

PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY
2004

**PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY
FOR THE YEAR 2004**

DOMINICK STAGLIANO, Chairman
CHRISTINE PASQUARELLI, Clerk

Compiled and arranged by the Clerk by Order of the Board

TABLE OF CONTENTS

Organizational Meeting	January 2, 2004	1
Special Meeting	January 2, 2004	5
Special Meeting	January 13, 2004	7
Regular Meeting	January 27, 2004	14
Special Meeting	February 3, 2004	26
Committee Meeting - Education/Government	February 3, 2004	28
Committee Meeting - Public Safety	February 10, 2004	29
Committee Meeting - General Services/Public Works/Solid Waste	February 10, 2004	31
Committee Meeting - Economic Development/Agriculture & Planning	February 17, 2004	33
Committee Meeting - Finance/Personnel	February 17, 2004	34
Committee Meeting - Health & Human Services/Social Services	February 17, 2004	36
Regular Meeting	February 24, 2004	38
Committee Meeting - Education/Government	March 2, 2004.....	54
Committee Meeting - Public Safety	March 9, 2004.....	56
Committee Meeting - General Services/Public Works/Solid Waste	March 9, 2004.....	58
Committee Meeting - Health & Human Services/Social Services	March 10, 2004.....	59
Committee of the Whole	March 18, 2004.....	60
Committee Meeting - Finance/Personnel	March 22, 2004.....	61
Committee Meeting - Health & Human Services/Social Services	March 22, 2004.....	63
Committee Meeting - Economic Development/Agriculture & Planning	March 22, 2004.....	64
Public Hearing	March 23, 2004.....	65
Public Hearing	March 23, 2004.....	66
Regular Meeting	March 23, 2004.....	67
Special Meeting	March 29, 2004.....	83
Special Meeting	March 30, 2004.....	84
Committee Meeting - Public Safety	April 6, 2004	86
Committee Meeting - Economic Development/Agriculture & Planning	April 6, 2004	88
Special Meeting	April 13, 2004	90
Committee Meeting - General Services/Public Works/Solid Waste	April 20, 2004	91
Committee Meeting - Health & Human Services/Social Services	April 20, 2004	92
Committee Meeting - Finance/Personnel	April 20, 2004	93
Public Hearing	April 27, 2004	95
Regular Meeting	April 27, 2004	96
Special Meeting	May 4, 2004	112
Committee Meeting - General Services/Public Works/Solid Waste	May 11, 2004	113
Committee Meeting - Education/Government	May 11, 2004	114
Committee Meeting - Economic Development/Agriculture & Planning	May 11, 2004	116
Committee Meeting - Health & Human Services/Social Services	May 18, 2004	117
Committee Meeting - Public Safety	May 18, 2004	119
Committee Meeting - Finance/Personnel	May 18, 2004	121
Regular Meeting	May 25, 2004	123

TABLE OF CONTENTS

Committee Meeting - Education/Government	June 8, 2004	141
Committee Meeting - Health & Human Services/Social Services	June 8, 2004	143
Committee Meeting - Public Safety	June 15, 2004	144
Committee Meeting - Finance/Personnel	June 15, 2004	145
Committee Meeting - Economic Development/Agriculture & Planning	June 15, 2004	146
Committee Meeting - General Services/Public Works/Solid Waste	June 15, 2004	147
Regular Meeting	June 22, 2004	148
Committee Meeting - Education/Government	June 29, 2004	158
Special Meeting	July 13, 2004	160
Committee Meeting - Health & Human Services/Social Services	July 13, 2004	161
Committee Meeting - Public Safety	July 13, 2004	162
Committee Meeting - Economic Development/Agriculture & Planning	July 13, 2004	163
Committee Meeting - Education/Government	July 20, 2004	164
Committee Meeting - General Services/Public Works/Solid Waste	July 20, 2004	166
Committee Meeting - Finance/Personnel	July 20, 2004	167
Regular Meeting	July 27, 2004	169
Committee Meeting - Public Safety	August 10, 2004	179
Committee Meeting - Education/Government	August 10, 2004	181
Committee Meeting - General Services/Public Works/Solid Waste	August 10, 2004	183
Committee Meeting - Health & Human Services/Social Services	August 10, 2004	185
Committee Meeting - Finance/Personnel	August 17, 2004	186
Regular Meeting	August 24, 2004	189
Committee Meeting - General Services/Public Works/Solid Waste	August 31, 2004	200
Committee Meeting - Education/Government	August 31, 2004	202
Committee Meeting - Finance/Personnel	September 7, 2004	204
Committee Meeting - Public Safety	September 7, 2004	206
Committee Meeting - Health & Human Services/Social Services	September 7, 2004	208
Committee Meeting - Health & Human Services/Social Services	September 14, 2004	209
Committee Meeting - Economic Development/Agriculture & Planning	September 14, 2004	211
Committee Meeting - Health & Human Services/Social Services	September 21, 2004	213
Committee Meeting - Finance/Personnel	September 21, 2004	215
Committee Meeting - Finance/Personnel	September 28, 2004	218
Public Hearing	September 28, 2004	219
Regular Meeting	September 28, 2004	220
Committee Meeting - Finance/Personnel	October 5, 2004	236
Committee Meeting - Health & Human Services/Social Services	October 5, 2004	238
Special Meeting	October 12, 2004	239
Committee Meeting - General Services/Public Works/Solid Waste	October 12, 2004	241
Committee Meeting - Education/Government	October 12, 2004	243
Committee Meeting - Economic Development/Agriculture & Planning	October 12, 2004	246
Public Hearing	October 19, 2004	248

TABLE OF CONTENTS

Committee Meeting - Education/Government	October 19, 2004	250
Committee Meeting - Finance/Personnel	October 19, 2004	251
Committee of the Whole	October 26, 2004	253
Public Hearing	October 26, 2004	255
Regular Meeting	October 26, 2004	256
Committee of the Whole	November 3, 2004	276
Committee of the Whole	November 9, 2004	279
Public Hearing	November 16, 2004	281
Special Meeting	November 16, 2004	283
Public Hearing	November 17, 2004	292
Regular Meeting	November 23, 2004	293
Special Meeting	November 30, 2004	304
Public Hearing	December 7, 2004	318
Special Meeting	December 7, 2004	319
Public Hearing	December 8, 2004	323
Committee Meeting - Finance/Personnel	December 14, 2004	324
Regular Meeting	December 14, 2004	325

2004 BOARD OF SUPERVISORS

CITY OF AMSTERDAM

First Ward	John P. Brodie
Second Ward	Carmen J. Sinicropi, Jr.
Third Ward	Bethany Schumann
Fourth Ward	David J. Dybas
Fifth Ward	Albert V. Mancini

TOWN OF

Amsterdam	Thomas P. DiMezza
Canajoharie	Robert F. McMahon
Charleston	Shayne T. Walters
Florida	William E. Strevy
Glen	John B. Thomas
Minden	Thomas L. Quackenbush
Mohawk	Edward Paton
Palatine	Seids Jonker
Root	Brian S. Cechnicki
St. Johnsville	Dominick Stagliano

MONTGOMERY COUNTY OFFICIALS AND DEPARTMENT DIRECTORS

BOARD OF ELECTIONS.....	Arlene S. Macek/Deborah L. Tessiero
CHAIRMAN, BOARD OF SUPERVISORS.....	Dominick Stagliano
CLERK OF THE BOARD.....	Christine Pasquarelli
COMMISSIONER OF JURORS.....	Victoria Sollecito
COOPERATIVE EXTENSION ASSOCIATION.....	Marilyn J. Smith
COUNTY ATTORNEY.....	Douglas E. Landon
COUNTY AUDITOR.....	Marco Zumbolo
COUNTY CLERK.....	Helen Bartone
COUNTY CORONERS.....	Joseph M. Riley III/Susan L. Quackenbush
COUNTY JUDGE.....	Felix J. Catena
DATA PROCESSING/PRINTING.....	Deborah Bain
DEPARTMENT OF PUBLIC WORKS.....	Paul Clayburn
DISTRICT ATTORNEY.....	James E. Conboy
ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING.....	Michael J. Yevoli
EMERGENCY MANAGEMENT.....	Gary Nestle
FAMILY COURT JUDGE.....	Philip V. Cortese
FIRE COORDINATOR.....	George King
FULMONT DEVELOPMENT FACILITY, INC.....	Denis E. Wilson
FULTON-MONTGOMERY COMMUNITY COLLEGE.....	Barry Weinburg
HISTORY & ARCHIVES.....	Kelly A. Farquhar
MENTAL HEALTH.....	Jim Gumaer
MONTGOMERY MEADOWS.....	Theresa Blumberg
MOSA.....	Gilbert L. Chichester
OFFICE OF THE AGING.....	Eileen S. Broyles
PERSONNEL.....	Richard Baia
PROBATION.....	Kathy J. Pallotta
PUBLIC DEFENDER.....	William Martuscello
PUBLIC HEALTH.....	Deborah A. Joralemon
PURCHASING.....	Marco Zumbolo
REAL PROPERTY TAX SERVICE.....	Florence Stanton
SEALER OF WEIGHTS AND MEASURES.....	Nicholas M. Bartosik
SHERIFF.....	Michael J. Amato
SOCIAL SERVICES.....	William M. Cranker
STOP -D.W.I.....	Jennifer W. Petteys
SUPREME COURT JUSTICE.....	Joseph M. Sise
SURROGATE COURT JUDGE.....	Guy P. Tomlinson
TREASURER.....	Shawn J. Bowerman
VETERANS SERVICE AGENCY.....	Dwight D. Thompson
WORKER'S COMPENSATION FUND.....	Richard E. Baia
YOUTH BUREAU.....	Jennifer W. Petteys

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
ORGANIZATIONAL MEETING
7:00 PM, January 2, 2004

CALL TO ORDER

The Organizational Meeting for 2004 was called to order at 7:00 pm by the Clerk of the Board.

ROLL CALL

Roll Call indicated that Supervisor Thomas was absent.

ADOPTION OF THE AGENDA

MOTION TO ADOPT AGENDA by Supervisor Dybas, seconded by Supervisor Mancini, passed with Aye(1784). Supervisor Thomas was absent.

SELECTION OF A TEMPORARY CHAIRMAN

Supervisor Bob McMahon was nominated Temporary Chairman.

SELECTION OF PERMANENT CHAIRMAN

RESOLUTION NO. 1 of 2004

DATED: January 2, 2004

RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2004

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

RESOLVED, that Supervisor _____ hereby is elected Chairman of the Montgomery County Board of Supervisors for the year 2004, and

FURTHER RESOLVED, that the annual salary of said Chairman hereby is fixed in the amount of \$10,000.00, and

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

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Paton, in the RESOLVED clause, insert "Bob McMahon".

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Mancini, in the RESOLVED clause, insert "Dominick Stagliano", passed with Aye(1203). Supervisors McMahon, Paton and Strevy voted Nay. Supervisors Schumann and Walters abstained. Supervisor Thomas was absent. (1/2/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 2 of 2004

DATED: January 2, 2004

RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR 2004

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Brodie

RESOLVED, that Supervisor _____ hereby is elected Vice-Chairman of the Montgomery County

Board of Supervisors for the year 2004, and

FURTHER RESOLVED, that the annual salary of said Vice-Chairman hereby is fixed in the amount of \$7,000.00, and

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

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Brodie, to insert in the RESOLVED clause "Carmen J. Siniropi", passed with Aye(1289). Supervisors Cechnicki and Schumann voted Nay. Supervisors McMahon and Paton abstained. Supervisor Thomas was absent. (1/2/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 3 of 2004

DATED: January 2, 2004

RESOLUTION APPOINTING COUNTY ATTORNEY

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

RESOLVED, that _____ of _____ hereby is appointed County Attorney for the County of Montgomery for a term commencing on _____ and ending on _____, at an annual salary of _____, and

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

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

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Mancini, to insert "Kelli P. McCoski", "47 Church Street, Amsterdam", "January 2, 2004", "December 31, 2005" and "45,355", respectively was defeated with Aye(574). Supervisors Schumann, Dybas, Mancini, Cechnicki and Stagliano voted Aye. Supervisor Jonker abstained. Supervisor Thomas was absent. (1/2/2004)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Siniropi, Jr., to insert "Douglas E. Landon", "3 Market Street, Amsterdam", "January 2, 2004", "December 31, 2005", "45,355" respectively, passed with Aye(1191). Supervisors Schumann, Dybas, Mancini, Jonker and Cechnicki abstained. Supervisor Thomas was absent. (1/2/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 4 of 2004

DATED: January 2, 2004

****See Appendix for Resolution Attachment****

RESOLUTION ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

RESOLVED, that the Rules of Procedure, attached hereto, hereby are adopted by the Montgomery County Board of Supervisors for 2004, or until amended by Resolution.

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 5 of 2004

DATED: January 2, 2004

RESOLUTION APPOINTING COUNTY AUDITOR

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

RESOLVED, that _____ of _____, hereby is appointed County Auditor, at an annual salary of _____ for a term commencing on _____ and ending on _____, and

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

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

MOTION TO TABLE by Supervisor Di Mezza, seconded by Supervisor Mancini, passed with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 6 of 2004

DATED: January 2, 2004

RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2004

Resolution by Supervisor: Dybas

Seconded by Supervisor: Di Mezza

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

RESOLVED, that the Montgomery County Board of Supervisors hereby designates the following newspapers, for the above purpose, for 2004:

The Recorder

Courier-Standard Enterprise

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 7 of 2004

DATED: January 2, 2004

RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2004 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, according to Section 212 of the County Law, the 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, the 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 said 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 2004, 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
CHARTER ONE BANK, 833 BROADWAY, ALBANY, NY
, and

FURTHER RESOLVED, that the maximum amount 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 - \$12,500,000.00
FLEET BANK, AMSTERDAM BRANCH, AMSTERDAM, NY - \$20,000,000.000
KEY BANK, N. A. , AMSTERDAM BRANCH, AMSTERDAM, NY - \$10,000,000.00
JP MORGAN CHASE, 12 CORPORATE WOODS BLVD. , ALBANY, NY - \$12,500,000.00
CHARTER ONE BANK, 833 BROADWAY, ALBANY, NY - \$10,000,000.00
, and

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

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

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

OTHER

Upon recommendation of Attorney Landon, Chairman Stagliano called a Special Emergency Meeting to begin immediately following this Organizational Meeting for the purpose of reviewing the County's Alternatives to Incarceration Program and immediate pending issues related to the payroll of the Board of Elections Department.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Quackenbush, passed with Aye(1784). Supervisor Thomas was absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
8:10 PM, January 2, 2004

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for January 2, 2004 was called to order at 8:10 p.m. by Chairman Stagliano.

ROLL CALL

Roll Call indicated that Supervisor Thomas was absent.

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was to review the County's Alternatives to Incarceration Program and immediate pending issues related to the payroll for the Board of Elections Department

ACTION ON BUSINESS

RESOLUTION NO. 8 of 2004

DATED: January 2, 2004

RESOLUTION RESCINDING RESOLUTION 316 OF 2003 (ALTERNATIVES TO INCARCERATION PROGRAM)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

RESOLVED, that Resolution 316 of 2003 - a Resolution Accepting the Proposal of Leslie Nicholas for Pre-Trial Release Services - is hereby rescinded.

MOTION TO CALL THE QUESTION by Supervisor Jonker, seconded by Supervisor Dybas, passed with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 9 of 2004

DATED: January 2, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET (BOARD OF ELECTIONS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors are re-establishing the positions of P/T Election Commissioners in the Department of the Board of Elections for the 2004 Budget, and

WHEREAS, the Board of Elections salaries for various titles have to be readjusted in the 2004 Budget to reflect correct amounts,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

A-11-4-1450-00-1110-453	Clerk/Election Data	\$ 748
A-11-4-1450-00-1110-454	Clerk/Election Data	\$ 2,057
A-11-4-1450-00-1110-680	Election Commissioner	\$32,000
A-11-4-1450-00-1110-681	Election Commissioner	\$32,000
A-28-4-1170-00-1110-835	Confidential Secretary	\$ 5,630
A-31-4-1910-00-4480	Insurances	\$ 1,785
		<hr/> \$74,220

TRANSFER TO:

A-11-4-1450-00-1110-568	Deputy Commissioner	\$29,864
A-11-4-1450-00-1110-1134	Deputy Commissioner	\$29,364
A-11-4-1450-00-1120-1133	Election Commissioner	\$7,996
A-11-4-1450-00-1120-566	Election Commissioner	\$7,996
		<hr/>
		\$74,220

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 10 of 2004

DATED: January 2, 2004

RESOLUTION APPOINTING REPUBLICAN ELECTION COMMISSIONER

Resolution by Supervisor: Paton

Seconded by Supervisor: Quackenbush

RESOLVED, that _____ is hereby appointed Republican Election Commissioner for a two-year term commencing on January 1, 2004 and ending on December 31, 2005 at an annual salary of \$7,996.

MOTION TO AMEND by Supervisor Paton, seconded by Supervisor Sinicropi, Jr., to insert in the RESOLVED clause "Arlene Macek" passed with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

Chairman Stagliano declared the meeting adjourned at 9:20 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
7:00 PM, January 13, 2004

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for January 13, 2004 was called to order at 7:00 p.m. by Chairman Stagliano.

SALUTE TO THE FLAG

The Salute to the Flag was led by Supervisor Sinicropi.

ROLL CALL

Roll Call indicated that Supervisor Thomas was absent.

ADOPTION OF THE AGENDA

MOTION TO ADOPT AGENDA by Supervisor Quackenbush, seconded by Supervisor Dybas, passed with Aye(1784). Supervisor Thomas was absent.

STATEMENT OF PURPOSE OF MEETING

- A. Appointments
- B. Pending Litigation
- C. STOP DWI Program
- D. Committee Appointments
- E. Other

ACTION ON BUSINESS

RESOLUTION NO. 11 of 2004

DATED: January 13, 2004

RESOLUTION APPOINTING MEMBER OF BOARD OF DIRECTORS OF MONTGOMERY COUNTY COOPERATIVE EXTENSION ASSOCIATION

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, Article V, Section 3B of the Constitution and Bylaws of the Cornell Cooperative Extension of Fulton and Montgomery Counties states that the Montgomery County Board of Supervisors shall appoint one Supervisor to serve as a Director on the Association Board of Directors,

RESOLVED, that Supervisor _____ is hereby appointed as a Director on the Board of Directors of the Cooperative Extension Association of Fulton and Montgomery Counties.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Sinicropi, Jr., to insert "Sieds Jonker" in the RESOLVED clause, passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 12 of 2004

DATED: January 13, 2004

RESOLUTION APPOINTING MEMBERS OF THE MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, Article 2, Section 6(1)a of the Soil & Water Conservation Law states that when a County has been declared a Soil & Water Conservation District, a board of directors consisting of five members shall be appointed by the County Board of Supervisors, and

WHEREAS, said board of directors shall consist of two members of the County board, two persons whom shall be practical farmers and one member-at-large, and

WHEREAS, of the two persons being practical farmers one shall be appointed by the county grange and one from the county farm bureau,

RESOLVED, that the following are hereby appointed as members of the Board of Directors of the Montgomery County Soil and Water Conservation District:

_____ of _____ representing Member-at-Large Appointment
for a term to expire on December 31, 2006, and

_____ of _____ representing Farm Bureau Appointment
for a term to expire on December 31, 2006, and

_____ of _____ representing County Legislator Appointment
for a term to expire on _____, and

_____ of _____ representing County Legislator Appointment
for a term to expire on _____, and

MOTION TO AMEND by Supervisor Paton, seconded by Supervisor Jonker, to insert "Richard Kennedy" as the member-at-large and to insert "Brian Holloway" as the farm bureau appointment, passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Strevy, to insert as the first legislative appointment "Supervisor Ed Paton" for a term to expire on December 31, 2004, passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

MOTION TO AMEND by Supervisor Cechnicki, seconded by Supervisor Mancini, to insert as the second legislative appointment "Supervisor Bethany Shumann" for a term to expire on December 31, 2004, passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 13 of 2004

DATED: January 13, 2004

RESOLUTION REAPPOINTING COUNTY HISTORIAN/RECORDS MANAGEMENT OFFICER

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, Article 8, Section 400(4)a of County Law states that there shall continue to be appointed in the manner prescribed by law a County Historian,

RESOLVED, that Kelly Farquhar is hereby reappointed as Montgomery County Historian/Records Management Officer, at an annual base salary of \$30,000, for a term commencing on January 1, 2004 and ending on December 31, 2005.

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 14 of 2004

DATED: January 13, 2004

RESOLUTION APPOINTING MEMBER OF THE MONTGOMERY COUNTY JURY BOARD

Resolution by Supervisor: Schumann

Seconded by Supervisor: Sini cropi , Jr.

WHEREAS, Section 503a(1) of the Judiciary Law provides for the appointment of a member of the Board of Supervisors to the County Jury Board, and

WHEREAS, said appointment shall be designated by the Board of Supervisors,

RESOLVED, that Supervisor _____ hereby is appointed to serve on the Montgomery County Jury Board for a term beginning on _____ and ending on _____.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Strevy, to insert in the RESOLVED clause "Supervisor Ed Paton", "January 1, 2004" and "December 31, 2005" respectively passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 15 of 2004

DATED: January 13, 2004

RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT NO. 1 BOARD OF DIRECTORS

Resolution by Supervisor: McMahon

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 109 of 1998 states that the Montgomery County Sanitary Sewer District Board shall consist of seven (7) members comprised of the Supervisors of the Towns of Canajoharie, Minden, and Palatine and the Mayors of the Villages of Fort Plain, Nelliston and Palatine Bridge and one member-at-large, to be appointed by the Board of Supervisors, for a one-year term commencing on January 1 and ending on December 31, 2004

RESOLVED, that Robert Younglove hereby is appointed as the "at-large" member of the Board of Directors of the Montgomery County Sanitary Sewer District No. 1 for a one-year term ending on December 31, 2004.

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 16 of 2004

DATED: January 13, 2004

RESOLUTION APPOINTING MOSA BOARD REPRESENTATIVE

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

WHEREAS, Section 2041-b(1) of Public Authorities Law constitutes the Montgomery-Otsego-Schoharie Solid Waste Management Authority as a Public Benefit Corporation consisting of members appointed by participating Counties, and

WHEREAS, said Law further states that three members from the County of Montgomery shall be appointed by the Chairman of the Board of Supervisors and confirmed by the Board of Supervisors for a four-year term, all whom shall be residents of the County and at least one whom shall be a resident of the City of Amsterdam, and

WHEREAS, the Chairman of the Board of Supervisors has appointed _____ of _____ as a Montgomery County Representative to the Board of the Montgomery-Otsego-Schoharie Solid Waste Authority for a four-year term ending December 31, 2007,

RESOLVED, that the Montgomery County Board of Supervisors hereby confirms said appointment.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor DiMezza, to insert "Supervisor Bill Strevy" in the RESOLVED clause passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 17 of 2004

DATED: January 13, 2004

RESOLUTION APPOINTING MEMBERS OF THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Di Mezza

WHEREAS, Local Law No. 2 of 1990 created a Montgomery County Occupancy Tax Advisory Board, which shall be comprised of seven members appointed by the Board of Supervisors on the recommendation of the Chairman of the Board of Supervisors, and

WHEREAS, said Law calls for four appointments to be made by the majority party and three appointments to be made by the minority party, and

WHEREAS, said Law further states that the Chairman of the Board, or his designee, shall serve as an ex-officio member, and

WHEREAS, said Law calls for the Board of Supervisors to ensure that three members will represent the lodging facility industry and

WHEREAS, terms of such appointments shall be as follows:

Three members, one representing the lodging facility industry, shall serve a term of one year;
Two members, one representing the lodging facility industry, shall serve a term of two years;
Two members, one representing the lodging facility industry, shall serve a term of three years, and

WHEREAS, the Chairman of the Board of Supervisors has recommended the following as members of the Montgomery County Occupancy Tax Advisory Board:

_____ of _____ for a term ending on December 31, 2004 representing the lodging facility industry.

_____ of _____ for a term ending on December 31, 2004.

_____ of _____ for a term ending on December 31, 2004.

_____ of _____ for a term ending on December 31, 2005.

RESOLVED, that the Montgomery County Board of Supervisors hereby confirms said appointments.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Jonker, on the recommendation of the Chairman to insert "Ronald Hezel" of St. Johnsville, whose term will end on December 31, 2004 as the first appointment representing the lodging facility industry passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Strevy, on the recommendation of Chairman Stagliano to insert "Supervisor Carmen J. Sinicropi" of Amsterdam whose term shall end on December 31, 2004 as the second appointment passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

MOTION TO AMEND by Supervisor Di Mezza, seconded by Supervisor Dybas, on the recommendation of Chairman Stagliano to insert as the fourth appointment County Treasurer "Shawn Bowerman" whose term will expire on December 31, 2005 passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

It was the decision of the Board to send the remaining representative back to committee for further discussion.

RESOLUTION NO. 18 of 2004

DATED: January 13, 2004

RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS

Resolution by Supervisor: Stagl i ano

Seconded by Supervisor: Dybas

WHEREAS, Article 11, Section 501(4)a of Environmental Conservation Law requires a regional fish and wildlife management board to be appointed for Region IV and shall include three members from Montgomery County, and

WHEREAS, said Law further states that said appointments will be made by the Chairman of the Board of Supervisors with the approval of the Board of Supervisors, and

WHEREAS, appointments shall be for two-year terms which shall consist of one member, who shall be a member of the Board of Supervisors, one member who shall represent the landowners of the County and one member who shall represent the sportsmen of the County, and

WHEREAS, the Chairman of the Board of Supervisors has appointed the following as members of the Region IV Fish and Wildlife Management Board:

_____ of _____ representing the Legislative Appointment for a term ending on _____.
 _____ of _____ representing the Alternate Legislative Appointment for a term ending on _____.
 _____ of _____ representing the Sportsman Appointment for a term ending on _____.
 _____ of _____ representing the Alternate Sportsman Appointment for a term ending on _____.
 _____ of _____ representing the Landowner Appointment for a term ending on _____.
 _____ of _____ representing the Alternate Landowner Appointment for a term ending on _____.

RESOLVED, that the Montgomery County Board of Supervisors hereby confirms said appointments.

MOTION TO AMEND by Supervisor Di Mezza, seconded by Supervisor Quackenbush, on the recommendation of Chairman Stagl i ano to insert "Supervisor John B. Thomas" of the Town of Glen as the legislative appointment, "Supervisor Bethany Schumann" of the City of Amsterdam as the alternate legislative appointment, "Gerard Koller" of Amsterdam as the sportsman appointment, "Jamie Carter" of St. Johnsville as the alternate sportsman as the appointment, "Bart Tessiero" of Amsterdam as the landowner appointment and "Miles Fraser" of Palatine Bridge as the alternate landowner appointment, all for a two-year term expiring on 12/31/05, passed with Aye (1784). Supervisor Thomas was absent. (1/13/2004)

RESOLUTION ADOPTED with Aye (1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 19 of 2004

DATED: January 13, 2004

RESOLUTION APPOINTING REGION IV FOREST PRACTICE BOARD MEMBERS

Resolution by Supervisor: Stagl i ano

Seconded by Supervisor: Schumann

WHEREAS, Section 9-0705 of the NYS Environmental Conservation Law requires the establishment of a regional forest practice board for Region IV and shall include not less than three (3) members, but no more than five (5) members from Montgomery County, and

WHEREAS, said Law further states that members shall be appointed by the Chairman of the Board of Supervisors with the approval of the Board of Supervisors, and

WHEREAS, at least two-thirds of said appointments shall be individual owners or representatives of corporate owners of forest or woodland in the County and one member may be a member of the Board of Supervisors, and

WHEREAS, the Chairman of the Board of Supervisors has appointed the following to the Region IV Forest Practice Board:

_____ of _____ representing the Legislative Appointment for a term ending on _____, and

_____ of _____ representing Forest or Farm Woodland Owners for a term ending on December 31, 2006, and

_____ of _____ representing Forest or Farm Woodland Owners for a term ending on December 31, 2006.

RESOLVED, that the Montgomery County Board of Supervisors hereby confirms said appointments.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Jonker, to insert "Shayne T. Walters of Charleston representing the Legislative Appointment whose term will end on December 31, 2005" and Miles Fraser of Palatine Bridge representing the first Woodland Owner Appointment" and "Edward Young of the Town of Palatine representing the second Woodland Owner Appointment" respectively, passed with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

The County Attorney recommended that the Board enter Executive Session to discuss pending litigation.

MOTION TO ENTER EXECUTIVE SESSION by Supervisor DiMezza, seconded by Supervisor Quackenbush, passed with Aye(1784). Supervisor Thomas was absent. The Board entered into Executive Session at 7:40 p.m.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1784). Supervisor Thomas was absent. The Board came out of Executive Session at 8:20 p.m.

As a result of the Executive Session the Board will be acting on an add on Resolution No. 22 at the end of the meeting.

RESOLUTION NO. 20 of 2004

DATED: January 13, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET (STOP DWI)

Resolution by Supervisor: Mancini

Seconded by Supervisor: McMahon

WHEREAS, the Chairman of the Montgomery County Board of Supervisors has appointed the Stop DWI Coordinator for 2004, and

WHEREAS, the appointment and said changes will be effective January 19, 2004,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget as follows:

FROM:

A-32-4-3315-00-4422	Equipment Rental /Lease/Repair	\$ 500.00
A-32-4-3315-00-4438	Misc. Supporting Service	14,400.00
A-32-4-3315-00-4476	Assoc./Membership Dues	50.00
A-32-4-3315-00-4453	Postage Expenses	200.00

TO:

A-32-4-3315-00-1120 (271)	Stop DWI Coordinator-PT	\$8,000.00
A-32-4-3315-00-1120 (274)	Sr. Account Clerk Typist-PT	2,000.00
A-32-4-3315-00-4408	Office Supplies	600.00
A-32-4-3315-00-4410	Utilities	400.00
A-32-4-3315-00-4470	Travel: Related Costs	200.00
A-32-4-3315-00-4471	Mileage Allocations	200.00
A-32-4-3315-00-4520	Stop DWI/Law Enforcement Program	50.00
A-32-4-3315-00-4526	Education Programs	3,700.00

RESOLUTION ADOPTED with Aye(1565). Supervisor DiMezza abstained. Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 21 of 2004

****See Appendix for Resolution Attachment****

DATED: January 13, 2004

RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

Resolution by Supervisor: Stagl i ano

Seconded by Supervisor: Dybas

WHEREAS, the Montgomery County Board of Supervisors adopted their Standing Rules of Procedure by Resolution 4 of 2004, and

WHEREAS, the Chairman of the Board has recommended changes to Rule #43 of the said Rules regarding Committees of Jurisdiction, and

WHEREAS, the changes are attached hereto,

RESOLVED, that the attached amendment to Rule #43 of the Standing Rules of Procedure of the Montgomery County Board of Supervisors is hereby accepted.

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagl i ano then passed out his Committee assignments attached hereto.

RESOLUTION NO. 22 of 2004

DATED: January 13, 2004

RESOLUTION TO RETAIN LEGAL COUNSEL (BOARD OF SUPERVISORS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: McMahon

WHEREAS, the need has arisen to hire defense counsel to represent the County in legal action pending against the County,

RESOLVED, that the County Attorney is hereby authorized and directed to retain legal counsel to provide for such defense, and

FURTHER RESOLVED, that, upon review and approval of the County Attorney, the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with selected law firm.

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas was absent. (1/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Di Mezza, seconded by Supervisor Sini cropi , Jr. , passed with Aye(1784). Supervisor Thomas was absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, January 27, 2004

CALL TO ORDER

Chairman Stagliano called the regular meeting of the Montgomery County Board of Supervisors for January 27, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Dybas led the Salute to the Flag.

MOMENT OF SILENCE

Supervisor Quackenbush offered a moment of silence to recognize the passing of Dr. Alfred Stortecky who was the Montgomery County Coroner of the Western District.

ROLL CALL

Roll call indicated that Supervisors Paton and Brodie were absent.

ADOPTION OF THE AGENDA

Chairman Stagliano stated the need to enter into an Executive Session for the purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. MOTION TO AMEND AGENDA to include an Executive Session by Supervisor DiMezza, seconded by Supervisor Quackenbush, passed with Aye(1582). Supervisors Brodie and Paton were absent. MOTION TO ADOPT AGENDA as amended by Supervisor McMahon, seconded by Supervisor Sinicropi, Jr., passed with Aye(1582). Supervisors Brodie and Paton were absent.

PRIVILEGE OF THE FLOOR

A presentation to the Board of Supervisors by Stacy Kimball, Student Trustee on behalf of Fulton Montgomery Students, thanking them for their contribution and support of the college.

EXECUTIVE SESSION

MOTION TO ENTER EXECUTIVE SESSION by Supervisor DiMezza, seconded by Supervisor Quackenbush, passed with Aye(1582). Supervisors Brodie and Paton were absent. Executive Session began at 7:08 p.m.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor McMahon, seconded by Supervisor Sinicropi, Jr., passed with Aye(1582). Supervisors Brodie and Paton were absent. Executive Session ended at 7:28 p.m. No action was taken as a result of the Executive Session.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Organizational Meeting held January 2, 2004 and the Special Meeting held January 13, 2004 were accepted with no corrections, additions or deletions.

REPORTS OF STANDING COMMITTEES

None.

UNFINISHED BUSINESS

RESOLUTION NO. 5 of 2004

DATED: January 2, 2004

RESOLUTION APPOINTING COUNTY AUDITOR

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

RESOLVED, that _____ of _____, hereby is appointed County Auditor, at an annual salary of _____ for a term commencing on _____ and ending on _____, and

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

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

MOTION TO TABLE by Supervisor Di Mezza, seconded by Supervisor Mancini, passed with Aye(1784). Supervisor Thomas was absent. (1/2/2004)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 23 of 2004

DATED: January 27, 2004

RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDIT BY THE NEW YORK STATE COMPTROLLER

Resolution by Supervisor: Schumann

Seconded by Supervisor: McMahon

WHEREAS, Montgomery County is currently facing a difficult economic situation; and

WHEREAS, it is incumbent upon the Board of Supervisors to ensure that the County's resources, both financial and personal, are spent as responsibly as possible; and

WHEREAS, the New York State Comptroller's office provides financial and management audits to local governments to evaluate local financial and management practices and recommend improvements to help local governments operate more efficiently; and

WHEREAS, in this time of dire fiscal need, Montgomery County should take advantage of this benefit to gain information about best fiscal practice and procedural reform;

RESOLVED, that this Board of Supervisors requests a full financial and management audit to be performed by the New York State Comptroller's office;

FURTHER RESOLVED, that a copy of this resolution, suitably engrossed, be forwarded to Comptroller Alan Hevesi.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 24 of 2004

DATED: January 27, 2004

RESOLUTION LIMITING ELIGIBILITY OF SUPERVISORS FOR MILEAGE REIMBURSEMENT

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery County's residents have been faced, in recent years, with an increasing property tax burden; and

WHEREAS, Supervisors are paid \$7,000 annually by the County; and

WHEREAS, The salary paid to the supervisors is sufficient to ensure that supervisors can travel to meetings and do county work; and

RESOLVED, to demonstrate to the residents of the county the Board of Supervisors' commitment to fiscal prudence, no supervisor will be eligible to collect reimbursement for mileage for any

County work done within the County; and

FURTHER RESOLVED, this prohibition on mileage reimbursement should include regular and special meetings, and any other work done within the County of Montgomery.

