120 (115) Part-time Employees	\$	30,000.00
	EH-34-4-6020-00.1111 (926) Overtime Pay	\$	22,000.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Meadows Administrator

**
RESOLUTION NO. 239 of 2003 DATED: October 28, 2003
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Richards

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for nurse agency staffing and inadvertently budgeted line items,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From:	EH-34-4-6020-00.1110	(084) Custodial worker	\$1,000.00
		(171) Licensed Practical Nurse	\$1,000.00
		(175) Licensed Practical Nurse	\$1,000.00
		(177) Licensed Practical Nurse	\$1,000.00
		(178) Licensed Practical Nurse	\$2,211.23
		(179) Licensed Practical Nurse	\$1,000.00
		(180) Licensed Practical Nurse	\$5,788.77
		(186) Licensed Practical Nurse	\$2,000.00
		(210) Certified Nursing Assistant	\$1,000.00
		(212) Certified Nursing Assistant	\$1,000.00
		(237) Certified Nursing Assistant	\$1,000.00
		(238) Certified Nursing Assistant	\$2,000.00
		(251) Certified Nursing Assistant	\$ 500.00
		(342) Supervising Nurse	\$2,000.00
		(562) Ward Clerk	\$2,000.00
		(1056) Head Nurse	\$2,000.00
		(1421) Admissions Coordinator	\$2,000.00
		(1422) Supervising Nurse	\$2,000.00
	EH 34 4 6020 00 1130	(216) Temporary Employees	\$4,500.00
			<u>\$35,000.00</u>
To:	EH-34-4-6020-00.4436	Medical Fees	\$35,000.00
From:	EH-34-4-6020-00.4444	Custodial	\$11,000.00
To:	EH-34-4-6020-00.4445	Medical Supplies	\$11,000.00
From:	EH-34-4-6020-00.4422	Equipment Repairs	\$18,000.00
To:	EH-34-4-6020-00.4445	Property Repairs	\$18,000.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Meadows Administrator

**
RESOLUTION NO. 241 of 2003 DATED: October 28, 2003
RESOLUTION SUPPORTING CUSHING STONE, INC. REQUEST FOR THE SURFACE
TRANSPORTATION BOARD TO RECONSIDER ABANDONMENT PETITION

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Paton

WHEREAS, New York Central Lines, LLP (NYCL) and CSX Transportation, Inc. (CSX) operate an approximately 6.5 mile section of railroad lines in Montgomery and Schenectady Counties, and

WHEREAS, CSX obtained an abandonment exemption from the Surface Transportation Board, and

WHEREAS, said abandonment would potentially have a detrimental impact on Cushing Stone, Inc., Cranesville Block, Inc., their employees, and Montgomery County's economy, and

WHEREAS, Cushing Stone is seeking the support of the Montgomery County Board of Supervisors, in its petition to revoke the abandonment exemptions.

RESOLVED, that the Board of Supervisors hereby supports Cushing Stone's request to revoke the abandonment exemption issued by the Surface Transportation Board.

FURTHER RESOLVED, that a copy of this resolution will be sent to the appropriate federal and state elected officials and the NYS Department of Transportation seeking their support.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
EOD Director

**
RESOLUTION NO. 242 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MVEDD SUPPORT LETTER

Resolution by Supervisor: Thomas
Seconded by Supervisor: Richards

WHEREAS, Montgomery County actively participates in the Mohawk Valley Economic Development District (MVEDD), which provides the County access to grants and loans from the US Department of Commerce, Economic Development Administration (EDA), and

WHEREAS, the primary goal of the MVEDD is to assist local governments and the private sector in expediting projects that will create and/or retain jobs in the Mohawk Valley Region, which includes Montgomery County, and

WHEREAS, the Mohawk Valley Economic Development District, Inc. (MVEDD) is preparing to submit its application to the Economic Development Administration (EDA) for the continuation of its Planning and Administration Grant, and

WHEREAS, the EDA requires a letter of authorization from each of the six counties in the district,

RESOLVED, that the Montgomery County Board of Supervisors authorizes the Chairman to send a letter of support to the Regional Director of the US Department of Commerce, Economic Development Administration, endorsing the activities of the MVEDD and requesting funding for the continuation of the Planning and Administration Grant for 2004.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
MVEDD

**
RESOLUTION NO. 243 of 2003 DATED: October 28, 2003
RESOLUTION TRANSFERRING RESPONSIBILITY OF THE TOURISM ADVISORY COMMITTEE TO THE MONTGOMERY COUNTY CHAMBER OF COMMERCE

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Resolution 195 of 2000 created the Tourism Advisory Committee and designated appointed members to said committee to serve at the pleasure of the Board, and

WHEREAS, Resolution 199 of 2001 amended Resolution 195 of 2000 to include said appointed members as well as all members of the Montgomery County Occupancy Tax Advisory Board, who serve appointed terms, and

WHEREAS, it has been recommended that the Tourism Advisory Committee should fall under the direction of the Montgomery County Chamber of Commerce, Montgomery County's designated Tourism Promotion Agency to provide proper oversight to Tourism related issues,

RESOLVED, that the Montgomery County Tourism Advisory Committee is hereby dissolved under the Montgomery County Board of Supervisors, and

FURTHER RESOLVED, that this Resolution is contingent upon the establishment of a Tourism Advisory Committee to be a sub-committee of the Board of the Montgomery County Chamber of Commerce, and

FURTHER RESOLVED, copies of all meeting notices, minutes and other pertinent Tourism-related information resulting from said committee shall be sent to the Montgomery County Occupancy Tax Advisory Board, c/o Montgomery County Board of Supervisors' Office, PO Box 1500, Fonda, NY 12068

MOTION TO TABLE by Supervisor Hisert, seconded by Supervisor Thomas, passed with Aye(1731). Supervisor Sinicropi was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
MCCC
Hotel/Motel Occupancy Tax Advisory Board

**
RESOLUTION NO. 244 of 2003 DATED: October 28, 2003
RESOLUTION TRANSFERRING FUNDS (PUBLIC WORKS)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Public works has requested a transfer of funds to provide payment for gasoline and diesel costs due to an appropriation shortage,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From:	DM 12-4-5130-00.4422	Equipment Rental, Lease, Repair	\$25,000.00
To:	DM-12-4-5130-00.4441	Gasoline, Diesel Fuel	\$25,000.00

RESOLUTION ADOPTED with Aye(1647). Supervisor Thomas abstained. Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1647) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 245 of 2003 DATED: October 28, 2003
RESOLUTION PROPOSING AN INCREASE IN THE CONSTITUTIONAL TAX LIMIT FOR MONTGOMERY COUNTY AND ESTABLISHING A PUBLIC HEARING

Resolution by Supervisor: McMahon

WHEREAS, Resolution 130 of 1999 established the Constitutional Tax Limit for Montgomery County to be 1.5%, and

WHEREAS, the Budget Officer has stated that the 2004 Tentative Budget currently exceeds the Constitutional Tax Limit, and

WHEREAS, it is necessary to increase said tax limitation in order to provide additional revenue to meet budgetary requirements, and

WHEREAS, the proposed increase tax limitation is 1.75%, and

WHEREAS, such a tax limitation increase is authorized by Section 233 of the County Law and can be approved by the affirmative vote of two-thirds (2/3) of the weighted votes of the Board of Supervisors, and

WHEREAS, a public hearing is required to be held concerning a proposal to increase Montgomery County's Constitutional Tax Limitation,

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposal to increase the Constitutional Tax Limit for _____, in the Supervisors' Chambers, County Office Building, Rout 30A (Broadway), 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 local law.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor McMahon, in the RESOLVED clause, insert "November 25, 2003 at 6:30 p.m.", passed with Aye(1385). Supervisors Barone, Hassan and Quackenbush voted nay. Supervisor Sinicropi was absent.

RESOLUTION DEFEATED with Aye(459). Supervisors McMahon, Richards, Paton and Van Kersen voted aye. Supervisor Sinicropi was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

**
RESOLUTION NO. 246 of 2003 DATED: October 28, 2003
RESOLUTION REJECTING PROPOSALS - TELEPHONE AND DATA SYSTEMS

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

WHEREAS, the Purchasing Agent, via RFP 02-03, solicited proposals for telephone and data systems, and

WHEREAS, said proposals were opened, but no action was forthcoming, and

WHEREAS, the Purchasing Agent has recommended that all proposals received in response to RFP 02-03 be rejected,

RESOLVED, that all proposals tendered to the Purchasing Agent, in response to RFP 02-03, hereby are rejected, and

FURTHER RESOLVED, that said Purchasing Agent hereby is authorized and directed to provide notification of said rejections as appropriate.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Purchasing Agent

**
RESOLUTION NO. 247 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO REQUEST AMENDMENT TO NYS OPRHP
CONTRACT - CANALWAY TRAIL

Resolution by Supervisor: Hisert
Seconded by Supervisor: DiMezza

WHEREAS, Resolution 238 of 1986 authorized the County to enter into an agreement with the NYS Office of Parks, Recreation and Historic Preservation (NYS OPRHP) for the development, operation and maintenance of sections of the Barge Canal Recreationway within Montgomery County, and

WHEREAS, said contract specifically excludes the use of motorized vehicles on the recreation path, and

WHEREAS, Resolution 156 of 2003 authorized the County to enter into an agreement with the Montgomery County Snowmobile Association for the use of snowmobiles on sections of said recreation path excluding the Village of Canajoharie, and

WHEREAS, the County has submitted a draft Conceptual Plan to NYS OPRHP, which details the proposed regulations concerning snowmobile use, operation and maintenance of said recreation path, and

WHEREAS, the NYS OPRHP is reviewing said Concept Plan and has recommended that the County formally request an amendment to the 1986 Contract to include the use of motorized vehicles on sections of the recreation path excluding the village of Canajoharie, and

WHEREAS, said request would allow NYS OPRHP to begin drafting amendment language for attorney review and formal signing,

RESOLVED, that the Montgomery County Board of Supervisors authorizes the Chairman to send a letter to the NYS OPRHP formally requesting an amendment to the Contract by and between NYS OPRHP and Montgomery County to include the use of motorized vehicles on sections of the recreation path excluding the Village of Canajoharie.

MOTION TO AMEND by Supervisor Van Kersen, seconded by Supervisor Hisert, in the fifth WHEREAS and RESOLVED clause, delete "motorized vehicles" and insert, in its stead, "snowmobiles and authorized maintenance vehicles only", passed with Aye(1430). Supervisor Quackenbush voted nay. Supervisor McMahan abstained. Supervisor Sinicropi was absent.

RESOLUTION DEFEATED with Aye(865). Supervisors Brodie, Barone, DiMezza, Richards, Thomas, Hisert and Van Kersen voted aye. Supervisor Sinicropi was absent.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Planning
Montgomery County Snowmobile Association

**
RESOLUTION NO. 248 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR ATTORNEY SERVICES
ON ISSUES RELATED TO MOSA

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority has become a substantial financial liability for Montgomery County, and

WHEREAS, it has been determined that there is a need to contract with an Attorney to assist in reviewing Municipal Solid Waste Law, Public Authority Law and reviewing and recommending policies related to MOSA and Municipal Solid Waste Management,

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 Paul D. Casowitz, of Sive, Paget & Reisel, P.C., 460 Park Avenue, New York, NY 10022, to assist in reviewing Municipal Solid Waste Law, Public Authority Law and reviewing and recommending policies related to MOSA and Municipal Solid Waste Management.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
MOSA Board Representatives
MOSA

**
RESOLUTION NO. 249 of 2003 DATED: October 28, 2003
RESOLUTION INCREASING REVENUE AND AUTHORIZING DISTRICT ATTORNEY TO
PURCHASE VEHICLE USING FORFEITED CRIME PROCEEDS (DISTRICT ATTORNEY)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: DiMezza

WHEREAS, the District Attorney has requested permission to purchase a vehicle under state contract to be used by him for the purpose of travel relating to drug investigations and duties in connection with said office, and

RESOLVED, that the Board of Supervisors hereby authorizes the purchase of a vehicle to be paid for with a portion of the monies deposited by the District Attorney's Office totaling the sum of \$21,751.31 which represents forfeiture of crime proceeds in connection with Montgomery County prosecutions, 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 the purchase of a vehicle to be used by the District Attorney, per terms established by state contract, and

FURTHER RESOLVED, that the balance of any forfeiture monies remaining after the purchase of a vehicle are to be turned over to the county of Montgomery general fund, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 operating budget, as follows:

INCREASE:

Forfeiture Crime Proceeds	A-25-3-2625	\$2,511.60
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ADD AND INCREASE:

Forfeiture Crime Proceeds Rest	A-25-3-2626	\$10,488.40
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ADD AND INCREASE:

Motor Vehicle Equip	A-25-4-1165-00-2230	\$13,000.00
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MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Mancini, in the first FURTHER RESOLVED clause, after "District Attorney", insert "in an amount not to exceed \$13,000", passed with Aye(1731). Supervisor Sinicropi was absent.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
District Attorney
Purchasing Agent

Motion by Supervisor Hisert, seconded by Supervisor DiMezza, to enter into Executive Session to discuss the financial history of a certain business, as permitted by Public Officers Law, passed with Aye(1731). Supervisor Sinicropi was absent. The Board entered Executive Session at 7:45 p.m.

Motion by supervisor DiMezza, seconded by Supervisor Hisert, to conclude the Executive Session at 8:10 p.m. passed with Aye(1731). Supervisor Sinicropi was absent.

**
RESOLUTION NO. 240 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING REVOLVING LOAN FUND AGREEMENT - SUNSET REFUSE
SERVICE

Resolution by: Full Board

Seconded by Supervisor:

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 Sunset Refuse Service, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purposes of acquiring additional waste collection equipment at the applicants City of Amsterdam site,

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 \$_____ to Sunset Refuse Service, 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 _____ monthly installments, with interest of prime minus 2% (at time of closing), and

FURTHER RESOLVED, that the loan shall include the following additional conditions, the creation of _____ jobs, the retention of _____ jobs, all waste generation from Montgomery County collected by Sunset Refuse Service shall be disposed of at a MOSA transfer facility during the term of the loan.

FURTHER RESOLVED that Sunset Refuse Service 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.

MOTION TO AMEND by Supervisor Hisert, seconded by Supervisor Thomas, to insert, in the RESOLVED clause "226,000", in the second FURTHER RESOLVED clause, "120" and delete the third FURTHER RESOLVED clause, passed with Aye(1731). Supervisor Sinicropi was absent.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi was absent.

Duly adopted upon roll call, all members present (1731) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
EOD Director

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor Stagliano, seconded by Supervisor Thomas, to adjourn the meeting, passed with Aye(1731). Supervisor Sinicropi was absent. Chairman Barone declared the meeting adjourned at 8:26 p.m. Supervisor Sinicropi was absent.

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 November 25, 2003, 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 Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Dybas, to amend the agenda to allow for the introduction of Resolution No. 276, and to consider Resolution No. 268 first, passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent. Motion by Supervisor McMahon, seconded by Supervisor Dybas, to adopt the amended agenda, passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

_____ PRIVILEGE OF THE FLOOR

Proclamation honoring Ruben B. Hoffman as 2003 Caregiver of the Year was read and presented by Supervisor Dybas.

Karen Chaplin, Town of Glen, requested support for dissolution of MOSA.

Leo Koppel, Village of Fort Plain, expressed concern over increase in cost to support MOSA.

Larry Buchanan, Town of Mohawk, requested support for proposed Resolution No. 268.

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Regular Meeting of October 28, 2003, was accepted with no corrections, additions or deletions.

_____ REPORTS OF STANDING COMMITTEES

None.

_____ REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**
RESOLUTION NO. 233 of 2003 DATED: October 28, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR ATTORNEY SERVICES
RELATED TO PH PREPAREDNESS (PUBLIC HEALTH)

Resolution by Supervisor: Hassan
Seconded by Supervisor: McMahon

WHEREAS, the Public Health Department has received a Public Health Preparedness Grant, and

WHEREAS, the Public Health Director has determined the need to contract with an Attorney to assist in reviewing Public Health Law and reviewing and approving policies related to quarantine and isolation,

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 _____ to assist in reviewing Public Health Law and reviewing and approving policies related to quarantine and isolation, associated with the Public Health Preparedness Grant received by the Public Health Department, and

FURTHER RESOLVED that the total cost of said agreement shall not exceed \$9,000.00

MOTION TO TABLE by Supervisor Hassan, seconded by Supervisor Dybas, passed with Aye(1731). Supervisor Sinicropi was absent. (10/28/03)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Hassan, passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent. (11/25/03)

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Dybas, in the RESOLVED clause, insert "Kelli P. McCoski", passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Director of Public Health

**
RESOLUTION NO. 243 of 2003 DATED: October 28, 2003
RESOLUTION TRANSFERRING RESPONSIBILITY OF THE TOURISM ADVISORY
COMMITTEE TO THE MONTGOMERY COUNTY CHAMBER OF COMMERCE

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, Resolution 195 of 2000 created the Tourism Advisory Committee and designated appointed members to said committee to serve at the pleasure of the Board, and

WHEREAS, Resolution 199 of 2001 amended Resolution 195 of 2000 to include said appointed members as well as all members of the Montgomery County Occupancy Tax Advisory Board, who serve appointed terms, and

WHEREAS, it has been recommended that the Tourism Advisory Committee should fall under the direction of the Montgomery County Chamber of Commerce, Montgomery County's designated Tourism Promotion Agency to provide proper oversight to Tourism related issues,

RESOLVED, that the Montgomery County Tourism Advisory Committee is hereby dissolved under the Montgomery County Board of Supervisors, and

FURTHER RESOLVED, that this Resolution is contingent upon the establishment of a Tourism Advisory Committee to be a sub-committee of the Board of the Montgomery County Chamber of Commerce, and

FURTHER RESOLVED, copies of all meeting notices, minutes and other pertinent Tourism-related information resulting from said committee shall be sent to the Montgomery County Occupancy Tax Advisory Board, c/o Montgomery County Board of Supervisors' Office, PO Box 1500, Fonda, NY 12068

MOTION TO TABLE by Supervisor Hisert, seconded by Supervisor Thomas, passed with Aye(1731). Supervisor Sinicropi was absent.

RESOLUTION DIED ON THE TABLE.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
MCCC
Hotel/Motel Occupancy Tax Advisory Board

NEW BUSINESS

**
RESOLUTION NO. 268 of 2003 DATED: November 25, 2003
RESOLUTION SUBMITTING CONCEPT PLAN FOR SHARED USE OF CANALWAY TRAIL TO
NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Hisert

WHEREAS, Resolution 156 of 2003 authorized the County to enter into a one-year agreement with the Montgomery County Snowmobile Association for maintenance and use of snowmobiles on sections of the Canalway Trail, excluding the Village of Canajoharie, and

WHEREAS, NYS Office and Parks, Recreation and Historic Preservation (NYS OPRHP) requires that a shared-use Concept Plan which details the proposed regulations concerning snowmobile use, operation and maintenance of the trail be submitted by Montgomery County to the State for consideration and approval, and

WHEREAS, Resolution 238 of 1986 authorized the County to enter into an agreement with NYS OPRHP for the development, operation and maintenance of sections of the Barge Canal Recreationway within Montgomery County, and

WHEREAS, said contract specifically excludes the use of motorized vehicles on the recreation path except for security and emergency use,

RESOLVED, that the Montgomery County Board of Supervisors formally submits the attached Concept Plan to the NYS OPRHP for review and approval, and

FURTHER RESOLVED, that the Board of Supervisors formally requests an amendment to the existing Contract with NYS OPRHP in order to permit the use of snowmobiles and authorized maintenance vehicles on designated sections of the Canalway Trail pursuant to the concept Plan, which will be approved on an annual basis, and

FURTHER RESOLVED that the Chairman of The Board of Supervisors is authorized to sign such an amended agreement with NYS OPRHP.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Quackenbush, in the first WHEREAS clause, delete "Village" and insert, in its stead, "Town", passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

Duly adopted upon roll call, all members present (1403) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Planning
Montgomery County Snowmobile Association

**
RESOLUTION NO. 250 of 2003 DATED: November 25, 2003
RESOLUTION AUTHORIZING SALARY INCREASES/NON-BARGAINING EMPLOYEES

Resolution by Supervisor: Thomas
Seconded by Supervisor: Sinicropi

RESOLVED, that the Montgomery County Board of Supervisors hereby authorize s 2.5 percent salary increases, retroactive to January 1, 2003, for the following non-bargaining employees:

LINE ITEM INCREASE	TITLE	
A-1-4-1011-0.1110 (570)	ACCOUNT CLERK TYPIST	\$697.00
A-1-4-1040-0.1110 (116)	CLK OF THE BRD OF SUPRVSR	1,177.00
A-1-4-1040-0.1120 (393)	CLERK OF THE BOARD	174.00
A-1-4-1040-0.1120 (1359)	SR CLERK TYPIST-PT	116.00
A-2-4-3640-0.1110 (202)	EMERG MGT DIR/CDE ENF OFF	784.00
A-3-4-3410-0.1120 (117)	COUNTY FIRE COORDNTR-PT	164.00
A-6-4-1325-0.1110 (82)	COUNTY TREASURER	1,357.00
A-6-4-1325-0.1110 (98)	DEPUTY COUNTY TREASURER	887.00
A-7-4-1355-0.1110 (616)	DIR REAL PROP TAX SVCE II	1,034.00
A-8-4-1410-0.1110 (79)	COUNTY CLERK	1,250.00
A-8-4-1410-0.1110 (97)	DEPUTY COUNTY CLERK	751.00
A-9-4-1420-0.1120 (78)	COUNTY ATTORNEY	1,119.00
A-9-4-1420-0.1120 (866)	ASSISTANT COUNTY ATTORNEY	725.00
A-10-4-1430-0.1110 (360)	PERSONNEL ASSISTANT	743.00
A-10-4-1430-0.1110 (858)	PERSONNEL/SELF INS DIR	1,300.00
A-10-4-1430-0.1110 (1273)	ACCOUNT CLERK TYPIST	625.00
A-10-4-1430-0.1110 (1274)	PERSONNEL ASSOCIATE	863.00
A-10-4-1430-0.1110 (1392)	PRINCIPAL ACCOUNT CLERK	675.00
A-11-4-1450-0.1110 (568)	DEPUTY COMMISSIONER	697.00
A-11-4-1450-0.1110 (1133)	ELECTION COMMISSIONER	200.00
A-11-4-1450-0.1110 (1134)	DEPUTY COMMISSIONER	697.00
A-11-4-1450-0.1120 (566)	ELECTION COMMISSIONER	200.00
A-12-4-1490-0.1110 (50)	COMM. OF PUBLIC WORKS	1,225.00
A-14-4-1680-0.1110 (444)	DIRECTOR DATA PROCESSING	1,100.00
A-15-4-3110-0.1110 (419)	UNDERSHERIFF	1,114.00
A-15-4-3110-0.1110 (509)	SHERIFF	1,379.00
A-15-4-3110-0.1110 (510)	SHERIFFS CONFIDENTIAL SEC	729.00
A-15-4-3150-0.1120 (288)	JAIL PHYSICIAN, P.T.	738.00
A-16-4-4010-0.1110 (32)	PUBLIC HEALTH DIRECTOR	1,228.00
A-16-4-4010-0.1110 (257)	PHC COORDINATOR-95%	901.00
A-16-4-4010-0.1110 (423)	SUPERVISING PHN-100%	966.00
A-16-4-4010-0.1120 (315)	PHYSICIAN-PT	100.00
A-17-4-4310-0.1110 (302)	DIR COMMUNITY SVCS	1,155.00
A-18-4-6010-0.1110 (52)	COMM. OF SOCIAL SERVICES	1,250.00
A-18-4-6010-0.1110 (108)	DIRECTOR OF ELIGIBILITY	838.00
A-18-4-6010-0.1110 (441)	DIRECTOR SOCIAL SERVICES	900.00
A-18-4-6010-0.1110 (908)	DIR. FINANCIAL MANAGEMENT	1,018.00
A-18-4-6010-0.1120 (276)	DSS ATTORNEY PT	1,085.00
A-18-4-6010-0.1120 (512)	SOCIAL SERVICES ATTORNEY	600.00
A-18-4-6010-0.1120 (513)	SOCIAL SERVICES ATTORNEY	838.00
A-19-4-6510-0.1110 (912)	DIR VETERANS SVC AGENCY	723.00
A-20-4-6610-0.1110 (81)	DIR WEIGHTS AND MEASURES	800.00
A-21-4-7310-0.1110 (105)	YOUTH BUREAU DIRECTOR	775.00
A-22-4-7510-0.1110 (1177)	CO. HISTORIAN(RECRDS MGR)	750.00
A-23-4-8020-0.1110 (1207)	DIRECTOR OF PLANNING	1,259.00
A-24-4-6430-0.1110 (472)	ECONOMIC OPP. & DEV. DIR.	1,300.00
A-24-4-6430-0.1110 (473)	ECONOMIC OPP. & DEV.SPEC.	898.00
A-25-4-1165-0.1110 (987)	SECRETARY TO DIST. ATTN.	730.00
A-25-4-1165-0.1120 (20)	ASST D.A.-PT	934.00
A-25-4-1165-0.1120 (22)	ASSISTANT D.A.-PT	867.00
A-25-4-1165-0.1120 (71)	CRIMINAL INVESTIGATOR	613.00
A-25-4-1165-0.1120 (1292)	ASSISTANT D.A.	867.00