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Dybas, in the third WHEREAS clause to delete "and do county work" and in the first RESOLVED clause "work done in the county" and in its stead insert "regular and special full board meetings" passed with Aye(1066). Supervisors McMahon, Sinicropi, Jr., Strevy, Thomas and Walters voted Nay. Supervisors Brodie and Paton were absent. (1/27/2004)

RESOLUTION DEFEATED with Aye(751). Supervisors DiMezza, McMahon, Sinicropi, Jr., Stagliano, Strevy, Thomas and Walters voted Nay. Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 25 of 2004

DATED: January 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - CR 65, RIVER ROAD RELOCATION AND TWO-SPAN REMOVAL (BIN 4425030) - DPW

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, implementation and funding of the Road Relocation/Two-Span Removal Project, PIN 2753.38, River Road, was authorized by Resolution No. 166 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 Barton & Loguidice, P.C. of 290 Elwood Davis Road, Liverpool, New York, to perform services described in Attachment "B", annexed to the Architectural/Engineering Consultant Agreement, for the sum of \$215,000, as set forth in Attachment "A" of said Agreement.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 26 of 2004

DATED: January 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MONTGOMERY COUNTY OFFICE FOR AGING, INC. (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, the 2004 Operating Budget includes appropriations of \$190,000 for the Montgomery County Office for Aging, Inc (OFA) to provide funds to assist OFA in maintaining programs to benefit Montgomery County residents age 60 and older,

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 Montgomery County Office for Aging, Inc. for services at a cost not to exceed \$190,000.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Quackenbush, to provide for a FURTHER RESOLVED clause that states "said agreement shall be contingent upon the Office for the Aging, Inc., providing Meals-On-Wheels, Dial-A-Ride and Congregate Meal Services during 2004 at levels at least equal to those provided during 2003, although the county appropriation need not be exclusively for the provision of such services." passed with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 27 of 2004

DATED: January 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CORNELL COOPERATIVE EXTENSION OF FULTON AND MONTGOMERY COUNTIES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Wal ters

WHEREAS, the 2004 Operating Budget includes appropriations of \$119,000 for the Cornell Cooperative Extension of Fulton and Montgomery Counties to provide funds to assist said agency in maintaining programs to benefit Montgomery County residents, and

WHEREAS, such agreement is made to carry out in a legal and proper manner the provisions of Subdivision 8 of Section 224 of County Law of the State of New York,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute an agreement with Cornell Cooperative Extension of Fulton and Montgomery Counties for services at a cost not to exceed \$119,000.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 28 of 2004

DATED: January 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Cechnicki

WHEREAS, the 2004 Operating Budget includes appropriations of \$55,500 for the Montgomery County Soil and Water Conservation District in accordance with Section 223 of County Law to provide funds to assist said agency in maintaining said District under the provisions of the New York State Soil Conservation District Law,

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 the Montgomery County Soil and Water Conservation District for services at a cost not to exceed \$55,500.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 29 of 2004

DATED: January 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM (ECONOMIC OPPORTUNITY AND DEVELOPMENT)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Cechnicki

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has awarded Montgomery County \$12,104.68 from the 2003-2004 Snowmobile Trails Grant-In-Aid Program, based upon an application submitted in cooperation with the Montgomery County Snowmobile Association, 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 2003-2004 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 2004 Operating Budget, as follows:

INCREASE:

Revenue:

A-01-3-3889-00 Other Cultural & Recreation \$12,104.68

Appropriations:

A-01-4-7180-00
.4572 Spec. Recreation Facility Rec. Trails \$12,104.68

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 30 of 2004

DATED: January 27, 2004

RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Quackenbush

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 2004, per provisions of Sections 554 and 556 of the Real Property Tax Law, and

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

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 31 of 2004

DATED: January 27, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors authorized acceptance of the Lead Poisoning and Prevention Grant funds for the period commencing April 1, 2003 and ending March 31, 2004, and

WHEREAS, said funds were appropriated in the 2003 Operating Budget and the unexpended balance should be carried forward in the 2004 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:

Revenue:

A-16-3-3401-05 Public Health Grant \$ 1317.76

Appropriations:

A-16-4-4010-05	Public Health Grant		
. 4408	Office Supplies	\$	15.94
. 4436	Medical Fees	\$	304.50
. 4445	Medical Supplies	\$	100.00
. 4453	Postage	\$	322.95
. 4526	Education Programs	\$	20.22
. 4595	MC Intrafund: Mail	\$	554.15

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 32 of 2004**DATED:** January 27, 2004**RESOLUTION AMENDING 2004 OPERATING BUDGET IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)**

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors authorized acceptance of the Immunization Action Plan Grant funds for the period commencing April 1, 2003 and ending March 31, 2004, and

WHEREAS, said funds were appropriated in the 2003 Operating Budget and the unexpended balance should be carried forward in the 2004 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-03	Public Health Grant	\$2624.27
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Appropriations:	A-16-4-4010-03	Public Health Grant	
	. 1110(1305)F/T Employees	\$	56.51
	. 1110(627) F/T Employees	\$	415.08
	. 1120(103) P/T Employees	\$	66.19
	. 4407 Office Equipment	\$	100.00
	. 4408 Office Supplies	\$	375.28
	. 4445 Medical Supplies	\$	1216.93
	. 4470 Travel Related Expense	\$	75.00
	. 4471 Mileage	\$	319.28

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 33 of 2004**DATED:** January 27, 2004**RESOLUTION AMENDING 2004 OPERATING BUDGET PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)**

Resolution by Supervisor: Mancini

Seconded by Supervisor: Di Mezza

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, and

WHEREAS, said funds were appropriated in the 2003 Operating Budget and the unexpended balance should be carried forward in the 2004 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-06	Public Health Grant	\$101986.26
Appropriations:	A-16-4-4010-06	Public Health Grant	
	.2250	Technical Equipment	\$ 25000.00
	.2259	Computer Equipment	\$ 12500.00
	.4407	Office Equipment	\$ 1000.30
	.4408	Office Supplies	\$ 3500.00
	.4409	Office Furniture	\$ 618.26
	.4425	Maintenance Agreements	\$ 1497.70
	.4431	Consultants	\$ 16200.00
	.4438	Misc. Supporting Svc.	\$ 8000.00
	.4445	Medical Supplies	\$ 5170.00
	.4446	Food Supplies	\$ 1500.00
	.4448	Const. & Maint. Supplies	\$ 2000.00
	.4452	Printing	\$ 3000.00
	.4455	Training	\$ 3500.00
	.4459	Computer Software	\$ 500.00
	.4491	Legal Notice & Advertising	\$ 8000.00
	.4526	Education Programs	\$ 10000.00

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 34 of 2004**DATED:** January 27, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STD SERVICES (PUBLIC HEALTH)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the County is mandated to pay for Sexually Transmitted Disease Diagnosis and Treatment and

WHEREAS, the Public Health Director has recommended renewal of a contract for STD 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 Amsterdam Memorial Healthcare for provision of Sexually Transmitted disease Diagnosis and Treatment, for the period commencing on January 1, 2004 and ending on December 31, 2004

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 35 of 2004**DATED:** January 27, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TB MEDICAL SERVICES (PUBLIC HEALTH)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Stagliano

WHEREAS, the County is mandated to pay for Tuberculosis Diagnosis and Treatment and

WHEREAS, the Public Health Director has recommended renewal of a contract for Tuberculosis services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an Agreement with Amsterdam Memorial Healthcare for provision of Tuberculosis Medical Services, for the period commencing on January 1, 2004 and ending on December 31, 2004

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon

Christine Pasquarelli

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 36 of 2004

DATED: January 27, 2004

RESOLUTION APPROVING RETIREMENT AND TRANSFER OF K-9 REX (SHERIFF)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

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

WHEREAS, the Board of Supervisors desires to allow K-9 Rex to remain with his handler, Corporal Robert Barbuti,

RESOLVED, that the Board of Supervisors hereby authorizes and approves the retirement of K-9 Rex as of January 30, 2004, and

FURTHER RESOLVED, that ownership of K-9 Rex be permanently transferred to Corporal Robert Barbuti as of January 30, 2004 upon execution by Corporal Barbuti of a release of liability to be prepared by the County Attorney.

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 37 of 2004

DATED: January 27, 2004

RESOLUTION AMENDING RESOLUTION 225 OF 2003 - FBI SITE ANTENNA SITE LICENSE (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Sinicropi, Jr.

RESOLVED, that the Board of Supervisors hereby amends Resolution 225 of 2003 to include the following "Further Resolved" clause:

FURTHER RESOLVED, that this Basic Ordering Agreement is effective as of October 1, 2003 through September 30, 2013

MOTION TO AMEND by Supervisor Mancini, seconded by Supervisor Quackenbush, to further amend Resolution No. 225 of 2003 by striking the FURTHER RESOLVED clause that states "said agreement may be renewed without further legislative action, in the absence of substantive modification." passed with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 38 of 2004

DATED: January 27, 2004

RESOLUTION ADVOCATING THAT CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION (CDROTB) BE ALLOWED TO OPERATE VIDEO LOTTERY TERMINALS (VLT) IN TELETHEATERS IN CDROTB

Resolution by Supervisor: McMahon

Seconded by Supervisor: Quackenbush

WHEREAS, New York State and its municipalities, including the County of Montgomery are facing financial and budget issues due to matters of the economy as well as other various reasons, and

WHEREAS, Capital District Off-Track Betting Corporation is a public benefit corporation created by statute that deals in pari-mutual wagering and disburses monies to each of its participating members, and

WHEREAS, Montgomery County is participating member of Capital District Regional Off-Track Betting Corporation, and

WHEREAS, Capital District Regional Off-Track Betting Corporation is seeking to operate Video Lottery Terminals (VLT) in Teletheaters within its participating counties, and

WHEREAS, the operation of Video Lottery Terminals by Capital District Off-Track Betting Corporation would help increase the amount of revenue to Capital District Regional Off-Track Betting Corporation, which in turn would increase the amount of monies generated for local governments, including Montgomery County, and

WHEREAS, Montgomery County uses the monies provided by its participation in Capital District Regional Off-Track Betting Corporation to help control the rising rate of property taxes; to specifically help fund such items such as (special education), the rising costs of Medicaid, retirement and health insurance, and to help fund other important County funded programs.

RESOLVED, that Montgomery County supports Capital District Regional Off-Track Betting Corporation and its continued efforts to increase revenue for its participating member, and

FURTHER RESOLVED that Montgomery County supports the efforts of Capital District Regional Off-Track Betting Corporation (CDROTB) to establish and operate Video Lottery Terminals in Teletheaters within CDROTB, and

FURTHER RESOLVED, that Montgomery County will assist Capital District Regional Off-Track Betting Corporation in its efforts to secure the right to operate Video Lottery Terminals at Teletheaters and enhance its ability to increase revenue for its participating members.

RESOLUTION ADOPTED with Aye(1331). Supervisors Dybas and Jonker abstained. Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 39 of 2004

DATED: January 27, 2004

RESOLUTION AMENDING RESOLUTION NO. 258 OF 2003 STATE FUNDING (YOUTH BUREAU)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery County will receive an additional \$835.00 in Special Delinquency Prevention Program -B funding for 2004, for the Montgomery County Probation Department (Juvenile Field Project),

RESOLVED, that Resolution No. 258 of 2003 hereby is amended to delete "8,164.00" and insert, in its stead, "8,999.00", and

FURTHER RESOLVED, that the County Treasurer hereby is directed to amend the 2004 Operating Budget as follows:

INCREASE:

Revenue:

A-21-3-3826 00	Youth Bureau Special Delinquency Prevention	\$835.00
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INCREASE

Appropriations:

A-21-4-7310 00	Youth Bureau Special Delinquency Prevention	\$835.00
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RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 40 of 2004

DATED: January 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SAFE PLACES GRANT ACCEPTANCE - 2004 (YOUTH BUREAU)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Youth Board of Directors has recommended acceptance of the Safe Places Grant for 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 accepting a \$36,000.00 grant for the Safe Places program to be conducted at the Community Youth Center, Canajoharie, NY, and

FURTHER RESOLVED, the County Treasurer is hereby authorized to amend the 2004 Operating Budget as follows:

INCREASE:

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

INCREASE:

Appropriations:		
A-21-4-7310 00 4560	Youth Bureau Spec. Youth Dev. Grant	\$36,000.00

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 41 of 2004

DATED: January 27, 2004

RESOLUTION APPOINTING BUDGET OFFICER (BOARD OF SUPERVISORS)

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, Article 7, Section 351 of County Law provides that the "Budget Officer" may be the Chairman of the Board of Supervisors, and

WHEREAS, it has been recommended that the current Chairman of the Board, Dominick Stagliano, be appointed Budget Officer for a term to coincide with his Chairmanship,

RESOLVED, that the Board of Supervisors hereby appoints current Board Chairman, Dominick Stagliano, as the Montgomery County Budget Officer for 2004

RESOLUTION ADOPTED with Aye(1377). Supervisor Schumann voted Nay. Supervisor Cechnicki abstained. Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 42 of 2004

DATED: January 27, 2004

RESOLUTION CREATING PETTY CASH ACCOUNT (PROBATION)

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, it has been recommended that the Director of Probation be authorized to establish a petty cash account to provide payment for various supplies,

RESOLVED, that the Board of Supervisors hereby authorizes the Director of Probation to draw \$100.00 in petty cash funds from the Department's line item A-27-4-3140-00-4461 (Work Program Expense).

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 43 of 2004

DATED: January 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MASS TRANSPORTATION THIRD PARTY PROVIDER AGREEMENT

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Quackenbush

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,

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 third party provider agreement with _____ for the period _____ through _____.

MOTION TO AMEND by Supervisor Sinicropi, Jr., seconded by Supervisor Quackenbush, to insert in the RESOLVED clause "Brown Coach", "January 1, 2004" and "December 31, 2004" respectively, passed with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

RESOLUTION ADOPTED with Aye(1582). Supervisors Brodie and Paton were absent. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano asked if there was any other business to come before the Board before adjournment.

Supervisor DiMezza stated that a Coroner in the Western District should be appointed and expressed his concern for waiting until a committee meeting to address the issue. He added that Susan Quackenbush of Fort Plain had expressed an interest in the position and offered a Resolution appointing her as Coroner of the Western District.

County Attorney stated that a Motion to Suspend the Rules was in order to provide for the addition of a resolution that was not on the agenda.

SUSPEND THE RULES by Supervisor DiMezza, seconded by Supervisor McMahon, was defeated with Aye(1219). Supervisors Cechnicki, Quackenbush and Schumann voted Nay. Supervisors Brodie and Paton were absent.

RESOLUTION NO. 44 of 2004

DATED: January 27, 2004

RESOLUTION APPOINTING CORONER - WESTERN DISTRICT - (BOARD OF SUPERVISORS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: McMahon

RESOLVED, that Susan Quackenbush, of Fort Plain, is hereby appointed Coroner of the Western District of Montgomery County, effective January 28, 2004 through December 31, 2004 at an annual base salary of \$5969.00.

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Sinicropi, Jr., was defeated with Aye(1046). Supervisor Schumann voted Nay. Supervisors Dybas, Quackenbush and Strevy abstained. Supervisors Brodie and Paton were absent. (1/27/2004)

RESOLUTION ADOPTED with Aye(980). Supervisor Schumann voted Nay. Supervisors Cechnicki, Dybas, Quackenbush and Strevy abstained. Supervisors Brodie and Paton were absent.

UNDER FURTHER REVIEW BY THE COUNTY ATTORNEY THE RESOLUTION WAS DETERMINED TO BE VOID BY A COMPUTER ERROR. (1/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann questioned the urgency of appointing a coroner and felt that ample time should be given to people to express interest in the position. Supervisor DiMezza reiterated the urgency of the appointment and stated that it was a difficult situation for everyone involved by not having a coroner.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Quackenbush, seconded by Supervisor McMahon, passed with Aye(1582). Supervisors Brodie and Paton were absent. Chairman Stagliano adjourned the meeting at 8:35 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
7:00 PM, February 3, 2004

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for February 3, 2004 was called to order at 5:45 p.m. by Chairman Stagliano.

SALUTE TO THE FLAG

The Salute to the Flag was led by Supervisor Sinicropi.

ROLL CALL

Roll Call indicated that Supervisors Brodie and Paton were absent.

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was regarding the appointment of the County Coroner.

ACTION ON BUSINESS

Chairman Stagliano stated that there was a computer glitch with the 2/3 weighted vote system that has been discovered. He explained how the weighted vote was calculated in 1992, it had two parts, a simple majority vote in which the total weighted vote was equal to 1868 with (935) votes needed for passage and a 2/3 majority vote in which the total weighted vote was equal to (1304) with (870) votes needed for passage.

Chairman Stagliano further stated that in 2001 resolution #306 was passed to update the weighted vote system to reflect the 2000 census figures in which the Board agreed to have one total weighted vote of (1868) and (935) were needed for passage for a simple majority and (1246) was needed for passage for a 2/3 majority. At the time the computer voting system was never updated to reflect the new criteria for the new 2/3 vote, causing a computer glitch. Chairman Stagliano indicated that this glitch created an issue for Resolution #44 of 2004 taken on January 27, 2004. The computer indicated that this resolution had passed when in actuality it did not, therefore this resolution is now void. A further review of all previous resolutions shows no indication of any other questionable voting results. A directive was given to Data Processing effective 2/3/04 to correct the computer problem.

RESOLUTION NO. 45 of 2004

DATED: February 3, 2004

RESOLUTION APPOINTING MONTGOMERY COUNTY CORONER - WESTERN DISTRICT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: McMahon

RESOLVED, that Susan Quackenbush, of Fort Plain, is hereby appointed Coroner of the Western District of Montgomery County, effective February 4, 2004 through December 31, 2004 at an annual base salary of \$5,969.00

RESOLUTION ADOPTED with Aye(1219). Supervisors Cechnicki, Quackenbush and Schumann voted Nay. Supervisors Brodie and Paton were absent. (2/3/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Sinicropi, Jr., seconded by Supervisor McMahon, passed with Aye(1582). Supervisors Brodie and Paton were absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
7:00 PM , February 3, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:30 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, McMahon and Schumann. Absent were Supervisors Brodie and Paton.

Additional present were Supervisors Quackenbush, Sinicropi, Strevy, Stagliano, Walters, DiMezza, Jonker and Thomas.

Chairman Dybas noted the agenda:

1. Discussion regarding Standing Rules of Procedure of the Montgomery County Board of Supervisors.
2. Discussion on County Government.

Chairman Dybas proposed and distributed various changes to the Standing Rules of Procedure that are attached hereto. Members present agreed to look at each rule individually and determine to "accept" "change" or "omit" as necessary.

Supervisor Stagliano proposed to have included in Rule 11 "Order of Business" motions for the "Approval of Prior Minutes" and "Approval of Budget Transfers" and delete the motion for the "Adoption of Agenda" at each regular meeting.

County Attorney requested his packet be mailed along with the Supervisors 5 days in advance not 10 days in advance as the rules currently states.

It was also agreed upon that the minutes of the previous meeting be mailed in the Full Board Packet.

Article IV-"RESOLUTIONS" was debated for a lengthy period and Supervisors present decided that further discussion on the Rules of Procedure were needed.

Chairman Dybas sponsored and Supervisor Mancini seconded a Resolution to Amend the Standing Rules of Procedure for the February Full Board Meeting. This resolution will include Chairman Dybas' proposed changes and all other changes discussed by the Committee. The Committee gave this resolution a positive recommendation.

Since item # 2 on the Agenda was not addressed, Chairman Dybas scheduled an Education/Government Committee Meeting for Tuesday, March 2, 2004 with the time to be determined.

Motion to adjourn the meeting at 8:30 p.m. was made by Supervisor Cechnicki seconded by Supervisor Dybas.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
6:00 PM, February 10, 2004

COMMITTEE MEETING DISCUSSION

Chairman Mancini presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Dybas, Quackenbush, Schumann, Sinicropi and Walters

Additional present were Supervisors McMahon, Strevy, Thomas and Paton

Chairman Mancini noted the agenda:

1. Discussion Concerning Community Service Program
2. Resolution Accepting Proposal -GIS Mapping System-911 Dispatch Center (Sheriff)
3. Resolution Authorizing Chairman to Sign Agreements-State Homeland Security Program (SHSP) and Law Enforcement Terrorism Prevention Program (LETPP) - (Emergency Management)
4. Resolution Appointing Fire Advisory Board Members (Fire Coordinator)
5. Resolution Appointing Fire Arson Board Members (Fire Coordinator)
6. Other

Chairman Mancini made a proposal to have Probation assume the responsibility for the Community Service Program.

Supervisor Sinicropi expressed that he would not support the Probation Department running the Community Service Program without a detailed list of how the Community Service Program will be put together.

Supervisor Quackenbush also wanted information on the program and if additional staff will be needed. Supervisor Quackenbush also stated that there is an alternative to having a County Department run the program and that alternative is to allow an outside agency within the county run the program.

Supervisor Schumann suggested that the ATI, Inc., the former County provider, might be willing to donate or sell their equipment. Supervisor Dybas stated that money was left in the budget for both pre-Trial and Community Service programs. He also commented on the Magistrates and thought they would be willing to contribute anything to the program; another option is to get RFP's or have Kathy Pallotta (the Probation Department) could put together a program.

Supervisor Stagliano stated that the Community Service Program has to be a program within the Community to give back to the community for which those defendants have taken from, and stated different town use the Community Service at different levels. The benefit is to the jail and that we are not housing those offenders in jail.

Supervisor Stagliano said that the \$124,000 budgeted for the previous Pre-Trial/Community Service Program is going to need to be used elsewhere and will be discussed in the Finance Committee on February 10, 2004.

Supervisor Jonker suggested an analysis be done on the type of Community Service Program the County wanted to offer.

Supervisor Walters stated that if Probation puts together a program it would definitely need more staff.

Supervisor Sinicropi stated that the way he would like to see the program run is having the defendants painting, cleaning streets, clear brush, etc.

Supervisor Stagliano stated that the Board can dictate what the Community Service Program should be and that the way the program is run is not the issue it is the financing of the program. He suggested the Director of Probation put together a description of a program and a budget.

Supervisor Dybas suggested that Chairman Mancini sit down with the Director of Probation and explain to her what the committee is looking for in a Community Service Program and have her present a plan.

Supervisor Schumann suggested we look at what Fulton County is doing regarding Community Service. Supervisor Sinicropi stated that he is aware of what other counties are doing with their Community Service Program (example they help out at different functions, garage sales, senior citizens centers, United Way). Supervisor Quackenbush stated that a community service program should act as a deterrent.

After a poll of committee members it was decided that the Public Safety Committee would review a proposal from Probation.

Resolution Accepting Proposal -GIS Mapping System-911 Dispatch Center (Sheriff). Sponsored by Supervisor Quackenbush, seconded by Supervisor Sinicropi. After background information from Sheriff Amato it was agreed upon to forward the resolution to the Finance Committee with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreements-State Homeland Security and Law Enforcement Terrorism Prevention Program (LETPP) (EMERGENCY MANAGEMENT). Sponsored by Supervisor Schumann, seconded by Supervisor Quackenbush was forwarded to the Finance Committee with a positive recommendation.

Resolution Appointing Montgomery County Fire Advisory Board Members. Sponsored by Supervisor Sinicropi, seconded by Supervisor Dybas was moved with a positive recommendation to Full Board.

Resolution Appointing Montgomery County Arson Advisory Board Members. Sponsored by Supervisor Quackenbush, seconded by Supervisor Dybas was moved with a positive recommendation to Full Board.

Motion to Adjourn the Public Safety Meeting by Supervisor Dybas, seconded by Supervisor Sinicropi. Chairman Mancini adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:45 PM, February 10, 2004

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:45 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Dybas, Quackenbush, Schumann, Sinicropi and Walters. Additional present were Supervisors McMahon, Thomas, and Paton.

Chairman Strevy noted the agenda and made a change of the order. Item #1 will be discussed last.

1. Discussion regarding Draft Environmental Impact Statement-Amsterdam Materials Recycling Project
2. Discussion regarding a purchase of an Offset Press (Data Processing)
3. Resolution Approving 2004 Capital Projects-Bridge Rehabilitation/Replacement (DPW)
4. Resolution Awarding Bridge Replacement Contract (DPW)
5. Other

Chairman Strevy stated that Data Purchasing has requested to purchase a new Offset Press from A.B. Dick Company for \$33,509.20 and recognized Debbie Bain, Data Processing Director. Chairman Strevy said that after meeting with the Printing Department it was revealed that the press, currently being used, is 20 years old and could break down at anytime. Randy Jones, representing the printing department was also present and he noted that the repair costs to the county if parts were available, would be extremely costly, almost as much as a new press.

Supervisor Dybas questioned if the printing department could go to an outside agency for printing services. The Purchasing Agent, Marco Zumbolo stated that a cost analysis was done and it was found that in-house printing was more cost effective to the County. Committee members recommended to move the request with a positive recommendation to the Finance Committee to review method of payment.

Resolution Awarding Bridge Replacement Contract (DPW). Sponsored by Supervisor McMahon, seconded by Supervisor Walters.

DPW Commissioner Clayburn reviewed the resolution with the committee and after a brief discussion the Committee recommended to move the resolution with a positive recommendation to the Finance Committee for reviewing the method of payment.

Resolution Approving 2004 Capital -Projects-Bridge Rehabilitation/Replacement (DPW). Sponsored by Supervisor Walters, seconded by Supervisor Mancini.

Commissioner Clayburn reviewed the resolution with the committee and stated that this was the first step in the process of getting the project complete. The Committee moved the resolution with a positive recommendation to the Full Board.

Chairman Strevy opened the discussion regarding the Draft Environmental Impact Statement-Amsterdam Recycling Project.

Chairman Strevy suggested that we stay with how the C&D landfill affects our agreement with MOSA and the taxpayers of the Montgomery County.

Chairman Strevy offered some points that need to be addressed. The MOSA agreement states that the County is responsible for channeling all waste generated in the County to MOSA and having a C&D landfill may cause Montgomery County waste to be diverted from the MOSA system since the tip fee at the C&D landfill may be lower than the MOSA tipping fee.

Chairman Stagliano suggested that we need to address what impact the C&D landfill will have on Montgomery County and what the financial effect will be.

Supervisor Dybas read a paragraph from MOSA's Executive Director's response letter to the DEIS which stated that MOSA has a transfer station in the city of Amsterdam, although MOSA does not have a C&D Recyclable facility, it does accept C&D waste at the transfer station and DEIS (Draft Environmental Impact Statement) should evaluate not ignore this alternative.

After a lengthy discussion, it was the general consensus of the committee to have a resolution drafted by Attorney Landon to state that Montgomery County Board of Supervisors were opposed to the citing of any LANDFILL in any city or town in Montgomery County. This resolution was sponsored by Supervisor Dybas, seconded by Supervisor Quackenbush and it was sent to the Full Board for Support.

Motion to adjourn the General Services/Public Works/Solid Waste Committee was made by Supervisor

Sinicropi, seconded by Supervisor Dybas. Chairman Strevy adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
6:00 PM, February 17, 2004

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Jonker, Paton, Strevy and Thomas. Supervisors Cechnicki and DiMezza were absent.

Additional present were Supervisors Stagliano, Dybas, Walters, and Schumann

Chairman Quackenbush noted the agenda:

1. Resolution Stating Disapproval of the President of the United States Liberalization of Trade with Australia
2. Resolution Appointing Members to the Economic Development Advisory Committee-Agriculture
3. Other

Resolution Stating Disapproval of the President of the United States Liberalization of Trade with Australia sponsored by Supervisor Jonker, seconded by Supervisor Thomas was moved to the Full Board with a positive recommendation.

Resolution Appointing Members to the Economic Development Advisory Committee-Agriculture sponsored by Supervisor Thomas, seconded by Supervisor Jonker.

Chairman Quackenbush stated that Chris Nellis has made a recommendation of Tom Poltynski of St. Johnsville as the Agribusiness Representative Appointment and the Chairman also suggested Supervisor Sieds Jonker should be appointed as the Montgomery County Board of Supervisor Representative.

Chairman Quackenbush stated that the Farm Bureau Representative Mike Cole has expressed that he is no longer interested in serving on the Board and a replacement would need to be made there. The Administrative Aide stated that we are waiting to hear from the Montgomery County Chamber of Commerce with their recommendation for an appointment and also that she would speak with the Farm Bureau for their recommendation to replace Mike Cole.

The Committee suggested that resolution 27 of 2000, which established this committee, be amended to reflect the change in the planning department and economic development department now that these departments have combined and asked that a "FURTHER RESOLVED" clause be added to this resolution to amend the previous resolution.

The committee agreed that all four names for appointment would be inserted as an amendment on the night of the full board and moved the resolution with a positive recommendation.

Motion to Adjourn the Economic Development/Agriculture & Planning Meeting by Supervisor Paton, seconded by Supervisor Thomas. Chairman Quackenbush adjourned the meeting at 6:10 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
6:15 PM, February 17, 2004

COMMITTEE MEETING DISCUSSION

Supervisor Stagliano presided over the Finance/Personnel Committee Meeting in Supervisor DiMezza's absence. The meeting commenced at 6:15 p.m.

Roll call indicated Committee members present included Supervisors Jonker, Quackenbush, Strevy and Thomas. Supervisors DiMezza, Cechnicki and Sinicropi were absent.

Additional present were Supervisors Dybas, Walters and Schumann

Chairman Stagliano noted the agenda:

1. Resolution Correcting 2004 Town and County Tax Rolls - Various Parcels
2. Resolution Transferring Funds - Sheriff
3. Resolution Approving 2004 Capital Project - Offset Press (Data Processing)
4. Resolution amending Resolution 202 of 2001 - Labor Management Committee
5. Resolution amending Resolution 372 of 1989 and Resolution 204 of 2000 - Approving Credit for Retirement Days for Part Time Elected Officials
6. Resolution Establishing Public Hearing - Introductory Local Law #2 of 2004, A Local Law Repealing Local Law #7 of 2002
7. Discussion regarding CSEA Grievance
8. Resolution Authorizing Disbursement of Surplus Dog License Funds
9. Resolution Establishing Public Hearing - Introductory Local Law #1 of 2004, A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose
10. Discussion regarding Annual Financial Report - 2002
11. Other

Resolution Correcting 2004 Town and County Tax Rolls-Variou s Parcels sponsored by Supervisor Dybas, seconded by Supervisor Quackenbush, moved to the Full Board with a positive recommendation. Chairman Stagliano asked the Treasurer to provide a report of the full dollar amount impact this had on assessed valuation.

Resolution Transferring Funds - Sheriff sponsored by Supervisor Mancini, seconded by Supervisor Quackenbush. Chairman Stagliano stated the reason for the transfer was the funds were not appropriated in the adopted budget for the shift differential and a line item was missing that amounted to \$117,000.00. Chairman Stagliano stated that upon a discussion with Sheriff Amato an amount of \$75,000.00 could be taken from Community Service budget, which is not being utilized, but the difference would have to be made up by the Sheriff's Department. The Committee moved the resolution with a positive recommendation to the Full Board.

Resolution Approving 2004 Capital Project-Offset Press sponsored by Supervisor Strevy, seconded by Supervisor Jonker moved to the Full Board with a positive recommendation.

Resolution Amending Resolution 202 of 2001-Establishing Labor Management Committee sponsored by Supervisor Quackenbush, seconded by Supervisor Jonker. Chairman Stagliano stated that the wording eliminating the County Administrator and adding the Vice-Chairman of the Board of Supervisors to the Labor Management Committee was the change.

Supervisor Dybas recommended that instead of amending something by changing a clause he suggested that the Finance/Personnel Committee delete the entire resolution 202 of 2001 and submit a new resolution. It was agreed to repeal resolution 202 of 2001 and create a new resolution. The Committee moved to the Full Board with a positive recommendation.

Resolution Amending Resolution No. 372 of 1989 & Resolution 204 of 2000 - Approving Credit for Retirement Days for Part Time Elected and Appointed Officials sponsored by Supervisor Quackenbush, seconded by Supervisor Mancini. Supervisor Dybas, again, recommended to repeal previous resolutions and create new resolutions so a current resolution will always be available. The Committee moved the resolution to the Full Board with a positive recommendation.

Resolution Establishing Public Hearing on Introductory Local Law No. 2 of 2004 sponsored by Supervisor Quackenbush seconded by Supervisor Thomas. Chairman Stagliano stated that several Supervisors, after the Full Board Meeting on January 27, 2004 at which it was questioned, suggested if a resolution could be put up to repealing Local Law #7 of 2002 that established a waiting period for Appointive Employment of Elected County Officials.

Supervisors Quackenbush, Thomas, Strevy, Dybas and Walters stated that they had no issues with the wording of Local Law #7. Supervisor Mancini questioned why it was being addressed in Personnel Committee and suggested that it be brought before the Education/Government Committee for modification. After a brief discussion, it was agreed by the Committee to move the resolution to

the Full Board with a positive recommendation.

It was decided that the discussion regarding the CSEA grievance would be moved to the end of the agenda.

Resolution Authorizing Disbursement of Surplus Dog License Funds sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas was moved to the Full Board with a positive recommendation.

Resolution Establishing Public Hearing on Introductory Local Law No. 1 of 2004, a Local Law Authorizing the Private Sale of County-Owned Property, Not needed for a County Purpose sponsored by Supervisor Dybas seconded by Supervisor Quackenbush moved to the Full Board with a positive recommendation.