A-27-4-3140-0.1110	(1252)PROBATION DIRECTOR II	1,253.00
A-28-4-1170-0.1110	(835) CONFIDENTIAL SECRETARY	597.00
A-28-4-1170-0.1120	(1238)PUBLIC DEFENDER-PT	1,125.00
A-28-4-1170-0.1120	(1239)1ST ASST PUB DEFENDER PT	840.00
A-28-4-1170-0.1120	(1240)ASST PUBLIC DEFENDER - PT	512.00
A-28-4-1170-0.1120	(1361)ASST PUBLIC DEFENDER PT	512.00
A-29-4-1185-0.1120	(410) HEAD CORONER	166.00
A-29-4-1185-0.1120	(567) CORONER	149.00
E-H 34-4-6020-0.1110	(42) PRIMARY HEALTH CARE NURSE	1,241.00
E-H 34-4-6020-0.1110	(107)DIRECTOR OF NURSING SERV.	1,163.00
E-H 34-4-6020-0.1110	(261)NURSING HOME ADMINISTRATR	1,468.00
E-H 34-4-6020-0.1110	(341)ASST. DIRECTOR OF NURSING	1,050.00
E-H 34-4-6020-0.1120	(289)PHYSICIAN/MEDICALDIRECTOR	1,125.00
A-31-4-1345-0.1120	(1234) PURCHASING AGENT	513.00
		\$55,629.00

, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to adjust the above budget line items to provide for said salary increases, and

FURTHER RESOLVED, that funding for said adjustments shall be transferred from Account #A-10-4-9001-00-8850, Health Insurances.

THE RESOLUTION DIED WHEN SUPERVISOR THOMAS WITHDREW HIS SPONSORSHIP.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Department Heads

**
RESOLUTION NO. 251 of 2003 DATED: November 25, 2003
RESOLUTION ADOPTING HIPAA (HEALTH INSURANCE PORTABILITY AND
ACCOUNTABILITY ACT) POLICY

Resolution by Supervisor: McMahan
Seconded by Supervisor: Thomas

WHEREAS, the Health Insurance Portability and Accountability Act (HIPAA) regulates health care providers and other entities providing services involving the use, transmission and disclosure of personal health information, and

WHEREAS, many departments of Montgomery County government are subject to and governed by HIPAA regulations, and

WHEREAS, HIPAA requires entities which are subject to the regulations to have enacted Policies and Procedures which protect the privacy of individuals in the use, transmission and disclosure of their personal health information by covered entities,

RESOLVED, the Montgomery County Board of Supervisors hereby adopts and enacts as Montgomery County Policy the "Montgomery County Health Information Policy and Procedures", and

FURTHER RESOLVED, said policy be attached hereto.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Department Heads
Director of Human Resources

**
RESOLUTION NO. 252 of 2003 DATED: November 25, 2003

BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"), DATED NOVEMBER 25, 2003, AUTHORIZING THE FINANCING OF CERTAIN COSTS OF CERTAIN EARLY RETIREMENT INCENTIVE PROGRAMS AND AUTHORIZING THE FINANCING OF CERTAIN COSTS OF THE 2004-2005 FISCAL YEAR OF THE NEW YORK STATE RETIREMENT SYSTEMS FOR THE COUNTY OF MONTGOMERY, NEW YORK, AT AN AGGREGATE MAXIMUM ESTIMATED COST OF \$1,340,000, AND AUTHORIZING THE ISSUANCE OF \$1,340,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF.

Resolution by Supervisor: Thomas
Seconded by Supervisor: DiMezza

BE IT RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the County Board of Supervisors of the County of Montgomery, as follows:

WHEREAS, the State of New York has authorized municipalities by Chapter 49 of the Laws of New York for 2003 to bond for the costs of certain Early Retirement Incentive Programs authorized by Chapter 69 of the Laws of 2002 of the State of New York or any legislation enacted prior to the date thereof by issuing bonds versus financing the costs through the New York State Retirement Systems at an interest rate of 8% as prescribed by State Law; and

WHEREAS, the State of New York has also authorized municipalities by Chapter 49 of the Laws of New York for 2003 to bond for certain costs of the 2004-2005 fiscal year of the State Retirement Systems by issuing bonds versus financing the costs through the New York State Retirement Systems at an interest rate of 8% as prescribed by State Law; and

WHEREAS it is the desire of this County Board of Supervisors to so bond for such costs,

RESOLVED, by the Board of Supervisors of the County of Montgomery, New York, as follows:

Section 1.(a) The financing of certain costs of certain Early Retirement Incentive Programs adopted by the County in accordance with the provisions of Chapter 69 of the Laws of 2002 of the State of New York or any legislation enacted prior to the date thereof, a class of objects or purposes, is hereby authorized in and for said County of Montgomery at a maximum estimated cost of \$580,000; and (b) the financing of certain costs of payments to be made by said County of Montgomery, as a participating employer to the New York State and Local Employers' Retirement System and the New York State and Local Police and Fire Retirement System for the 2004-2005 fiscal year of said retirement systems, but only up to a maximum of the "amount eligible for amortization" pursuant to the amendments of Chapter 49 of the Laws of 2003 to the Retirement and Social Security Law, a specific object or purpose, is hereby authorized for said County of Montgomery at a maximum estimated cost of \$760,000 PROVIDED, HOWEVER, that in no event shall the amount of such debt issued pursuant to Section 1(b) hereof, when added to any amounts amortized pursuant to the Retirement and Social Security Law, exceed the "amount eligible for amortization" as defined in the amendments of Chapter 49 of the Laws of 2003 to the Retirement and Social Security Law.

Section 2. The plan for the financing of such maximum estimated costs shall be by the issuance of an aggregate \$1,340,000 bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law, allocated to each object or purpose in accordance with the maximum estimated cost of each stated in Section 1 hereof.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid objects or purposes described in Section 1 hereof pursuant to paragraph a of Section 11.00 of the Local Finance Law is as follows: five years, pursuant to subdivision 99 for the class of objects or purposes described in Section 1(a) and five years, pursuant to subdivision 85-b for the specific object or purpose described in Section 1(b).

Section 4. The faith and credit of said County of Montgomery, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said county, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer who is the chief fiscal officer of the County under the Local Finance Law. The County Treasurer may sell such bonds at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the County Treasurer shall determine is most favorable to said County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law. The County Treasurer may, in the event it is determined to issue variable rate bonds, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds, as authorized under Section 54.90 of the Local Finance Law. The County Treasurer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12.

Section 6. All other matters, except as provided herein, relating to such bonds, including prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. The County Treasurer may elect to become the fiscal agent for the bonds, or may contract on behalf of the County for this service pursuant to the Local Finance Law. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution shall be published in full in the two (2) 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 10. This resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1452-2/3 majority). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

Duly adopted upon roll call, all members present (1452) voting aye.

Douglas Landon

Richard C. Healy

County Attorney

Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

**
RESOLUTION NO. 253 of 2003 DATED: November 25, 2003
RESOLUTION APPOINTING INTERIM COUNTY AUDITOR

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, the County Auditor, Pat Messineo has resigned from his position,
and

WHEREAS, it is necessary to appoint an interim County Auditor to provide
proper oversight of the department until a permanent appointment is made,

RESOLVED, the Montgomery County Board of Supervisors hereby appoints Marco
Zumbo, the current County Purchasing Agent, interim County Auditor, effective
immediately and until such time that a permanent appointment is made, and

FURTHER RESOLVED, that Scott Surento, the current Buyer in the Purchasing
Department is hereby authorized to perform the duties of Purchasing Agent during
this interim appointment.

RESOLUTION ADOPTED with Aye(1169). Supervisor Dybas voted nay. Supervisor
Paton abstained. Supervisors Brodie, Hisert, Van Kersen and Stagliano were
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 Clerk
Interim Appointee

**
RESOLUTION NO. 254 of 2003 DATED: November 25, 2003
RESOLUTION ADOPTING LOCAL RETIREMENT INCENTIVE PROGRAM

Resolution by Supervisor: McMahon
Seconded by Supervisor: Sinicropi

WHEREAS, the County of Montgomery has developed a Retirement Incentive
Program for all eligible full-time employees with the exception of elected
officials, and

RESOLVED, that employees who are eligible for retirement, pursuant to the
provisions of the New York State Retirement and Social Security Law, shall
receive a lump-sum incentive payment of _____ if the following conditions
are satisfied:

1. No later than December 31, 2003, the employee must retire from employment
with the County of Montgomery and be eligible to receive a pension from the
New York State Employees' Retirement System
2. The employee must be retired and removed from the Montgomery County
payroll no later than December 31, 2003
3. Employees shall not be eligible to receive unemployment insurance
benefits based upon the employee's employment with the County of Montgomery,

FURTHER RESOLVED, that said Program be administered by the Personnel
officer, with a retirement incentive line item to be established to provide
funds to pay for said early retirement incentive.