Chairman Stagliano introduced Darryl Purinton of Marvin & Co., to discuss the 2002 Annual Report. Mr. Purinton stated the reason the Annual Report was 2002 and not 2003 was because of various issues with DPW, Public Health, Personnel and other Departments so the information was not forwarded in a timely manner. Mr. Purinton gave brief summary regarding issues with Fulton Montgomery Community College, Main Street Bridge, Carlisle Road and the Fire Training Center, all which created deficits.

Mr. Purinton also stated his concern with the Enterprise Fund (the Montgomery Meadows) and cautioned the Committee that the current financial conditions at the Meadows will impact the General Fund.

Chairman Stagliano called for an Executive Session to discuss the CSEA grievance.

A motion was made to enter Executive Session by Supervisor Quackenbush and seconded by Supervisor Strevy. The Committee entered Executive Session at 6:55 p.m.

A motion was made to adjourn Executive Session by Supervisor Thomas and seconded by Quackenbush. The Committee came out of Executive Session at 7:13 p.m. No action was taken as a result of the Executive Session.

Motion to Adjourn the Finance/Personnel Committee Meeting was made by Supervisor Dybas seconded by Supervisor Mancini. Chairman Stagliano adjourned the meeting at 7:20 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
7:00 PM, February 17, 2004

COMMITTEE MEETING DISCUSSION

Supervisor Stagliano presided over the Health & Human Services/Social Services Committee in Chairman Sinicropi's absence. The meeting commenced at 7:00 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Dybas, Quackenbush, Schumann and Walters. Supervisors Sinicropi and DiMezza were absent.

Additional present were Supervisors Strevy, Mancini and Thomas

Chairman Stagliano noted the agenda:

1. Resolution Amending 2004 Operating Budget – Early Intervention/Children with Special Health Care Needs Programs Grant (Public Health)
2. Resolution Authorizing Chairman to Sign Agreement – Consulting Services – SPHN (Public Health)
3. Resolution Changing Supervising Public Health Nurse Title (Public Health)
4. Resolution Authorizing Chairman to Sign Agreement – 2004-2006 Comprehensive Plan for Youth Services (Youth Bureau) – (Please bring your copy previously distributed)
5. Resolution Authorizing Chairman to Sign Agreement – Transportation of Fulton County Veterans (Veterans Services)
6. Resolution Authorizing Chairman to Sign Agreement – Rehabilitation Program (Meadows)
7. Resolution Transferring Funds (Meadows)
8. Discussion Regarding the Montgomery Meadows
9. Other

Resolution Amending 2004 Operating Budget – Early Intervention/Children with Special Health Care Needs Programs Grant (Public Health) sponsored by Supervisor Dybas seconded by Supervisor Jonker, moved to the Full Board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – Consulting Services – SPHN sponsored by Supervisor Dybas, seconded by Supervisor Mancini, moved to the Full Board with a positive recommendation.

Resolution Changing Supervising Public Health Nurse Title sponsored by Supervisor Walters, seconded by Supervisor Jonker, moved to the Full Board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement-2004-2006 Comprehensive Plan for Youth Services sponsored by Supervisor Mancini, seconded by Supervisor Jonker, moved to the Full Board with a positive recommendation.

Resolution Authorizing Chairman to Sign Renewal Agreement-Transportation of Fulton County Veterans sponsored by Supervisor Dybas, seconded by Supervisor Mancini, moved to the Full Board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement-Rehabilitation Program (Montgomery Meadows) sponsored by Supervisor Dybas, seconded by Supervisor Walters. Supervisor Quackenbush stated a concern regarding the length of the contract for the Rehabilitation Program at the Montgomery Meadows commencing on January 1, 2004 and ending December 31, 2004 because of the Board's concern regarding the future of Montgomery Meadows. Attorney Landon agreed and stated that he would review the contract to ensure that it was structured with a 30-termination clause. The resolution was moved to the Full Board with a positive recommendation.

Resolution Transferring Funds (Montgomery Meadows) sponsored by Supervisor Dybas, seconded by Supervisor Jonker, moved to the Full Board with a positive recommendation.

Chairman Stagliano then began discussion regarding the Montgomery Meadows. He noted that several Meadows Employees were present because of the concern that the facility may be closing. He stated that he would try to outline some facts regarding the facility and what led the Board to go out to RFP to sell/lease the Meadows and then he would take some questions from the public.

Chairman Stagliano outlined some of the facts leading up to the financial situation at the Montgomery Meadows, which began with the 2001 Budget and the pending loss of the IGT (Inter Governmental Transfer). In September 2002, a study was done by F.L. Hoffman Corporation of Athens, New York, (Professional Construction Managers) that looked at the conditions of the facility and recommended scenarios for the board to consider which ranged from \$1.8 million in immediate repairs needed to \$18 ½ million which would have include an Assisted Living wing.

Chairman Stagliano stated the Board of Supervisors then went out and contracted the Rotenberg & Company, CPA and Business Consultants of Rochester, New York to do a financial analysis on the

report from F.L. Hoffman Corporation and their findings were that if the investment were made the Montgomery Meadows might just break even.

Chairman Stagliano stated the Montgomery Meadows, which currently has 20 empty beds is looking at \$1 million in lost revenue in addition to the 2002 Annual Audit which indicates the Montgomery Meadows is at a loss of ½ million dollars.

Chairman Stagliano stated that the rumors indicating that the funds from Montgomery Meadows went into the General Fund or the facility will be closing in 90 days are not true.

Chairman Stagliano gave the employees of Montgomery Meadows the opportunity to voice their concerns. The employees raised questions regarding employment, retirement, insurance and county benefits. He responded to their questions but cautioned that he could not know for sure what would happen until the Board reached a decision regarding the facility and that some of their concerns may be premature.

He stated that the RFP's are due back to the County on March 8, 2004 and that the Board would conduct interviews with those who submitted proposals. He stated that once a decision was reached, which might be by the end of March, the Department of Health would still have to approve any decision that was made and this process could take as long as 9 months, possibly 6 months if the proposed owner was already a licensed Nursing Home Operator in New York State. He stated that after the RFP's have been reviewed he would try to have a meeting again with the employees to keep them apprised of the status of the facility. He explained that this would be in approximately one month.

Chairman Stagliano and several other Supervisors present stated that the Board would ultimately do what is best for Montgomery County, the Meadows residents and the employees.

A motion to adjourn the Health & Human Services/Social Services Committee Meeting was made by Supervisor Dybas, seconded by Supervisor Strevy. Chairman Stagliano adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, February 24, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for February 24, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Sinicropi led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Brodie, Sinicropi, Schumann, Dybas, Mancini, DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present.

PRIVILEGE OF THE FLOOR

PUBLIC COMMENT

Chairman Stagliano reminded the Public that, according to the Board's Rules of Procedure, there is a 3-minute time limit for each person wishing to speak, and with the turn out so large this will give everyone an opportunity to speak.

Cathy Garrison, CSEA Capital Region President stated the Union's position on the proposed private sale of the Montgomery Meadows. She stated that selling the Meadows would provide no relief for taxpayers. She also stated that for-profit companies bottom line is always their priority and private owners will cut Medicaid beds because they do not make as much money from them. Private owners will raise rates and cherry pick residents. She continued by stating that selling the Meadows would be against the County's core mission to help elderly county residents whose tax dollars have contributed to the facility. She felt that the County Board of Supervisors and the management at the Montgomery Meadows have not been upfront with the staff and have treated them disrespectfully, and they will fight to keep the Montgomery Meadows a public facility.

Edward Luzinas, a resident of the Montgomery Meadows and expressed his concern of losing his home. Mr. Luzinas referred to the staff of the Meadows as the "little angels" and stressed to the Board of Supervisors how committed they are to the residents that they take care of.

Mr. Luzinas also commented stated that money is available from the State and asked why the Board of Supervisors are not looking for grant money to help get Montgomery Meadows out of their financial crisis.

Janice Squeglia from the Recreation Department at the Montgomery Meadows read a letter from the Resident Council expressing their concern regarding their home. The letter also requested a meeting with the Board of Supervisors and the Montgomery Meadows Resident Council to give the residents an opportunity to voice their concerns.

Wilda Vainauskas, Acting Administrator at the Montgomery Meadows, stated that she has been in contact with Richard J. Maloney, Executive Director of the County Nursing Facilities of New York and he informed her that legislation is being introduced into the Senate to amend the Social Services Law in relation to state reimbursement for care, treatment, maintenance and nursing services in nursing homes and stated that this could be part of a solution.

Suzanne Spadarro, a family member of a former resident of the Meadows stated that her son was admitted to Montgomery Meadows because no other facility could provide the extensive care he needed due to brain trauma from a motorcycle accident. Ms. Spadarro also referred to the Montgomery Meadows staff as Angels because of the excellent care her son received and wanted the Board of Supervisors to be aware of all they have done to get him in a condition to be transferred to Sunnyview Hospital for extensive rehabilitation and she sees this as a miracle and it could not of happened unless of the dedicated staff at the Montgomery Meadows.

Robin Adams, Nurse Practitioner at the Montgomery Meadows, presented the Board of Supervisors with a report that included her review of recommendations set forth by the Hoffman & Rotenberg feasibility studies that were completed in 2003 and also included revenue producing avenues and reduction of current operating expenses that she had researched. She asked that the Supervisors thoroughly explore selling vs. keeping the Montgomery Meadows in terms of what it means to the taxpayers of the county.

Mike Perkins, Sr., a Montgomery County resident, also expressed his concerns regarding the rumors of selling the Montgomery Meadows and felt the everyone is being kept in the dark about the impending sale and would like to have some answers.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

Chairman Stagliano stated that there was a Resolution requested from Sheriff Amato that was not on the Agenda for this evening. Sheriff Amato requested that the Supervisors consider adding on a Resolution that would allow him to apply for grant funding that could be used for expedited deployment of 911 Phase 2. Sheriff Amato just received quotes back regarding the equipment and would need to have the Grant Application to the State by March 5, therefore this Resolution would need to be considered this evening, so he would not lose the opportunity to apply.

MOTION TO SUSPEND THE RULES by Supervisor Mancini, seconded by Supervisor Dybas to add-on a resolution, passed with Aye (1868).

This add-on resolution became Resolution No. 71.

RESOLUTION NO. 71 of 2004

DATED: February 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - 911 EXPEDITED DEPLOYMENT GRANT (SHERIFF)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Jonker

WHEREAS, the County has been notified by the New York State Department of State, Office of Fire Prevention and Control, of the availability of funding to counties to assist them in achieving "Phase 2" capability for their 911 emergency call systems, and

WHEREAS, said State assistance will pay up to 90 percent of the costs for eligible items, with local governments responsible for a 10 percent match.

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes application by the Sheriff's office to the New York State Department of State, Office of Fire Prevention and Control for Expedited Deployment Funding, and

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

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

The Board proceeded with the resolutions on the Agenda.

RESOLUTION NO. 46 of 2004

DATED: February 24, 2004

RESOLUTION ACCEPTING PROPOSAL - GIS MAPPING SYSTEM - 911 DISPATCH CENTER (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Purchasing Agent solicited proposals for a GIS Mapping System for the 911 Dispatch Center at the Sheriff's Office (RFP #07-03), and

WHEREAS, the Sheriff has recommended acceptance of the proposal submitted by GeoComm of St. Cloud, Minnesota.

RESOLVED, that the proposal tendered by GeoComm for the provision of a GIS Mapping System for the 911 Dispatch Center 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 GeoComm for the provision of said services at a cost not to exceed \$50,000.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 47 of 2004

DATED: February 24, 2004

RESOLUTION TRANSFERRING FUNDS - SHERIFF

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has requested the transfer of funds to provide for the omission of shift differential from the 2004 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

Transfer From:

A-01-4-3189-00-4592	Community Service Program	\$75,000
A-15-4-3110-00-1111 (1212)	Overtime Pay	\$20,000
A-15-4-3110-00-1120 (145)	Sheriff Deputies Part Time	\$22,460

Transfer To:

A-15-4-3110-00-1113 (1213)	Shift Differential	\$42,000
A-15-4-3110-00-1120 (326)	Office Building Security	\$ 2,460
A-15-4-3150-00-1113 (1176)	Shift Differential	\$75,000

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 48 of 2004

DATED: February 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - STATE HOMELAND SECURITY & LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, the County has been notified of the award of a \$100,000 FY04 State Homeland Security Program (SHSP) Grant and a \$30,000 FY04 Law Enforcement Terrorism Prevention Program (LETPP) Grant, and

WHEREAS, the SHSP and LETPP Programs have a no cost requirement to the County,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes acceptance of a \$100,000 State Homeland Security Grant and a \$30,000 Law Enforcement Terrorism Prevention Program 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 Agreements.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 49 of 2004

DATED: February 24, 2004

RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE ADVISORY BOARD MEMBERS

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Dybas

WHEREAS, Article 5, Section 225-A of County Law provides for appointment of members of the County Fire Advisory Board by the Board of Supervisors,

RESOLVED, that the following are hereby appointed as members of the Montgomery County Fire Advisory Board for a one year term to expire December 31, 2004.

REPRESENTING

Daniel Carter	340 Mohawk Drive,	Tribes Hill	Tribes Hill
Frank Nestle	83 Moyer Street,	Canajoharie	Canajoharie
Mike Beyer	132 Poplar Drive,	Amsterdam	Cranesville
J. Michael Mancini	75 Lincoln Avenue,	Amsterdam	Amsterdam
Phil Bradt	2053 Burtonsville Road,	Esperance	Burtonville
David Ramsey	742 Corbin Hill Road,	Sprakers	Charleston
Timothy Healey	11 Putnam Road,	Fonda	Fonda
Richard Sager	6 Horseshoe Drive,	Johnstown	Fort Johnson
Valentine Waner, Jr.	46 Abbott Street,	Fort Plain	Fort Plain
James Whipple	Prospect Street,	Fultonville	Fultonville
William VanDerveer	Logtown Road,	Fultonville	Glen
Nicholas M. Bartosik	32 Hagaman Avenue,	Hagaman	Hagaman
Sherman Rockwell	1070 StHwy 163,	Fort Plain	South Minden
Charles Gray	1249 StHwy 334,	Fonda	Town of Mohawk
Pamela Van Alstine	269 Thayer Road,	Amsterdam	Florida
Raymond Tylutki	Box 187,	Ft. Hunter	Ft. Hunter
Scott Bobar	110 Lynk Street,	Sprakers	Rural Grove
John Prime	1234 Latimer Hill,	Canajoharie	Ames
Steve Krutz	1 Van Street,	Amsterdam	Member at Large

(2/24/2004)

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Siniropi, Jr., was defeated with Aye(970). Supervisors Brodie, Siniropi, Jr., DiMezza, McMahon, Walters, Strevy, Thomas and Stagliano voted Aye. (2/24/2004)

MOTION TO CALL THE QUESTION by Supervisor Quackenbush, seconded by Supervisor McMahon, passed with Aye(1868). (2/24/2004)

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Dybas, to strike Richard Sager of 6 Horseshoe Drive, Johnstown, New York representing the Fort Johnson fire department from the list of appointees was defeated with Aye(301). Supervisors Schumann, Cechnicki and Stagliano voted Aye. (2/24/2004)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 50 of 2004

DATED: February 24, 2004

RESOLUTION APPOINTING MONTGOMERY COUNTY ARSON ADVISORY BOARD MEMBERS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, Article 10, Section 204-C of General Municipal Law provides for each County to except a plan for arson investigation which will be submitted to the NYS Office of Fire prevention and Control, and

WHEREAS, said plan calls for the creation of an Arson Advisory Board whose members shall be appointed by the Board of Supervisors,

RESOLVED, that the following are hereby appointed as members of the Montgomery County Arson Advisory Board:

Daniel Carter	340 Mohawk Drive,	Tribes Hill
George King	167 Queen Anne Street,	Amsterdam
Michael Amato	Sheriff's Office,	Fultonville
James E. Conboy	P. O. Box 1500,	Fonda

David Bouck	113 StHwy 80,	Fort Plain
Mark Tenzer	91 Country Club Lane,	Amsterdam
Michael Beyer	132 Poplar Drive,	Amsterdam
Rick Husted	174 Pioneer Street,	Amsterdam
James Westman	207 Reynolds Road,	Fultonville
Robert Furman	395 Ingersol Road,	Fultonville
Larry Intelisano	124 Auser Road,	Esperance
David Lis	2658 Rt. 67,	Amsterdam
William Klug	174 McLachlan Road,	Amsterdam
Dave Bowman	53 West Street,	Fort Plain
Thomas Champaign	48 Edson Street,	Amsterdam
Brian Delisa	476 Denice Road,	Amsterdam

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 51 of 2004

DATED: February 24, 2004

RESOLUTION APPROVING 2004 CAPITAL PROJECTS - BRIDGE REHABILITATION/REPLACEMENT (DPW)

Resolution by Supervisor: Walters

Seconded by Supervisor: Mancini

WHEREAS, the Commissioner of Public Works has recommended that three bridge rehabilitation/replacement projects be undertaken during 2004,

RESOLVED, that the Board of Supervisors hereby approves Rehabilitation/Replacement of Hilltop Road, B.I.N. 3309850, in the Town of Root; Old Trail Road, B.I.N. 3310040, in the Town of Mohawk; Hughes Road, B.I.N. 3310050 in the Town of Charleston, as Capital Projects at a cost not to exceed \$1,682,000.00

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

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 52 of 2004

DATED: February 24, 2004

RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT (DPW)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Walters

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 Tioga Construction Co., Inc., of Herkimer for three bridge replacement projects, as follows:

Melick Road, B.I.N. 3309840

Triumpho Road, B.I.N. 3309650

MacPhail Road, B.I.N. 3309700

, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$993,545.98.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 53 of 2004

DATED: February 24, 2004

RESOLUTION APPROVING 2004 CAPITAL PROJECT OFFSET PRESS (DATA PROCESSING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

WHEREAS, the Director of Data Processing has requested the purchase of an Offset Printer, and

WHEREAS, the General Services/Public Works/Solid Waste Committee has reviewed said request and has recommended bond to fund said request,

RESOLVED, that the Board of Supervisors hereby approves a Capital Project to include the purchase of an Offset Press at a cost not to exceed \$33,510.00, and

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

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 54 of 2004

DATED: February 24, 2004

RESOLUTION RESCINDING RESOLUTION 27 OF 2000 AND APPOINTING MEMBERS - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

RESOLVED, that Resolution 27 of 2000 is hereby rescinded, and

FURTHER RESOLVED, that the Board of Supervisors hereby re-establishes a special advisory committee to develop and oversee implementation of programs to promote and market Montgomery County agricultural opportunities, and

FURTHER RESOLVED, that said committee shall provide general direction to any groups responsible for county-sponsored programs related to agricultural economic development, and

FURTHER RESOLVED, that said committee's membership shall be appointed by the Board of Supervisors, with membership to include:

Active Farmer
Agribusiness
Montgomery County Supervisor
Farm Bureau Representative
Chamber of Commerce Representative
Farm Service Agency Representative
Economic Opportunity and Development/Planning Representative
Cornell Cooperative Extension Association Board Representative
Agricultural and Farmland Protection Board Representative

FURTHER RESOLVED, that the Active Farmer, the Agribusiness and the Supervisor and the Supervisor shall be designated by the Board of Supervisors, while other proposed representatives shall be nominated by the respective entities, subject to the approval of the Board of Supervisors, and

FURTHER RESOLVED, that all members of said advisory committee shall serve at the pleasure of the Board of Supervisors, and

FURTHER RESOLVED, that said advisory committee shall tender written quarterly reports to the Chairman of the Board of Supervisors, and

FURTHER RESOLVED, that the following are hereby appointed as members of the Economic Development Advisory Committee - Agriculture:

Chris Nellis	(Active Farmer)
Tom Poltynski	(Agribusiness Representative)
Sieds Jonker	(Montgomery County Supervisor)
	(Farm Bureau Representative)
Karl Gustafson	(Montgomery County Chamber of Commerce)
Andrew Michaels	(Farm Service Agency)

Mike Yevoli (Economic Opportunity Development/Planning)
Marilyn Smith (Cornell Cooperative Extension)
Bob Harris (Agricultural and Farmland Protection Board)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Siniropi, Jr., to insert Mike Cole as the Farm Bureau Representative appointee in the seventh FURTHER RESOLVED clause passed with Aye(1868). (2/24/2004)

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 55 of 2004

DATED: February 24, 2004

RESOLUTION STATING DISAPPROVAL OF THE PRESIDENT OF THE UNITED STATES LIBERALIZATION OF TRADE WITH AUSTRALIA

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, the President of the United States is seeking to liberalize trade with Australia; and

WHEREAS, economic indicators suggest the cost to dairy farmers in the United States to be \$2.6 billion per year, by increasing imports of dairy products a "massive 354%"; and

WHEREAS, the largest industry in Montgomery County is dairy farming not only in gross receipts, but also in employment; and,

WHEREAS, every dollar generated or lost by this industry has, by some estimates, a seven-fold impact to the local economy,

RESOLVED, that the Board of Supervisors stands united with our dairy farmers in opposition to this liberalization of trade with Australia, and,

FURTHER RESOLVED, a copy of this resolution be sent to each of our Representatives in Washington, DC.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 56 of 2004

DATED: February 24, 2004

RESOLUTION AUTHORIZING DISBURSEMENT OF SURPLUS DOG LICENSE FUNDS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

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

FURTHER RESOLVED, that the county Treasurer hereby is authorized and directed to disburse to the Towns and the City of Amsterdam, \$4,268.96 in surplus dog license funds in proportion to the contribution made by each collected during 2003.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 57 of 2004

DATED: February 24, 2004

RESOLUTION CORRECTING 2004 TOWN AND COUNTY TAX ROLLS VARIOUS PARCELS

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, various property owners have filed Applications for Corrected Tax Roll, pursuant to Section 554 of the Real Property Tax Law, with the Real Property Tax Director, alleging errors on the 2004 Tax Roll, and

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

RESOLVED, that the 2004 Tax Roll hereby is ordered corrected, as follows:

APPLICANT:	SBL#	CORRECTION:
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-1. -2203 Village of Canajoharie	Remove School Rel evy and Village Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-1. -2289 Town of Canajoharie	Remove School Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-2. -2289 Town of Canajoharie	Remove School Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-2. -2600 Town of Florida	Remove School Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-3. -2600 Town of Florida	Remove School Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-2. -2801 Village of Fultonville	Remove School Rel evy and Village Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-1. -2889 Town of Glen	Remove School Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-1. -3001 Village of Fort Plain	Remove School Rel evy and Village Rel evy.

APPLICANT:	SBL#	CORRECTION:
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-1. -3089 Town of Minden	Remove School Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-2. -3089 Town of Minden	Remove School Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-1. -3600 Town of Root	Remove School Rel evy.
New York State Thruway 200 Southern Blvd Albany, NY 12209	867.20-5-2. -3600 Town of Root	Remove School Rel evy.
Old Fort Plaza Inc 2234 Rosendale Rd Schenectady, NY 12309	46.10-1-4 Village of Fort Plain	Remove School Rel evy.

, and

FURTHER RESOLVED, that the tax levying body hereby is authorized and directed to approve said applications by making notations on the original applications and duplicates, and by entering the correct extension of taxes, and

FURTHER RESOLVED, that said County Director also is authorized and directed to make an order setting forth the corrected taxes, and directing the officer having jurisdiction over tax roll to correct the rolls, and to affix the orders and approved applications to the tax rolls and the warrants, per Section 554 of the Real Property Tax Law, such annexed applications and warrants becoming a part of such tax rolls, and

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

FURTHER RESOLVED, that said County Director shall mail Notices of Approval of Application to the applicants and shall file duplicate copies of the applications with the Board of Supervisors, and

FURTHER RESOLVED, that, provided the applications were filed pursuant to Paragraph 7A of Section 554 of the Real Property Tax Law, each applicant shall have eight days, from the date of the mailing of the Notice of Approval, to pay such corrected taxes, without interest, and

FURTHER RESOLVED, that the said officers having charge of the tax rolls hereby are ordered and directed to immediately collect corrected tax, and

FURTHER RESOLVED, that said Treasurer is directed to charge any taxes deleted from the current rolls, by this resolution, wherever appropriate, against the account of the respective property-taxing jurisdiction for inclusion in the next ensuing tax levy, and

FURTHER RESOLVED, that said Treasurer is directed to notify, prior to May 1, 2004 the appropriate districts that any relevy cancelled by this resolution will not be returned.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 58 of 2004

DATED: February 24, 2004

RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 1 OF 2004

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 1 of 2004, a Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose.

RESOLVED, that Introductory Local Law No. 1 of 2004 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 _____, _____, 2004 at _____ p.m., in the Chamber of the Board of Supervisors, County Office Building, 64 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 law.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Dybas, to insert in the first FURTHER RESOLVED clause "March 23" and "6:55", respectively passed with Aye(1868). (2/24/2004)

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 59 of 2004

DATED: February 24, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET - EARLY INTERVENTION/CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANTS (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

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 contract period October 1, 2003 through September 30, 2004, and

WHEREAS, said funds for the 2003-2004 grant period are appropriated in the 2004 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

FROM:

A-16-4-4010-01	Public Health Grant	
.4526	Education Programs	\$16820.00

TO:

A-16-4-4010-01	Public Health Grant	
.2259	Computer Equipment	\$ 2600.00
.4408	Office Supplies	\$ 2000.00
.4438	Misc. Supporting Services	\$ 2000.00
.4446	Food Supplies	\$ 244.00
.4452	Printing	\$ 476.00
.4455	Training	\$ 6500.00
.4470	Travel: Related Costs	\$ 1500.00
.4471	Mileage	\$ 1500.00

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 60 of 2004

DATED: February 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CONSULTING SERVICES SPHN (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

WHEREAS, the Personnel Department has advertised and posted the position of Supervising Public Health Nurse and there were no qualified applicants, and

WHEREAS, the Public Health Director has recommended that the Public Health Department contract with a consultant to assist in carrying out the duties of the Public Health Department, and

WHEREAS, the cost of such consultant shall be funded utilizing unspent salary from the vacant Supervising Public Health Nurse position,

RESOLVED, that Barbara Fiedler be hired as a consultant at an hourly rate not to exceed \$28.00/hour and not exceeding a maximum total cost of \$10000.00, and

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

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

FROM:

A-16-4-4010-00	Public Health	
.1110(423)	Full-Time Employees-SPHN	\$ 10,000.00

TO:

A-16-4-4010-00	Public Health	
.4431	Professional Services	\$ 10,000.00

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 61 of 2004

DATED: February 24, 2004

RESOLUTION CHANGING SUPERVISING PUBLIC HEALTH NURSE TITLE TO ASSISTANT DIRECTOR PUBLIC HEALTH (PUBLIC HEALTH)

Resolution by Supervisor: Walters

Seconded by Supervisor: Jonker

WHEREAS, the Personnel Department has advertised and posted the position of Supervising Public Health Nurse, and

WHEREAS, there were no qualified applicants, and

WHEREAS, the Public Health Director has recommended that the qualifications be broadened to attract from a larger pool of applicants,

RESOLVED, that the title Supervising Public Health Nurse be changed to Assistant Director Public Health, and

FURTHER RESOLVED, that the position of Assistant Director Public Health be at the same salary and the same Non Bargaining status as the Supervising Public Health Nurse.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 62 of 2004

DATED: February 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2004-2006 COMPREHENSIVE PLAN FOR YOUTH SERVICES (YOUTH BUREAU)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Jonker

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

WHEREAS, the Montgomery County Youth Board of Directors recommends acceptance of said proposal, and

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

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed, following review and approval by the County Attorney, to sign a County Comprehensive Youth Services Plan agreement for the period commencing on May 1, 2004 and ending on December 31, 2006.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 63 of 2004

DATED: February 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - TRANSPORTATION OF FULTON COUNTY VETERANS (VETERANS SERVICES)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

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

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the

County Attorney, hereby is authorized and directed to sign a renewal agreement for the transportation of Fulton County veterans to and from the VA Medical Center in Albany, and

FURTHER RESOLVED, that said Agreement shall be for a one-year period ending on December 31, 2004, and

FURTHER RESOLVED, that said Agreement shall provide for transportation of Fulton County veterans, depending upon availability of space, at a charge of \$12.50 each way.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 64 of 2004

DATED: February 24, 2004

RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

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 2004 Operating Budget, as follows:

TRANSFER:

From: EH 34 4 6020 00 1110:

(175) LPN	1,500.00
(177) LPN	1,500.00
(178) LPN	1,500.00
(179) LPN	1,000.00
(186) LPN	3,500.00
(207) C N A	500.00
(210) C N A	1,500.00
(214) C N A	3,000.00
(215) C N A	500.00
(219) C N A	2,000.00
(221) C N A	2,000.00
(232) C N A	1,500.00
(238) C N A	3,000.00
(246) C N A	1,000.00
(249) C N A	1,000.00
(306) LPN	3,000.00
(341) ADON	6,000.00
(342) Supv. Nurse	6,000.00
(1421) Admissions Coordinator	4,000.00
(1422) Supv. Nurse	6,000.00

\$50,000.00

To: EH 34 4 6020 00 4436 Medical Fees \$50,000.00

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 65 of 2004

DATED: February 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT REHABILITATION PROGRAM (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Walters

WHEREAS, the Nursing Home Administrator has recommended renewal of a Comprehensive Rehabilitation Program Agreement at the Montgomery Meadows,

RESOLVED, that the Board of Supervisors hereby authorizes renewal of a Comprehensive Rehabilitation Program Agreement at Montgomery Meadows with Sunnyview Rehabilitation Hospital of Schenectady, New York, commencing on January 1, 2004 and ending on December 31, 2004, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Sunnyview Hospital for provision of said program services, at an annual cost not to exceed \$159,650.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 66 of 2004

DATED: February 24, 2004

RESOLUTION RESCINDING RESOLUTION 202 OF 2001 AND RE- ESTABLISHING LABOR MANAGEMENT COMMITTEE

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, resolution 202 of August 28, 2001 established the Labor Management Committee, and

WHEREAS, said resolution established the following personnel to serve on the committee:

Chairman of the Board, Chairman of the Personnel Committee, County Administrator, Personnel Officer, and other Department Heads as deemed necessary, and

WHEREAS, when issues involve members of the bargaining units contained in the Sheriff's Department, the Sheriff, and/or his representative, as co-employer shall be included, and

RESOLVED, that Resolution 202 of 2001 is hereby rescinded, and

FURTHER RESOLVED, that the Labor Management Committee is hereby re-established to include: Chairman of the Board, Vice Chairman of the Board, Chairman of Finance/Personnel Committee, Personnel Officer and other Department Heads as deemed necessary including the Sheriff, and/or his representative, as co-employer, and

FURTHER RESOLVED, that this Labor Management Committee duties will also include negotiations with all the Unions, including Non-Bargaining personnel, and

FURTHER RESOLVED, that said committee shall, within the authority granted by the Board of Supervisors, from time to time, and with the requirements to periodically report back to the Board as a whole.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Quackenbush, to insert in the second FURTHER RESOLVED clause at the end of the second line "excluding Sanitary District No. 1," passed with Aye(1868). (2/24/2004)

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 67 of 2004

DATED: February 24, 2004

RESOLUTION RESCINDING RESOLUTION NO. 372 OF 1989 & RESOLUTION NO. 204 OF 2000 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Mancini

WHEREAS, the New York State Employee's Retirement System requires a local governing body to set standards for retirement system credit for applicable part-time elected and appointed officials, and

WHEREAS, such standards are needed to set for the average number of full time equivalent (FTE) days worked by such an employees, and

WHEREAS, the Personnel Department has surveyed involved employees and has conducted the necessary research, and

WHEREAS, Resolution No. 372 of 1989 and Resolution No. 204 of 2000 approved standards for crediting retirement days for part-time elected and appointed officials, and

WHEREAS, it is necessary to rescind said resolutions and provide for new standards of credit for Retirement days for part-time elected/appointed officials as recommended by the Personnel Officer.

RESOLVED, that Resolution No. 372 of 1989 and Resolution No. 204 of 2000 hereby are rescinded, and

FURTHER RESOLVED, the Montgomery County Board of Supervisors does hereby approve the following standards for retirement days credit under the New York State Employee's Retirement System for part-time elected and appointed officials of the County of Montgomery:

RETIREMENT DAYS CREDIT
FOR
ELECTED/APPOINTED (PT) OFFICIALS

Commissioner of Elections (2)	1.38 Days
County Attorney	5.00 Days
1st Assistant District Attorney/DWI Prosecutor	7.60 Days
Assistant District Attorney	5.70 Days
Coroner - Administrator	1.78 Days
Coroner	1.50 Days
Public Defender	5.00 Days
1st Assistant Public Defender	3.85 Days
Assistant Public Defender	3.85 Days
Social Services Attorney (2)	3.85 Days
Meadows Director	3.00 Days
Jail Physician	2.31 Days
Chairman of the Board of Supervisors	2.50 Days
All Supervisors	2.00 Days
County Auditor	5.00 Days
Assistant County Attorney	4.00 Days
Budget Officer part-time	5.00 Days
Purchasing Agent	5.00 Days
Criminal Investigator	5.00 Days

FURTHER RESOLVED, that the standard work week for a part-time elected or appointed official is, at minimum, one-half of a standard 35-hour work week.

FURTHER RESOLVED, that said days credit as noted is listed on a bi-weekly basis.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Strevy, passed with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 68 of 2004

DATED: February 24, 2004

RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 2 OF 2004

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 2 of 2004, A Local Law Repealing Local Law #7 of 2002 which establish a waiting period for Appointive Employment of Elected County Officials,

RESOLVED, that Introductory Local Law No. 2 of 2004 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 _____, _____, 2004 at _____p.m., in the Chamber of the Board of Supervisors, County Office Building, 64 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 law.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Jonker, to insert in the first FURTHER RESOLVED clause "March 23" and "6:45" respectively passed with Aye(1524). Supervisors Brodie, Schumann and Cechnicki voted Nay. (2/24/2004)

RESOLUTION ADOPTED with Aye(952). Supervisors Brodie, Schumann, Dybas, Mancini, Walters, Strevy, Paton and Cechnicki voted Nay. (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 69 of 2004

****See Appendix for Resolution Attachment****

DATED: February 24, 2004

RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

WHEREAS, the Montgomery County Board of Supervisors adopted their Standing Rules of Procedure by Resolution 4 of 2004, and

WHEREAS, the Education/Government Committee has reviewed the Rules of Procedure and has made recommendations to change said Rules, and

WHEREAS, said recommendations have been incorporated into said Rules and are attached hereto,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts the amended Standing Rules of Procedure as attached hereto.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 70 of 2004

DATED: February 24, 2004

RESOLUTION EXPRESSING OPPOSITION TO PROPOSED LANDFILL - CITY OF AMSTERDAM

Resolution by Supervisor: Dybas

Seconded by Supervisor: Brodie
Mancini
Schumann
Sinicropi, Jr.