MOTION TO AMEND by Supervisor Sinicropi, seconded by Supervisor McMahon, in the
RESOLVED clause, insert "\$8,000", passed with Aye(1452). Supervisors
Brodie, Hisert, Van Kersen and Stagliano were absent.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and
Stagliano 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 Clerk
Director of Human Resources

**
RESOLUTION NO. 255 of 2003 DATED: November 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR SECURITY
SERVICES - ONEIDA COUNTY SHERIFF'S OFFICE

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, Resolution 36 of 2002 authorized the execution of an agreement with the Oneida County Sheriff's Office for the period of January 1, 2002 to December 31, 2003, and

WHEREAS, said agreement provides for security arrangements by the Oneida County Sheriff's Office for the inmates of the Montgomery County Jail who are housed at the Central New York Psychiatric Center, and

WHEREAS, said agreement offers a optional 1-year extension for the period January 1, 2004 - December 31, 2004 at no additional cost, and

WHEREAS, it has been recommended by the Montgomery County Sheriff that the County continue its arrangement with the Oneida County Sheriff's Office,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, hereby is authorized and directed to execute a renewal agreement with the Oneida County Sheriff's Office 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 January 1, 2004 - December 31, 2004, at the rate of \$125 per day per inmate.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Sheriff

**
RESOLUTION NO. 256 of 2003 DATED: November 25, 2003
RESOLUTION APPOINTING TRAFFIC SAFETY BOARD MEMBER

Resolution by: Full Board
Seconded by Supervisor:

RESOLVED, that Jean Karutis of 100 Francis Street, Amsterdam hereby is appointed a member of the Montgomery County Traffic Safety Board for a term ending on June 30, 2005.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Sheriff

Appointee

**
RESOLUTION NO. 257 of 2003 DATED: November 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDMENT - GOVERNOR'S TRAFFIC
SAFETY COMMITTEE

Resolution by Supervisor: Dybas
Seconded by Supervisor: Thomas

WHEREAS, the Sheriff has been awarded \$40,298 by the Governor's Traffic Safety Committee to provide funding for the County's Traffic Safety Enforcement Officer and the purchase of a Hand Held Laser unit to help enforce speed limits throughout the County, and

WHEREAS, said funding is for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said award is an extension of an original agreement by and between Montgomery County and the State of New York, Contract Number C-000883 dated October 1, 2001 and amended by Supplemental Agreement No. 1, dated January 31, 2003, and

WHEREAS, acceptance of said award would require execution of Supplemental Agreement No. 2 to said State Contract,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign Supplemental Agreement No. 2 to the original agreement by and between Montgomery County and the State of New York, Contract Number C-000883 dated October 1, 2001 and amended by Supplemental Agreement No. 1, dated January 31, 2003.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Sheriff

**
RESOLUTION NO. 258 of 2003 DATED: November 25, 2003
RESOLUTION AUTHORIZING FUNDING ALLOCATIONS - DELINQUENCY PREVENTION PROGRAM (YOUTH BUREAU)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of funds for the 2004 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 2004 Special Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Partners to Assist Youth)	\$2,150.00
Catholic Charities of Montgomery County (Begin Again)	\$8,966.00
Montgomery County Probation Department (Juvenile Field Project)	\$8,164.00
Montgomery County Sheriff's Department (Drug, Alcohol & Safety Training)	\$2,639.00
Montgomery County Youth Bureau (Administration)	\$2,243.00

FURTHER RESOLVED, that said Board also authorized allocation of 2004 Youth

Development/ Delinquency Prevention Program funds for municipal programs, as follows:

City of Amsterdam (Juvenile Aid Bureau)	\$5,172.00
City of Amsterdam (Recreation Department)	\$5,559.00
Town of Amsterdam (Town Recreation)	\$1,000.00
Village of Fort Johnson (Youth Commission)	\$ 500.00
Village of Haganan (Youth Commission)	\$1,000.00
Town of Canajoharie (Youth Center)	\$1,150.00
Village of Canajoharie (Youth Center)	\$1,200.00
Village of Fort Plain (Village Recreation)	\$3,000.00
Town of Charleston (Youth Commission)	\$ 500.00
Town of Florida (Youth Commission)	\$1,900.00
Town of Glen (Summer Program)	\$ 500.00
Village of Fultonville (Summer Program)	\$ 500.00
Town of Mohawk (Summer Program)	\$ 900.00
Town of Mohawk (Tribes Hill Youth Commission)	\$ 600.00
Village of Fonda (Summer Program)	\$ 500.00
Town of Palatine (Youth Center)	\$ 700.00
Village of Palatine Bridge (Youth Center)	\$ 700.00
Town of Root (Youth Center)	\$1,000.00
Town of St. Johnsville (Town Recreation)	\$ 500.00
Village of St. Johnsville (Village Recreation)	\$2,300.00

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Youth Bureau Director

**
RESOLUTION NO. 259 of 2003 DATED: November 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RESOURCE ALLOCATION PLAN (COUNTY COMPREHENSIVE YOUTH SERVICE PLAN)

Resolution by Supervisor: Hassan
Seconded by Supervisor: Quackenbush

WHEREAS, the New York State Office of Children and Family Services has allocated \$106,207.00 to Montgomery County for 2004 as delineated in the program summary,

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 Resource Allocation Plan agreement with New York State Office of Children and Family Services.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Youth Bureau Director

**
RESOLUTION NO. 260 of 2003 DATED: November 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS (YOUTH BUREAU)

Resolution by Supervisor: Hisert
Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Youth Board of Directors has recommended 2004 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 2004 Youth Initiatives Program agreements as follows:

Big Brothers/Big Sisters of Montgomery County (Youth Recruitment)	\$2,000.00
Catholic Charities of Montgomery County (Better Your Own Body)	4,500.00
Catholic Charities of Montgomery County (Schools Aiding Family Environment)	3,136.00

FURTHER RESOLVED, that said Chairman is authorized and directed to sign 2004 Youth Development/Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Big Brothers/Big Sisters)	\$7,740.00
Catholic Charities of Montgomery County (Schools Aiding Family Environment)	6,364.00
Community Youth Center (Youth Center)	6,050.00
St. Johnsville Youth Center (Youth Center)	6,000.00

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Youth Bureau Director

**
RESOLUTION NO. 261 of 2003 DATED: November 25, 2003
RESOLUTION APPROVING EXTENSION OF COUNTY COMPREHENSIVE PLAN - YOUTH BUREAU

Resolution by Supervisor: Thomas
Seconded by Supervisor: Hisert

WHEREAS, Montgomery County's Comprehensive Plan Cycle ends on December 31, 2003, and

WHEREAS, it has been recommended by the New York State Office of Children and Family Services that said Plan be extended to end May 1, 2004,

RESOLVED, that the Chairman of the Board of Supervisors, following review by the County Attorney, sign County Comprehensive Plan, Amendment #1.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Youth Bureau Director

**
RESOLUTION NO. 262 of 2003 DATED: November 25, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN COURT CLEANING AGREEMENT -

UNIFIED COURT SYSTEM (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: DiMezza

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 Unified Court System to provide cleaning services for the interior of the Montgomery County Court facilities, as well as minor and emergency repairs to that facility, and

FURTHER RESOLVED, that said agreement shall be for a five-year period, commencing on April 1, 2003 and ending on March 31, 2008, and

FURTHER RESOLVED, that, except as provided in Section VII (F) of the agreement, the maximum total compensation to Montgomery County, for any period, shall not exceed the amount approved in Appendix B of the agreement.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Mancini, failed with Aye(273). Supervisors Dybas and Mancini voted aye. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Quackenbush, in the RESOLVED clause, after "facility" insert "per budget prepared by the Commissioner of Public Works", passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

RESOLUTION ADOPTED with Aye(1316). Supervisor Dybas voted nay. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 263 of 2003 DATED: November 25, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: DiMezza
Seconded by Supervisor: Sinicropi

WHEREAS, the Commissioner of Public works has been notified that the Federal Emergency Management Agency will be processing a payment to Montgomery County in the amount of \$98,477.84 for 2003 flood water repairs to various county high ways, and

WHEREAS, the Federal share is \$84,863.62 and the State share is \$13,614.22 for a total payment of \$98,477.84

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

INCREASE:

Revenue:		
D-12-3-3960-00	State Aid-Emergency Disaster	\$13,614.22
D-12-3-4960-00	Federal Aid-Emergency Disaster	\$84,863.62

INCREASE:

Appropriation:		
D-12-4-5110-00.1110	(144) Highway Labor	\$35,264.13
D-12-4-5110-00.4422	Equipment Rental	\$33,679.34
D-12-4-5110-00.4448	Construction/Maintenance	\$29,534.37

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

Duly adopted upon roll call, all members present (1452) voting aye.

Douglas Landon

Richard C. Healy

County Attorney

Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Commissioner of Public Works

**
RESOLUTION NO. 264 of 2003 DATED: November 25, 2003
RESOLUTION TRANSFERRING FUNDS (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: DiMezza

WHEREAS, the Commissioner of Public Works has requested a transfer to cover an hourly labor shortage in Buildings & Grounds due to an appropriation shortage,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From:	A-12-4-7180-00.1110 (290)	Bike Path	\$4,000.00
	A-12-4-7180-00.1110 (830)	Nature Trail	\$1,662.71
			\$5,662.71
To:	A-12-4-1620-00.1110 (149)	Hourly Employees	\$5,662.71

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Commissioner of Public Works

**
RESOLUTION NO. 265 of 2003 DATED: November 25, 2003
RESOLUTION TRANSFERRING FUNDS (MEADOWS)

Resolution by Supervisor: Sinicropi
Seconded by Supervisor: Quackenbush

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for nurse agency staffing and inadvertently budgeted line items,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

FROM: EH 34 4 6020 00 1110:	
(084) Custodial worker	\$ 4,000.00
(129) Food Service Helper	1,000.00
(171) LPN	4,000.00
(175) LPN	3,500.00
(177) LPN	3,000.00
(178) LPN	3,000.00
(179) LPN	2,000.00
(186) LPN	3,450.68
(210) C N A	2,000.00
(212) C N A	3,000.00
(232) C N A	2,000.00
(234) C N A	1,500.00
(237) C N A	2,500.00
(238) C N A	3,975.34
(251) C N A	1,314.50
(341) Assistant Director of Nrsg.	2,000.00
(342) Supervising Nurse	4,454.00
(1056) Head Nurse	2,000.00

(1421)Admissions Coordinator	3,351.07
(1422)Supervising Nurse	4,454.00
EH 34 4 6020 00 1130 (216) Temporary Employees	3,500.41
	<u>\$60,000.00</u>
TO: EH 34 4 6020 00 4436 (Medical Fees)	\$60,000.00
FROM: EH-34-4-6020-00-4444 Custodial	\$10,000.00
TO: EH 34-4-6020-00-4446 Food Supplies	\$10,000.00 .00

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Meadows Administrator

**
RESOLUTION NO. 266 of 2003 DATED: November 25, 2003
RESOLUTION ACCEPTING BID - PHARMACY DISPENSING SERVICES (MEADOWS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Quackenbush

WHEREAS, the Purchasing Agent solicited proposals for Pharmacy Dispensing Services at Montgomery Meadows, and

WHEREAS, the Nursing Home Administrator has recommended acceptance of the proposal submitted by _____, of _____, New York.

RESOLVED, that the proposal tendered by _____ for the provision of Pharmacy Dispensing Services at Montgomery Meadows hereby is accepted, 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 _____ for the provision of said services for a one-year period commencing January 1, 2004 and ending December 31, 2004, with the ability for annual review for continuation of said services at the terms outlined in the agreement.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Sinicropi, in the WHEREAS clause insert "NCS Healthcare" and "New Hartford" respectively and in the RESOLVED and FURTHER RESOLVED clauses, insert "NCS Healthcare", passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Meadows Administrator

**
RESOLUTION NO. 267 of 2003 DATED: November 25, 2003
RESOLUTION ACCEPTING BID - PHARMACY CONSULTATION SERVICES (MEADOWS)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent solicited proposals for Pharmacy Consultation Services at Montgomery Meadows, and

WHEREAS, the Nursing Home Administrator has recommended acceptance of the proposal submitted by _____, of _____, New York.