WHEREAS, the siting of a landfill for the disposal of construction and demolition debris material in the Edson Street Industrial Park, City of Amsterdam, has been proposed, and

WHEREAS, the members of the Montgomery County Board of Supervisors believe that the siting of such a landfill would be detrimental to the economic climate and quality of life within Montgomery County and specifically within the City and Town of Amsterdam,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its vehement opposition to the siting of a landfill in the City of Amsterdam or within any other community in Montgomery County, and

FURTHER RESOLVED, that this resolution should be considered a formal response to the Draft Environmental Impact Statement prepared for the proposed landfill project.

RESOLUTION ADOPTED with Aye(1868). (2/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano asked if there was anything else to come before the Board.

Supervisor Dybas made reference to the comment of the Montgomery Meadows staff being treated disrespectfully and encouraged anyone with such an issue to contact him immediately.

Also Supervisor Dybas stated he received a call from someone taking a poll on the public's opinion about the Montgomery County Board of Supervisors vote to sell the Montgomery Meadows. Supervisor Dybas expressed his concern regarding the phone call and the wrong information that is being given to the people of the Montgomery Meadows because no vote has been taken to sell the Meadows at this point.

Supervisor Dybas requested that Chairman Stagliano set up a meeting with the residents at the Montgomery Meadows so that the Board of Supervisors could put their fears to rest.

ADJOURNMENT

Motion by Supervisor DiMezza, seconded by Supervisor Strevy, to adjourn the Meeting passed with Aye (1868). Chairman Stagliano adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
 SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
 COMMITTEE MEETING - EDUCATION/GOVERNMENT
 6:00 PM, March 2, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, McMahon, Paton, Schumann. Supervisor Brodie was absent.

Additional present were Supervisors Stagliano, Strevy, Jonker, Thomas and DiMezza.

Chairman Dybas noted the agenda:

Items on the agenda, at this time, are as follows:

1. Presentation - Bob Joy of Joy, McCoola & Zilch - FMCC Master Plan Update.
2. Presentation - David Morrow, Vice President of Administration & Finance, FMCC- Financial Update of College (Middle States Response).
3. Discussion - County Government (please have your "Review of County Government Structure"

A presentation from Bob Joy of Joy, McCoola & Zilch updating the Supervisors on the Fulton Montgomery Community College Master Plan. A summary was passed out outlining the work that has been done since September 2003 on the Master Plan.

Bob Joy stated that the current Montgomery County representatives are William Strevy, David Dybas and Mike Yevoli.

Mr. Joy stated that the buildings on the campus are well designed and the construction of them are very durable, but the downside are the systems, heating/ventilating, air conditioning and in some cases the electrical and plumbing are middle age and tend to break down. He mentioned that the last master plan focused on expansion this one will focus on renewal, and the water infiltration and drainage problems need to be addressed. Mr. Joy stated that they are working with a steering committee to prioritize some of the projects.

Chairman Dybas stated that innovative ways of financing should be presented to the Committee so that valuable time is not wasted on projects. Bob Joy stated that the financing would determine what will get done and what will not. Supervisor DiMezza stated that the reason the Committee wanted a presentation is because the county needs to know what direction they will be going in.

Mike Sampone, a FMCC Trustee, presented to the Committee with the assistance of David Morrow, Vice President of Administration & Finance, a financial picture of the college, and stated that a 3-year plan needed to be presented to the Middle States Commission by April 1, 2004 in terms of how the college stands financially, with staffing levels and programs. The plan shows no increase to the county contribution next year, but a \$50,000.00 increase in the following two years. He stressed that this is only a plan that needs to be submitted to the Middle States Commission to ensure that FMCC is at least in a position to offer quality education to the students for the next 3 years.

Chairman Dybas then opened the discussion regarding County Government, Supervisor McMahon stated that this issue is again being re-visited and wanted to reiterate again that the entire board appointed a strong chairman and there is no reason to change the present county government as it stands now.

Chairman Dybas stated that some of the supervisors ran on a platform to reform county government and noted that he was not pleased with the way our current county government is structured. With that said the question he had to the committee members is "is it your intention to put something forth to the entire board that will ultimately go to the population of Montgomery County and let them decide", or should we quit now?

Supervisor McMahon stated that Montgomery County is not like Albany or Schenectady County in relation to a county executive. If the committee chooses to go the route of an elected county executive, ultimately he or she will have to hire a staff to assist in day-to-day operations and that is a concern. He also stated that if legislative districts are created you would have more levels of government.

Supervisor Schumann stated that the county government should be looked at and more discussion should be done.

Supervisor Cechnicki stated that the weighted system does a disservice to the small towns and it is a lot harder to make a difference.

Supervisor DiMezza stated he is happy with the way our County Government is currently structured. He did not see any reason to change our legislative process. Final decisions, right now, are with the Board of Supervisors because of the way the County Government is structured under County Law and that's the way it should stay.

Chairman Dybas took a poll and the committee decided to continue to review the County Government structure.

Motion to adjourn the Education/Government Committee Meeting was made by Supervisor McMahon, seconded by Supervisor Cechnicki. Chairman Dybas adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
6:00 PM, March 9, 2004

COMMITTEE MEETING DISCUSSION

Chairman Mancini presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Dybas, Quackenbush, Schumann, Sinicropi and Walters.

Additional present were Supervisors DiMezza, McMahon, Strevy, Thomas, Paton, Jonker and Stagliano.

Chairman Mancini noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Appointing Fire Coordinator
2. Discussion regarding the purchase of a new reverse-911 system (Sheriff)
3. Resolution Authorizing Chairman to Sign Renewal Agreement – Inmate Dental Services (Jail)
4. Resolution Authorizing Chairman to Sign Agreement – Impaired Driving Deterrence Program Grant (STOP DWI)
5. Other

A Resolution Appointing Montgomery County Fire Coordinator sponsored by Chairman Mancini, seconded by Supervisor Quackenbush. Chairman Mancini stated that the Montgomery County Fire Advisory Board has recommended appointing Gary Nestle as Fire Coordinator. Supervisor Dybas questioned if this position will be combined with the Emergency Management position. Supervisor Strevy noted that the Fire Advisory Board had hoped that the two positions would remain separate. The resolution, appointing Gary Nestle as Montgomery County Fire Coordinator, was moved to the Full Board with a positive recommendation.

Sheriff Amato discussed the purchase of a new reverse 911 system that could save Montgomery County money. He stated the current system CAN (Community Alert Network) had problems, so he and Gary Nestle, the Emergency Management Coordinator researched different vendors and found software by a company called Hyper-Reach that is tailored to suit Montgomery County. Supervisor Strevy asked if there was any federal money available due to Emergency Management possibly accessing the system and Sheriff Amato stated he would look into the possibility.

Supervisor DiMezza stated that a resolution with the Meyers Group, a consulting firm that will assist in the assessment and evaluation of the Telephone System is being discussed in the General Services/Public Works/Solid Waste Committee at 6:30 and the 911 system can be a part of that assessment.

The Committee suggested that discussion regarding the financing of this new reverse-911 system be sent to the Finance/Personnel Committee.

Resolution Authorizing Chairman to Sign Renewal Agreement – Inmate Dental Services for the Jail sponsored by Supervisor Dybas, seconded by Supervisor Walters. The Committee moved the resolution to the full board with a positive recommendation.

Supervisor Dybas asked Sheriff Amato if the dentist is in compliance with the HIPAA Regulations. Sheriff Amato stated that the jail was exempt, but would look into it.

Resolution Authorizing Chairman to Sign Agreement-Impaired Driving Deterrence Program Grant (Stop DWI) sponsored by Supervisor Quackenbush, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Mancini asked if there was any other business for discussion.

Sheriff Amato reviewed some monetary changes in the grant application that was authorized by Resolution #71 of 2004. He informed the Committee that they expanded on the grant even further to cover more equipment and software that could be used in the Phase 2 upgrade. This additional County commitment would be money used from 911 funds. The Committee suggested that the change in the Grant Application be reviewed with the Finance Committee.

Motion to adjourn the Public Safety Committee by Supervisor Dybas, seconded by Supervisor Walters. Chairman Mancini adjourned the meeting at 6:35 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:30 PM, March 9, 2004

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:40 p.m.

Roll call indicated Committee members present included Supervisors Mancini, McMahon, Paton, Schumann, Thomas, and Walters.

Additional present were Supervisors Brodie, Sinicropi, Dybas, Quackenbush, DiMezza, Jonker and Stagliano.

Chairman Strevy noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Awarding Bid No. 04-04 - Sale of Timber (DPW)
2. Resolution Approving 2004 Capital Projects - Road Reconstruction (DPW)
3. Resolution Authorizing Chairman to Sign Agreement - Sack & Associates - Boiler Replacement Project (DPW)
4. Resolution Authorizing Chairman to Sign Agreement - The Meyers Group, LLC - Telephone System Project (DPW)
5. Discussion Regarding MOSA
6. Other

A Resolution Awarding Bid #04-04-Sale of Timber (DPW), sponsored by Supervisor McMahon, seconded by Supervisor Walters. Supervisor Jonker noted that the Resolution should be amended to include the sale of hardwood. The resolution was moved to the full board with a positive recommendation.

Resolution Approving 2004 Capital Projects - Road Construction (DPW), sponsored by Supervisor Walters, seconded by Supervisor McMahon, moved to the Finance Committee with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement - Sack & Associates- Boiler Replacement Project (DPW), sponsored by Supervisor Thomas, seconded by Supervisor Dybas. Supervisor Dybas stated that the resolution should include the wording "at a cost not to exceed \$10,500.00 plus incurred expenses as specified". The resolution moved to the Finance Committee with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement - The Meyers Group - Telephone System Project (DPW). Sponsored by Supervisor DiMezza, seconded by Supervisor Dybas. Supervisor Schumann felt that \$15,300 was a lot of money to spend to have an engineer design bid specs when most vendors providing phone systems would give the County a assessment and evaluation free of charge. Supervisor DiMezza stated it was necessary to retain a consulting engineer to design bid specs that were tailored to what Montgomery County needed in a new phone system. Without this, vendors can come in with high dollar amounts and the systems they propose may not suit Montgomery County. The resolution was moved to the Finance Committee with a positive recommendation. Supervisor Schumann voted Nay.

Chairman Strevy stated that in October 2003 a resolution was passed that Authorized Montgomery County to enter into an agreement with Paul D. Casowitz, of Sive, Paget & Reisel in New York for the purpose looking into the Service Agreement with MOSA and the County's Municipal Solid Waste Management issues. This agreement outlined areas that Mr. Casowitz believed were the best place to begin. Chairman Strevy indicated, although retained in November, Mr. Casowitz's has not been directed on which of these areas Montgomery County was most interested in exploring and the purpose of this discussion was to decide where his legal consulting should be directed at this point. Chairman Strevy pointed out that the GAT Calculation should be looked at, an exit strategy, flow control, cost reductions in shipping waste/alternative haulers, reserves. The Committee agreed to have further discussion regarding this matter.

Motion to adjourn meeting by Supervisor Thomas, seconded by Supervisor Walters. Chairman Strevy adjourned the General Services/Public Works/Solid Waste Committee at 7:40 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
6:00 PM , March 10, 2004

COMMITTEE MEETING DISCUSSION

Chairman Sinicropi presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, Mancini, and Walters. Supervisor Brodie was absent.

Additional present were Supervisors Schumann, McMahon, Strevy, Thomas, Paton, Stagliano

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Review and Discussion of Applications for Nursing Home Administrator – Montgomery Meadows
2. Other

Chairman Sinicropi asked for a Motion to go into Executive Session to discuss the applications for the Nursing Home Administrator. A motion was made by Supervisor Mancini and seconded by Supervisor Jonker. Executive Session started at 6:07 p.m.

A motion to adjourn Executive Session was made by Supervisor Dybas and seconded by Supervisor Strevy. Chairman Sinicropi adjourned the Executive Session at 7:45 p.m.

As a result of the discussion in Executive Session, Supervisor Sinicropi stated that 14 applications were received and reviewed for the position of Administrator at the Montgomery Meadows Nursing Home and it was decided that the top 4 choices would be interviewed in the first round and the next 3 choices would be interviewed in the second round, if necessary. The Personnel Officer would be contacting these applicants and a special Committee of the Whole would be tentatively scheduled for Thursday, March 18, 2004 for interviews.

Supervisor Sinicropi also stated that a review of the responses to the RFP to sell the Meadows was completed in Executive Session. There were four interested parties and the Board would be looking to receive a presentation from each responder regarding their proposal.

A motion was made by Supervisor Dybas to adjourn the Health & Human Services/Social Services Committee meeting and Supervisor Mancini seconded it. Chairman Sinicropi adjourned the meeting at 8:00 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE OF THE WHOLE
4:30 PM , March 18, 2004

COMMITTEE MEETING DISCUSSION

Supervisor Sinicropi presided over the meeting commencing at 4:30 p.m.

Committee members present included Supervisors DiMezza, Mancini, Jonker, Thomas, Walters, Dybas, Stagliano, Strevy, McMahon, Paton, Schumann

Supervisors Brodie, Cechnicki and Quackenbush were absent.

Supervisor Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Interviews- Montgomery Meadows Administrator Applicants
2. Other

Supervisor Sinicropi asked for a Motion to go into Executive Session to hold interviews for the Montgomery Meadows Administrator. A motion was made by Supervisor DiMezza and seconded by Supervisor Mancini. Executive Session started at 5:00 p.m.

A motion to adjourn Executive Session was made by Supervisor Strevy and seconded by Supervisor Walters. Supervisor Sinicropi adjourned the Executive Session at 7:45 p.m.

As a result of the interviews in Executive Session, Supervisor Sinicropi stated that there was a consensus among the Committee of The Whole as to a leading candidate. The personnel officer was directed to offer the leading candidate the position while conducting the necessary background and reference checks.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
6:00 PM, March 22, 2004

COMMITTEE MEETING DISCUSSION

(Rescheduled from Tuesday, March 16, 2004)

Chairman DiMezza presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Sinicropi, Strevy, and Thomas. Supervisor Quackenbush was absent.

Additional present were Supervisors Schumann, Dybas, Mancini, Walters, Paton, and Stagliano.

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Approving 2004 Capital Projects – Road Reconstruction (DPW)
2. Resolution Authorizing Chairman to Sign Agreement – Sack & Associates – Boiler Replacement Project (DPW)
3. Resolution Authorizing Chairman to Sign Agreement – The Meyers Group, LLC – Telephone System Project (DPW)
4. Resolution Amending 2004 Operating Budget (Data Processing)
5. Resolution Amending 2004 Operating Budget (Public Health)
6. Resolution Awarding Bid No. 02-04 (DPW)
7. Discussion Regarding Contract – St. Mary's Hospital (Personnel)
8. Discussion Regarding Tabled Resolution No. 67 of 2004 – Resolution Rescinding Resolution No. 372 of 1989 & Resolution No. 204 of 2000 – Approving Credit for Retirement Days for Part Time Elected and Appointed Officials
9. Other

Resolution Approving 2004 Capital Projects – Road Reconstruction (DPW) sponsored by Supervisor Strevy, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation. Supervisor Cechnicki abstained.

Resolution Authorizing Chairman to Sign Agreement – Sack & Associates – Boiler Replacement Project (DPW) sponsored by Supervisor Sinicropi, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – Meyers Group – Telephone System Project (DPW) sponsored by Supervisor Jonker, seconded by Supervisor Thomas. Supervisor Schumann stated that Frontier Communications is willing to evaluate the current system and present their recommendations at no cost. Chairman DiMezza stated that the consultant would do the site walkthroughs of the buildings to evaluate the state of the current system and present their findings to the Board of Supervisors. Once this is completed, RFP's will be put out to bid. He felt that utilizing a consultant to scope the bid documents would give the County an apples-to-apples comparison once the bids were received. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2004 Operating Budget (Data), sponsored by Supervisor Thomas, seconded by Supervisor Strevy. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2004 Operating Budget (Public Health), sponsored by Supervisor Sinicropi, seconded by Supervisor Jonker. Based on figures from the Personnel Officer, Chairman DiMezza directed the Committee to insert into the draft resolution a figure of \$29,117. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Awarding Bid No. 02-04 (Public Works), sponsored by Supervisor Sinicropi, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation. Supervisor Strevy abstained.

A discussion took place regarding the Dr. Najaraj Jajoor, a General Psychiatrist at St. Mary's Hospital and how the 2003/2004 State Budget will effect his status as a state employee. Supervisor Strevy requested County Attorney, Doug Landon to interpret the letter of intention from St. Mary's Hospital. St. Mary's Hospital is requesting that the County retain Dr. Jajoor as a fulltime employee so that he may remain in the state retirement system. One problem the board is facing is the time constraint of March 31, 2004 for Dr. Jajoor's state employment dilemma.

Attorney Landon suggested that a resolution could be presented to the full board on March 23, 2004 that would allow the County to enter into an agreement with St. Mary's Hospital to be reimbursed for Dr. Jajoor's salary and benefits, should the Board decide to make Dr. Jajoor a full-time County employee. The Committee suggested that Attorney Landon craft the language of a resolution on a Motion by Supervisor Jonker and seconded by Supervisor Sinicropi and moved the proposed resolution to the full board for further discussion.

Resolution Rescinding Resolution No. 372 of 1989 & Resolution No. 204 of 2000 to Update Approval of Credit for Retirement Days for Part-Time Elected and Appointed Officials. The Committee agreed to discuss this resolution at the full board meeting due to the absence of the Personnel Officer.

Motion to adjourn the Finance/Personnel Committee by Supervisor Sinicropi, seconded by Supervisor Cechnicki. Chairman DiMezza adjourned the meeting at 6:30 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
6:30 PM, March 22, 2004

COMMITTEE MEETING DISCUSSION

(Rescheduled from Tuesday, March 16, 2004)

Chairman Sinicropi presided over the meeting commencing at 6:30 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, Mancini, and Walters. Supervisor Brodie was absent.

Additional present were Supervisors Schumann, Strevy, Thomas, Paton, Cechnicki and Stagliano

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Authorizing Chairman to Sign Agreements – Youth Programs (Youth Bureau)
2. Resolution Awarding Bid No. 03-04 (Meadows)
3. Resolution Appointing Members – Community Services Board (Mental Health)
4. Discussion Regarding Financial Update – Daryl Purinton, Marvin & Co. (Meadows)
5. Other

Resolution Authorizing Chairman to Sign Agreements – Youth Programs (Youth Bureau), sponsored by Supervisor Dybas, seconded by Supervisor Mancini. Committee moved the resolution to the full board with a positive recommendation.

Resolution Awarding Bid No. 03-04 (Meadows), sponsored by Supervisor Dybas, seconded by Supervisor Mancini, upon a brief discussion Supervisor Dybas withdrew his sponsorship and Supervisor Mancini withdrew his second. For discussion purposes Supervisor Schumann sponsored the resolution and Supervisor Jonker seconded. Chairman Sinicropi stated that the nurse/patient communication system for the Meadows is needed because of the dated system currently being used. The consensus among the supervisors was "considering the financial situation and the proposals for the purchase of the Meadows" it would be in the best interest to table the Resolution at this time.

Resolution Appointing Members – Community Service Board (Mental Health), sponsored by Supervisor Dybas, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Sinicropi asked for a Motion to go into Executive Session to discuss the Financial Update on Montgomery Meadows by Daryl Purinton of Marvin & Co. Motion was made by Supervisor Dybas and seconded by Supervisor Jonker. Executive Session started at 6:40 p.m.

A motion to adjourn Executive Session was made by Supervisor Thomas and seconded by Supervisor Dybas. Chairman Sinicropi adjourned the Executive Session at 8:00 p.m. No action was taken as a result of the Executive Session.

A motion was made by Supervisor Jonker to adjourn the Health & Human Services/Social Services Committee Meeting, seconded by Supervisor Mancini. Chairman Sinicropi adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
7:30 PM, March 22, 2004

COMMITTEE MEETING DISCUSSION

(Rescheduled from Tuesday, March 16, 2004)

Supervisor Stagliano presided over the meeting in the absence of Chairman Quackenbush. The meeting commenced at 8:05 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, DiMezza, Jonker, Strevy, and Thomas. Supervisor Paton was absent.

Additional present were Supervisors Sinicropi, Schumann, Dybas, Mancini and Walters.

Supervisor Stagliano noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Authorizing Chairman to Sign Agriculture Economic Development Funding Support Agreement – Cooperative Extension
2. Resolution Authorizing Chairman to Sign Empire Zone Administrative Services Agreement
3. Resolution Authorizing Chairman to Sign Agreement – MVEDD (Economic Opportunity)
4. Resolution Authorizing Chairman to Sign Agreement – Contract Amendment – McDonald Engineering – Florida Business Park Water and Sewer (Economic Opportunity)
5. Resolution Authorizing Chairman to Sign Deed of Gift – State Education Department (History and Archives)
6. Other

Resolution Authorizing Chairman to Sign Agriculture Economic Development Funding Support Agreement – Cooperative Extension, sponsored by Supervisor Schumann, seconded by Supervisor Thomas. The EOD Director indicated that he was having difficulty approving payment for last year's services from Cornell as they did not meet their contract requirements in their billing process. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Empire Zone Administrative Services Agreement, sponsored by Supervisor Thomas, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – MVEDD (Economic Opportunity), sponsored by Supervisor Thomas, seconded by Supervisor Cechnicki. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – Contract Amendment – McDonald Engineering – Florida Business Park Water and Sewer (Economic Opportunity), sponsored by Supervisor Strevy, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Deed of Gift – State Education Department (History & Archives), sponsored by Supervisor Schumann, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn the Economic Development/Agriculture & Planning Committee by Supervisor Jonker, seconded by Supervisor Strevy. Supervisor Stagliano adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
6:45 PM, March 23, 2004

PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 2 OF 2004

PUBLIC HEARING DISCUSSION

"A LOCAL LAW REPEALING LOCAL LAW NO. 7 OF 2002 WHICH ESTABLISHED A WAITING PERIOD FOR APPOINTIVE EMPLOYMENT OF ELECTED COUNTY OFFICIALS"

Chairman Stagliano called the Public Hearing to order at 6:45 p.m. in the Supervisors' Chambers.

The following notice was read:

INTRODUCTORY LOCAL LAW NO. 2 OF 2004

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Chambers of the Board of Supervisors, County Office Building, Broadway (Route 30A), Fonda, New York at 6:45 p.m. on Tuesday, March 23, 2004 for the purpose of holding a public hearing on Introductory Local Law No. 2 of 2004-"A Local Law Repealing Local Law No. 7 of 2002 which Established a Waiting Period for Appointive Employment of Elected County Officials."

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No. 2 of 2004 are available at the Office of the Chairman of the Board of Supervisors, County Annex Building, Park Street, Fonda, New York where they may be inspected or procured by any interested persons during business hours.

By order of the Board of Supervisors of Montgomery County.

Christine Pasquarelli, Clerk of the Board

Chairman Stagliano asked whether anyone from the public wished to speak.

Kurt Semon – Councilperson, Town of Amsterdam, Evelyn Lindley – Councilperson, Town of Root, Debbie Marek – Chairperson, Montgomery County Democratic Party and Tonya Moyer – Councilperson, Town of Root each spoke about their concerns of repealing this local law. They each stated that they had hoped that the supervisors would keep this law in place.

No other speakers.

Chairman Stagliano adjourned the public hearing at 6:53 p.m.

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
6:55 PM , March 23, 2004

PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 1 OF 2004

PUBLIC HEARING DISCUSSION

"A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE, PROPERTY IDENTIFIED AS BEING LOCATED IN THE TOWN OF ROOT (SBL #113. -1-16.2 & SBL #113. -1-16.3"

Chairman Stagliano called the Public Hearing to order at 6:55 p.m. in the Supervisors' Chambers.

The following notice was read:

INTRODUCTORY LOCAL LAW NO. 1 OF 2004

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Chambers of the Board of Supervisors, County Office Building, Broadway (Route 30A), Fonda, New York at 6:45 p.m. on Tuesday, March 23, 2004 for the purpose of holding a public hearing on Introductory Local Law No. 1 of 2004-"A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose." Property identified as being located in the Town of Root, SBL #113. -1-16.2 & SBL #113. -1-16.3.

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No. 1 of 2004 are available at the Office of the Chairman of the Board of Supervisors, County Annex Building, Park Street, Fonda, New York where they may be inspected or procured by any interested persons during business hours.

By order of the Board of Supervisors of Montgomery County.

Christine Pasquarelli, Clerk of the Board

Chairman Stagliano asked whether anyone from the public wished to speak.

No one spoke.

Chairman Stagliano adjourned the public hearing at 6:58 p.m.

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, March 23, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for March 23, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Quackenbush led the Salute to the Flag

MOMENT OF SILENCE

Supervisor Quackenbush offered a moment of silence to recognize the passing of Edwin Pellegrini who was the Superintendent of the Montgomery County Sanitary District No. 1.

ROLL CALL

Roll call indicated that Supervisors Brodie, Sinicropi, Schumann, Dybas, Mancini, DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present.

PRIVILEGE OF THE FLOOR

PUBLIC COMMENT

None

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1868).

APPROVAL OF BUDGETARY TRANSFER

Pursuant to Local Law No. 1 of 1984, Local Law No. 7 of 1988 and Local Law No. 6 of 1999 the following report of transfer approvals for January 1-February 11, 2004 is herewith re-submitted due to a change in Budget Officer.

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1868).

Pursuant to Local Law No. 1 of 1984, Local Law No. 7 of 1988 and Local Law No. 6 of 1999, the following report to transfer approvals for February 16-March 16, 2004 is herewith submitted.

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Jonker, passed with Aye(1868).

UNFINISHED BUSINESS

NONE

With the Personnel Director absent and not being able to clarify the credit for the retirement days a motion by Supervisor Strevy, seconded by Supervisor Sinicropi to table the resolution.

RESOLUTION NO. 67 of 2004

DATED: February 24, 2004

RESOLUTION RESCINDING RESOLUTION NO. 372 OF 1989 & RESOLUTION NO. 204 OF 2000 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Mancini

WHEREAS, the New York State Employee's Retirement System requires a local governing body to set

standards for retirement system credit for applicable part-time elected and appointed officials, and

WHEREAS, such standards are needed to set for the average number of full time equivalent (FTE) days worked by such an employees, and

WHEREAS, the Personnel Department has surveyed involved employees and has conducted the necessary research, and

WHEREAS, Resolution No. 372 of 1989 and Resolution No. 204 of 2000 approved standards for crediting retirement days for part-time elected and appointed officials, and

WHEREAS, it is necessary to rescind said resolutions and provide for new standards of credit for Retirement days for part-time elected/appointed officials as recommended by the Personnel Officer.

RESOLVED, that Resolution No. 372 of 1989 and Resolution No. 204 of 2000 hereby are rescinded, and

FURTHER RESOLVED, the Montgomery County Board of Supervisors does hereby approve the following standards for retirement days credit under the New York State Employee's Retirement System for part-time elected and appointed officials of the County of Montgomery:

RETIREMENT DAYS CREDIT
FOR
ELECTED/APPOINTED (PT) OFFICIALS

Commissioner of Elections (2)	1.38 Days
County Attorney	5.00 Days
1st Assistant District Attorney/DWI Prosecutor	7.60 Days
Assistant District Attorney	5.70 Days
Coroner - Administrator	1.78 Days
Coroner	1.50 Days
Public Defender	5.00 Days
1st Assistant Public Defender	3.85 Days
Assistant Public Defender	3.85 Days
Social Services Attorney (2)	3.85 Days
Meadows Director	3.00 Days
Jail Physician	2.31 Days
Chairman of the Board of Supervisors	2.50 Days
All Supervisors	2.00 Days
County Auditor	5.00 Days
Assistant County Attorney	4.00 Days
Budget Officer part-time	5.00 Days
Purchasing Agent	5.00 Days
Criminal Investigator	5.00 Days

FURTHER RESOLVED, that the standard work week for a part-time elected or appointed official is, at minimum, one-half of a standard 35-hour work week.

FURTHER RESOLVED, that said days credit as noted is listed on a bi-weekly basis.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Strevy, passed with Aye(1868). (2/24/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Mancini, passed with Aye(1868). (3/23/2004)

MOTION TO TABLE by Supervisor Strevy, seconded by Supervisor Sinicropi, Jr., passed with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

Chairman Stagliano referred to a memo in the Supervisor's packet from Supervisor Sinicropi requesting an add on Resolution for this evening's meeting.

Motion was made to SUSPEND THE RULES by Supervisor McMahon, seconded by Supervisor Quackenbush, to add the proposed Resolution onto this evening's agenda passed with Aye(1729). Supervisor Schumann was absent. The proposed Resolution will become Resolution No. 173.

RESOLUTION NO. 72 of 2004

DATED: March 23, 2004

RESOLUTION AWARDING BID NO. 04-04 SALE OF TIMBER (DPW)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Walters

WHEREAS, the Purchasing Department was authorized to solicit bids for removal of pulpwood and hardwood from the Reforestation Area,

WHEREAS, said bids were opened on February 26, 2004,

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by Baillie Lumber Company, P. O. Box 154, Boonville, NY 13309, in the amount of \$33,385.00, and

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

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 73 of 2004

DATED: March 23, 2004

RESOLUTION APPROVING 2004 CAPITAL PROJECTS ROAD RECONSTRUCTION (DPW)

Resolution by Supervisor: Walters

Seconded by Supervisor: Mancini

WHEREAS, the Commissioner of Public Works has recommended reconstruction of Oswegatchie Road and West Lykers Road in the proposed 2004 Road Program,

RESOLVED, that the Board of Supervisors hereby approves the reconstruction of Oswegatchie Road and West Lykers Road as 2004 Capital Projects, at a cost not to exceed \$877,500 and

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

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki abstained. (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Cechnicki stated his appreciation to the Board of Supervisors that the roadwork in the Town of Root is included in the 2004 Capital Project.

RESOLUTION NO. 74 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SACK & ASSOCIATES BOILER REPLACEMENT PROJECT (DPW)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

WHEREAS, it has been determined that the Boiler in the County Office Building needs replacement, and

WHEREAS, it is necessary to contract with an engineering consulting firm to provide oversight 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 Sack & Associates, 721 E. Genesee Street, Syracuse, NY 13210, at a cost not to exceed \$10,500 plus reimbursables as specified in said agreement, to assist in Boiler Replacement Engineering Services.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisors Schumann, McMahon and Cechnicki stated that other telephone entities should come in

and evaluate the current telephone system. Supervisor Jonker disagreed with Supervisors Schumann, McMahon and Cechnicki and stated that it will be money well spent to have an outside agency evaluate the telephone system.

RESOLUTION NO. 75 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THE MEYERS GROUP - TELEPHONE SYSTEM PROJECT (DPW)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

WHEREAS, it has been determined that there is a need to replace the Telephone System throughout the County, and

WHEREAS, it is necessary to contract with a technology design consulting firm to provide oversight 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 the Meyers Group, 133 Front Street, Vestal, NY 13850, at a cost not to exceed \$15,300 plus reimbursables as specified in said agreement, to assist in the assessment and evaluation of the Telephone System and the replacement thereof.

RESOLUTION ADOPTED with Aye(1520). Supervisors Schumann, McMahon and Cechnicki voted Nay. (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Strevy stated that he was affiliated with one of the bidders and that he would abstain from voting.

RESOLUTION NO. 76 of 2004

DATED: March 23, 2004

RESOLUTION AWARDING BID NO. 02-04 (PUBLIC WORKS)

Resolution by Supervisor: Sinicropi, Jr.

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 26, 2004, and

WHEREAS, the Commissioner of Public Works has reviewed the bid documents and recommended that the awards be made to the lowest responsible bidders meeting specifications,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 02-04, as follows:

A-3 CIRCULAR PIPE & PIPE ARCH

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

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

Rifenburg Construction
159 Brick Church Rd.
Troy, NY 12080

Santos Construction
39 Gilliland Ave.
Amsterdam, NY 12010

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

Cushing Stone

725 STHWY 5S
Amsterdam, NY 12010

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

Carver Sand & Gravel, LLC
494 Western Turnpike
Altamont, NY 12009

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

A-18 REFLECTIVE SHEETING FOR SIGNS

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

A-21 TRAFFIC LINE PAINTING

M & S Striping, Inc.
134 Florence St.
Mamaroneck, NY 10543-2923

A-27 RETREADING TIRES

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

Eggers Caryl & Corrigan, Inc.
P.O. Box 833, 227 Oriskany St. W.
Utica, NY 13503

A-31 FINE GRAVEL
(All Bidders – Price/Ton + Haul to Determine Vendor)

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

Santos Construction
39 Gilliland Ave.
Amsterdam, NY 12010

A-32 FOUNDATION COURSE GRAVEL

E. J. Simek, General Contractor, Inc.
P.O. Box 43
Johnstown, NY 12095

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

Otsego Iron & Metal Co.
50 Rose Ave., P.O. Box 339
Oneonta, NY 13820-0339

A-64 IN-PLACE RECYCLE 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

Gorman Brothers, Inc.
Church St., Port of Albany
Albany, NY 12202

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

Gorman Brothers, Inc.
Church St., Port of Albany
Albany, NY 12201

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

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

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

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

Carver Sand & Gravel, LLC
494 Western Turnpike
Altamont, NY 12009

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

A-81 COLD PLANING

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

A-82 HOT IN-PLACE ASPHALT RECYCLING

Highway Rehab
2258 Route 22
Brewster, NY 10509

A-83 CRUSHED ROCK SALT

No award. Reject all bids.

RESOLUTION ADOPTED with Aye(1765). Supervisor Strevy abstained. (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 77 of 2004

DATED: March 23, 2004

RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE COORDINATOR

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

RESOLVED, that Gary Nestle is hereby appointed Fire Coordinator for Montgomery County for a term commencing on April 5, 2004 and ending on December 31, 2004 at an annual salary of \$6,550.