RESOLVED, that the proposal tendered by _____ for the provision of Pharmacy Consultation Services at Montgomery Meadows hereby is accepted, 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 _____ for the provision of said services for a one-year period commencing January 1, 2004 and ending December 31, 2004, with the ability for annual review for continuation of said services at the terms outlined in the agreement.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Thomas, in the RESOLVED clause insert "NCS Healthcare" and "New Hartford" respectively, and in the FURTHER RESOLVED and WHEREAS clauses, insert "NCS Healthcare", passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Meadows Administrator

**
RESOLUTION NO. 269 of 2003 DATED: November 25, 2003
RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS

Resolution by Supervisor: Thomas
Seconded by Supervisor: McMahon

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 Thomas, seconded by Supervisor Richards, in the RESOLVED clause, insert "William Hisert" and "Palatine" respectively.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor McMahon, in the RESOLVED clause, insert "William Pabis" and "Amsterdam" respectively, failed with Aye(888). Supervisors Sinicropi, Barone, Dybas, Mancini, McMahon, Hassan and Paton voted aye. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Sinicropi, failed with Aye(888). Supervisors Sinicropi, Barone, Dybas, Mancini, McMahon, Hassan and Paton voted aye. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

MOTION TO AMEND (Thomas/Richards), passed with Aye(1172). Supervisor Sinicropi voted nay. Supervisor McMahon abstained. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Economic Development Director
Appointee

**
RESOLUTION NO. 270 of 2003 DATED: November 25, 2003
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Richards
Seconded by Supervisor: McMahan

RESOLVED, that the Montgomery County Board of Supervisors hereby authorized the County Treasurer to disburse Mortgage Tax money for the period from April 1, 2003 through September 30, 2003, 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(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
City of Amsterdam
Town Clerks

**
RESOLUTION NO. 271 of 2003 DATED: November 25, 2003
RESOLUTION REQUESTING THE TRUSTEES OF THE INTERNATIONAL CHARTER SCHOOL OF FULMONT AND SABIS EDUCATIONAL SERVICES, INC. WITHDRAW APPLICATION FOR A CHARTER SCHOOL IN THE GREATER AMSTERDAM SCHOOL DISTRICT

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS the Greater Amsterdam School District has operated under an austerity budget for school years 2000-01 and 2001-02, and

WHEREAS the Greater Amsterdam School District operated under an austerity budget that has limited its purchase of supplies and equipment which had directly affected the operation of the district, and

WHEREAS a proposed charter school in the Greater Amsterdam School District, in its first year of operation, will divert an estimated \$1,175,000 in funds from the Greater Amsterdam School District contributing to a reduction of staff, programs and services within the Greater Amsterdam School District or a significant increase in taxes of 7% to 8%, and

WHEREAS despite any public vote for or against a proposed budget for school year 2005-06 the Greater Amsterdam School District will be required by legislation to provide funding for an approved charter school, and

WHEREAS little public support or need for a charter school has been demonstrated, and

WHEREAS the New York State Education Department has verified that the Greater Amsterdam School District is successfully educating its students, and

WHEREAS a charter school in the Greater Amsterdam School District will be a financial burden to the entire district and will serve to divide the community, and therefore be it

RESOLVED that the Montgomery County Board of Supervisor's, respectfully requests that the Trustees of the International Charter School of Fulmont and SABIS Educational Services, Inc. withdraw their current application for a charter school in the Greater Amsterdam School District, and

FURTHER RESOLVED that the Montgomery County Board of Supervisor's request that the application be denied.

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
International Charter School of Fulmont
SABIS Educational Services, Inc.
Greater Amsterdam School District

**
RESOLUTION NO. 272 of 2003 DATED: November 25, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (COMMUNITY COLLEGE TUITION)

Resolution by Supervisor: Richards
Seconded by Supervisor: DiMezza

WHEREAS, an analysis of the account Community College Tuition has been completed for the year 2003, and

WHEREAS, there are not sufficient funds to cover the anticipated expenses that will be incurred for the remainder of the year,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

FROM:	A-01-4-1990-00	Contingency Account	
	.4400	Contractual Expense	\$20,000.00
TO:	A-06-4-2490-00	Community College Tuition	
	.4400	Contractual Expense	\$20,000.00

RESOLUTION ADOPTED with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano voted nay.

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 Clerk

**
RESOLUTION NO. 273 of 2003 DATED: November 25, 2003
RESOLUTION ESTABLISHING STUDY OF SOLID WASTE USER FEE

Resolution by Supervisor: McMahon
Seconded by Supervisor: Mancini

WHEREAS, The Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) by the nature of its operations and charter, continues to be a substantial cost to the property owners of Montgomery County, and

WHEREAS, these costs are not borne by other entities who benefit from the service without the associated cost, and

RESOLVED, the Director of Planning, with the cooperation of the Director of Real Property and legal advice as needed, is directed to formulate a plan to initiate a user fee, and

FURTHER RESOLVED, such plan should mimic, as near as practical, the plan developed by Otsego County, and

FURTHER RESOLVED, such plan should have a target date for implementation of September 2004, and

FURTHER RESOLVED, the development of this plan will require a monthly

update to the Board of Supervisors because of the urgency of solving the long-standing problem of financing this critical service.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Richards, in the second FURTHER RESOLVED clause, delete "for implementation", passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

THE RESOLUTION DIED WHEN SUPERVISOR MCMAHON REMOVED HIS SPONSORSHIP.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Planning
Director of Real Property Tax

**
RESOLUTION NO. 274 of 2003 DATED: November 25, 2003
RESOLUTION ESTABLISHING A PUBLIC HEARING ON 2004 TENTATIVE OPERATING BUDGET

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

RESOLVED, that pursuant to Section 359 of County Law, the Montgomery County Board of Supervisors shall hold a Public Hearing on the 2004 Tentative Operating Budget at the Montgomery County Court House, 58 Broadway, Fonda, New York at _____pm on _____2003, 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 2004 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.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Thomas, in the RESOLVED clause, insert "7:00" and "December 9" respectively, passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano 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 Clerk
Department Heads
Outside Agencies

**
RESOLUTION NO. 275 of 2003 DATED: November 25, 2003
RESOLUTION PROPOSING AN INCREASE IN THE CONSTITUTIONAL TAX LIMIT FOR MONTGOMERY COUNTY AND ESTABLISHING A PUBLIC HEARING

Resolution by Supervisor: McMahon
Seconded by Supervisor: Stagliano

WHEREAS, Resolution 130 of 1999 established the Constitutional Tax Limit for Montgomery County to be 1.5%, and

WHEREAS, the Budget Officer has stated that the 2004 Tentative Budget currently exceeds the Constitutional Tax Limit, and

WHEREAS, it is necessary to increase said tax limitation in order to provide additional revenue to meet budgetary requirements, and

WHEREAS, the proposed increase tax limitation is _____, and

WHEREAS, such a tax limitation increase is authorized by Section 233 of the County Law and can be approved by the affirmative vote of two-thirds (2/3) of the weighted votes of the Board of Supervisors, and

WHEREAS, a public hearing is required to be held concerning a proposal to increase Montgomery County's Constitutional Tax Limitation,

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposal to increase the Constitutional Tax Limit 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 hereby is directed to cause legal notice of said public hearing to be published according to local law.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor McMahon, in the fourth WHEREAS clause insert ".25 to 1.75", and in the RESOLVED clause, insert "December 9, 2003 at 6:30 p.m.", and delete "Supervisors' Chambers, County Office Building" and insert, in its stead, "Montgomery County Court House", passed with Aye(1107); Supervisors Richards, Thomas and Quackenbush voted nay. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

MOTION TO AMEND, by Supervisor Richards, seconded by Supervisor Thomas, in the fourth WHEREAS clause insert ".15 to 1.65", passed with Aye(1294). Supervisor Quackenbush voted nay. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

MOTION TO CALL THE QUESTION, by Supervisor Dybas, seconded by Supervisor Mancini, failed with Aye(465-2/3 majority). Supervisors Dybas, Mancini, McMahon and Hassan voted aye. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

RESOLUTION ADOPTED with Aye(1294). Supervisor Quackenbush voted nay. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

Duly adopted upon roll call, all members present (1294) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

**
RESOLUTION NO. 276 of 2003 DATED: November 25, 2003
RESOLUTION AWARDDING BIDS FOR THE FMCC AIR QUALITY AND SAFETY PROJECT
(2003 CAPITAL PLAN)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Thomas

WHEREAS, Resolution 229 of 2003 rejected all bids and authorized re-advertisement for bids for certain components in the FMCC Air Quality and Safety Project; and

WHEREAS, two (2) bids were received for the Bookstore Interior Water Infiltration Repair component; and

WHEREAS, one (1) bid was received for the Academic Connector Water Infiltration Repair component; and

WHEREAS, one (1) bid was received for the College Union Exterior Water Infiltration Repair component; and

WHEREAS, inasmuch as there are insufficient funds available to award all three components; and

WHEREAS, FMCC officials and the Fulton County Planning Director recommend awarding bids for the Bookstore Interior Water Infiltration Repair Project and Academic Connector Water Infiltration Repair component and rejecting the sole

bid for the College Union Exterior Water Infiltration Repair component; and

WHEREAS, it is also recommended to contract with Trudeau Associates, the Project design engineer, for construction inspection services for said projects,

RESOLVED, that net bids, as received by the following contractors, be and hereby are awarded, as recommended by FMCC officials and the Fulton County Planning Director, they providing the lowest responsible bids in accordance with specifications dated October 17, 2003:

Project	Responsible Bidder	Bid Amount
Bookstore Interior Water Infiltration Repair	Condor Constructors Colonie, NY	\$ 31,430.00
Academic Connector Water Infiltration Repair	Erwin Voss & Associates Gloversville, NY	59,500.00

and,

FURTHER RESOLVED, that the sole bid, in an amount of \$66,633.00, as submitted by Erwin Voss and Associates for the College Union Exterior Water Infiltration Repair Project be and hereby is rejected, inasmuch as there are insufficient funds in the Air Quality and Safety Project to complete said work; and,

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a contract with Trudeau Associates for construction inspections services for the approved projects identified in this Resolution, at a cost not to exceed \$8,200.00; and,

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

RESOLUTION ADOPTED with Aye(1316). Supervisor Dybas voted nay. Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent.

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

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

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

_____ OTHER

_____ ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor Dybas, to adjourn the meeting, passed with Aye(1452). Supervisors Brodie, Hisert, Van Kersen and Stagliano were absent. Chairman Barone declared the meeting adjourned at 8:45 p.m. Supervisor Sinicropi was absent.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

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CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for December 9, 2003 was called to order at 7:01 p.m. by Chairman Barone. Roll call indicated that Supervisor McMahon was absent.

SALUTE TO THE FLAG

Supervisor Van Kersen 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. 277 through 285.

ACTION ON BUSINESS

**

RESOLUTION NO. 277 of 2003
RESOLUTION TRANSFERRING FUNDS (SHERIFF)

DATED: December 9, 2003

Resolution by Supervisor: Barone
Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has requested a transfer of funds to provide payment for Jail Expenses for the remainder of the year,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

FROM: A-15-4-3110-00	.4408	Office Supplies	\$ 1,700.00
	.4410	Utilities	\$ 3,000.00
	.4422	Equip,Rent Lease	\$ 12,000.00
	.4425	Build. Maint.	\$ 1,000.00
	.4438	Misc. Support Serv.	\$ 4,300.00
	.4444	Custodial	\$ 900.00
	.4447	Clothing/Uniforms	\$ 3,000.00
	.4449	Spec.Supp & Mat.	\$ 3,000.00

			\$ 28,900.00

TO: A-15-4-3150-00	.4445	Medical Supplies	\$ 25,000.00
	.4446	Food	\$ 3,900.00

			\$ 28,900.00

RESOLUTION ADOPTED with Aye(1725). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1725) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Sheriff

**

RESOLUTION NO. 278 of 2003 DATED: December 9, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT BETWEEN COUNTY OF
MONTGOMERY AND MONTGOMERY COUNTY DEPUTY SHERIFF'S POLICE BENEVOLENT
ASSOCIATION FOR PERIOD OF JANUARY 1, 2002 - DECEMBER 31, 2003

Resolution by Supervisor: Barone
Seconded by Supervisor: Thomas

WHEREAS, negotiations for a successor employment agreement between the
County of Montgomery and the Montgomery County Deputy Sheriff's Police
Benevolent Association (MCDSPBA) have been conducted, with the parties reaching
an agreement, and

WHEREAS, Montgomery County Deputy Sheriff's Police Benevolent Association
has previously ratified said agreement,

RESOLVED, that the Montgomery County Board of Supervisors hereby ratifies
and approves an agreement between the County of Montgomery and the Montgomery
County Deputy Sheriff's Police Benevolent Association pertaining to a successor
employment agreement, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following
review and approval by the County Attorney, hereby is authorized to sign said
agreement for the period commencing on January 1, 2002 and ending on December
31, 2003

RESOLUTION ADOPTED with Aye(1725). Supervisor McMahan was absent.

Duly adopted upon roll call, all members present (1725) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Human Resources

**

RESOLUTION NO. 279 of 2003 DATED: December 9, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - TIME CLOCK
MAINTENANCE (PERSONNEL)

Resolution by Supervisor: Barone
Seconded by Supervisor: Van Kersen

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 \$10,500 for the period commencing on February 1,
2004 and ending on January 31, 2005.

RESOLUTION ADOPTED with Aye(1725). Supervisor McMahan was absent.

Duly adopted upon roll call, all members present (1725) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Human Resources

**

RESOLUTION NO. 280 of 2003 DATED: December 9, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EXCESS
LIABILITY WORKERS' COMPENSATION INSURANCE (PERSONNEL)

Resolution by Supervisor: Van Kersen
Seconded by Supervisor: DiMezza

WHEREAS, the Personnel Officer has recommended renewal of Excess Liability
worker's 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 \$60,000, and

FURTHER RESOLVED, that said agreement shall be renewed for a one-year
period commencing on January 1, 2004 and ending on December 31, 2004.

RESOLUTION ADOPTED with Aye(1725). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1725) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Human Resources

**

RESOLUTION NO. 281 of 2003 DATED: December 9, 2003
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 not
to exceed \$50.00 each, except for more extensive examinations required for
Sheriff's Deputies, which shall not exceed \$125.00 each, and

FURTHER RESOLVED, that said agreement shall be renewed for a one-year
period commencing on January 1, 2004 and ending on December 31, 2004.

RESOLUTION ADOPTED with Aye(1506). Supervisor DiMezza abstained. Supervisor
McMahon was absent.

Duly adopted upon roll call, all members present (1506) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Human Resources

**

RESOLUTION NO. 282 of 2003 DATED: December 9, 2003
RESOLUTION RESCHEDULING BOARD OF SUPERVISORS' DECEMBER MEETING

Resolution by Supervisor: Barone
Seconded by Supervisor: Thomas

RESOLVED, that the Regular Meeting of the Montgomery County Board of

Supervisors, originally scheduled for 7:00 pm, Tuesday, December 23, 2003 is hereby rescheduled to 7:00 pm, Tuesday, December 16, 2003.

RESOLUTION ADOPTED with Aye(1725). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1725) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
All Department Heads/Agencies
Media

**

RESOLUTION NO. 283 of 2003 DATED: December 9, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - GAT
SUBSIDIZATION (MOSA)

Resolution by: Full Board
Seconded by Supervisor:

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 2004 Guaranteed Annual Tonnage (GAT) at 41,616 tons, and

WHEREAS, MOSA has established its 2004 Official 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 Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

FURTHER RESOLVED, that Montgomery County hereby establishes a subsidy of _____ per ton, for said one-year period, pursuant to an appropriation in the 2004 Operating Budget to provide for payment of said subsidy.

MOTION TO AMEND by Supervisor Hassan, seconded by Supervisor Van Kersen, in the FURTHER RESOLVED clause, insert "\$24.00", passed with Aye(1725). Supervisor McMahon was absent.

RESOLUTION ADOPTED with Aye(1725). Supervisor McMahon was absent.

Duly adopted upon roll call, all members present (1725) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
MOSA Representatives
MOSA Authority
Otsego County
Schoharie County

**

RESOLUTION NO. 284 of 2003 DATED: December 9, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEASE AGREEMENT -
SATELLITE OFFICE (PROBATION DEPARTMENT)

Resolution by Supervisor: Thomas
seconded by Supervisor: Mancini

WHEREAS, it is necessary that the Probation Department maintain a satellite office in the City of Amsterdam, and

WHEREAS, the Riverfront Center in Amsterdam has advised that they will no longer enter into a lease agreement with the Probation Department,

RESOLVED, that the Chairman of the Board of Supervisors, following review

and approval by the County Attorney, hereby is authorized and directed to sign a lease agreement, with Centro Civico of Amsterdam, Inc., to provide for a satellite office for the Probation Department, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on January 1, 2004 and ending on December 31, 2004, at a rental rate of \$375.00 per month.

RESOLUTION ADOPTED with Aye(1567). Supervisor Quackenbush voted nay.
Supervisor McMahan was absent.

Duly adopted upon roll call, all members present (1567) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Director of Probation

**

RESOLUTION NO. 285 of 2003 DATED: December 9, 2003
RESOLUTION AUTHORIZING AN INCREASE IN THE CONSTITUTIONAL TAX LIMIT FOR
MONTGOMERY COUNTY

Resolution by Supervisor: Barone
Seconded by Supervisor: Richard

WHEREAS, Resolution 130 of 1999 established the Constitutional Tax Limit for Montgomery County to be 1.5%, and

WHEREAS, it is necessary to increase said tax limitation in order to provide additional revenue to meet budgetary requirements, and

WHEREAS, the proposed increase tax limitation is .15% to 1.65%, and

WHEREAS, such a tax limitation increase is authorized by Section 233 of the County Law and can be approved by the affirmative vote of two-thirds (2/3) of the weighted votes of the Board of Supervisors, and

WHEREAS, a Public Hearing concerning the proposed increase in the Constitutional Tax Limitation was held on December 9, 2003 at 6:30 pm,

RESOLVED, that the Montgomery County Board of Supervisors does hereby approve said increase in the Constitutional Tax Limitation, and

FURTHER RESOLVED, that the Constitutional Real Estate Tax of the County of Montgomery shall be increased in accordance with the State Constitution, Article VIII, Section 10, from the present limit of 1.5% to a limit of 1.65%.

MOTION TO TABLE by Supervisor Van Kersen, seconded by Supervisor DiMezza, passed with Aye(1430). Supervisors Sinicropi and Quackenbush voted nay.
Supervisor McMahan was absent.

Douglas Landon
County Attorney
cc: County Treasurer
County Clerk

Richard C. Healy
Clerk, Board of Supervisors

_____ ADJOURNMENT

Chairman Barone declared the Meeting adjourned at 8:01 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 15, 2003 was called to order at 7:01 p.m. by Chairman Barone.

_____ SALUTE TO THE FLAG

Supervisor Richards led the Salute to the Flag.

_____ MOMENT OF SILENCE

_____ STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to alter, change, revise and/or adopt the 2004 Tentative Budget.

_____ ACTION ON BUSINESS

**

_____ ADJOURNMENT

Chairman Barone declared the Meeting adjourned at 9:21 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board

RCH/sa

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_____ CALL TO ORDER

The Regular Meeting of the Montgomery County Board of Supervisors for December 16, 2003, was called to order at 7:05 p.m. by Chairman Barone. The Pledge of Allegiance to the Flag was led by Supervisor Hisert. Roll call indicated that Supervisors Brodie, Quackenbush and Van Kersen were absent.

_____ MOMENT OF SILENCE

Supervisor Hassan offered a prayer.

_____ ADOPTION OF THE AGENDA

Motion by Supervisor McMahon, seconded by Supervisor Thomas, to amend the agenda to allow for the introduction of any Resolutions that may come before the Board, not otherwise considered under "New Business" to consider Resolution No. 285 after Adoption of the Budget, passed with Aye(1505). Supervisors Brodie, Quackenbush and Van Kersen were absent. Motion by Supervisor McMahon, seconded by Supervisor Thomas, to adopt the amended agenda, passed with Aye(1505). Supervisors Brodie, Quackenbush and Van Kersen were absent.

_____ PRIVILEGE OF THE FLOOR

Elma Phillips, Montgomery County Agricultural and Farmland Protection Board Chairperson, spoke in support of the Planning Department.

Russel Kelly, Town of Glen, spoke in opposition of cuts in funding for Cornell Cooperative Extension.

Lois Gruner, Town of Charleston, spoke against consolidation of the Planning and Economic Development Departments.

_____ MINUTES OF PREVIOUS SESSIONS

Minutes of the Public Hearings of December 9, 2003, and the Special Meeting of December 9, 2003, were accepted with no corrections, additions or deletions.

_____ REPORTS OF STANDING COMMITTEES

None.

_____ REPORTS OF SPECIAL COMMITTEES

None.

UNFINISHED BUSINESS

**

RESOLUTION NO. 285 of 2003 DATED: December 9, 2003
RESOLUTION AUTHORIZING AN INCREASE IN THE CONSTITUTIONAL TAX LIMIT FOR
MONTGOMERY COUNTY

Resolution by Supervisor: Barone
Seconded by Supervisor: Richard

WHEREAS, Resolution 130 of 1999 established the Constitutional Tax Limit for Montgomery County to be 1.5%, and

WHEREAS, it is necessary to increase said tax limitation in order to provide additional revenue to meet budgetary requirements, and

WHEREAS, the proposed increase tax limitation is .15% to 1.65%, and

WHEREAS, such a tax limitation increase is authorized by Section 233 of the County Law and can be approved by the affirmative vote of two-thirds (2/3) of the weighted votes of the Board of Supervisors, and

WHEREAS, a Public Hearing concerning the proposed increase in the Constitutional Tax Limitation was held on December 9, 2003 at 6:30 pm,

RESOLVED, that the Montgomery County Board of Supervisors does hereby approve said increase in the Constitutional Tax Limitation, and

FURTHER RESOLVED, that the Constitutional Real Estate Tax of the County of Montgomery shall be increased in accordance with the State Constitution, Article VIII, Section 10, from the present limit of 1.5% to a limit of 1.65%.

MOTION TO TABLE by Supervisor Van Kersen, seconded by Supervisor DiMezza, passed with Aye(1430). Supervisors Sinicropi and Quackenbush voted nay. Supervisor McMahon was absent.