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

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 78 of 2004

DATED: March 23, 2004

RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF THE DEPARTING MONTGOMERY COUNTY FIRE COORDINATOR GEORGE KING

Resolution by Supervisor: Full Board
Seconded by Supervisor:

WHEREAS, George King has resigned from his position as the Montgomery County Fire Coordinator effective February 29, 2004, and

WHEREAS, George King has served with honor and dignity as the Montgomery County Fire Coordinator since 1998,

RESOLVED, that the Montgomery County Board of Supervisors hereby honors George King for his outstanding accomplishments while serving the County of Montgomery and wishes him well in his future endeavors.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 79 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT IMPAIRED DRIVING DETERRENCE PROGRAM GRANT (STOP DWI)

Resolution by Supervisor: Quackenbush
Seconded by Supervisor: Siniropi, Jr.

WHEREAS, the Montgomery County Stop DWI Program has been awarded a \$12,470.00 grant from the Governor's Traffic Safety Committee to participate in the statewide Impaired Driving Deterrence Program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the Governor's Traffic Safety Committee to participate in the statewide Impaired Driving Deterrence Program, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:

Revenue:

A-32-3-3324-00	
Law Enforcement/Drug Enforcement Program	\$12,470.00

Appropriations:

A-32-4-3315-00.2250	
Stop DWI Technical Equipment	\$5,750.00

A-32-4-3315-00.4550	
Stop DWI Grants-Other Gov't/Agency	\$6,720.00

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon

Christine Pasquarelli

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 80 of 2004**DATED:** March 23, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS (YOUTH BUREAU)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

WHEREAS, funds were appropriated in the 2004 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)	\$ 470.00
Alcohol & Substance Abuse Council (Eckerd Drug Quiz Show)	250.00
Amsterdam High School (After Ball Party)	500.00
Amsterdam Police Explorers	500.00
Amsterdam Sea Rams Swim Club	500.00
Canajoharie Central School (After Prom Party)	500.00
Cub Scouts of America	200.00
Fonda Fultonville Central School (After Prom Party)	500.00
Fonda Fultonville Summer Softball	250.00
Fort Hunter Free Library (Summer Reading Program)	700.00
Fort Plain Biddy Basketball	300.00
Fort Plain Central School (After Prom Party)	500.00
Fort Plain Free Library (Summer Reading Program)	300.00
Friends of the Visual & Performing Arts (Summer Band)	750.00
Hispanic Outreach Services (Hispanic Youth Summer Life Enrichment Program)	480.00
Inter-Church Basketball League	300.00
Schoharie River Center (Summer Archeology Field School)	500.00
Walter Elwood Museum (After School & Summer Programs)	500.00

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 81 of 2004****DATED:** March 23, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT INMATE DENTAL SERVICES (JAIL)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Walters

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

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Daniel Kana, D.D.S. of Bedford, NH, for the provision of dental services to inmates at the Montgomery County Jail, and

FURTHER RESOLVED, that said agreement shall be for the period commencing on January 1, 2004 and ending on December 31, 2004, with compensation at the rate of \$1,200 per month, not to exceed \$14,400

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 82 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ASHER GROUP NEW REVERSE-911 SYSTEM (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

WHEREAS, the Sheriff has recommended the use of a new reverse-911 system that will be more cost effective and efficient for the County,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Asher Group of Rochester, NY for the use of a new reverse 911 system called Hyper-Reach for a one-time development fee of \$4,500 and at a monthly account management fee of \$300 and a cost per minute usage fee of \$.20.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 83 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGRICULTURE ECONOMIC DEVELOPMENT FUNDING SUPPORT AGREEMENT COOPERATIVE EXTENSION

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

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 2004, in an amount not to exceed \$15,000.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 84 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN EMPIRE ZONE ADMINISTRATIVE SERVICES AGREEMENT

Resolution by Supervisor: Thomas

Seconded by Supervisor: Sinicropi, Jr.

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,

FURTHER RESOLVED, that said agreement, commencing on July 1, 2004 and ending on June 30, 2005, shall provide for a total annual payment of \$11,700 to the City Controller.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 85 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MVEDD (ECONOMIC OPPORTUNITY)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Cechnicki

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, 2004, and ending on December 31, 2004.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 86 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIR TO SIGN AGREEMENT CONTRACT AMENDMENT MCDONALD ENGINEERING FLORIDA BUSINESS PARK WATER AND SEWER (ECONOMIC OPPORTUNITY)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thomas

WHEREAS, Montgomery County currently has a contract with McDonald Engineering to provide services related to preparing an Environmental Impact Statement, preliminary planning engineering, preparation of engineering maps for a special water and sewer district and other related engineering services, and

WHEREAS, McDonald Engineering has submitted a request to increase the contract amount, and

WHEREAS, the original project did not contemplate dealing with the specific issues related to the transfer of ownership from Kmart to Target distribution center located in the Florida Park, and

WHEREAS, such issues included significant time delays in the completion of the project and additional meetings and work items related to ensuring water and sewer service were adequate for Target.

WHEREAS, this additional scope of service is an eligible expense for EDA funding,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an amendment agreement with John M. McDonald Engineering, of Schenectady for said engineering services at an increased cost of the total fee not to exceed \$22,000.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 87 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN DEED OF GIFT STATE EDUCATION DEPARTMENT (HISTORY & ARCHIVES)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, archeological materials associated with a late-nineteenth century commercial block were recovered from property owned by Montgomery County during a NYSDOT cultural resources survey, and

WHEREAS, the NYS Department of Education has considered said materials important evidence of local and state history, and

WHEREAS, the NYS Museum wishes to retain said materials as part of its permanent collection, and

WHEREAS, the NYS Museum would like Montgomery County to formally donate said materials to the Museum for the continuing benefit of research and public education, and

WHEREAS, the County Historian has reviewed this request and has found said artifacts are items not necessarily significant in assessing the history of Montgomery County specifically,

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 effectuating said transfer of historic archeological materials to the New York State Museum.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 88 of 2004

DATED: March 23, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET (DATA)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Strevy

WHEREAS, the Director of Data Processing has requested to amend the 2004 operating budget to reinstate a former employee who was a Computer Programmer, and

WHEREAS, in the best interest of the County, the Personnel Officer, according to Civil Service Rules and Regulations, may reinstate a former employee for up to three (3) years,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

From:

A-14-4-1680-00	. 1110 (99)	Data Processing Computer Programmer/Analyst	\$20,228.00
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To:

A-14-4-1680-00	. 1110(291)	Data Processing Computer Programmer	\$20,228.00
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RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 89 of 2004

DATED: March 23, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Jonker

WHEREAS, by Resolution 61 of 2004, the Board of Supervisors changed the title of the Supervising Public Health Nurse in the Public Health Department to the Assistant Director of Public Health, and

WHEREAS, the position of Assistant Director of Public Health is at the same salary and the same non-bargaining status as the Supervising Public Health Nurse, and

WHEREAS, it is necessary to establish a line item in the 2004 Operating Budget to providing funds for said position,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

From:
A-16-4-4010-00 . 1110(423) Public Health Supervising Public Health Nurse \$29,117

To:
A-16-4-4010-00 . 1110(281) Public Health Assistant Director of Public Health \$29,117

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 90 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR AN INTERIM LICENSED MEADOWS ADMINISTRATOR

Resolution by Supervisor: Dybas

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Interim Administrator of the Montgomery County Meadows has resigned and her last day of work is April 2, 2004, and

WHEREAS, there must be a licensed Administrator, who has responsibility to maintain the operations of the facility, and

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to extend an agreement with Theresa Blumberg as Licensed Consultant Administrator effective 3/20/04 through 6/30/04 if needed, and

FURTHER RESOLVED, that Robin Adams, Nurse Practitioner, is hereby appointed Interim Administrator at a salary of \$58,710, effective April 3, 2004 until a permanent replacement is appointed.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 91 of 2004

DATED: March 23, 2004

RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Meadows has a vacancy for a Licensed Nursing Home Administrator and,

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

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Mancini, passed with Aye(1868). (3/23/2004)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano stated a brief Executive Session was needed to discuss the Appointing of the Nursing Home Administrator at the Montgomery Meadows.

Pursuant to Section 105 (f) and (h) of NYS Open Meeting Law, Chairman Stagliano asked for a Motion to go into Executive Session to discuss the status of the hiring of the Nursing Home Administrator for the Montgomery Meadows

Motion to go into Executive Session by Supervisor Sinicropi, seconded by Supervisor DiMezza passed with Aye (1868). Executive Session began at 7:40 p.m.

A Motion to adjourn the Executive Session by Supervisor DiMezza, seconded by Supervisor Dybas passed with Aye (1868). Executive Session ended at 8:05 p.m. No action was taken as a result of the Executive Session.

RESOLUTION NO. 92 of 2004

DATED: March 23, 2004

RESOLUTION AWARDDING BID NO. 03-04 (MEADOWS)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, the Purchasing Agent was authorized to solicit bids for the furnishing and installation of a nurse/patient communications system for the Montgomery Meadows Residential Health Care Facility, and

WHEREAS, said bids were opened on February 27, 2004,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 03-04, as follows:

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Walters, passed with Aye(1221). Supervisors Sinicropi, Jr., Schumann, Quackenbush, Paton and Cechnicki voted Nay. (3/23/2004)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 93 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 CONDOR CONSTRUCTION - BOOKSTORE INTERIOR WATER INFILTRATION REPAIR PROJECT (FMCC)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, Resolution 276 of 2003 awarded a contract for the Bookstore Interior Water Infiltration Repair Project at Fulton-Montgomery Community College to Condor Construction of Colonie, New York, and

WHEREAS, said contract is ready to be closed out and to do so requires a credit Change Order,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the following change Order to the contract with Condor Construction for the Bookstore Interior Water Infiltration Repair Project:

Change Order No. 1 (To credit back to the unused balance (-)\$2,000.00 of the Contingency Allowance contained in the original contract)

Original Contract Amount:	\$31,430.00
Proposed Change Order #1	(-) 2,000.00
	\$29,430.00

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the closeout of said contract with Condor Construction and the issuance of final payments and retainages to

said contractor, and

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

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 94 of 2004

DATED: March 23, 2004

RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, Section 41.11 of Mental Hygiene Law provides for the appointment of members by the Board of Supervisors to the Local Community Service Board,

RESOLVED, that following are hereby appointed as members of the Montgomery County Community Services Board:

Joan S. Conboy of	116 Palatine Church Road, Fort Plain, NY
Jan Tucci of	784 Co. Hwy 110, Broadalbin, NY
Richard Allen of	790 Old Trail Road, Fonda, NY
Holly Dargush of	110 Saratoga Avenue, Amsterdam, NY
Kim Jordan of	352 Division Street of Amsterdam, NY
Patricia Goodspeed of	502 Noonan Road, Fort Johnson, NY
Letah Graff of	156 Langley Road, Amsterdam, NY

and

FURTHER RESOLVED, that said terms shall commence on January 1, 2004 and end on December 31, 2007.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 95 of 2004

DATED: March 23, 2004

****See Appendix for Resolution Attachment****

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 2004 SALE OF COUNTY- OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Walters

WHEREAS, on February 24, 2004 a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose" (Town of Root) was presented to the Board of Supervisors for consideration, and

WHEREAS, on February 24, 2004 Resolution No. 58 of 2004 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 23rd day of March, 2004, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 1 of 2004, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property, Note Needed for a County Purpose" (Town of Root) 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(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor McMahon stated that the Law was written pertaining to other circumstances and not

intended for the Budget Officer. Supervisor Strevy stated that the law makes perfect sense and does not need to be changed. Supervisor Walters made a reference to the local newspapers and how much attention this local law is receiving. Supervisor Jonker stated that the local law and the way it was written does not include the Budget Officer and that Chairman Stagliano is taking the brunt of all the controversy.

Supervisor Dybas stated that if the public felt the Board of Supervisors were violating the local law there are legal measures that could be taken and with that statement he called the question.

RESOLUTION NO. 96 of 2004

****See Appendix for Resolution Attachment****

DATED: March 23, 2004

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2004 REPEAL OF LOCAL LAW NO. 7 OF 2002 WHICH ESTABLISHED A WAITING PERIOD FOR APPOINTIVE EMPLOYMENT FOR ELECTED OFFICIALS

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Di Mezza

WHEREAS, on February 24, 2004 a proposed Local Law for the County of Montgomery, entitled: "A Local Law Repealing Local Law No. 7 of 2002 Which Established a Waiting Period for Appointive Employment for Elected Officials", was presented to the Board of Supervisors for consideration, and

WHEREAS, on February 24, 2004 Resolution No. 68 of 2004 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 23rd day of March, 2004, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 2 of 2004, entitled: "A Local Law Repealing Local Law No. 7 of 2002 Which Established a Waiting Period for Appointive Employment for Elected Officials", hereby is adopted and is incorporated and attached hereto, and

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

MOTION TO CALL THE QUESTION by Supervisor Dybas, seconded by Supervisor Thomas, passed with Aye(1868). (3/23/2004)

RESOLUTION DEFEATED with Aye(137). Supervisor Siniropi, Jr. voted Aye. Supervisor Stagliano abstained. (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 97 of 2004

DATED: March 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT - PSYCHIATRIST (MENTAL HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Walters

WHEREAS, Dr. Nagaraj Jajor, a psychiatrist, has for many years treated Montgomery County residents through St. Mary's Hospital Adult Mental Health Clinic but as an employee of New York State, and

WHEREAS, the 2003-2004 New York State budget provides for such shared employees to be returning to their home institutions which, in the case of Dr. Jajor, is the Mohawk Valley Psychiatric Center in Utica, and

WHEREAS, Montgomery County and St. Mary's Hospital are desirous of maintaining Dr. Jajor in Montgomery County due to issues of continuity of treatment, professional respect, etc.

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to enter into an agreement with Dr. Jajor and/or St. Mary's Hospital providing for Dr. Jajor to become an employee of Montgomery County but with the cost of all salary and benefits relative to such employment to be reimbursed to the county by St. Mary's Hospital.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 98 of 2004**DATED:** March 23, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ALTREYA CONSULTING REVENUE MAXIMIZATION SERVICES**

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Jonker

WHEREAS, the County desires to identify potential revenue generating initiatives throughout County departments, and

WHEREAS, it is necessary to contract with a consulting agency to provide said Revenue Maximization Services,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval by the County Attorney, is hereby authorized and directed to enter into an agreement with Altreya Consulting, LLC of Pittsford, New York for Revenue Maximization Services at a 20% Contingency Rate as outlined in their proposal.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 99 of 2004****DATED:** March 23, 2004**RESOLUTION INDICATING A VOTE OF CONFIDENCE FOR THE CURRENT CHAIRMAN - DOMINICK STAGLIANO AND HIS APPOINTMENT AS BUDGET OFFICER OF MONTGOMERY COUNTY**

Resolution by Supervisor: Full Board

Seconded by Supervisor:

RESOLVED, that the Montgomery County Board of Supervisors hereby indicates a vote of confidence in the ability and qualifications of Chairman Stagliano as Budget Officer.

RESOLUTION ADOPTED with Aye(1868). (3/23/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**ADJOURNMENT**

Chairman Stagliano asked if there was anything else to come before the Board.

MOTION TO ADJOURN by Supervisor Quackenbush, seconded by Supervisor Sinicropi, Jr., passed with Aye(1868). Chairman Stagliano adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
6:00 PM, March 29, 2004

CALL TO ORDER

Chairman Stagliano called the Special Meeting of the Montgomery County Board of Supervisors for March 29, 2004 to order at 6:00 p.m.

ROLL CALL

Roll call indicated that Supervisors DiMezza, Mancini, Jonker, Thomas, Dybas, Strevy, McMahon, Sinicropi, Quackenbush and Walters were present. Supervisors Schumann, Cechnicki and Brodie were absent.

STATEMENT OF PURPOSE OF MEETING

Chairman Stagliano noted the agenda:

1. Presentation – Amsterdam Memorial Hospital – Purchase/Lease – Montgomery Meadows
2. Other

Pursuant to Section 105 (h) of NYS Open Meeting Law, Chairman Stagliano asked for a Motion to go into Executive Session to discuss the Presentation of Amsterdam Memorial Hospital – Purchase/Lease – Montgomery Meadows.

MOTION TO ENTER EXECUTIVE SESSION by Supervisor Mancini, seconded by Supervisor Thomas, passed with Aye(1524). Supervisors Brodie, Schumann and Cechnicki were absent.

Executive Session started at 6:05 p.m.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor Dybas, seconded by Supervisor DiMezza, passed with Aye(1524). Supervisors Brodie, Schumann and Cechnicki were absent.

Chairman Stagliano adjourned the Executive Session at 8:00 p.m.

As a result of the Executive Session, the Board took no action regarding the presentation given by Amsterdam Memorial Hospital.

Chairman Stagliano apprised the Board that negotiations are still on going with the leading candidate for the Nursing Home Administrator at the Montgomery Meadows and it is anticipated that this will be finalized by March 30, 2004.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Strevy, passed with Aye(1524). Supervisors Brodie, Schumann and Cechnicki were absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
6:00 PM, March 30, 2004

CALL TO ORDER

Chairman Stagliano called the Special Meeting of the Montgomery County Board of Supervisors for March 30, 2004 to order at 6:00 p.m.

ROLL CALL

Roll call indicated that Supervisors Thomas, Jonker, Mancini, Walters, Dybas, Strevy, McMahon, Sinicropi, Paton and DiMezza were present. Supervisors Schumann, Cechnicki, Quackenbush and Brodie were absent.

STATEMENT OF PURPOSE OF MEETING

Chairman Stagliano noted the agenda:

1. Presentation – Pontiac Nursing Home – Purchase/Lease – Montgomery Meadows
2. Other

Pursuant to Section 105 (f) and (h) of NYS Open Meeting Law, Chairman Stagliano asked for a Motion to go into Executive Session to discuss the status of the hiring of the Nursing Home Administrator for the Montgomery Meadows and for the Presentation of Pontiac Nursing Home – Purchase/Lease – Montgomery Meadows.

MOTION TO ENTER EXECUTIVE SESSION by Supervisor Sinicropi, Jr., seconded by Supervisor Strevy, passed with Aye(1366). Supervisors Brodie, Schumann, Quackenbush and Cechnicki were absent.

Executive Session started at 6:00 p.m.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor Walters, seconded by Supervisor Jonker, passed with Aye(1366). Supervisors Brodie, Schumann, Quackenbush and Cechnicki were absent.

Chairman Stagliano adjourned the Executive Session at 7:25 p.m.

As a result of the Executive Session, no action was taken by the Board regarding the presentation given by Pontiac Nursing Home.

The Board discussed their decision to appoint a Nursing Home Administrator for the Montgomery Meadows. Local Law #2 of 1985 established the Montgomery Meadows department and sets a term for the appointment of the Nursing Home Administrator at five years. Supervisor McMahon expressed his concern with appointing a new administrator for a five-year term, considering the uncertainty of the Montgomery Meadows.

The County Attorney, Doug Landon, advised the board that they could consider amending the a Local Law and also advised that the immediate Resolution for Appointing Nursing Home Administrator should include the term "Interim Administrator", until the Local Law was amended.

A Motion was made by Supervisor McMahon, seconded by Supervisor Dybas to establish a public hearing for the purpose of amending Local Law No. 2 of 1985. The amendment would remove the language regarding the required five-year term for the Nursing Home Administrator.

ACTION ON BUSINESS

RESOLUTION NO. 100 of 2004

DATED: March 30, 2004

RESOLUTION APPOINTING AN INTERIM NURSING HOME ADMINISTRATOR

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Meadows has a vacancy for a Licensed Nursing Home Administrator, and

RESOLVED, that Donald F. Dalger is hereby appointed to serve as Interim Administrator at

Montgomery Meadows commencing on April 5, 2004 at an annual salary of \$82,500, and

FURTHER RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM

EH-34-4-6020-00-1120 (115) Part-time Employees \$18,500.00

TRANSFER TO:

EH-34-4-6020-00-1110 (261) Nursing Home Administrator \$18,500.00

RESOLUTION ADOPTED with Aye(1116). Supervisor Strevy voted Nay. Supervisor Paton abstained. Supervisors Brodie, Schumann, Quackenbush and Cechnicki were absent. (3/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 101 of 2004

DATED: March 30, 2004

RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3 OF 2004 - A LOCAL LAW TO AMEND LOCAL LAW #2 OF 1985 WHICH ESTABLISHED A MONTGOMERY COUNTY INFIRMARY DEPARTMENT

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 3 of 2004, A Local Law Amending Local Law #2 of 1985 which established a Montgomery County Infirmary Department,

RESOLVED, that Introductory Local Law No.3 of 2004 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 April 27, 2004 at 6:55 p.m. in the Chamber of the Board of Supervisors, County Office Building, 64 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 law.

RESOLUTION ADOPTED with Aye(1366). Supervisors Brodie, Schumann, Quackenbush and Cechnicki were absent. (3/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Sinicropi, Jr., passed with Aye(1366). Supervisors Brodie, Schumann, Quackenbush and Cechnicki were absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
6:30 PM, April 6, 2004

COMMITTEE MEETING DISCUSSION

Chairman Mancini presided over the meeting commencing at 6:30 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Quackenbush, Schumann, Sinicropi and Walters. Supervisor Dybas was absent.

Additional present were Supervisors: McMahon, Strevy, Paton, Thomas and Jonker

Chairman Mancini noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion Regarding K-9 Program – Corrections Division
2. Discussion regarding NYS DCJS Bureau of Justice Funding Grant Application (Sheriff)
3. Resolution Approving Montgomery County Pre-Mitigation Disaster Plan (Emergency Management)
4. Discussion Regarding Montgomery County Emergency Medical Council and AAREMS Representation
5. Other

Sheriff Amato stated that the K-9 Program for the Corrections Division has been receiving donations from the private sector and the funds are available to fund the program with no cost to the county. Supervisor Strevy questioned the cost of the handler for the canine. Sheriff Amato stated that the money has already been budgeted for the handler.

Supervisors Quackenbush and Sinicropi stated that they support the program and an action from the Committee should be recommended. Supervisor Schumann stated that she would sponsor a Resolution that amended the 2004 Operating Budget to provide for the K-9 program. The resolution was seconded by Supervisor Quackenbush and moved with a positive recommendation to the full board.

Sheriff Amato stated that the NYS Division of Criminal Justice Services grant application is completed for the purchase of a new 4x4 patrol vehicle and equipment for the Road Patrol K-9 Unit and is seeking approval from the Board of Supervisors for the 10% matching funds to submit the application. The Sheriff said that the 10% match could come out of the line item for a retiring employee in the Sheriff's department. Supervisors Quackenbush sponsored a resolution to authorize the Sheriff to apply for grant funds. The motion was seconded by Supervisor Sinicropi and moved with a positive recommendation to the full board.

Resolution Authorizing Submission of the Montgomery County Pre-Mitigation Disaster Plan (Emergency Management) sponsored by Supervisor Quackenbush, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation. Supervisor Schumann abstained because she sat on the Committee that developed the plan.

Chairman Mancini introduced Pam VanAlstyne, President of the Montgomery County Emergency Medical Council. Pam had requested to be on the agenda to discuss an ongoing issue regarding the Council and how it was created and whether or not the Board of Supervisors governed them. She was also requesting that individuals from the Montgomery County Emergency Medical Council be appointed to the Adirondack-Appalachian Emergency Medical Services Council (AAREMS), as Montgomery County is entitled to representation on this regional council and their bylaws state that the Board of Supervisors will approve recommendations for appointment. Ms. VanAlstyne was not clear how many people needed to be appointed because the director of AAREMS has been on vacation. After a lengthy discussion regarding both issues, the Committee determined that further review would need to be done by the County Attorney regarding the make up of the Montgomery County Emergency Medical Council and further clarification was needed from AAREMS regarding Montgomery County appointments to the AAREMS Board. Chairman Mancini stated that a follow up Public Safety Committee would be scheduled and all parties will be notified accordingly.

Chairman Mancini stated that the Sheriff had some additional information to review with the Committee. Sheriff Amato was notified that his department would be awarded the grant money he applied for by Resolution No. 71 of 2004 (Resolution Authorizing Chairman to Sign Grant Application – 911 Expedited Deployment Grant-Sheriff). As a result of this notification he has requested additional resolutions to accept the grant funding and to make the appropriate amendments to the 2004 Operating Budget. He also requested the use of additional E911 Reserve Funds to pay for additional equipment that could be purchased as part of this upgrade. Further discussion, led to the discovery that Resolution 46 of 2004 would need to be amended as part of this system upgrade, since this resolution only provides for \$50,000 to be spent on GIS Mapping and now the Sheriff feels there will be an increase in that spending. Sheriff Amato further explained that some budgetary adjustments would need to be made to the grant funding and the matching funds in resolution No. 71. The committee directed the Sheriff to work with the

Treasurer and the Administrative Aide regarding the details of these resolutions and then asked that they be moved to the full board with a positive recommendation.

Motion was made by Supervisor Quackenbush to adjourn the Public Safety Committee Meeting, seconded by Supervisor Sinicropi. Chairman Mancini adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
 SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
 COMMITTEE MEETING - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
 7:00 PM, April 6, 2004

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:15 p.m.

Roll call indicated Committee members present included Supervisors Jonker, Paton, Strevy, Thomas, Supervisors Cechnicki and DiMezza were absent.

Additional present were Supervisors: McMahon, Sinicropi, Brodie, Schumann and Walters

Chairman Quackenbush noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion – Update Cornell Cooperative Extension of Fulton and Montgomery Counties
2. Discussion – Update Montgomery County Ag/Economic Development Advisory Board
3. Discussion – Update Montgomery County Tourism Advisory Board
4. Resolution Establishing Planner Trainee Position – Economic Opportunity and Development
5. Other

Chairman Quackenbush introduced Marilyn Smith, Executive Director of the Cornell Cooperative Extension of Fulton and Montgomery Counties. Ms. Smith stated the function of Cornell Cooperative and presented an overview. She touched on the financing aspect, the advisory board, nutrition and health, the master gardeners program that is run by volunteers and stated that it is a huge success. Even though the funding has been cut during budget time, Ms. Smith stated Cornell still has the dairy team and wanted to stress to the Committee that Cooperative Extension is driven by local needs. Ms. Smith stated she would appreciate any feedback from the Board of Supervisors regarding Cornell and felt that any dialog between both parties would only make the organization stronger and better.

Another discussion by Christine Nellis from the Montgomery County Agriculture/Economic Development Advisory Board addressed the committee and their function. She stated the purpose of the Agriculture Economic Development Project is to initiate and assist with efforts to create a business atmosphere that is conducive to the continuation and expansion of farming and agricultural businesses within Montgomery County. Ms. Nellis stated that one of the goals is to serve as a one-stop resource center for farmers and agribusiness for services available.

Chairman Quackenbush stated the reason a discussion on the Montgomery County Tourism Advisory Board is taking place is because he has received numerous calls regarding the Advisory Board and their role. In order to get a handle on the concerns expressed, the Economic Development/Agriculture & Planning Committee felt they needed to have some dialog with the Montgomery County Tourism Advisory Board to get some clarification as to the function of their board.

Barbara Spraker, Chairperson of the Montgomery County Tourism Advisory Board (TAC), was unable to attend and asked that Debbie Auspelmeyer, President of the Montgomery County Chamber of Commerce attend in her place. When Debbie was unavailable, she asked Pat Beck, Chairperson, Montgomery County Chamber of Commerce to attend in her place. Ms. Beck stated that the Tourism Advisory Board is looking for a number of appointments to be made by the Board of Supervisors, because right now there are currently only a few people that are actually appointed to the TAC, yet there are approximately 15 other individuals that play an active role in Montgomery County Tourism and attend the scheduled TAC meetings, yet have no voting rights because they are not officially appointed by the Board of Supervisors. Ms. Beck also stated that the TAC is also looking for some direction from the Economic Development/Agriculture & Planning Committee because recent TAC meetings have not been well organized and there is a lot of confusion among the people involved and it needs to be cleared up if a common goal is ever reached.

She further stated that the reason the TAC was created was because of an unproductive relationship with the Leatherstocking Country, when they were the County's Tourism Promotion Agency (TPA). The TAC was created to oversee the tourism program. She said that the TPA must get approval of the Tourism Plan from the TAC. The big issue Ms. Beck stated was that the TAC was not meeting on a regular basis and that they did not even know who was on the Board so the Chamber of Commerce, as the TPA would act as the lead agency.

Chairman Quackenbush stated that the Montgomery County Occupancy Tax Board has scheduled a meeting after the Economic Development/Agriculture and Planning Committee because they are having the same concerns regarding creation and role. He invited Ms. Beck to attend and hopefully the issues being brought up will be discussed and some form of direction should be accomplished at the conclusion of their meeting.

Mike Yevoli, EOD/Planning Director, stated that he has not received any qualified applicants for the Assist Planner position and recommended that a Planner Trainee position be established instead. A Resolution Establishing a Planner Trainee Position – Economic Opportunity and Development, sponsored by Supervisor Thomas, seconded by Supervisor Strevy, moved to the full board with a positive recommendation.

Motion to adjourn the Economic Development/Agriculture & Planning Committee by Supervisor Thomas, seconded by Supervisor Jonker. Supervisor Quackenbush adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
6:00 PM, April 13, 2004

CALL TO ORDER

Chairman Stagliano called the Special Meeting of the Montgomery County Board of Supervisors for April 13, 2004 to order at 6:00 p.m.

ROLL CALL

Roll call indicated that Supervisors Sinicropi, Schumann, Dybas, DiMezza, McMahon, Walters, Strevy, Thomas, Paton, and Jonker. Supervisors Brodie, Mancini and Cechnicki were absent.

STATEMENT OF PURPOSE OF MEETING

Chairman Stagliano noted the agenda:

Items on the agenda, at this time, are as follows:

1. Presentation – Highgate LTC Management, LLC– Purchase/Lease – Montgomery Meadows
2. Other

Pursuant to Section 105 (h) of NYS Open Meeting Law, Chairman Stagliano asked for a Motion to go into Executive Session to discuss the Presentation of Highgate LTC Management, LLC – Montgomery Meadows. Motion was made by Supervisor DiMezza, seconded by Supervisor Walters. Executive Session started at 6:05 p.m.

A Motion to Adjourn Executive Session was made by Supervisor Sinicropi, seconded by Supervisor McMahon. Chairman Stagliano adjourned the Executive Session at 8:05 p.m.

As a result of the Executive Session, no action was taken by the Board regarding the presentation given by Highgate LTC Management, LLC.

ADJOURNMENT

Motion to adjourn by Supervisor DiMezza, seconded by Supervisor Sinicropi passed with an Aye (1526). Supervisors Brodie, Mancini and Cechnicki were absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:00 PM , April 20, 2004

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Mancini, McMahon, Paton, Schumann, Thomas, and Walters

Additional present were Supervisors: Cechnicki, Sinicropi, Dybas, Quackenbush, Jonker and Stagliano

Chairman Strevy noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Authorizing Disposal of Surplus Computer Equipment
2. Resolution Amending 2004 Operating Budget – Temporary Position (Public Works)
3. Discussion Regarding MOSA – Paul D. Casowitz – Sive, Paget & Reisel, P.C.
4. Other

Deborah Bain, Director of Data Processing/Printing Department stated that her department has an excess of outdated computer equipment and she was looking for some input from the Board of Supervisors as to how to dispose of the equipment. Deb Bain stated that there is no fixed asset value attached to the equipment.

Supervisor McMahon stated that if the computer equipment is carried on the books as a fixed asset and it has no dollar value it should be donating to deserving organizations not land filled. Supervisor Thomas agreed. Supervisor Dybas requested that a list be prepared of the equipment that we would be donating. Chairman Strevy directed Ms. Bain to prepare a list of equipment to be attached to the resolution allowing for the donation of computer equipment that had no dollar value. Supervisor Thomas sponsored the resolution, seconded by Supervisor Schumann and moved with a positive recommendation to the full board.

Resolution Amending 2004 Operating Budget – Temporary Position (Public Works). Paul Clayburn, Commissioner of DPW stated the reason he needed to hire a temporary Motor Equipment Operator I (MEO 1) was due to an employee out of work and was not sure how long this individual would be out. Mr. Clayburn stated that this is only temporary and the person hired would fully understand the circumstances. Supervisor Sinicropi sponsored the resolution, seconded by Supervisor Walters and moved with a positive recommendation to the full board.

Pursuant to Section 105 (d) of NYS Open Meeting Law, Chairman Strevy asked for a Motion to go into Executive Session to discuss MOSA, with Paul D. Casowitz, Attorney at Law with the firm of Sive, Paget & Reisel, P.C. Motion was made by Supervisor Quackenbush, seconded by Supervisor McMahon. Executive Session started at 6:23 p.m.

A Motion to Adjourn Executive Session was made by Supervisor Walters, seconded by Supervisor Mancini. Chairman Strevy adjourned the Executive Session at 7:40 p.m.

As a result of the Executive Session, no action was taken by the Board regarding the discussion with Attorney Casowitz.

Motion was made by Supervisor Mancini, seconded by Supervisor McMahon to adjourn the meeting. Chairman Strevy adjourned the General Services/Public Works/Solid Waste Committee Meeting at 7:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
7:00 PM , April 20, 2004

COMMITTEE MEETING DISCUSSION

Chairman Sinicropi presided over the meeting commencing at 7:45 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, Mancini, and Walters. Supervisor Brodie was absent

Additional present were Supervisors: Schumann, McMahon, Strevy, Thomas, Quackenbush, Paton, Cechnicki and Stagliano

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Amending 2004 Operating Budget – Immunization Action Plan Grant (Public Health)
2. Resolution Amending 2004 Operating Budget – Lead Poisoning and Prevention Grant (Public Health)
3. Resolution Transferring Funds (Veterans Services)
4. Other

Resolution Amending 2004 Operating Budget – Immunization Action Plan Grant (Public Health), sponsored by Supervisor Quackenbush, seconded by Supervisor Dybas and moved with a positive recommendation to the full board.

Resolution Amending 2004 Operating Budget – Lead Poisoning and Prevention Grant (Public Health) sponsored by Supervisor Quackenbush, seconded by Supervisor Schumann and moved with a positive recommendation to the full board.

Resolution Transferring Funds (Veterans Services). Supervisor Dybas recommended that the resolution should state that the indigent burial costs would be for Veterans only. Supervisor Dybas sponsored the resolution as changed, seconded by Supervisor Mancini and moved with a positive recommendation to the full board.