MOTION TO REMOVE FROM TABLE by Supervisor McMahon, seconded by Supervisor DiMezza, passed with Aye(1505). Supervisors Brodie, Quackenbush and Van Kersen were absent. (12/16/03)

RESOLUTION ADOPTED with Aye(1508-2/3 majority). Supervisor Dybas voted nay. Supervisors Quackenbush and Van Kersen were absent. (12/16/03)

Duly adopted upon roll call, all members present (1508) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk

NEW BUSINESS

**

RESOLUTION NO. 286 of 2003 DATED: December 16, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN TRANSFER AGREEMENT FOR SURPLUS
VEHICLE - CDTA (MONTGOMERY COUNTY MASS TRANSPORTATION)

Resolution by Supervisor: Barone
Seconded by Supervisor: Thomas

WHEREAS, Montgomery County provides Public Transportation Commuter Services through Brown's Coach of Amsterdam, NY, and

WHEREAS, Montgomery County and the State have entered into an agreement which authorizes said Services and provides payment for the State and Federal Share, and

WHEREAS, Montgomery County and Brown's Coach have entered into an agreement where Brown's provides said Services and any remaining payment considered "local share", so there is no cost to the County for this program, and

WHEREAS, Montgomery County currently owns three Commuter Coaches which are utilized by Brown's for this Service, and

WHEREAS, per the Agreement by and between Montgomery County and NYSDOT, two of these Commuter Coaches provide express commuter service into downtown Albany from Fonda and Amsterdam and one, a 1989 Orion 1 is utilized as backup, and

WHEREAS, according to the Third Party Provider, Brown's Coach, the 1989 Orion 1 is currently in need of a transmission, and

WHEREAS, the Capital District Transportation Authority (CDTA) is currently in possession of an Orion Coach (Unit #369) with a defective engine that has been listed for surplus and could be utilized for parts to repair Montgomery County's Orion, and

WHEREAS, Brown's Coach has requested, and CDTA has agreed, that Montgomery County consider transferring this vehicle to their possession at a cost not to exceed one dollar (\$1), so that Brown's may utilize it to repair its 1989 Orion 1, and

WHEREAS, Brown's Coach has agreed to absorb all other costs related to the transfer and disposal of this CDTA Orion, and

WHEREAS, the transfer request has been reviewed with the Montgomery County Purchasing Agent and the NYSDOT Representative for compliance with Federal, State and County Regulations,

RESOLVED, that the sale of said Orion Coach (Unit #369) to Montgomery County from the Capital District Transportation Authority at a price not to exceed one dollar (\$1) is hereby authorized, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, hereby is authorized and directed to execute documents necessary to effectuate said sale of property, and

FURTHER RESOLVED, any additional costs incurred related to said sale shall be borne at the expense of the County's Third Party Provider, Brown's Coach, of Amsterdam, NY.

RESOLUTION ADOPTED with Aye(1644). Supervisors Quackenbush and Van Kersen were absent.

Duly adopted upon roll call, all members present (1644) voting aye.

Douglas Landon
County Attorney

Richard C. Healy
Clerk, Board of Supervisors

cc: County Treasurer
County Clerk
Brown's Coach
NYS DOT

**

RESOLUTION NO. 287 of 2003
RESOLUTION TRANSFERRING FUNDS (MEADOWS)

DATED: December 16, 2003

Resolution by Supervisor: Barone
Seconded by Supervisor: Sinicropi

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for nurse agency staffing, overtime and part-time lines,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2003 Operating Budget, as follows:

TRANSFER:

From: EH 34 4 6020 00 1110:

(035) Cleaner	1,000.00
(175) LPN	1,000.00
(177) LPN	1,000.00
(178) LPN	1,000.00
(179) LPN	2,000.00
(210) C N A	1,000.00

	(232) C N A	3,000.00
	(341) Assistant Director of Nrsg.	2,000.00
EH 34 4 6020 00 1130	(216) Temporary Employees	18,000.00
EH 34 4 6020 00 1150	(1231) Allowances	4,000.00
EH 34 4 6020 00 4438	Misc. Supporting Services	42,566.00

		76,566.00

TO: EH 34 4 6020 00 4436 (Medical Fees) 76,566.00

MOTION TO AMEND by Supervisor Brodie, seconded by Supervisor Sinicropi, in the RESOLVED clause, "Transfer, From", insert From: EH-34-4-6020-00.4444 (Custodial) \$15,000" and "To: A-34-4-6020-00.4436 (Medical Fees) \$15,000", passed with Aye(1802). Supervisor Van Kersen was absent.

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 Clerk
Meadows Administrator

**
RESOLUTION NO. 288 of 2003 DATED: December 16, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR AN INTERIM
LICENSED MEADOWS ADMINISTRATOR

Resolution by Supervisor: Barone
Seconded by Supervisor: Sinicropi

WHEREAS, the Administrator of the Montgomery County Meadows has resigned and her last day of work is December 19, 2003, and

WHEREAS, there must be a licensed Administrator, who has responsibility to maintain the operations of the facility,

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 _____ as interim Meadows Administrator effective 12/20/03 at an hourly rate of _____ and not to exceed _____ hours per week, and

FURTHER RESOLVED, that said agreement shall be for a _____ period with an extension, if needed, not to exceed _____, extra months.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Sinicropi, in the RESOLVED clause, insert "Theresa Blumberg" "\$75" and "12", respectively, and in the FURTHER RESOLVED clause, insert "3 month" and "3" respectively, and to add, ", and FURTHER RESOLVED, that the Director of Nursing is hereby appointed Interim Administrator at a salary of \$58,710, effective December 20, 2003 until a replacement is appointed.", passed with Aye(1802). Supervisor Van Kersen was absent.

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 Clerk
Personnel Officer

**
RESOLUTION NO. 289 of 2003 DATED: December 16, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - (EAP) EMPLOYEE
ASSISTANCE PROGRAM (ST. MARY'S HOSPITAL)

Resolution by Supervisor: Barone

Seconded by Supervisor: Thomas

WHEREAS, it has been recommended that Montgomery County continue to participate in the Employee Assistance Program provided by St. Mary's Hospital,

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed, following review and approval by the County Attorney, to sign an agreement with St. Mary's Hospital for participation in its Employee Assistance Program, and

FURTHER RESOLVED, that the total cost of said participation shall not exceed \$10,000.00, and

FURTHER RESOLVED, that said agreement may be renewed, without further legislative action, providing there are no substantive modifications.

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 Clerk
Personnel Officer

**
RESOLUTION NO. 290 of 2003 DATED: December 16, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - ROEMER
WALLENS & MINEAUX, LLP (PERSONNEL)

Resolution by Supervisor: Barone
Seconded by Supervisor: Hisert

WHEREAS, it has been recommended that Montgomery County continue professional labor relations services with Roemer, Wallens & Mineaux, LLP, of Albany, New York for the provision of collective negotiating and consultation services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Roemer, Wallens & Mineaux, LLP, of Albany, New York, for the provision of labor relation services, and

FURTHER RESOLVED, that said agreement is for a period commencing on January 1, 2004 and ending on December 31, 2006.

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 Clerk
Personnel Officer

**
RESOLUTION NO. 291 of 2003 DATED: December 16, 2003
RESOLUTION DELEGATING AUTHORITY TO AMEND 2003 OPERATING BUDGET

Resolution by Supervisor: Barone
Seconded by Supervisor: Quackenbush

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 delegate to the Personnel Officer, County Treasurer authority to amend the 2003 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 17, 2003 and ending on December 31, 2003.

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 Clerk
Personnel Officer

**
RESOLUTION NO. 292 of 2003 DATED: December 16, 2003
RESOLUTION AUTHORIZING ACCOUNT PAYABLE YEAR-END ADJUSTMENTS - 2003
OPERATING BUDGET

Resolution by Supervisor: Barone
Seconded by Supervisor: Paton

WHEREAS, provisions of the Federal Single Audit Act and regulations of the State Comptroller require Montgomery County to utilize modified accrual as the basis for governmental fund accounting, and

WHEREAS, modified accrual accounting principles require that the County accrue accounts payable so expenditures are generally reflected in the period for which the goods or services are received, and

WHEREAS, application of this principle may result in the over-expenditure of certain individual line item applications, particularly in areas where spending is mandated by State or Federal requirements,

RESOLVED, that the Board of Supervisors hereby 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 2003, and

FURTHER RESOLVED, that said adjusting entries shall be subject to approval by the Chairman of the Board of Supervisors who shall, upon completion of the year-end closing, report the same to the Finance Committee and the Board of Supervisors.

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 Clerk

**
RESOLUTION NO. 293 of 2003 DATED: December 16, 2003
RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES,
WATER RENTS AND SEWER TAXES

Resolution by Supervisor: Barone
Seconded by Supervisor: Quackenbush

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the relevy, effective December 10, 2003 of delinquent School Taxes, Village Taxes, Water Rents, including the Harrower Water District and Sewer Taxes, including the Town of Amsterdam Route 30 Sewer Services Area and Montgomery County Sanitary District No. 1, in equal installments on the January 2004 Town Tax Rolls.

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 Clerk
Town Clerks
Village Clerks
Sanitary Sewer District No. 1

**
RESOLUTION NO. 294 of 2003 DATED: December 16, 2003
RESOLUTION TO AMENDING 2003 OPERATING BUDGET (DEPUTY TREASURER)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Deputy County Treasurer was duly elected to the position of County Treasurer, effective January 1, 2004, and

WHEREAS, the Deputy Treasurer will resign on December 31, 2003 in order to take over his new position on January 1, 2004, and

WHEREAS, the Deputy Treasurer is currently covered by the County of Montgomery Personnel Policy for Non-Represented Employees, last amended on December 12, 1995, and

WHEREAS, according to Section 7C of said Policy, upon leaving County service, an employee shall be compensated for credited and accrued vacation, and

WHEREAS, according to Section 9C of said Policy, upon leaving County service, an employee shall receive fifty (\$50.00) for each seven (7) hours of unused Sick Leave,

WHEREAS, it is necessary to amend to the 2003 Operating Budget to provide payment for said credit,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2003 Operating Budget as follows:

FROM:			
A 06 4 1325 00 1110 (0113)	Accountant		\$3,700.00
A 06 4 9700 00 7107	Serial Bd. Int.		\$5,373.00
TO:			
A 06 4 1325 00 1110 (0098)	Deputy County Treasurer		\$9,073.00

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 Clerk
Personnel Officer

**
RESOLUTION NO. 295 of 2003 DATED: December 16, 2003
RESOLUTION AUTHORIZING CREDIT CHANGE ORDER NO.3 TO CONTRACT NO.4-NYS
ROUTE 55 ROAD CONSTRUCTION (WATER & SEWER INFRASTRUCTURE) FOR THE
MONTGOMERY COUNTY/TOWN OF FLORIDA WATER AND SEWER SYSTEM CONSTRUCTION

Resolution by Supervisor: Hisert
Seconded by Supervisor: Richards

WHEREAS, some of the unit price items in Contract No. 4 have exceeded their estimated quantity and some items have been under their estimated quantity, resulting in an overall decrease in the project cost; and

WHEREAS, additional work was required due to the discovery of rock under Route 55 while performing sewermain bores at both the Target employee and truck entrances; and

WHEREAS, unanticipated rock was encountered during the installation of the sewermain from Manhole 18 to 19 along Route 55. The contractor also regraded the ditches on Hirschfield Road, dug additional test pits on the south side of Route 55 to relocate the sewermain outside of the rock, paved driveway aprons

along Route 5S which were disturbed during construction and coupling was installed to interconnect the sewermain to Target's sewer lateral: and

WHEREAS, a Change Order was prepared by McDonald Engineering which provides for a reduction in the contract price for Contract No. 4; and

WHEREAS, the Change Order results in a decrease of \$84,270.15 from the current contract amount of \$1,845,368.00 to arrive at a final contract amount of \$1,780,897.85,

RESOLVED, that the Chairman of the Board of Supervisors following review and approval by the County Attorney is hereby authorized and directed to sign Change Order No. 3 to Contract No. 4 - NYS Route 5S Road Construction (Water & Sewer Infrastructure) for the Montgomery County/Town of Florida Water and Sewer System Construction dated November 20, 2003, with the Delaney Construction Corp. Inc.

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 Clerk
EOD Director

**
RESOLUTION NO. 296 of 2003 DATED: December 16, 2003
RESOLUTION RENAMING ATI ADVISORY BOARD AND NAMING APPOINTMENTS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, it has been recommended that the Board of Supervisors consider renaming the ATI Advisory Board to the Montgomery County Criminal Justice Coordinating Council so its name will better reflect the purpose of the Board, and

WHEREAS, Article 13-A of Executive Law requires that this Board exist and can be named as such, and

WHEREAS, recommendations for appointments that are in compliance with Article 13-A of the Executive Law have been made,

RESOLVED, that the Montgomery County Board of Supervisors hereby renames the ATI Advisory Board the Montgomery County Criminal Justice Coordinating Counsel, and

FURTHER RESOLVED, that Appointments to said Counsel be as follows:

Jeffery T. Smith
Michael T. Franko
Kathi J. Pallotta
Jim Gumaer
Janet Benson
Felix J. Catena
William F. Martuscello
John B. Thomas
James E. Conboy

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 Clerk
Appointees

**
RESOLUTION NO. 298 of 2003 DATED: December 16, 2003

RESOLUTION APPOINTING THE CLERK THE OF BOARD OF SUPERVISORS OF
MONTGOMERY COUNTY

Resolution by Supervisor: Stagliano
Seconded by Supervisor: Hisert

RESOLVED, that pursuant to Section 475 of County Law, _____ is appointed Clerk of the Board of Supervisors of Montgomery County effective _____, and

FURTHER RESOLVED, that said Appointee will serve at the pleasure of the Board.

MOTION TO AMEND by Supervisor Mancini, seconded by Supervisor Stagliano, in the RESOLVED clause, insert "Christine Pasquarelli" and "December 29" respectively, passed with Aye(1753). Supervisor Hassan voted nay.

MOTION TO CALL THE QUESTION by Supervisor Stagliano, seconded by Supervisor Hisert, passed with Aye(1463-2/3 majority). Supervisors Hassan and Paton voted nay. Supervisor McMahon abstained. Supervisor Van Kersen was absent.

RESOLUTION ADOPTED with Aye(1606). Supervisors Hassan and Paton voted nay. Supervisor Van Kersen was absent.

MOTION TO RECONSIDER THE RESOLUTION by Supervisor Stagliano, seconded by Supervisor Hisert, passed with Aye(1802). Supervisor Van Kersen was absent.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Mancini, in the RESOLVED clause, insert "December 31", passed with Aye(1802). Supervisor Van Kersen was absent.

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 Clerk
Appointee

**
RESOLUTION NO. 299 of 2003 DATED: December 16, 2003
RESOLUTION FIXING DATE AND TIME FOR 2004 ORGANIZATIONAL MEETING OF THE
BOARD OF SUPERVISORS

Resolution by Supervisor: Barone
Seconded by Supervisor: Sinicropi

RESOLVED, that pursuant to Section 151, Subdivision 11 of the County Law, the Organizational Meeting of the Montgomery County Board of Supervisors shall be held at _____ on the _____ day of January, 2004

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Sinicropi, in the RESOLVED clause, insert "7:00 p.m." and "second", respectively, passed with Aye(1802). Supervisor Van Kersen was absent.

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 Clerk

**
RESOLUTION NO. 300 of 2003 DATED: December 16, 2003
RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF THE 2003
CHAIRMAN AND VICE CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF
SUPERVISORS

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. and Vice-Chairman of the Board, William H. Hisert have 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 and Vice-Chairman of the Board during 2003,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its appreciation to Supervisors Ronald J. Barone, Sr. and Supervisors William H. Hisert for their invaluable services as Chairman and Vice-Chairman of the Board during 2003.

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 Clerk

**
RESOLUTION NO. 301 of 2003 DATED: December 16, 2003
RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF THE DEPARTING
MONTGOMERY COUNTY SUPERVISORS

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, our esteemed colleagues, City of Amsterdam Third Ward Supervisor - Ronald J. Barone, Sr., Town of Charleston Supervisor - Leslie B. Hassan, Town of Florida Supervisor - Eugene Richards, Town of Palatine Supervisors - William H. Hisert, and Town of Root Supervisor - John Van Kersen are leaving the Board of Supervisors effective December 31, 2003, and

WHEREAS, these Supervisors served with honor and dignity, and

WHEREAS, these Supervisors have earned the respect of their fellow Supervisors and County Employees,

RESOLVED, that the Montgomery County Board of Supervisors hereby honors Supervisors Ronald J. Barone, Sr., Leslie B. Hassan, Eugene Richards, William H. Hisert and John Van Kersen for their outstanding accomplishments while serving on this Board and wishes them well in their future endeavors.

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 Clerk
Departing Supervisors

**
RESOLUTION NO. 306 of 2003 DATED: December 16, 2003
RESOLUTION AMENDING RESOLUTION 268 2003 - (CONCEPT PLAN FOR SHARED USE
OF CANALWAY TRAIL)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Quackenbush

RESOLVED, that Resolution No. 268 of 2003 hereby is amended by changing the first WHEREAS clause to insert after the phrase "Town of Canajoharie" the following - "except that snowmobiles are permitted on that portion of the

Canalway Trail beginning on the westernmost boundary of the Town of Canajoharie and proceeding in an easterly direction for a distance of 1.6 miles."

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 Clerk
Montgomery County Snowmobile Assoc.

**
RESOLUTION NO. 307 of 2003 DATED: December 16, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDMENT - ST. MARY'S HOSPITAL
- COMMUNITY MENTAL HEALTH AND ALCOHOLISM CENTER (MENTAL HEALTH)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Thomas

WHEREAS, the Director of Community Services has recommended amending the County's Agreement with St. Mary's Hospital for Community Alcoholism and Substance Abuse Services to reflect a change in the services offered, as well as an increase in associated state funding available from the NYS Office of Alcoholism and Substance Abuse Services, and

WHEREAS, said amendment would require a budget amendment to reflect the appropriate amount in the lines that are utilized for the pass through funding,

RESOLVED, that the Chairman of the Montgomery County Board of Supervisors, following review and approval by the County Attorney is hereby authorized and directed, to sign an amendment to the Contract by and between the County of Montgomery and St. Mary's Hospital of Amsterdam, NY for Community Alcoholism and Substance Abuse Services, and

FURTHER RESOLVED, the County Treasurer is hereby directed to amend the 2003 Operating Budget as follows:

INCREASE REVENUE ACCOUNT:

A-17-3-3472-00	Spec. Hlth. Prog. OASAS	\$200,000.00
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INCREASE APPROPRIATIONS ACCOUNT:

A-17-4-4250-00-4565	Community Support System	\$200,000.00
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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 Clerk
Director of Community Services

**
RESOLUTION NO. 308 of 2003 DATED: December 16, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (MENTAL HEALTH)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Dybas

WHEREAS, the Director of Community Services has recommended amending the 2003 Operating Budget to pass through funding from the State Department of Health to St. Mary's Hospital for Mental Health Services,

RESOLVED, the County Treasurer is hereby directed to amend the 2003 Operating Budget as follows:

INCREASE REVENUE ACCOUNT:

A-17-3-3490-00 State Aid Mental Health \$130,000.00

INCREASE APPROPRIATIONS ACCOUNT:

A-17-4-4320-00-4565 Community Support System \$130,000.00

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 Clerk
Director of Community Services

**
RESOLUTION NO. 309 of 2003 DATED: December 16, 2003
RESOLUTION AMENDING 2003 OPERATING BUDGET (TREASURER)

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the retiring County Treasurer, at the time of her appointment, and due to a very extenuating legal situation within the County at that time, had to assume office immediately, and

WHEREAS, there was one hundred and eighteen (118) sick leave days that were not credited at that time, for which she received no compensation, and

WHEREAS, Elected Officials, who are also covered under the County of Montgomery Personnel Policy for Non-Represented Employees, under section 9C may receive a credit of fifty (\$50) for each seven (7) hours of unused Sick Leave, which may be used as a credit to offset the employee's share of retiree health insurance, and

WHEREAS, it is necessary to amend to the 2003 Operating Budget to provide payment for said credit,

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes credit of 118 sick leave days to the County Treasurer at the time of her retirement, and

FURTHER RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2003 Operating Budget as follows:

FROM:	A 06 4 9700 00 7107	Serial Bd. Int.	\$5,900.00
TO:	A 10 4 9001 00 8855	Sick Lv.Ret. Hlth. Ins. Alternat	\$5,900.00

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 Clerk
Personnel Officer

**
RESOLUTION NO. 310 of 2003 DATED: December 16, 2003
RESOLUTION ADOPTING 2004 OPERATING BUDGET

Resolution by: Full Board
Seconded by Supervisor:

WHEREAS, the Montgomery County Board of Supervisors has met and considered the 2004 Tentative Operating Budget and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that in accordance with County Law, the 2004 Tentative Operating

Budget, on file with the Clerk of the Board of Supervisors, as changed, altered, revised and hereinafter set forth, hereby is adopted in Summary Form for Accounting and Budgetary purposes, with the detail annexed therein for information purposes only, and

FURTHER RESOLVED, that all amounts set for the in the "adopted" column of said Budget, hereby are appropriated for the purposes specified, effective January 1, 2004.

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 Clerk
Department Heads
Outside Agencies

OTHER

Motion by Supervisor DiMezza, seconded by Supervisor Dybas, to enter Executive Session, at 8:28 p.m., for the purpose of discussion of the employment history of a certain person or corporation, as allowed by Public Officers Law, passed with Aye(1802). Supervisor Van Kersen was absent.

Motion by Supervisor Dybas, seconded by Supervisor Stagliano, to conclude the Executive Session at 9:03, passed with Aye(1802). Supervisor Van Kersen was absent.

**
RESOLUTION NO. 297 of 2003 DATED: December 16, 2003
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN DOCUMENTS - NYS DPCA
ALTERNATIVES TO INCARCERATION PROGRAM

Resolution by Supervisor: Thomas
Seconded by Supervisor: Paton

WHEREAS, Montgomery County has been directed to submit a new Service Plan Application for 2004 to the New York State Department of Probation and Correctional Alternatives (NYS DPCA) for Pre-Trial Release and Community Services Programs within the County, and

WHEREAS, Montgomery County will receive a portion of reimbursement by the State for program costs if said Service Plan Application is approved by the NYS DPCA, and

WHEREAS, the ATI Advisory Board has met to review various program providers for said services and has made a recommendation to submit the Service Plan prepared by the Montgomery County Department of Probation for Pre-Trial Release and also the Service Plan prepared by the Montgomery County Department of Probation for Community Services,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts the Service Plans submitted by the Montgomery County Probation Department for both the Pre-Trial Release and Community Services Program, and

FURTHER RESOLVED, the Chairman, following review and approval by the County Attorney, is hereby authorized and directed to sign said applications to be submitted to the NYS DPCA, and

FURTHER RESOLVED, that should said service plan be approved by the NYS DPCA, the Montgomery County Board of Supervisors hereby accepts State Funding Reimbursement, and

FURTHER RESOLVED, the Chairman, upon review and approval of the County Attorney, is hereby authorized and directed to execute a contract with the NYS DPCA for the 2004 program year and any other documents pertaining to the

Reimbursement of said State Funding, and

FURTHER RESOLVED, the County Treasurer is hereby authorized to amend the 2004 Operating Budget accordingly.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Sinicropi, in the body of the Resolution delete and all reference to "Community Service Program", passed with Aye(1802). Supervisor Van Kersen was absent.

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 Clerk
Probation Director

_____ ADJOURNMENT

Motion by Supervisor Mancini, seconded by Supervisor DiMezza, to adjourn the meeting, passed with Aye(1802). Supervisor Van Kersen was absent. Chairman Barone declared the meeting adjourned at 9:13 p.m.

Respectfully submitted,

Richard C. Healy
Clerk of the Board