Motion was made by Supervisor Dybas to adjourn the Health & Human Services/Social Services Committee Meeting, seconded by Supervisor Mancini. Chairman Sinicropi adjourned the meeting at 7:50 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
7:15 PM, April 20, 2004

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:50 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Sinicropi, Strevy, and Thomas

Additional present were Supervisors: Schumann, Paton, Walters, Dybas, Mancini and Stagliano

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Bond Resolution of the County of Montgomery, New York (The "County"), Dated April 27, 2004, Authorizing Various County Improvements; Estimating the Aggregate Cost Thereof to be \$2,593,010.00; Appropriating Said Amount Therefor and Authorizing the Issuance of \$2,593,010.00 Serial Bonds of the County to Finance Said Cost
2. Resolution Authorizing County Treasurer to Disburse Mortgage Tax Money
3. Resolution of Support for the Elimination of the Sunset Provisions of the Local Government Records Management Improvement Fund (LGRMIF) and the Cultural Education Fund (CEF)
4. Resolution Rescinding Resolution 46 of 2004 and Accepting Modified Proposal - GIS Mapping System - 911 Dispatch Center (Sheriff)
5. Resolution Authorizing Chairman to Sign Grant Application - NYS DCJS Bureau of Justice Funding (Sheriff)
6. Resolution Authorizing Chairman to Sign Grant Acceptance - 911 Expedited Deployment Grant (Sheriff)
7. Resolution Transferring Funds E911 Reserve (Sheriff)
8. Resolution Transferring Funds - K-9 Unit - Corrections Facility (Sheriff)
9. Resolution Transferring Funds - Legal Counsel
10. Resolution Amending 2004 Operating Budget - Psychiatric Physician (Mental Health)
11. Discussion Regarding Tabled Resolution No. 67 of 2004 - Resolution Rescinding Resolution No. 372 of 1989 & Resolution No. 204 of 2000 - Approving Credit for Retirement Days for Part Time Elected and Appointed Officials
12. Resolution Authorizing Chairman to Sign Agreement - Montgomery County Deputy Sheriff's Police Benevolent Association (Correction Officers) - January 1, 2002 - December 31, 2003
13. Resolution Transferring Funds (Montgomery Meadows)
14. Resolution Amending 2004 Operating Budget - Forfeiture Monies (District Attorney)
15. Other

Bond Resolution Of The County Of Montgomery, New York (The "County"), Dated April 27, 2004, Authorizing Various County Improvements; Estimating The Aggregate Cost Thereof To Be \$2,593,010.00; Appropriating Said Amount Therefore And Authorizing The Issuance of \$2,593,010.00 Serial Bonds Of The County To Finance Said Cost. Sponsored by Supervisor Strevy, seconded by Supervisor Stagliano. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing County Treasurer to Disburse Mortgage Tax Money. Sponsored by Supervisor Jonker, seconded by Supervisor Thomas. Moved to the full board with a positive recommendation.

Resolution Of Support For The Elimination Of The Sunset Provisions Of The Local Government Records Management Improvement Fund (LGRMIF) And The Cultural Education Fund (CEF). Sponsored by Supervisor Thomas, seconded by Supervisor Quackenbush moved the resolution to the full board with a positive recommendation.

Resolution Rescinding Resolution 46 of 2004 And Accepting Modified Proposal - GIS Mapping System - 911 Dispatch Center (Sheriff). Sponsored by Supervisor Quackenbush, seconded by Supervisor Jonker moved to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Grant Application - NYS DCJS Bureau Of Justice Funding (Sheriff). Sponsored by Supervisor Quackenbush, seconded by Supervisor Schumann moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman To Sign Grant Acceptance Agreement - 911 Expedited Deployment Grant (Sheriff). Sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas moved to the full board with a positive recommendation.

Resolution Transferring Funds E911 Reserve (Sheriff). Sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas moved the resolution to the full board with a positive recommendation.

Resolution Transferring Funds – K-9 Unit – Corrections Facility (Sheriff). Sponsored by Supervisor Schumann, seconded by Supervisor Quackenbush moved the resolution to the full board with a positive recommendation.

Resolution Transferring Funds – Legal Counsel. Sponsored by Supervisor Dybas, seconded by Supervisor Thomas moved the resolution to the full board with a positive recommendation.

Resolution Amending 2004 Operating Budget – Psychiatric Physician (Mental Health). Supervisor Dybas stressed that the contract Attorney Landon drew up included a clause “No Cost to the County” and Attorney Landon verified that this stipulation was implemented. Sponsored by Supervisor Sinicropi, seconded by Supervisor Quackenbush moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – County of Montgomery and Montgomery County Deputy Sheriff’s Association (Correction Officers) for Period of January 1, 2002 – December 31, 2003. Supervisor Thomas stated that he would like to receive a copy of the contract pertaining to the agreement reached at the negotiation meetings with the Corrections Officers. Chairman DiMezza stated a copy of the contract would be provided to all of the Supervisors. Resolution sponsored by Supervisor Cechnicki, seconded by Supervisor Quackenbush moved the resolution to the full board with a positive recommendation.

Resolution Transferring Funds (Montgomery Meadows). Sponsored by Supervisor Sinicropi, seconded by Supervisor Dybas moved to the full board with a positive recommendation.

Resolution Amending 2004 Operating Budget – Forfeiture Monies (District Attorney). Sponsored by Supervisor Thomas, seconded by Supervisor Quackenbush moved to the full board with a positive recommendation.

Chairman DiMezza acknowledged that there were some additional add-on items that needed to be discussed.

Helen Bartone, County Clerk discussed with the Committee a proposed resolution regarding an Electronic Document Imaging System and the grant of \$50,000.00 was obtained to assist with payment of this system. Helen Bartone stated that she is considering 3 proposals and was hoping to have a choice by the Full Board Meeting on the 27th. Chairman DiMezza instructed Jacki Meola, Administrative Aide, to draft a resolution authorizing the Chairman to sign an agreement for an Electronic Document Imaging System and leave the name of the vendor blank. It is the hope of the Clerk that she will have a name to insert that evening. The resolution was sponsored by Supervisor Thomas, seconded by Supervisor Sinicropi and moved to the full board with a positive recommendation.

Mike Yevoli, Director of Economic Opportunity and Development/Planning, indicated that there was a resignation in his department this week for the newly filled position of Economic Development Specialist/Financial Analyst (EDS/FA). His concern was the Board, in the 2004 Operating Budget, approved the former EDS/FA to be upgraded to a Senior EDS/FA, but that person was then promoted to Deputy County Treasurer. When the job was filled, it was only for the entry-level position. Mr. Yevoli stated that he was having difficulty obtaining applicants at the entry-level pay scale and asked the Committee for permission to post the job as a Senior EDS/FA since it was already in the budget that way. The Committee agreed and directed Mr. Yevoli to work with the Personnel Officer and the Administrative Aide regarding any resolutions that would need to be brought to the full board.

Supervisor Dybas and the County Attorney both received request for the Montgomery County Board to pass a resolution that would authorize a supplemental financing agreement relating to the Dormitory Authority and the State of New York Upstate Community Colleges Revenue Bond adopted December 4, 2002 (1995 FMCC Master Plan). This similar resolution was just passed in Fulton County. The resolution was sponsored by Supervisor Dybas, seconded by Supervisor DiMezza, and moved to the full board with a positive recommendation.

Motion was made by Supervisor Thomas to adjourn the Finance/Personnel Committee Meeting, seconded by Supervisor Sinicropi. Chairman DiMezza adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
6:55 PM, April 27, 2004

INTRODUCTORY LOCAL LAW NO. 3 OF 2004 "A LOCAL LAW AMENDING LOCAL LAW NO. 2 of 1985 A LOCAL LAW WHICH ESTABLISHED A MONTGOMERY COUNTY INFIRMARY DEPARTMENT"

PUBLIC HEARING DISCUSSION

Chairman Stagliano called the Public Hearing to order at 6:55 p.m. in the Supervisors' Chambers.

The following notice was read:

INTRODUCTORY LOCAL LAW NO. 3 OF 2004

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

SECTION 1. Section 3b, Local Law No. 2 of 1985, which established a Montgomery County Infirmary Department, is amended as follows:

(b) The Administrator shall be appointed by the Montgomery County Board of Supervisors. The Administrator shall be in the exempt service of Civil Service Classification.

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.

By order of the Board of Supervisors of Montgomery County.

Christine Pasquarelli, Clerk of the Board

Chairman Stagliano asked whether anyone from the public wished to speak.

No one spoke.

Chairman Stagliano adjourned the public hearing at 6:58 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, April 27, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for April 27, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Schumann led the Salute to the Flag

ROLL CALL

Roll call indicated that Supervisors Brodie, Schumann, Dybas, Mancini, DiMezza, McMahon, Walters, Strevey, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present. Supervisor Sinicropi was absent.

PRIVILEGE OF THE FLOOR

PUBLIC COMMENT

Chairman Stagliano stated that there were union representatives present wishing to comment on the future of the Montgomery Meadows. Chairman Stagliano instructed speakers to introduce themselves and whom they represent.

Rob Schultz, CSEA, Political Action Coordinator stated that an apology is needed to the staff at the Montgomery Meadows regarding the comments made in the local newspaper by a County Supervisor. Mr. Schultz also stated that the new Administrator, Don Dalger has a wealth of knowledge in the health care business and he should be given the time to turn the Meadows around.

William Austin, President of Local 829 stated that the Local represents 600 workers and 1/3 of the workers are from the Montgomery Meadows and stressed that they are dedicated, hard-working people and that the workers are not the problem, they should be the solution. Mr. Austin also stated that the Montgomery Meadows is an untapped resource and due to poor management, it has created the financial situation it is in now. Mr. Austin also iterated that the new Administrator is a tremendous asset to the Meadows and he should be allowed to use his experience to find some solution in making the Montgomery Meadows profitable.

Ron Briggs, President of County CSEA Local 818 and 1st Vice President of CSEA's Capital Region was speaking on behalf of Kathy Garrison, the Region's President who was not available this evening. He stated that selling the Montgomery Meadows would be a bad idea and selling the facility to a private, for-profit corporation is not the solution and felt the sale would bring up a whole new host of problems that would prove move costly to taxpayers. Mr. Briggs stated there is new Legislation proposed that could alleviate some of the financial problems for County-owned Nursing Homes. He stated CSEA's resources are available for those that want to call on them and stressed that no Supervisor has contacted the union for ideas or even discuss the status of the Meadows. Mr. Briggs and other union representatives felt the plan to sell the Montgomery Meadows was preceding at a rapid pace and they were concerned that not all avenues were explored to try and turn the Meadows around given the fact that a new Administrator has been hired.

Wanda Lubinski, President of Local 673, New York State Mental Hygiene stated that the Montgomery Meadows is a public asset and selling the facility would be a mistake. She also stated that a private corporation's mission is to make money and not take into account the residents or the staff. Ms. Lubinski stressed that history has shown that there are long-term consequences in selling a public nursing facility to a private corporation.

Public Comment ended at 7:15 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Thomas, seconded by Supervisor Quackenbush, passed with Aye(1731). Supervisor Sinicropi, Jr. was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Schumann, seconded by Supervisor Dybas, passed with Aye(1731). Supervisor Sinicropi, Jr. was absent.

UNFINISHED BUSINESS

Supervisor Schumann stated regarding Resolution #67 a concern regarding the Retirement Days Credit and inquired how up-to-date the list was and how the actual hours are calculated. She stated that there should be a more accurate accounting of the time.

Personnel Director, Richard Baia stated that the list was up-to-date according to the information he has received and calculated.

Supervisor Strevy stated that this Resolution has been discussed during the Committee Meeting and it was his understanding that this was a guideline. Supervisor DiMezza stated that the figures presented are not out of line compared to other counties that are in the New York State Retirement System.

RESOLUTION NO. 67 of 2004

DATED: February 24, 2004

RESOLUTION RESCINDING RESOLUTION NO. 372 OF 1989 & RESOLUTION NO. 204 OF 2000 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Mancini

WHEREAS, the New York State Employee's Retirement System requires a local governing body to set standards for retirement system credit for applicable part-time elected and appointed officials, and

WHEREAS, such standards are needed to set for the average number of full time equivalent (FTE) days worked by such an employees, and

WHEREAS, the Personnel Department has surveyed involved employees and has conducted the necessary research, and

WHEREAS, Resolution No. 372 of 1989 and Resolution No. 204 of 2000 approved standards for crediting retirement days for part-time elected and appointed officials, and

WHEREAS, it is necessary to rescind said resolutions and provide for new standards of credit for Retirement days for part-time elected/appointed officials as recommended by the Personnel Officer.

RESOLVED, that Resolution No. 372 of 1989 and Resolution No. 204 of 2000 hereby are rescinded, and

FURTHER RESOLVED, the Montgomery County Board of Supervisors does hereby approve the following standards for retirement days credit under the New York State Employee's Retirement System for part-time elected and appointed officials of the County of Montgomery:

RETIREMENT DAYS CREDIT
FOR
ELECTED/APPOINTED (PT) OFFICIALS

Commissioner of Elections (2)	1.38 Days
County Attorney	5.00 Days
1st Assistant District Attorney/DWI Prosecutor	7.60 Days
Assistant District Attorney	5.70 Days
Coroner - Administrator	1.78 Days
Coroner	1.50 Days
Public Defender	5.00 Days
1st Assistant Public Defender	3.85 Days
Assistant Public Defender	3.85 Days
Social Services Attorney (2)	3.85 Days
Meadows Director	3.00 Days
Jail Physician	2.31 Days
Chairman of the Board of Supervisors	2.50 Days
All Supervisors	2.00 Days
County Auditor	5.00 Days
Assistant County Attorney	4.00 Days
Budget Officer part-time	5.00 Days
Purchasing Agent	5.00 Days
Criminal Investigator	5.00 Days

FURTHER RESOLVED, that the standard work week for a part-time elected or appointed official is, at minimum, one-half of a standard 35-hour work week.

FURTHER RESOLVED, that said days credit as noted is listed on a bi-weekly basis.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Strevy, passed with Aye(1868). (2/24/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Mancini, passed with Aye(1868). (3/23/2004)

MOTION TO TABLE by Supervisor Strevy, seconded by Supervisor Sinicropi, Jr., passed with Aye(1868). (3/23/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Quackenbush, seconded by Supervisor Mancini, passed with Aye(1592). Supervisor Schumann voted Nay. Supervisor Sinicropi, Jr. was absent. (4/27/2004)

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Jonker,

1. insert in the first FURTHER RESOLVED clause "Physician (Public Health) 1.00 days"
2. delete "Meadows Director" and replace with the term "Meadows Medical Director" and
3. delete the second FURTHER RESOLVED clause and in its stead insert "FURTHER RESOLVED, that the standard workday for the above part-time positions hereby is established at 6 hours per day"

passed with Aye(1592). Supervisor Schumann voted Nay. Supervisor Sinicropi, Jr. was absent. (4/27/2004)

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Cechnicki, was defeated with Aye(205). Supervisors Schumann and Cechnicki voted Aye. Supervisor Sinicropi, Jr. was absent. (4/27/2004)

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Thomas, passed with Aye(1526). Supervisors Schumann and Cechnicki voted Nay. Supervisor Sinicropi, Jr. was absent. (4/27/2004)

RESOLUTION ADOPTED with Aye(1592). Supervisor Schumann voted Nay. Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 102 of 2004

DATED: April 27, 2004

RESOLUTION ESTABLISHING PLANNER TRAINEE POSITION ECONOMIC OPPORTUNITY AND DEVELOPMENT

Resolution by Supervisor: Thomas

Seconded by Supervisor: Strevy

WHEREAS, the position of Assistant Planner was established in the 2004 Operating Budget, and

WHEREAS, attempts to advertise for the position have failed to yield qualified candidates,

RESOLVED, that the Board of Supervisors hereby establishes the position of Planner Trainee in the 2004 Budget.

FURTHER RESOLVED, that the Treasurer is hereby authorized to amend the budget as follows:

TRANSFER FROM:

A 24-4 6430-00-1110 (690) Assistant Planner \$23,934

ADD AND TRANSFER TO:

A 24-4 6430-00-1110 (294) Planner Trainee \$23,934

RESOLUTION ADOPTED with Aye(1592). Supervisors Sinicropi, Jr. and Schumann were absent. (4/27/2004)

Douglas Landon

Christine Pasquarelli

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 103 of 2004

DATED: April 27, 2004

RESOLUTION AUTHORIZING SUBMISSION OF THE MONTGOMERY COUNTY PRE-MITIGATION DISASTER PLAN (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, Montgomery County has received a grant to prepare a multi-jurisdictional Pre-Mitigation Disaster Plan, and

WHEREAS, by adopting this plan Montgomery County and its municipalities will be eligible for future mitigation funding, and

WHEREAS, the Pre-Mitigation Disaster Planning Team and The Department of Emergency Management and The Economic Opportunity and Development/Planning Department has prepared a draft of The Pre-Mitigation Disaster Plan,

RESOLVED, that the Board of Supervisors hereby authorizes The Emergency Management Director to submit said plan for approval from The State Emergency Management Office

RESOLUTION ADOPTED with Aye(1592). Supervisors Sinicropi, Jr. and Schumann were absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 104 of 2004

DATED: April 27, 2004

****See Appendix for Resolution Attachment****

RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS COMPUTER EQUIPMENT

Resolution by Supervisor: Thomas

Seconded by Supervisor: Schumann

WHEREAS, currently obsolete or damaged computer equipment is disposed of by removal to the dump, and

WHEREAS, despite it's uselessness to the county, obsolete or damaged computer equipment might have benefit to others, and

WHEREAS, since obsolete or damaged computer equipment does not have enough monetary value to justify putting it up for bid, and

WHEREAS, Section 215 of the County Law provides for the adoption of rules and regulations by the Board of Supervisors for the disposition of personal property:

RESOLVED, the Purchasing Department, in conjunction with the Data Processing Department, shall dispose of obsolete or damaged computer equipment, with no fixed asset value via donation to deserving parties, and

FURTHER RESOLVED, that said list of equipment shall be attached hereto.

RESOLUTION ADOPTED with Aye(1592). Supervisors Sinicropi, Jr. and Schumann were absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 105 of 2004

DATED: April 27, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION (PUBLIC WORKS)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Walters

WHEREAS, the Commissioner of Public Works has requested a budget amendment to allow for the temporary appointment of a Motor Equipment Operator 1 (MEO 1),

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER:

From:

D-12-4-5110-00.1110(144) Maint. Roads & Bridges Highway Labor \$16,000.00

To:

D-12-4-5110-00.1130(19) Maint. Roads & Bridges ME0 1 Temp. \$16,000.00

RESOLUTION ADOPTED with Aye(1592). Supervisors Sini cropi, Jr. and Schumann were absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 106 of 2004

DATED: April 27, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET - IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has been awarded an Immunization Action Plan Grant for the period of April 1, 2004 and ending on March 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 the 2004-2005 contract, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

FROM:	A-16-4-4010-03.4445	Public Health Grant Medical Supplies	\$ 2069.00
TO:	A-16-4-4010-03	Public Health Grant	
	.4408	Office Supplies	\$ 300.00
	.4452	Printing	\$ 300.00
	.4471	Mileage	\$ 375.00
	.4526	Education Programs	\$ 1094.00

RESOLUTION ADOPTED with Aye(1592). Supervisors Sini cropi, Jr. and Schumann were absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 107 of 2004

DATED: April 27, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

WHEREAS, Montgomery County has been awarded a Childhood Lead Poisoning and Prevention Grant for the period of April 1, 2004 and ending on March 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 the 2004-2005 contract, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

FROM:	Public Health Grant	
A-16-4-4010-05. 4526	Educational Programs	\$ 1400.00
TO:	Public Health Grant	
A-16-4-4010-05. 4436	Medical Fees	\$ 500.00
. 4445	Medical Supplies	\$ 100.00
. 4453	Postage	\$ 800.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 108 of 2004

DATED: April 27, 2004

RESOLUTION RESCINDING RESOLUTION 46 OF 2004 AND ACCEPTING MODIFIED PROPOSAL GIS MAPPING SYSTEM 911 DISPATCH CENTER (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, the Purchasing Agent solicited proposals for a GIS Mapping System for the 911 Dispatch Center at the Sheriff's Office (RFP #07-03), and

WHEREAS, the Sheriff recommended acceptance of the proposal submitted by GeoComm of St. Cloud, Minnesota, and

WHEREAS, the Montgomery County Board of Supervisors, by Resolution 46 of 2004 accepted said proposal at a cost not to exceed \$50,000, and

WHEREAS, the Sheriff has recommended modification of said proposal to provide further enhancement to the 911 Dispatch Center,

RESOLVED, that Resolution 46 of 2004 is hereby rescinded, 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 GeoComm for the provision of said services at a cost not to exceed \$70,000.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 109 of 2004

DATED: April 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION NYS DCJS BUREAU OF JUSTICE FUNDING (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

WHEREAS, the County has been notified by the New York State Division of Criminal Justice Services, Bureau of Justice, of the availability of funding, and

WHEREAS, said State assistance will pay up to 90 percent of the costs for eligible items, with local governments responsible for a 10 percent match,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes application by the Sheriff's Office to the New York State Division of Criminal Justice Services, Bureau of Justice, for a grant to purchase a vehicle and other equipment for the K-9 Road Patrol Unit, and

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

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 110 of 2004**DATED:** April 27, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AGREEMENT 911 EXPEDITED DEPLOYMENT GRANT (SHERIFF)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, the County has been notified by the New York State Department of State, Office of Fire Prevention and Control, of the awarding of funding to Montgomery County to assist in achieving "Phase 2" capability for its 911 emergency call system, and

WHEREAS, the Sheriff received quotes for said emergency call system and has recommended partnering with Fulton County Sheriff's Department to receive a considerable savings on services provided by Frontier of Johnstown, NY, and

WHEREAS, said State assistance will pay up to 90 percent of the costs for eligible items, with Montgomery County responsible for a 10 percent match,

WHEREAS, Resolution 71 of 2004 authorized the Sheriff's Office to apply for said grant,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts said grant funding from the New York State Department of State, Office of Fire Prevention and Control for Expedited Deployment Funding, 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, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 operating budget as follows:

ADD & INCREASE:

A-15-3-3389-14	State Aid – Public Safety	\$67,345
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INCREASE

A-511	E911 Appropriation Reserve	\$ 7,483
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INCREASE

A-15-4-3020-14.4438	Misc. Support Services	\$58,828
.4425	Maintenance	\$ 5,000
.4459	Software	\$ 1,500
.2259	Computer Equipment	\$ 9,500

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(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 111 of 2004**DATED:** April 27, 2004**RESOLUTION TRANSFERRING FUNDS E911 RESERVE (SHERIFF)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, the Sheriff has recommended the purchase and upgrade of equipment for the E911 Dispatch Center, and

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:

A-511	E911 Appropriation Reserve	\$67,595
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INCREASE:

A-15-4-3020-14		
. 2259	Computer Equipment	\$ 6,000
. 4425	Maintenance Agreements	\$10,400
. 4438	Misc. Supporting Services	\$41,195
. 4455	Training	\$ 5,000
. 4449	Special Supplies & Materials	\$ 5,000

RESOLUTION ADOPTED with Aye(1731). Supervisor Siniropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 112 of 2004

DATED: April 27, 2004

RESOLUTION TRANSFERRING FUNDS K-9 UNIT CORRECTIONS FACILITY (SHERIFF)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has recommended acquiring a new K-9 unit for the Corrections Facility and the purchase of supplies and equipment for said K-9, and

WHEREAS, gifts and donations have been made to the Sheriff's Department to assist with the cost of acquiring said K-9,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:		
A-15-3-2705	Gifts and Donations	\$7,461

INCREASE:		
A-15-4-3150-00		
. 4487	K-9 and K-9 Supplies	\$4,310
. 4455	Training	\$1,300
. 4441	Gasoline, Oil, Diesel Fuel	\$ 260
. 4470	Travel: Related Costs	\$1,591

RESOLUTION ADOPTED with Aye(1731). Supervisor Siniropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Quackenbush stated regarding Resolution #113 that he would like to see a longer term negotiated for all union contracts because it would create a sense of stability for the county and the employees.

Supervisor McMahon stated that he preferred to see a short-term contract because then the unions are not locked into a long-term contract in a time when the County may not have had much to offer and when negotiations take place over a shorter period of time, if the County could provide more financially, it would.

Supervisor Schumann stated that the wording in the resolution in the second WHEREAS clause, which states that the Montgomery County Deputy Sheriff's Association (Correction Officers) has previously ratified said agreement, is incorrect. She does not believe that the Union has ratified the agreement at this time.

Chairman Stagliano stated that this resolution only give him the authorization to sign the agreement on behalf of the County. If the Corrections Officers are not in agreement with the terms of the contract, then their representatives should not sign it.

The Under sheriff, Jeff Smith, notified the Chairman that he has checked with the Union and they have not ratified the agreement, it was to be voted on by the membership this evening. Based on this information, Chairman Stagliano stated that Supervisor Schumann was correct, and that the second WHEREAS clause in the resolution is a contradiction and should be deleted.

RESOLUTION NO. 113 of 2004

DATED: April 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY DEPUTY SHERIFF'S ASSOCIATION (CORRECTION OFFICERS) FOR PERIOD OF JANUARY 1, 2002 – DECEMBER 31, 2003.

Resolution by Supervisor: Cechni cki

Seconded by Supervisor: Quackenbush

WHEREAS, negotiations for a successor employment agreement between the County of Montgomery and the Montgomery County Deputy Sheriff's Association (Correction Officers) have been conducted, with the parties reaching an agreement, and

WHEREAS, Montgomery County Deputy Sheriff's Association (Correction Officers) 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 Association (Correction Officers) 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.

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Quackenbush, to delete the second WHEREAS clause, passed with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

The Personnel Officer, Rich Baia, regarding Resolution #114 stated that St. Mary's Hospital contacted him and the hospital wanted to delete the Liability Insurance portion of the contract because the Psychiatric Physician would be covered under another policy through St. Mary's Hospital. Upon recommendation of County Attorney, Doug Landon, the Liability Insurance portion of the contract will stay as proposed to protect Montgomery County from any legal ramifications that would occur.

RESOLUTION NO. 114 of 2004

DATED: April 27, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET PSYCHIATRIC PHYSICIAN (MENTAL HEALTH)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors hereby authorizes the addition of a psychiatric physician in the Montgomery County Mental Health Department, effective May 1, 2004, and

RESOLVED, that the 2004 Montgomery County Budget be amended to include said position with St. Mary's Hospital reimbursing the County for salary and expenses as follows:

INCREASE:		
A-17-3-1620	Mental Health Fees	\$173,941

INCREASE:		
A-17-4-4310-00-1110 (296)	Physician (Mental Health)	\$120,000
A-10-4-9001-00-8810	(FICA)	\$ 9,180
A-10-4-9001-00-8820	(Retirement)	\$ 16,820
A-10-4-9001-00-8830	(WC)	\$ 4,000
A-10-4-9001-00-8850	(Medical)	\$ 11,000
A-10-4-9001-00-8852	(Dental)	\$ 3,000
A-10-4-9001-00-8853	(Vision)	\$ 2,000
A-10-4-9001-00-8854	(Disability)	\$ 2,000
A-31-4-1910-00-4480	(Liability Insurance)	\$ 5,941

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 115 of 2004

DATED: April 27, 2004

RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Dybas

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for nurse agency staffing,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

EH-34-4-6020-00-110		
177	LPN	\$1,000
178	LPN	3,500
185	LPN	1,000
186	LPN	2,500
206	CNA	1,000
209	CNA	1,000
210	CNA	3,000
212	CNA	4,000
215	CNA	1,000
221	CNA	1,000
238	CNA	2,000
244	CNA	1,000
246	CNA	1,500
251	CNA	1,500
306	LPN	1,000
342	Supervising Nurse	2,000
1422	Supervising Nurse	2,000

TRANSFER TO:

EH-34-4-6020-00-4436 Medical Fees \$30,000

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 116 of 2004

****See Appendix for Resolution Attachment****

DATED: April 27, 2004

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2004 A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1985 A LOCAL LAW, WHICH ESTABLISHED A MONTGOMERY COUNTY INFIRMARY DEPARTMENT

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thomas

WHEREAS, on March 30, 2004 a proposed Local Law for the County of Montgomery, entitled: "A Local Law Amending Local Law No. 2 of 1985 - A Local Law Which Established a Montgomery County Infirmary Department" was presented to the Board of Supervisors for consideration, and

WHEREAS, on March 30, 2004 Resolution No. 101 of 2004 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 27th day of April, 2004, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 3 of 2004, entitled: "A Local Law Amending Local Law No. 2 of 1985 - A Local Law Which Established a Montgomery County Infirmary Department" 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(1573). Supervisor Quackenbush voted Nay. Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann regarding Resolution #117 questioned how the money would be allocated. Supervisor DiMezza stated that under Section 13A of NYS Civil Practice Law and Rules, 41% goes to the Agency that worked on the case, 32% goes to Office of Alcohol and Substance Abuse Services and 27% goes to the District Attorney's Office

to purchase equipment, with the stipulation that the funds have to be used by the end of 2004.

RESOLUTION NO. 117 of 2004

DATED: April 27, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET FORFEITURE MONIES (DISTRICT ATTORNEY)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the District Attorney has received monies from forfeiture crime proceeds in the amount of \$41,430.02 from non-drug related investigations and arrests conducted by the Amsterdam Police Department and New York State Police, and

WHEREAS, the District Attorney would utilize said forfeiture monies to purchase technical equipment for law enforcement agencies,

RESOLVED, that the Montgomery County Treasurer amend the 2004 operating budget for the office of District Attorney as follows:

INCREASE:

A-25-3-2625	Forfeiture of Crime Proceeds (Not Restricted)	\$55,813.20
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ADD & INCREASE

A-25-1165-00-4522	District Attorney/Law Enforcement Programs	\$55,813.20
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RESOLUTION ADOPTED with Aye(1512). Supervisor DiMezza abstained. Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 118 of 2004

DATED: April 27, 2004

RESOLUTION TRANSFERRING FUNDS (VETERANS SERVICES)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

WHEREAS, the Director of Veterans Services has requested a transfer of funds to provide for payment of indigent burial costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

From:	A-01-4-1990-00.4400	Contingent Account Contractual Expenses	\$10,000.00
To:	A-19-4-6510-00.4438	Veterans Services Misc. Supporting Services	\$10,000.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 119 of 2004

DATED: April 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ELECTRONIC DOCUMENT IMAGING (COUNTY CLERK)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the County Clerk was awarded a \$50,000 grant from the Local Grant Records Management Improvement Fund to assist with the expenses related to Electronic Document Imaging, and

WHEREAS, the County Clerk has reviewed several systems and has made recommendation for the most effective, both in cost and productivity, in said department,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with _____ for the purchase and use of a new Electronic Document Imaging system at a cost of _____ to pay for equipment and an additional monthly charge of _____ for usage, based on a 5-year agreement.

FURTHER RESOLVED, that the \$50,000 grant from LGRMIF will be utilized to assist with payment of said expenses.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor DiMezza, in the RESOLVED clause insert "ACS of Syracuse, New York", "\$50,000.00" and "\$2,190.00" respectively passed with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 120 of 2004

DATED: April 27, 2004

BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE 'COUNTY') DATED APRIL 27, 2004, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$2,593,010.00; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST

Resolution by Supervisor: Strevy
Strevy

Seconded by Supervisor: Stagliano

WHEREAS, the Board of Supervisors: (i) has heretofore approved funding the replacement of bridges at Hilltop Road in the Town of Root, Old Trail Road in the Town of Mohawk and Hughes Road in the Town of Charleston, as more particularly described in Resolution No. 51 of 2004, dated February 24, 2004; (ii) has heretofore approved the purchase of an offset press as a cost not to exceed \$33,510.00, as more particularly described in Resolution No. 53, dated February 24, 2004; and (iii) has heretofore approved the reconstruction of Oswegatchie Road and West Lykers Road, as more particularly described in Resolution No. 73, dated March 23, 2004 (collectively, the "Prior Resolutions"); and

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

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

SECTION 1

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

(a) The cost of replacing Hilltop Road, B.I.N. 3309850, in the Town of Root, Old Trail Road, B.I.N. 3310040, in the Town of Mohawk and Hughes Road, B.I.N. 3310050, in the Town of Charleston, the maximum aggregate cost thereof being hereby estimated to be \$1,682,000.00, appropriating said amount therefor and authorizing the issuance of \$1,682,000.00 serial bonds to finance such costs; and

(b) The cost of purchasing an offset press, the maximum cost thereof being hereby estimated to be \$33,510.00, appropriating said amount therefor and authorizing the issuance of \$33,510.00 serial bonds to finance such costs; and

(c) The cost of reconstructing Oswegatchie Road and West Lykers Road, the maximum aggregate cost thereof being hereby estimated to be \$877,500.00, appropriating said amount therefor and authorizing the issuance of \$877,500.00 serial bonds to finance such costs; and

SECTION 2

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

(a) Rehabilitation/Replacement of Hilltop Road, Old Trail Road and Hughes Road Bridges -

Twenty (20) years pursuant to Section 11.00(a)(10) of the Law.

(b) Offset Press – Five (5) years pursuant to Section 11.00(a)(32) of the Law.

(c) Oswegatchie and West Lykers Road reconstruction/paving – Fifteen (15) years pursuant to Section 11.00(a)(20)(c) of the Law.

SECTION 3

The plan of financing includes the issuance of \$2,593,010.00 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 he shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 11

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 12

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the County is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13

This resolution shall be published in full in the designated official newspapers of the County for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Law.

SECTION 14

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

SECTION 15

This resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1665). Supervisor Cechnicki abstained. Supervisor Siniropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 121 of 2004

DATED: April 27, 2004

RESOLUTION OF SUPPORT FOR THE ELIMINATION OF THE SUNSET PROVISIONS OF THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) AND THE CULTURAL EDUCATION FUND (CEF)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the Local Government Records Management Improvement Fund (LGRMIF) was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4300 local governments, and

WHEREAS, the closely related Documentary Heritage Program (DHP) for grants and technical assistance to non-governmental historical records repositories also is supported by the LGRMIF, and

WHEREAS, a sunset date for the LGRMIF was established in the original legislation to permit its operation as a five-year experiment, and

WHEREAS, the New York State Legislature in 1995 twice has extended the sunset date, most recently to December 31, 2005, and

WHEREAS, the LGRMIF has effectively supported essential advisory services and 6,300 grants totaling over \$113 million to improve the management of records for over half of all NYS local governments, and

WHEREAS, the LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to taxpayers, and

WHEREAS, Montgomery County has benefited from technical assistance, training, publications and 13 grants totaling \$318,103, supported by the LGRMIF, and

WHEREAS, the State Legislature created the closely-related Cultural Education Fund (CEF) to support the New York State Archives, New York State Library and New York State Museum on behalf of all New Yorkers, and the Office for Public Broadcasting, and provided the CEF with an identical sunset date, and

WHEREAS, the LGRMIF and CEF continue to be critically important in the fulfillment of the many records and information related responsibilities of Montgomery County, and to the cultural and scientific needs of the people of New York State, therefore,

RESOLVED that the Montgomery County Board of Supervisors supports the elimination of said sunset provisions in order to make the LGRMIF and CEF permanent.

RESOLUTION ADOPTED with Aye(1526). Supervisors Schumann and Cechnicki abstained. Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 122 of 2004

DATED: April 27, 2004

RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from October 1, 2003 through March 31, 2004, and

FURTHER RESOLVED, that said Treasurer is directed to take all necessary steps, under proper accounting procedure, to adjust the books of his office, effective immediately.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 123 of 2004

DATED: April 27, 2004

RESOLUTION TRANSFERRING FUNDS - LEGAL COUNSEL

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thomas

WHEREAS, Resolution 22 of 2004 authorized retention of legal counsel to provide defense to the County in legal pending action against the County, and

WHEREAS, Carter, Conboy, Case, Blackmore, Maloney and Laird, P.C. of Albany, NY has been retained to provide said services, and

WHEREAS, it is necessary to appropriate funds to pay for said services,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

From: A-01-4-1990-00.4400	Contingent Account	
	Contractual Expenses	\$15,000

To: A-01-4-1010-00. 4431 Professional Services \$15,000

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 124 of 2004

DATED: April 27, 2004

RESOLUTION AUTHORIZING SUPPLEMENTAL FINANCING AGREEMENT RELATING TO DORMITORY AUTHORITY AND THE STATE OF NEW YORK UPSTATE COMMUNITY COLLEGES REVENUE BOND RESOLUTION ADOPTED DECEMBER 4, 2002 (1995 FMCC MASTER PLAN)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Di Mezza

WHEREAS, as part of the financing for the 1995 FMCC Master Plan, SUNY and the Sponsor Counties utilized revenue bonds that were issued via the NYS Dormitory Authority, and

WHEREAS, the Dormitory Authority is in the process of refinancing said bonds to decrease the cost the the State bond debt service, and

WHEREAS, the Dormitory Authority has requested the FMCC Sponsor Counties to authorize an amendment to the existing financing agreement to allow the Authority to refinance its debt at more favorable rates,

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 Supplemental Financing Agreement relating to the Dormitory Authority and the State of New York Upstate Community Colleges Revenue Bond resolution adopted on December 4, 2002, for the 1995 Mast Plan, and

FURTHER RESOLVED, that this Resolution is contingent upon there being no cost to the County of Montgomery and passage of a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

OTHER

Chairman Stagliano asked if there were any other matters to come before the Board. Helen Bartone, County Clerk, wanted to express her appreciation to the Board of Supervisors regarding the support for the Electronic Document Imaging System and she stated that her department will be implementing a \$3.00 Cover Page Fee next month that will generating more revenue for the county.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Thomas, passed with Aye(1731). Supervisor Sinicropi, Jr. was absent.

Chairman Stagliano adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
6:00 PM , May 4, 2004

CALL TO ORDER

Chairman Stagliano called the Special Meeting of the Montgomery County Board of Supervisors for May 4, 2004 to order at 6:00 p.m.

ROLL CALL

Roll call indicated that Supervisors Thomas, Jonker, Mancini, Walters, Schumann, Cechnicki, McMahon, Strevy, Dybas, Paton, Sinicropi and Quackenbush were present. Supervisors DiMezza and Brodie were absent.

STATEMENT OF PURPOSE OF MEETING

Chairman Stagliano noted the agenda:

1. Presentation – St Johnsville Nursing Home – Purchase/Lease – Montgomery Meadows
2. Other

Pursuant to Section 105 (h) of NYS Open Meeting Law, Chairman Stagliano asked for a Motion to go into Executive Session to discuss the Presentation of St. Johnsville Nursing Home – Purchase/Lease – Montgomery Meadows. Motion was made by Supervisor Quackenbush, seconded by Supervisor Sinicropi. Executive Session started at 6:05 p.m.

A Motion to Adjourn Executive Session was made by Supervisor Thomas, seconded by Supervisor Jonker. Chairman Stagliano adjourned the Executive Session at 8:10 p.m.

As a result of the Executive Session, the Board took no action regarding the presentation given by St. Johnsville Nursing Home.

ADJOURNMENT

Motion was made by Supervisor Dybas, seconded by Supervisor Strevy to adjourn the meeting. Chairman Stagliano adjourned the meeting at 8:12 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:00 PM, May 11, 2004

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Mancini, McMahon, Paton, Schumann, Thomas and Walters.

Additional present were Supervisors: Quackenbush, Dybas, and Stagliano

Chairman Strevy noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Authorizing Chairman to Sign Engineering Services Agreement – 2004 Bridge Program (Public Works)
2. Discussion Regarding the Replacement of Various Equipment (Public Works)
3. Other

Resolution Authorizing Chairman to Sign Engineering Services Agreement – 2004 Bridge Program (Public Works) - DPW Commissioner, Paul Clayburn stated that the 2004 Bridge Program was approved a couple of months ago and funding is in place. It was noted by Chairman Strevy that the Engineering services had to meet certain criteria to qualify and according to Commissioner Clayburn pretty strict guidelines are adhered to. Supervisor Thomas sponsored the Resolution, seconded by Supervisor Jonker and moved with a positive recommendation to the full board.

Chairman Strevy stated that DPW is looking to replace various pieces of equipment that have exceeded their life span and turned the discussion over to Commissioner Clayburn for explanation and to answer questions from the Committee. Commissioner Clayburn reiterated that the equipment has exceeded its life span and it needs to be replaced. He stated that all the equipment in his proposal is needed and used on many various projects. Mr. Clayburn stated the figures presented to the Committee in his proposal have arrived from the bids he has received. Some figures are based on a trade-in and some without a trade-in and have been compared to get the best possible deal for the equipment to be replaced. It was discussed that the surplus equipment could be auctioned off and this could benefit the county. It was recommended to have Purchasing Agent, Marco Zumbolo involved in the process.

Supervisor Thomas stated that the fleet of cars that are assigned to various County personnel should be looked at and felt that the inventory of cars could be reduced, and the money saved from maintaining these vehicles could offset the equipment DPW is requesting.

The Committee suggested that the discussion regarding the replacement of various equipment (Public Works) be sent to the Finance/Personnel Committee.

Motion to adjourn the General Services/Public Works/Solid Waste Committee by Supervisor Thomas, seconded by Supervisor Mancini. Chairman Strevy adjourned the meeting at 6:30 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
6:30 PM, May 11, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:30 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, McMahon, Paton and Schumann. Supervisor Brodie was absent.

Additional present were Supervisors: Quackenbush, Strevy, Walters and Stagliano

Chairman Dybas noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding FMCC Capital Projects – (2003 – 2004)
2. Discussion regarding HFM BOCES Construction Project
3. Discussion regarding Proposed Resolution Authorizing Memorandum of Understanding Between the County of Montgomery, HFM BOCES, County of Fulton and FMCC Related to the HFM BOCES Construction Project
4. Other

Chairman Dybas stated that back in February 2004 it was brought to his attention that the County has received correspondence from Fulton Montgomery Community College requesting approval from the Board for their Capital Projects. He cited the Middle States accreditation process as his reason for delaying this request.

Chairman Dybas stated that Fulton County has already approved their share of FMCC's request for a \$276,336.00 fire alarm system and a \$177,000.00 heating, ventilation and air conditioning (HVAC) project. The Montgomery County share in the projects is \$69,084 and \$44,394, respectively.

Supervisor Stagliano asked if the projects had actually been bid and designed by engineers or are these figures estimates from Department Heads. David Morrow, Vice President for Administration & Finance stated that these are estimates and that the usual first step is to receive the County's support in the projects then proceed from their. Supervisor Stagliano stated that his concern is the design services with the projects and it has been a problem in the past and it will be the Boards' responsibility to focus on future projects so that there will be minimum problems in the construction.

Supervisor Quackenbush state that FMCC is requesting an agreement from Montgomery County in the concept of the projects and noted that what Montgomery County is agreeing to in concept now may not be the actual figures down the road. Mr. Morrow stated that both counties are agreeing to the concept to move forward with the projects and updates with any changes to the projects will need to be approved by the Board.

Supervisor Thomas stated a concern regarding the two quotes for the fire alarm and the Heating, Ventilation and Air Conditioning Energy Management Systems and how accurate the figures would be because the quotes have been done in 1999 and updated in 2002.

Mike Sampone, Fulton Montgomery Community College Trustee stated that the Building & Grounds Committee meets regularly to discuss these issues and invited any supervisor to attend the meetings to keep informed on the projects and not have a break down in communication.

Supervisor Schumann suggested that a resolution should be drawn up to approve these Capital Projects so that the bid process could start moving forward. She also stated that the Board could review the cost of the project when the bids are received.

It was determined that a draft resolution sponsored by Supervisor Schumann, seconded by Supervisor Thomas would be drawn up and sent to the Finance Committee.

The next item on the agenda was the Discussion regarding the HFM BOCESS Construction Project and the Proposed Resolution authorizing Memorandum of Understanding forming the 63-20 Corporation. Chairman Dybas stated that a great deal of work has to be done and a lot of questions need to be answered. His major concerns are: What is a 63-20 Corporation? How does it function? Can it do business in New York State? All these questions and more need to be answered before Montgomery County will enter into any agreement.

After a lengthy discussion regarding the Chairman's concerns, it was decided by the Committee that the Full Board should decide to approve the Resolution Authorizing Memorandum of Understanding Between the County of Montgomery, HFM BOCES, County of Fulton and FMCC Related to the HFM BOCES

Construction Project worded as it is in Committee. This MOU at least allows the process to move forward and if after all the research is completed and we find that it is not in the best interest of Montgomery County to form the 63-20 Corporation than at that time we will have an amendment to the resolution.

Motion to adjourn the Education/Government Committee by Supervisor Mancini, seconded by Supervisor McMahon. Chairman Dybas adjourned the meeting at 7:20 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
7:00 PM, May 11, 2004

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:25 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Paton, Strevy, Thomas. Supervisor DiMezza was absent.

Additional present were Supervisors: Dybas, McMahon, Walters, Schumann and Stagliano.

Chairman Quackenbush noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Dissolving the Montgomery County Tourism Advisory Board
2. Resolution Establishing Annual Thirty-Day Agricultural District Review Period (Economic Opportunity and Development/Planning)
3. Resolution Authorizing Change Order #1 – Cobleskill Stone Products – NYS Route 5S Reconstruction (Economic Opportunity and Development/Planning)
4. Resolution Appointing Fair Housing Officer (Economic Opportunity and Development/Planning)
5. Discussion Regarding Montgomery County Records Advisory Board
6. Other

Resolution Dissolving the Montgomery County Tourism Advisory Board, sponsored by Supervisor Jonker, seconded by Supervisor Quackenbush. Chairman Quackenbush stated that meetings took place in March between the EOD Committee and the Occupancy Tax Advisory Board where a lot of issues were discussed including what direction the Tourism Advisory Board should be taking. The consensus was that the Tourism Advisory Board should be dissolved to eliminate duplication of tourism coordination efforts. The resolution was moved to the full board with a positive recommendation.

Resolution Establishing Annual Thirty-Day Agricultural District Review Period (Economic Opportunity and Development/Planning) sponsored by Supervisor Thomas, seconded by Supervisor Jonker moved to the full board with a positive recommendation.

Resolution Authorizing Change Order No. 1 – Cobleskill Stone Products – NYS Route 5S Reconstruction (Economic Opportunity and Development Planning) sponsored by Supervisor Cechnicki, seconded by Supervisor Thomas, moved to the full board with a positive recommendation. Chairman Quackenbush stated that work on Route 5S, Town of Florida was not anticipated and the cost will be fully reimbursed by New York State IAP Grant with no cost to the county.

Resolution Authorizing Director of Economic Development To Implement HUD Requirements – CDBG (Economic Opportunity and Development/Planning), sponsored by Supervisor Quackenbush, seconded by Supervisor Schumann, moved to the full board with a positive recommendation.

Discussion regarding Montgomery County Records Advisory Board opened with Chairman Quackenbush stating that changes needed to be made to the Resolution No. 82 of 1989 to delete board members and appoint Supervisor Thomas to serve on the Advisory Board. Supervisor Dybas suggested that a new resolution with the correct verbiage be drawn up to replace the resolution in question. The Committee requested that a resolution be presented at the full board meeting and moved this resolution with a positive recommendation.

Chairman Quackenbush stated on the agenda under "other" that he would be calling an EOD Committee Meeting to hold a presentation by representatives from the Governor's Office for Small Cities on May 25, 2004 before the Full Board Meeting. The representative would like to discuss the Community Development Block Grants (CDBG) and how the governor's office has funds available to small cities.

Motion to adjourn the Economic Development/Agriculture & Planning by Supervisor Thomas, seconded by Supervisor Cechnicki. Chairman Quackenbush adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
6:00 PM, May 18, 2004

COMMITTEE MEETING DISCUSSION

Chairman Sinicropi presided over the meeting commencing at 6:10 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, Mancini, Walters. Supervisor Brodie was absent.

Additional present were Supervisors: Quackenbush, Paton, McMahon, Strevy, Stagliano, Cechnicki, Schumann and Thomas

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution in Support of Senate Bill S5854 amending Social Services Law, in Relation to State Reimbursement for Care, Treatment, Maintenance and Nursing Services in Nursing Homes and urging NYS Assembly to Introduce and Support Companion Legislation.
2. Resolution Transferring Funds (Montgomery Meadows)
3. Resolution Authorizing Chairman to Sign Agreement – 2004-2006 Consolidated Services Plan (Social Services)
4. Other

Resolution in Support of Senate Bill S5854 amending Social Services Law, in Relation to State Reimbursement for Care, Treatment, Maintenance and Nursing Services in Nursing Homes and urging NYS Assembly to Introduce and Support Companion Legislation sponsored by Supervisor Jonker, seconded by Supervisor Dybas.

Supervisor Schumann stated in addition to the Senate Bill S5854, Legislation A10124 has been introduced in the New York State Assembly to make it more equitable in relation to state reimbursement. Supervisor Schumann recommended altering the resolution to support the Assembly Bill, instead of requesting Support Companion Legislation. The Committee moved the resolution to the full board with no recommendation.

Resolution Transferring Funds (Montgomery Meadows) sponsored by Supervisor Dybas, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement 2004-2006 Consolidated Services Plan (Social Services) sponsored by Supervisor Jonker, seconded by Supervisor Dybas. Bill Cranker Commissioner of Social Services stated to the committee that every three (3) years they are required to report to the State of New York their Services Plan and remain eligible for Federal and State Aid reimbursement.

Supervisor Dybas questioned if the numbers used were the counties or the State numbers and if Commissioner Cranker had actual numbers pertaining to Montgomery County for 2002-2003 that are more accurate. The Commissioner stated that the figures were the counties and the percentage was taken off the census.

Supervisor Jonker stated that the figures used could not be as accurate as projected in the agreement because of the decline in population especially in the 60 year and over. He also requested information from Commissioner Cranker regarding the current trends, the various services provided by Social Services and the total budget. The Commissioner suggested to the committee that he could be available to discuss the agreement at their convenience and answer any questions they may have.

Supervisor Dybas also stated that a meeting with the Commissioner and the Committee would be beneficial in order to receive accurate information as to what the percentage breakdowns are. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Sinicropi informed the Committee that there was an add-on resolution from the Department of Veterans Services. Resolution Authorizing Chairman to Sign Grant Agreement – NYS DVA (Veterans) sponsored by Supervisor Dybas, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Supervisor DiMezza requested a discussion regarding salaries at the Meadows. Donald Dalger, Montgomery Meadows Administrator, would like to increase the salaries of the Head Nurse,

Supervising Nurses, the Assistant Director of Nursing and the Director of Nursing.

According to Richard Baia, Personnel Director the Montgomery Meadows is currently paying \$50.00 per hour to the Agency nurses to cover the second and third shifts at the Nursing Home. Supervisor DiMezza said that increasing these salaries would help attract and retain personnel in these positions and eliminate the need for agency staffing, in turn, decreasing costs. A resolution will be drawn up for the finance meeting at 7:00pm.

Motion to adjourn the Health & Human Services/Social Services Committee by Supervisor Mancini, seconded by Supervisor Jonker. Chairman Sinicropi adjourned the meeting at 6:35 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
6:15 PM, May 18, 2004

COMMITTEE MEETING DISCUSSION

Chairman Mancini presided over the meeting commencing at 6:40 p.m.

Roll call indicated Committee members present included Supervisors Dybas, Quackenbush, Schumann, Sinicropi, and Walters. Supervisor Brodie was absent.

Additional present were Supervisors: Quackenbush, Paton, McMahon, Strevy, Stagliano, Cechnicki, Schumann and Thomas

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion Regarding Montgomery County Emergency Medical Council and AAREMS Representation
2. Resolution Authorizing Transfer of Trailer (Sheriff)
3. Resolution Transferring Funds (Stop DWI Reserve)
4. Resolution Accepting Bid – Pharmacy Dispensing Services (Corrections Facility)
5. Resolution Establishing Community Services Program (Board of Supervisors)
6. Other

Chairman Mancini stated that the Montgomery County Emergency Medical Council and AAREMS Representation is still an on going issue. On April 6, 2004 Ms. Pam VanAlstyne, President of the Council, addressed the committee with her issues, but no solution was reached at the April meeting.

After a lengthy discussion, Chairman Mancini along with other Committee members agreed that the agency should act according to their By-Laws and submit a resolution from the Emergency Medical Council Board, formally asking the Board of Supervisors to ratify their appointment to AAREMS. The Administrative Aide will contact Ms. Van Alstyne. The Committee agreed that further discussions will need to take place regarding the status of the Council and whether or not the Board of Supervisors would like to reorganize it to act as an Emergency Medical Services Advisory Board as outlined in County Law. The County Attorney, who was not present, will need to provide further information on the issue. Chairman Mancini will call a future Public Safety Committee Meeting with the Council, the County EMO and the County Attorney to further discuss the issues.

Resolution Authorizing Transfer of Trailer (Sheriff) sponsored by Supervisor Mancini, seconded by Supervisor Quackenbush. During the discussion it was determined that the trailer had \$0 value and that instead of giving the trailer to a particular agency, the Board should sell the trailer for \$1.00, as that is how it has been done in the past. The Committee recommended making the proper changes to the draft resolution and moved it to the full board with a positive recommendation.

Resolution Transferring Funds STOP-DWI Reserve (STOP DWI) sponsored by Supervisor Dybas, seconded by Supervisor Quackenbush. According to Jennifer Petteys, Youth Bureau /STOP DWI Coordinator the reserve fund has been accruing over the years so requests went out to law enforcement agencies to submit a proposal as to how the funds would enhance their department. From the proposals submitted the money breakdown was distributed accordingly. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Accepting Bid – Pharmacy Dispensing Services (Corrections Facility) sponsored by Supervisor Dybas, seconded by Supervisor Sinicropi. Sheriff Amato stated that the Corrections Facility has been without a contract for two years and after the RFP's were received it was determined that NCS Healthcare of Syracuse, New York provide the pharmacy dispensing services commencing June 1, 2004 and ending May 31, 2005. The Committee moved the resolution to the Finance Committee for further discussion.

Resolution Establishing Community Service Program (Board of Supervisors) sponsored by Supervisor DiMezza, seconded by Supervisor Strevy. Jennifer Petteys, Youth Bureau/STOP/DWI Coordinator stated upon request she submitted a proposal and a Budget for a Community Service Program for the Committee to review. She outlined the goals, anticipated program objectives, program design, monitoring, personnel and the overall benefits.

After a lengthy discussion it was determined that an Executive Session was needed.

Pursuant to Section 105 (f) of NYS Open Meeting Law, Chairman Mancini asked for a Motion to go into Executive Session to discuss matters leading to appointment of a particular person. Motion was made by Supervisor Sinicropi, seconded by Supervisor Quackenbush. Supervisors McMahon and Schumann opposed. Executive Session started at 7:20 p.m.

Motion to Adjourn Executive Session was made by Supervisor Quackenbush, seconded by Supervisor DiMezza. Chairman Mancini adjourned the Executive Session at 8:00 p.m.

As a result of the Executive Session, action was taken by the Board to move the Resolution Establishing Community Service Program (Board of Supervisors) to the full board with a positive recommendation. Supervisor Sinicropi voted no.

Chairman Mancini stated several items would be presented on the agenda under other.

Resolution Amending 2004 Operating Budget – Temporary Position (Sheriff), sponsored by Supervisor Schumann, seconded by Supervisor Dybas. Sheriff Amato explained that he has a corrections officer out of work and he does not anticipate the person coming back. It was determined by the Committee that it would be a temporary appointment would be made. The Committee moved the resolution to the full board with a positive recommendation.

Sheriff Amato then informed the Committee that through the Traffic Safety Board he has made application to the State for several grants. The Committee recommended a Resolution Ratifying Applications for Certain Grant Funding (Sheriff), sponsored by Supervisor Quackenbush, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Supervisor Dybas stated that Judge Cortese, Montgomery County Family Court, would like to address the Board of Supervisors and present a brief overview of the Montgomery County Family Court. Chairman Mancini stated he would follow up with the request by the Judge.

Motion to adjourn the Public Safety Committee Meeting by Supervisor Quackenbush, seconded by Supervisor Dybas. Chairman Mancini adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
7:00 PM, May 18, 2004

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 8:15 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Sinicropi, Strevy and Thomas

Additional present were Supervisors: Paton, McMahon, Stagliano, Schumann, and Walters

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Memorializing Resolution Requesting State of New York Amend Certain Racing and Wagering Laws Impacting the Ability of Regional Off Track Betting Corporations to Provide Necessary Funds to County and Local Governments for Real Property Tax Relief
2. Resolution Authorizing Change Order No. 1 – Weatherguard Roofing – College Union Roof Replacement Project (FMCC)
3. Resolution Approving Capital Projects – Integrated Fire Alarm System and HVAC Control Project (FMCC)
4. Resolution Establishing Fee (County Clerk)
5. Discussion Regarding the Replacement of Various Equipment (Public Works)
6. Discussion Regarding Assessment Reductions
7. Resolution Authorizing Purchase Contract – Natural Gas Award
8. Resolution Amending 2004 Operating Budget – Law Enforcement Grant (Sheriff)
9. Resolution Appointing Meadows Administrator
10. Discussion Regarding Payment of Vouchers – Prior Years
11. Other

Memorializing Resolution Requesting State of New York Amend Certain Racing and Wagering Laws Impacting the Ability of Regional Off Track Betting Corporations to Provide Necessary Funds to County and Local Governments for Real Property Tax Relief, sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Change Order No. 1 – Weatherguard Roofing – College Union Roof Replacement Project (FMCC), sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Approving Capital Projects – Integrated Fire Alarm System and HVAC Control Project (FMCC), sponsored by Supervisor Thomas, seconded by Supervisor McMahon. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Establishing Fee (County Clerk), sponsored by Supervisor Jonker, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Discussion Regarding the Replacement of Various Equipment (Public Works) took place. During the brief discussion it was determined by the Committee to have a draft resolution drawn up to authorize bonding to fund a Capital Project to purchase the various equipment. Sponsored by Supervisor Strevy, seconded by Supervisor Walters. The committee moved to the full board with a positive recommendation.

A Discussion took place regarding the Assessment Reduction from Citizens Communications and Global Crossings North American Networks, Inc. that would impact the County financially. Supervisor DiMezza stated that he would talk with the Town of Amsterdam's attorney regarding a resolution that could be passed in every municipality in Montgomery County and forwarded to the State of New York in protest of the Assessment Reduction.

Resolution Authorizing Purchase Contract – Natural Gas Award, sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2004 Operating Budget – Law Enforcement Terrorism Prevention Program Grant (Sheriff), sponsored by Supervisor Quackenbush, seconded by Supervisor Cechnicki. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Appointing Nursing Home Administrator, sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – Teitsch-Kent-Fay Architects, P.C. – County Buildings Energy Cost Comparison Study – DPW, sponsored by Supervisor Strevy, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation. Supervisor McMahon was opposed.

Resolution Appointing Interim Probation Director, sponsored by Supervisor Thomas, seconded by Supervisor Walters. The Personnel Officer stated that they would have a name to insert at the full board meeting. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Accepting Bid – Pharmacy Dispensing Services (Corrections Facility), sponsored by Supervisor Dybas, seconded by Supervisor Sinicropi. Chairman DiMezza stated that Supervisor Dybas requested a FURTHER RESOLVED clause that the Sheriff and Purchasing Agent are in agreement with the vendor. The Committee moved the resolution to the full board with a positive recommendation.

Supervisor DiMezza read a draft Resolution to increase the salary of the nurses at the Montgomery Meadows as discussed in the previous Health & Human Services Committee Meeting. The salary increases include Head Nurses, Supervising Nurses, the Assistant Director of Nursing and the Director of Nursing effective May 31, 2004 and the County Treasurer is directed to transfer the proper funds to increase respective line items. The resolution was sponsored by Supervisor Sinicropi and seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Pursuant to Section 105 (f) of NYS Open Meetings Law, Chairman DiMezza asked for a Motion to go into Executive Session to discuss the payment of outstanding vouchers. Motion was made by Supervisor Strevy, seconded by Supervisor Dybas. Executive Session started at 8:40 p.m.

Motion to Adjourn Executive Session was made by Supervisor Dybas, seconded by Supervisor Strevy. Chairman DiMezza adjourned the Executive Session at 8:48 p.m.

As a result of the Executive Session the Committee took a vote to determine the payment of outstanding vouchers for prior years. The Committee unanimously agreed to adhere to the existing policy in place.

Motion to adjourn the Finance/Personnel Committee by Supervisor Quackenbush, seconded by Supervisor Strevy. Chairman DiMezza adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, May 25, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for May 25, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Cechnicki led the Salute to the Flag.

ROLL CALL

Roll Call indicated that Supervisors Sinicropi, Schumann, Dybas, Mancini, DiMezza, McMahon, Walters, Strevey, Thomas, Quackenbush, Paton, Jonker, Cechnicki and Chairman Stagliano were present. Supervisor Brodie was absent.

PRIVILEGE OF THE FLOOR

Cathy Garrison, President of the Capital Regional CSEA was present and spoke regarding the opposition of selling the Montgomery Meadows. She stated that since the last presentation she gave there have been weekly meetings taking place with the CSEA members and the Meadows Administrator. She said as everyone is continuing to talk, the staff and department heads have been putting together a plan for cost savings and revenue enhancements.

Ms. Garrison stated that there are a lot of concerns among the employees as to what the Board of Supervisors are doing regarding the future of the Meadows and reiterated that the employees are not responsible for the financial difficulty the facility is facing.

She stated that the employees are in the process of formulating their cost saving ideas and will be presented to the Administrator, Donald Dalger and hopefully he will include them in his proposal to the Board of Supervisors.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Quackenbush, seconded by Supervisor Schumann, passed with Aye(1729). Supervisor Brodie was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1729). Supervisor Brodie was absent.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Supervisor Thomas stated that a lengthy discussion took place at a recent Education/Government Committee Meeting regarding the 63-20 Corporation and it was his understanding that the committee recommended that an amendment to the resolution be offered up. Supervisor Dybas stated that an amendment could be offered up at tonight's meeting to delete all references to the 63-20 Corporation wording in the resolution. He also stated that the new Memorandum of Understanding should have the word ONLY stricken out of the revised MOU.

Supervisor McMahon reiterated that this issue with the 63-20 Corporation has been discussed in committee and stated that the information would be modified and verified, but due to time constraints of the June 15, 2004 vote to the taxpayers it was determined to take this approach so it would not stop the progress of the project. Supervisor McMahon also stated we cannot procrastinate any longer and this needs to move forward.

Supervisor DiMezza questioned the impact on the project by striking the language of the 63-20 Corporation? Connie Cahill, Attorney for the HFM BOCES stated that if Montgomery County were to amend the Memorandum of Understanding, HFM BOCES would have to go back to Fulton County and the

Community College. She stated that the property is currently owned by the counties in trust to benefit the Community College.

It was also stated by Attorney Cahill that the legislation provides at the end of the lease term (30 years) that the property is still owned by the counties in trust of the Community College, but there will be an additional restriction. The building will be used for elementary and secondary education purposes and these provision were part of the state's statute that BOCES had no control over. The only solution to the restriction would be to start all over again with the legislature.

Supervisor DiMezza questioned the liability if BOCES defaults on the loan?

Attorney Cahill stated if BOCES defaults on the loan the bond holders or the trustee or the bond indenture will come in and foreclose on what BOCES has and what that means is that BOCES has a 30 year right to use the building. If BOCES defaults the entity will come in with the parameters allowed and use that building for 30 years. At the end of the 30 years the lease terminates and it leaves the two counties owning the property on behalf of the community college for secondary and elementary education purposes.

Attorney Cahill gave an overview of the 63-20 Corporation with respect to the county. She stated that BOCES envisions the Counties having no financial liability what so ever. Every document, bond, and official statement used to sell bonds will state in all capital letters that neither Fulton or Montgomery County have any financial responsibility in respect to the bonds. The bonds will be strictly paid for by the lease payments made by BOCES. She also stated that more than likely BOCES will be insured by a municipal bond insurer that will take the risk if BOCES does not pay. Attorney Cahill said the bond holders will have no ability to sue the County.

Supervisor Dybas questioned that if the 63-20 Corporation defaults, where is the guarantee that the corporation does not come back to the County?

Attorney Cahill responded that a 63-20 Corporation is its own separate not-for-profit corporation. What the County does is approve its formation, but the County does not own it, the County begins the process then the County is out of the process.

Chairman Stagliano questioned the reason why Hamilton County is out of the process? Attorney Cahill responded that Hamilton County felt that since the property was in the two counties (Fulton and Montgomery County) that is where the MOU should take place.

Supervisor DiMezza questioned if BOCES would have enough money for the project. Attorney Cahill responded that BOCES will have enough money because it is part of the budget and it is also part of the contingency budget. If the money BOCES is paying for rent exceeds what is budgeted there may be an additional cost to the taxpayers, that is why the legislation requires the voters in the 3 counties to have the opportunity to approve this project.

Robert Townsend, Board President of HFM BOCES provided answers to the Board regarding the funding of the project. He stated that by forming the 63-20 Corporation in the leasing process it will maximize state aide. Mr. Townsend further stated that out of \$1.6 million budgeted for leasing, about \$1.1 million will be funded through the BOCES State Funding Mechanism that they have currently in place for any leases which leaves about \$500,000.00 to be shared among the 15 school district that are part of the HFM BOCES and it works out to be \$.65 per \$1,000.00 using .65% of 1%.

Supervisor Dybas questioned why not utilize the IDA because while doing some research on the 63-20 Corporation there was a warning stating the formation of the corporation could result in liability issues.

Supervisor Dybas stated that he was under the impression that it was the opinion of the Comptroller's office that an IDA can fund the 63-20 Corporation for 30 years.

Attorney Cahill responded that the council that is working for First Albany is a major nation bond council and they feel strongly that the project has not been given the definition of the IDA stature and therefore will leave the IDA open to law suits.

Mike Yevoli, Director of Economic Opportunity and Development/Planning stated that the MCIDA bond council that he spoke to informed him that the IDA could fund the 63-20 Corporation.

Supervisor Dybas questioned why the cost of the project is not in the Memorandum of Understanding and Attorney Cahill stated that according to legislation with the governor's approval it is in the referendum as a 30 year lease agreement indicating \$1.6 million for the lease of the building.

Supervisor Schumann stated that letters from Senator Farley and Assemblymen Tonko to introduce a chapter amendment to the MOU were sent to the college trustees because of the concerns raised if something unforeseen happens regarding BOCES.

Chairman Stagliano stated that the population trend is declining and Montgomery County is losing at an average of 2,000 residents every 10 years and also stated by the end of 30 years it is possible that the building could revert back to the Counties.

Supervisor Schumann stated that the concerns regarding the formation of the 63-20 Corporation would not be a stumbling block since the College is on board and feels an amendment to strike a few clauses in the MOU would only delay the project. She also stated that we should put the 15 component school districts and the students first to allow the project to move forward and leave the MOU as is and allow the voters of the three counties to make the ultimate decision with the present facts presented.

Chairman Stagliano stated that everyone present wants to see the BOCES Building, but everyone also wants the assurance of what the original design was intended to do. He stated a concern if the building comes back to the Counties in 30 years and felt that Senator Farley and Assemblymen Tonko should have all the correct legislation in place now so you do not have to come back and make it right in the future.

Supervisor Dybas stated that there was an issue regarding when the Memorandum of Understanding was actually presented and felt that there were conflicting dates by the College trustees.

Chairman Stagliano stated some clarification is needed regarding of who drafted the Memorandum of Understanding because there are board members under the assumption that the County Attorney, Doug Landon drafted the MOU.

Attorney Landon stated that at the request of Attorney Cahill he met with her and Attorney Skip Spring, Fulton County Attorney and they discussed the situation and what was going to be proposed. A draft copy was faxed on March 25, 2004 and forwarded to Supervisor Dybas who is the Chairman of the Education/Government Committee.

Supervisor Thomas questioned where the land was situated and if all the contractors were lined up to start construction? Dr. Geoffrey Davis, HFM BOCES Superintendent stated that the property and building is split between the County lines, and the contractors are all lined up to start construction. Turner Construction was awarded the project 2 1/2 years ago through a competitive RFP. Supervisor Thomas had a concern regarding the process involving the awarding of the bid from the contractor.

Supervisor Quackenbush wanted clarification as to the resolution and Dr. Davis stated that the vote tonight is solely supporting the concept and not voting on any technical language that will be negotiated after a successful referendum. He also stated that Montgomery County is telling the public that they are in support of the MOU.

Chairman Stagliano questioned how Montgomery County is involved if this resolution gets passed tonight? Dr. Davis stated that this agreement is only in concept, immediately following a successful public referendum, the attorney's will begin crafting the agreement and then the County will have their input regarding the lease, financing and the 63-20 Corporation and feels the county will be very involved.

Chairman Stagliano questioned the term "true lease". He stated that this term needs to be clarified and at some point and an opinion from the State Comptrollers Office is needed to indicate that this indeed is a true lease.

Supervisor DiMezza stated that since this was only in concept Montgomery County should not hold up the idea any longer. He also stated that the average total cost to a taxpayer will be \$6.00 per year at minimum and feels this is reasonable considering there will be a new building.

Chairman Stagliano stated that he is willing to take this to the next level, meaning the next level is the negotiation of the agreement. He also stated he will address his concerns when the agreement becomes drafted.

Supervisor Schumann reiterated Supervisor DiMezza's sentiments not to hold up the concept any longer.

Supervisor McMahon expressed his concern over the Board's own Rules of Procedure and that they were not being adhered to.

Chairman Stagliano stated that the issue was important enough to adjust the Rules of Procedure. With that, Supervisor McMahon made motion to call the question to cease further debate.

Motion to call the question by Supervisor McMahon, seconded by Supervisor Strevy. Roll call indicated the motion to call the question failed.

Supervisor Jonker stated his concerns regarding the resolution and urged the board not to pass it. Chairman Stagliano reassured the board members that we have council to rely on and we should move forward and take this to the next level.

Chairman Stagliano then asked for a vote on the resolution.

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MONTGOMERY, HFM BOCES, COUNTY OF FULTON AND FMCC (HFM BOCES CONSTRUCTION PROJECT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, HFM BOCES has proposed the construction of a new facility on lands adjacent to the Fulton-Montgomery Community College, and

WHEREAS, said lands are jointly owned by Fulton and Montgomery Counties "in trust and for the uses and purposes" of operating the College, and

WHEREAS, the NYS Legislature has enacted special legislation allowing HFM BOCES to enter into a 30-year lease of lands owned by Fulton and/or Montgomery Counties at or near FMCC to maintain or conduct cooperative educational services and administrative offices, and

WHEREAS, it is necessary to execute a Memorandum of Understanding between all parties involved prior to proceeding with other required approvals and commencing construction, and

WHEREAS, among other things, the Memorandum of Understanding requires that the Sponsor Counties authorize the formation of a separate "63-20 Corporation" whereby the Sponsors will lease the land to the 63-20 Corporation, who will, in turn, issue tax exempt bonds for said project,

RESOLVED, that the Chairman of the Board, following review and approval by the County Attorney hereby is authorized to sign a Memorandum of Understanding between the County of Montgomery, HFM BOCES, County of Fulton and FMCC for the HFM BOCES Construction Project on College lands, as attached hereto and made a part hereof, and

FURTHER RESOLVED, that as identified in the Memorandum of Understanding, the County of Montgomery hereby agrees to form a not-for-profit corporation, in accordance with Internal Revenue Service Code 63-20, for the purpose of issuing tax exempt bonds for the HFM BOCES Construction Project, and

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

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Strevy, was defeated with Aye(929). Supervisors Cechnicki, Dybas, Jonker, Paton, Sinicropi, Jr., Stagliano and Strevy voted Nay. Supervisor Brodie was absent. (5/25/2004)

RESOLUTION ADOPTED with Aye(1456). Supervisors Jonker and Quackenbush voted Nay. Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano called a 5 minute recess before continuing with the meeting.

RESOLUTION NO. 126 of 2004

DATED: May 25, 2004

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 - WEATHERGUARD ROOFING - COLLEGE UNION ROOF REPLACEMENT PROJECT (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

WHEREAS, Resolution 161 of 2002 authorized a contract with Weatherguard Roofing for the FMCC College Union Roof Replacement Project, and

WHEREAS, the Fulton County Planning Director and Project Design Engineer recommend installation of a subsurface drainage system along the north wall of the College Union Building to address water infiltration problems, and

WHEREAS, Weatherguard Roofing has submitted an estimate to complete said work,

RESOLVED, that the Chairman of the Board is authorized to sign the following change order:

Original Contract Amount	\$ 148,900.00
Change Order No. 1 - Installation of Drainage System	\$ 9,775.00
Revised Contract Amount	<u>\$ 158,675.00</u>

FURTHER RESOLVED, that this Resolution is contingent upon passage of a similar Resolution by the

Fulton County Board of Supervisors

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 127 of 2004

DATED: May 25, 2004

RESOLUTION APPROVING CAPITAL PROJECTS - INTEGRATED FIRE ALARM SYSTEM AND HVAC CONTROL PROJECT (FMCC)

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

WHEREAS, it has been recommended that certain Capital Projects at Fulton-Montgomery Community College be undertaken, and

WHEREAS, Montgomery County is responsible for 25% of the costs of Capital Projects at FMCC,

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the following Capital Projects at Fulton-Montgomery Community College:

Integrated Fire Alarm System at a total estimated project cost of \$276,336 (Montgomery County Share \$69,084)

HVAC Control Project at a total estimated project cost of \$177,577 (Montgomery County Share \$44,394)

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 128 of 2004

DATED: May 25, 2004

RESOLUTION IN SUPPORT OF SENATE BILL S5854 AND ASSEMBLY BILL A10124 AMENDING SOCIAL SERVICES LAW, IN RELATION TO STATE REIMBURSEMENT FOR CARE, TREATMENT, MAINTENANCE AND NURSING SERVICES IN NURSING HOMES

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, all counties in New York State and the City of New York contribute heavily to the cost of Medicaid, paying 25% of hospital Medicaid costs as well as 10% of long-term care Medicaid costs, and

WHEREAS, local governments that sponsor their own County Nursing Home facilities subsidize any deficits with local taxes, essentially creating a double tax for County Nursing Home facilities, and

WHEREAS, Medicaid as a source of payment is inadequate and disproportionately penalizes public facilities because of their heavy Medicaid caseload, and

WHEREAS, the phase out of the Medicaid Intergovernmental Transfer Program (IGT), over four years will mean a loss of \$99,000,000 in annual revenue to public nursing homes by 2005, \$1,000,000 of that loss to Montgomery County, and

WHEREAS, legislation needs to be enacted by the State of New York to permit counties that operate nursing homes to deduct any public nursing home operating deficits from their 10% contributions to long-term care Medicaid, and

WHEREAS, said legislation has been introduced in the New York State Senate Bill S5854 and the New York State Assembly Bill A10124,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports Senate Bill S5854 and Assembly Bill A10124 amending Social Services Law, in relation to State Reimbursement for care, treatment, maintenance and nursing services.

RESOLUTION ADOPTED with Aye(1663). Supervisor Cechnicki abstained. Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 129 of 2004

DATED: May 25, 2004

MEMORIALIZING RESOLUTION REQUESTING STATE OF NEW YORK AMEND CERTAIN RACING AND WAGERING LAWS IMPACTING THE ABILITY OF REGIONAL OFF TRACK BETTING CORPORATIONS TO PROVIDE NECESSARY FUNDS TO COUNTY AND LOCAL GOVERNMENTS FOR REAL PROPERTY TAX RELIEF

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, Capital District Regional Off-Track Betting Corporation was created in 1975 as a public benefit corporation to generate revenue for local governments, curb illegal bookmaking and ensure the well being of the horse racing industry, and

WHEREAS, since its founding, CDROTB has turned over more than \$155 million to CDROTB participating counties and the City of Schenectady for real property tax relief, including the sum of \$7,622,182.00 in 2003, \$8,871,169.00 in 2002 and \$9,249,211.00 in 2001, and

WHEREAS, changes in New York State law enacted in 2003 have had significant negative financial impact on CDROTB, resulting in a reduction in payments to participating counties and the City of Schenectady in CDROTB, and thus reducing the benefit to local taxpayers, and

WHEREAS, among the reasons for this negative financial impact have been legislation creating a "hold harmless" agreement for New York State harness tracks that mandate CDROTB make payments to them even if no racing occurs there and even though they are operating a successful racino, and

WHEREAS, these same harness tracks are currently in the process of creating Video Lottery Terminal (VLT) facilities, installing thousands of electronic gaming machines that they anticipate will generate millions of dollars of revenue annually, yet CDROTB will continue to be required to pay hundreds of thousands of dollars in "hold harmless" payments, regardless if tracks are closed during the construction of these facilities and afterwards, when these VLT centers are operating, and

WHEREAS, legislation creating a smoking ban in betting parlors, and the imposition of a New York State Racing and Wagering Fee of .39 percent of handle of CDROTB have had a direct adverse fiscal affect, resulting in hundreds of thousands of dollars originally earmarked for Off-Track Betting municipalities instead of being sent to New York State, and

WHEREAS, winning wagers that are placed by participating county and the City of Schenectady residents at CDROTB parlors but are unclaimed are, by law, turned over to the State of New York, rather than to CDROTB participating counties and the City of Schenectady where these funds originated and would most benefit, and

WHEREAS, requested changes by the New York State Racing Association (NYRA) board of directors to reduce the "takeout" (the portion of wagers that are withheld by the track and Off-Track Betting Corporations to generate revenue for local government), without consulting Regional Off-Track Betting Corporations, will further reduce revenues paid to CDROTB participating counties and the City of Schenectady, and

WHEREAS, the creation, development and operation of a Native American Casino (Turning Stone Casino) and the Saratoga Racino is causing the further siphoning of casual bettors from CDROTB, impacting existing payments to CDROTB participating counties and the City of Schenectady,

RESOLVED, that this Board hereby requests that State of New York to repeal the legislation which created the .39 percent administrative fee on all handle to the New York State Racing and Wagering Board, and in its stead legislation be enacted and executed by the Governor of the State of New York authorizing that the New York State Racing and Wagering Board be funded by using the funds which annually escheat to the state on uncashed pari-mutuel wagering tickets, and

FURTHER RESOLVED, that this Board hereby requests the State of New York to approve legislation mandating that the New York Racing Association include a minimum of at least one representative as selected by all the six Regional Off-Track Betting Corporations, to ensure that local concerns are discussed and addressed before any decisions are made that impact county and local governments, and

FURTHER RESOLVED, that this Board hereby requests the State of New York to approve legislation mandating that hold harmless payments to harness tracks by Regional Off-Track Betting Corporations be reduced or eliminated to closed tracks if they establish Video Lottery Terminal facilities on their grounds, and suspend payments to these tracks while they are closed to racing

during construction of Video Lottery centers, and

FURTHER RESOLVED, that this Board hereby request the State of New York to approve legislation mandating that CDROT B be held harmless from losing revenues due to the creation, development and operation of the Saratoga Racing and the Turning Stone Casino, a Native American Casino in Oneida County, with legislative language to be included in any compacts the State of New York enters into with any Indian nation protecting CDROT B, and

FURTHER RESOLVED, that this Board hereby requests the State of New York to approve legislation mandating that regional off-track betting parlors be allowed to establish separate enclosed facilities.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 130 of 2004

DATED: May 25, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - 2004 BRIDGE PROGRAM (PUBLIC WORKS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 51 of 2004, has approved the 2004 Bridge Program, including engineering services, and

WHEREAS, the funding for said program was approved, by adoption of Resolution No. 120 of 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 Earth Tech, Inc. of Albany, for provision of engineering services for the 2004 Bridge Program, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$162,000.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 131 of 2004

DATED: May 25, 2004

RESOLUTION APPROVING CAPITAL PROJECT - EQUIPMENT REPLACEMENT (DPW)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Walters

WHEREAS, the Commissioner of Public Works has recommended the replacement of various equipment,

RESOLVED, that the Board of Supervisors hereby approves the replacement of various equipment, as a 2004 Capital Project, at a cost not to exceed \$825,500 and

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

RESOLUTION ADOPTED with Aye(1586). Supervisor McMahon voted Nay. Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

A brief discussion took place regarding the county building energy cost comparison study. Chairman Stagliano that at a recent Needs Assessment Meeting a lot of concerns were raised with the existing buildings and that the County needs to look at long term investment. Supervisor McMahon stated that looking into a new county office building would be unrealistic as we are currently looking into curtailing spending.

RESOLUTION NO. 132 of 2004

DATED: May 25, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TEITSCH-KENT-FAY ARCHITECTS, P.C. - COUNTY BUILDINGS ENERGY COST COMPARISON STUDY - DPW

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thomas

WHEREAS, it has been determined that there is a need to complete a preliminary energy usage cost comparison study in the existing County Buildings to determine the need for one new county office building that would house all county departments, and

WHEREAS, it is necessary to contract with a consulting firm to provide 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 Teitsch-Kent-Fay Architects, P.C. of Cazenovia, New York, at a cost not to exceed \$9,000 plus reimbursables as specified in said agreement, to complete a preliminary energy usage cost comparison study in the existing County Buildings.

RESOLUTION ADOPTED with Aye(1076). Supervisors Cechnicki, McMahon, Paton, Quackenbush and Schumann voted Nay. Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 133 of 2004

DATED: May 25, 2004

RESOLUTION TRANSFERRING FUNDS (DPW)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Walters

WHEREAS, it has been recommended that the Purchasing Agent and Commissioner of Public Works review the County's controlled destruction of County documents,

RESOLVED, that the Board of Supervisors hereby authorizes the purchase of a cross-cut shredder at a cost not to exceed \$10,000.00 and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget as follows:

Transfer:

From:	A-01-4-1990-00.4400 Contingency Account	\$10,000.00
To:	A-12-4-1620-00.2250 Technical Equipment	\$10,000.00

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor McMahon stated his concern regarding how the tourist information will be distributed to various localities? Supervisor Quackenbush stated that the Montgomery County Chamber of Commerce will have a sub-committee with members from the Hotel/Motel Occupancy Tax Advisory Board to oversee the tourism program.

RESOLUTION NO. 134 of 2004

DATED: May 25, 2004

RESOLUTION DISSOLVING THE MONTGOMERY COUNTY TOURISM ADVISORY COMMITTEE

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 316 of 1999 created the Tourism Advisory Board to oversee the Tourism Program in Montgomery County, and

WHEREAS, the Hotel/Motel Occupancy Tax Advisory Board has met and has made the recommendation that the Tourism Advisory Committee be dissolved to eliminate duplication of tourism coordination efforts,

RESOLVED, that the Montgomery County Board of Supervisors hereby dissolves the Montgomery County

Tourism Advisory Committee and appointments made thereto.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 135 of 2004

DATED: May 25, 2004

RESOLUTION ESTABLISHING ANNUAL THIRTY-DAY AGRICULTURAL DISTRICT REVIEW PERIOD

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, NYS Agriculture and Markets Law Section 303-b requires any county containing a certified agricultural district to designate an annual thirty-day period within which landowners may submit requests for inclusion of predominantly viable agricultural land in an existing agricultural district.

RESOLVED that the Board of Supervisors hereby establishes September 1st – 30th as the annual thirty-day agricultural district review period.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 136 of 2004

DATED: May 25, 2004

RESOLUTION AUTHORIZING CHANGE ORDER #1 - COBLESKILL STONE PRODUCTS - NYS ROUTE 5S RECONSTRUCTION (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Thomas

WHEREAS, the original contract did not include provision for the contract to obtain the required highway work permit, and

WHEREAS, certain costs are associated with obtaining the required highway work permit, and

WHEREAS, said costs include \$11,000 for a performance bond, and approximately \$37,000 for NYS DOT inspection, and

WHEREAS, said costs are fully reimbursable through the NYS DOT IAP grant,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized to sign Change Order No. 1 with Cobleskill Stone Products to include the costs of a performance bonds and NYS DOT inspection for the Route 5S Road Reconstruction Project.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 137 of 2004

DATED: May 25, 2004

RESOLUTION AUTHORIZING DIRECTOR OF ECONOMIC DEVELOPMENT TO IMPLEMENT HUD REQUIREMENTS - CDBG (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

WHEREAS, Montgomery County is the recipient of Federal funds under the Community Development Block Grant (CDBG) of the U.S. Department of Housing and Urban Development (HUD), and,

WHEREAS, the County must take actions to affirmatively further fair housing, community participation and comprehensive planning in accordance with certifications submitted as part of

the Community Development Block Grant application,

RESOLVED, that the Board of Supervisors hereby authorizes the Department of Economic Development/Planning to implement Montgomery County's HUD CDBG Requirements

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 138 of 2004

DATED: May 25, 2004

RESOLUTION REESTABLISHING A RECORDS MANAGEMENT ADVISORY BOARD AND RESCINDING RESOLUTION 82 OF 1989 AND 434 OF 1997 WHICH CREATED PREVIOUS RECORDS MANAGEMENT ADVISORY BOARDS (HISTORY & ARCHIVES)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, Resolution 82 of 1989 and Resolution 434 of 1997 both provided for the creation and appointment of a Records Management Advisory Board for the purpose of assisting and advising the Records Management Office on issues related to Records Management, and

WHEREAS, said Resolutions call for the appointment of certain County Staff whose position no longer exist to the Records Management Advisory Board, thus said Board has been inactive for a number of years, and

WHEREAS, adequate storage of the County's records continues to be a problem and the County's Records Management Officer is requesting that the Records Management Advisory Board be updated with appointments that are reflective of the positions that currently exist in Montgomery County Government today,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes a Montgomery County Records Management Advisory Board, and

FURTHER RESOLVED, that the duties of said Board shall include providing advising the Records Management Officer on the development of the Records Management Program; Review the performance of the Program on a continual basis and propose changes and improvements; Review retention periods proposed by the Records Management Officer for records not covered by the State Education department schedules; provide advice on the appraisal of records for archival value; Review all requests for disposition of records and grant final approval before disposition takes place; and actively support the Records Management Program and promote it among all the departments and agencies of County Government and the local community, and

FURTHER RESOLVED, that said Board shall be composed of the County Treasurer, County Clerk, County Historian/Records Management Officer, Director of Data Processing, Director of Economic Opportunity and Development/Planning, three Montgomery County residents, to be appointed by the Records Management Officer and a member of the Board of Supervisors to be designated each January, or their designee), and

FURTHER RESOLVED, that Supervisor John B. Thomas is hereby appointed to serve on said Advisory Board for a term to expire on December 31, 2004,

FURTHER RESOLVED, that Resolution 82 of 1989 and Resolution 434 of 1997 are hereby rescinded.

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 139 of 2004

DATED: May 25, 2004

RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

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 2004 Operating Budget, as follows:

TRANSFER:

From: EH 34 4 6020 00 1110:		
(035) Cleaner		\$ 2,000.00
(049) Scheduling Clerk		3,000.00
(178) LPN		3,500.00
(184) LPN		1,500.00
(186) LPN		2,000.00
(207) C N A		1,000.00
(210) C N A		2,000.00
(238) C N A		3,000.00
(342) Supv. Nurse		3,000.00
(1129) Caseworker		6,000.00
(1422) Supv. Nurse		3,000.00
		<u>\$30,000.00</u>
To: EH 34 4 6020 00 4436	Medical Fees	\$30,000.00

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 140 of 2004

DATED: May 25, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT 2004-2006 CONSOLIDATED SERVICES PLAN (SOCIAL SERVICES)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Social Services has requested that the County enter into a three-year Consolidated Services Plan Agreement with the New York State Office of Children and Family Services, and

WHEREAS, the Commissioner of Social Services recommends acceptance of said proposal, and

WHEREAS, said Agreement will enable the County to remain eligible for Federal and State Aid reimbursement,

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed, following review and approval by the County Attorney, to sign a Consolidated Services Plan Agreement for the period commencing on May 1, 2004 and ending on December 31, 2006.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 141 of 2004

DATED: May 25, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DVA (VETERANS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, The Veterans Service Agency has been awarded a grant in the amount of \$1,860 from the New York State Division of Veterans' Affairs to be used to help pay 2004 operating expenses,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with the New York State Division of Veterans' Affairs, accepting the terms and conditions associated with receipt of the \$1,860 grant, and

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon

Christine Pasquarelli

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 142 of 2004**DATED:** May 25, 2004**RESOLUTION AUTHORIZING SALE OF TRAILER (SHERIFF)**

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff's Department is in possession of a trailer that they are no longer able to utilize and that has no value to the County,

RESOLVED, that the Sheriff's Department, in conjunction with the Department of Public Works is hereby authorized to sell County Fixed Asset - UNITED TRAILER U716TA2T S#48B500G22T1021739 to the Town of Mohawk Volunteer Fire Department for the sum of \$1.00.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 143 of 2004****DATED:** May 25, 2004**RESOLUTION ACCEPTING BID PHARMACY DISPENSING SERVICES (CORRECTIONS FACILITY)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Purchasing Agent solicited proposals for Pharmacy Dispensing Services (RFP 01-04) at the Corrections Facility and

WHEREAS, the Sheriff has recommended acceptance of the proposal submitted by NCS Healthcare of Syracuse, New York.

RESOLVED, that the proposal tendered by NCS Healthcare for the provision of Pharmacy Dispensing Services at the Corrections Facility 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 NCS Healthcare for the provision of said services for a one-year period commencing June 1, 2004 and ending May 31, 2005, with the ability for annual review for continuation of said services at the terms outlined in the agreement.

FURTHER RESOLVED, that the Sheriff and the Purchasing Agent are in agreement that RFP 01-04 should be awarded to NCS Healthcare.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 144 of 2004****DATED:** May 25, 2004**RESOLUTION AMENDING 2004 OPERATING BUDGET - LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT (SHERIFF)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Cechnicki

WHEREAS, Resolution 48 of 2004 authorized the Chairman of the Board to sign an agreement for a \$30,000 FY04 Law Enforcement Terrorism Prevention Program (LETPP) Grant, and

WHEREAS, it is necessary to amend the 2004 Operating Budget to provide for receipt and appropriation of said funding,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 operating budget as follows:

INCREASE REVENUE:

A-15-3-3389 Other Public Safety \$30,000

INCREASE APPROPRIATIONS:

A-15-4-3110-4455 Training \$19,800
A-15-4-3110-4447 Clothing & Uniforms \$10,200

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 145 of 2004

DATED: May 25, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION - SHERIFF

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, the Sheriff has requested a budget amendment to allow for the temporary appointment of a Corrections Officer,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER:

From: A-15-4-3150-00-1110-1104 Corrections Officers \$20,000

To: A-15-4-3150-00-1130-162 Temporary Employees \$20,000

RESOLUTION ADOPTED with Aye(1592). Supervisor Sinicropi, Jr. voted Nay. Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 146 of 2004

DATED: May 25, 2004

RESOLUTION RATIFYING APPLICATIONS FOR CERTAIN GRANT FUNDING (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, the Sheriff through approval of the Traffic Safety Board has made application to the State for certain grant funding,

RESOLVED, that the Board of Supervisors hereby ratifies said applications as follows:

Buckle Up New York	
(MCSO overtime and equipment)	\$ 15,566.00
(APD overtime and equipment)	\$ 13,500.00
Impaired Driving Deterrence	
(STOP DWI overtime and equipment)	\$ 13,178.63
Traffic Safety Enforcement	
(MCSO Deputy and Equipment)	\$125,263.53
Child Passenger Safety Program	
(Public Health Child Safety Seats)	\$ 2,310.00
STEP	
(APD overtime)	\$ 11,500.00
	<u>\$181,318.16</u>

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 147 of 2004**DATED:** May 25, 2004**RESOLUTION TRANSFERRING FUNDS STOP-DWI RESERVE (STOP-DWI)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, the STOP-DWI Coordinator has recommended the purchase of equipment for the various public safety agencies in Montgomery County to assist in the reduction of DWI/DWAI offenses and to enhance enforcement of all alcohol-related incidents, and

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follow:

INCREASE:

A-511 Appropriated Reserve – STOP-DWI \$26,101.82

INCREASE:

A-32-4-3315-00

.2250	STOP-DWI Technical Equipment	\$18,397.68
.2259	Computer Equipment	\$ 6,217.37
.4408	Office Supplies	\$ 72.50
.4520	STOP-DWI/Law Enforcement Program	\$ 1,047.00

ADD .4459 Computer Software \$ 367.27

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 148 of 2004**DATED:** May 25, 2004**RESOLUTION ESTABLISHING COMMUNITY SERVICE PROGRAM (BOARD OF SUPERVISORS)**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Strevy

WHEREAS, the Montgomery County Board of Supervisors, in an effort to consolidate services, will restructure the Youth Bureau Department and will change the title to: "Youth Bureau/Alternative Community Services Department", and

RESOLVED, the Department Head title will change as well, and shall read: "Youth Bureau/ACSD Director", and

FURTHER RESOLVED, the salary for this position will be set at \$39,000, and

FURTHER RESOLVED, the Community Services Program for the County will be administered under this encompassing department, and

FURTHER RESOLVED, that two additional personnel positions listed below will be established, and

FURTHER RESOLVED, that this Community Services Program, as well as all above stated changes to this department, will go into effect on June 28th, 2004, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

ADD:

A	21	3	3312	00		Alternatives to Incarceration
A	21	4	7310	00	1110 (161)	Youth Bureau/ACSD Director
A	21	4	3155	00	1110 (300)	Youth Bureau/ACSD Director
A	21	4	3155	00	1110 (153)	Community Services Program Coordinator (F/T)
A	21	4	3155	00	1120 (157)	Work Project Supervisor (P/T)
A	21	4	3155	00	2259	Computer Equipment

A	21	4	3155	00	4407	Office Equipment
A	21	4	3155	00	4408	Office Supplies
A	21	4	3155	00	4409	Office Furniture
A	21	4	3155	00	4410	Utilities (cell phone)
A	21	4	3155	00	4453	Postage
A	21	4	3155	00	4459	Computer Software
A	21	4	3155	00	4461	Work Program Expenses
A	21	4	3155	00	4471	Mileage
A	21	4	3155	00	4473	Travel: Related Costs

FURTHER RESOLVED, that the following funds be transferred:

FROM:

A-21-4-7310-00-1110(105)	Youth Bureau Director	\$16,473.36
A-01-4-3189-00-4592	Alternatives to Incarceration	\$49,700.00

TO:

A-21-4-7310-00		
. 1110(161)	Youth Bureau/ACSD Director	\$ 16,473.36
A-21-4-3155-00		
. 1110(300)	Youth Bureau/ACSD Director	\$ 3,750.00
. 1110(153)	Comm Svcs Prog Coord (F/T)	\$ 13,100.00
. 1120(157)	Work Project Supv. (P/T)	\$ 5,000.00
. 2259	Computer Equipment	\$ 1,750.00
. 4407	Office Equipment	\$ 500.00
. 4408	Office Supplies	\$ 1,000.00
. 4409	Office Furniture	\$ 2,000.00
. 4410	Utilities	\$ 1,000.00
. 4425	Maintenance Agreements	\$ 100.00
. 4453	Postage	\$ 250.00
. 4459	Computer Software	\$ 300.00
. 4461	Work Program Expenses	\$ 7,500.00
. 4471	Mileage	\$ 5,000.00
. 4473	Travel: Related Costs	\$ 200.00
A-10-4-9001-00		
. 8810	FICA	\$ 1,400.00
. 8820	Retirement	\$ 2,750.00
. 8830	Workers Compensation	\$ 500.00
. 8850	Hospital & Medical Ins	\$ 3,600.00

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 149 of 2004

DATED: May 25, 2004

RESOLUTION ESTABLISHING FEE (COUNTY CLERK)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the Montgomery County Clerk to charge a fee of \$3.00 for a cover page for the recording of documents effective June 1, 2004.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor DiMezza, to delete June 1, 2004 and in its stead insert July 1, 2004 passed with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 150 of 2004

DATED: May 25, 2004

RESOLUTION AUTHORIZING PURCHASE CONTRACT - NATURAL GAS AWARD

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent is soliciting sealed bids for procurement of natural gas, said bids to be received by June 15, 2004, and

WHEREAS, given the volatility of natural gas prices, it is in the best interest of the County to award a contract to the lowest responsible bidder within one hour of receipt of said bids,

RESOLVED, that the Chairman of the Board of Supervisors and the Purchasing Agent are hereby authorized to award a natural gas purchase contract, for a 12-month period beginning July 1, 2004 and ending on June 30, 2005 to the lowest responsible bidder.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 151 of 2004

DATED: May 25, 2004

RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, Donald Dalger was appointed Temporary Meadows Administrator, by adoption of Resolution No. 100 of 2004, and

WHEREAS, said temporary appointment was effective on April 5, 2004, pending Local Law change, and

WHEREAS, the Local Law #2 of 2004 passed, and the incumbent has been recommended for permanent appointment, at the pleasure of the Board of Supervisors, and

RESOLVED, that Donald Dalger hereby is appointed Meadows Administrator at an annual base salary of \$82,500 to serve at the Pleasure of the Board.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 152 of 2004

DATED: May 25, 2004

RESOLUTION APPOINTING INTERIM PROBATION DIRECTOR

Resolution by Supervisor: Thomas

Seconded by Supervisor: Walters

WHEREAS, the Montgomery County Probation Department has a vacancy for Probation Director II,

RESOLVED, that _____ is hereby appointed to serve as interim Probation Director II commencing on May 31, 2004 at an annual salary of \$_____, and

FURTHER RESOLVED, that the interim appointment will stay in effect until a permanent Director is hired through the Board of Supervisors interview and appointment process.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor McMahon, to insert in the RESOLVED clause "Lucille Sitterly" and "\$50,104", respectively passed with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 153 of 2004

DATED: May 25, 2004

RESOLUTION AUTHORIZING RELOCATION OF CSEA AND NON-BARGAINING SALARY GRADE SCHEDULES

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Jonker

WHEREAS, it has been recommended that certain CSEA and Non-Bargaining titles be relocated to higher pay grades, and

WHEREAS, the critical shortages for nurses at the Montgomery Meadows necessitates the following salary and grade changes, and

RESOLVED, that the title of Head Nurse presently at grade "N" at annual base salary of \$36,471, hereby is relocated to grade "O" at annual base salary of \$38,749, and

FURTHER RESOLVED, that the title of Supervising Nurse presently at grade "O" at the annual base salary of \$38,749, hereby is relocated to a new grade "P" at annual base salary of \$41,000.00, and

FURTHER RESOLVED, that the title of Assistant Director of Nursing presently at the annual base salary of \$42,000, be adjusted to \$45,500, and

FURTHER RESOLVED, that the title of Director of Nursing presently at the annual base salary of \$46,500, be adjusted to \$50,000, and

FURTHER RESOLVED, that the Director of the Montgomery County Meadows make the appropriate transfers needed with the County Treasurer and Budget Officer to ensure that their budget lines are funded.

FURTHER RESOLVED, that these changes will take effect on 5/31/04.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 154 of 2004

DATED: May 25, 2004

RESOLUTION ACCEPTING BIDS - 2004 COUNTY AUCTION

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, an open-bid auction of certain County-owned real property was held on Wednesday, May 12, 2004, and

WHEREAS, the respective successful bidders were as follows:

PARCEL#	DESCRIPTION	BID
2 38.7-1-13	49 FT JOHNSON AVE	\$6,000.00
6 24.12-2-42	N. SIDE OF LOG CITY ROAD	\$1,000.00
7 24.12-3-19	N. SIDE OF LOG CITY ROAD	\$1,400.00
10 39.12-2-24	RAMSEY AVE.	\$-
12 40.6-1-8.2	OFF PIONEER STREET	\$500.00
15 40.7-1-22	EAST SIDE NORTHERN BLVD	\$300.00
16 40.9-1-18	ZANELLA ROAD	\$-
20 41.-2-36	190 WAITE ROAD	\$10,000.00
26 40.9-1-43	VALLEY VIEW ROAD	\$-
27 63.13-1-21	CLIFF STREET	\$1,200.00
28 63.17-1-36	N. OF RIDGE ROAD (REAR)	\$-
29 63.64-1-19	24 ROBINSON STREET	\$6,500.00
30 62.-2-6.1	495 OLD FORT PLAIN ROAD	\$40,000.00
32 122.-1-37	N. SIDE BUTTON STREET	\$2,100.00
33 99.-2-12	104 GREEN ROAD	\$3,500.00
36 114.-3-17	GREEN ROAD	\$21,500.00
42 142.-1-4	E SIDE STATE HIGHWAY 30A	\$15,500.00
50 35.15-2-2	BROAD STREET (REAR)	\$1,700.00
52 35.16-3-29	10 MONTGOMERY STREET	\$4,700.00
54 35.19-1-12	51 PROSPECT STREET	\$9,000.00
64 99.-3-20	EAST OF HYNEY HILL ROAD	\$6,000.00
65 99.-3-23	EAST OF HYNEY HILL ROAD	\$4,000.00
67 45.12-2-26	4 ABBOTT STREET	\$10,000.00
69 45.16-2-46	27 BECK STREET	\$7,000.00
71 46.9-1-31	258-260 MAIN STREET	\$2,100.00
72 46.13-2-7	9 KELLOGG STREET	\$500.00
75 46.38-1-45	3 CROUSE STREET (REAR)	\$5,500.00

76	46.38-1-61	70 CENTER STREET	\$4,100.00
78	46.46-2-6	29 CROUSE STREET	\$22,500.00
79	46.46-2-7	31-33 CROUSE STREET	\$12,000.00
87	29.-1-33	6736 STATE HIGHWAY 5S	\$2,500.00
88	29.-2-5	6929 STATE HIGHWAY 5S	\$4,750.00
89	43.-1-11.111	338 MILL LANE	\$4,000.00
91	75.-1-8.2	542 SALT SPRINGVILLE ROAD	\$3,300.00
93	91.-3-12	SALT SPRINGVILLE ROAD	\$5,000.00
94	91.3-1-5.2	2050 CLINTON ROAD	\$250.00
95A	35.12-1-17	37 E. MAIN STREET	\$1,100.00
96	35.12-1-20.1	31 E. MAIN STREET	\$7,000.00
106	36.-2-39	N. SIDE STATE HIGHWAY 5	\$500.00
117	46.10-6-28	DAHLEN STREET	\$900.00
121	30.-1-19.4	STATE HIGHWAY (REAR)	\$-
130	111.-1-37.2	N. SIDE MAPLETOWN ROAD	\$1,700.00
131	123.-2-5	E. SIDE BECKER ROAD	\$8,000.00
137	134.-1-33.10	S. SIDE E. LYKERS ROAD	\$12,000.00
140	8.51-3-8	1 UNION STREET	\$14,000.00
141	8.51-3-34	28 HOUGH STREET	\$9,000.00
142	9.5-1-15	62 CENTER STREET	\$8,000.00
144	9.9-1-43	MONROE STREET	\$18,000.00
150	8.11-1-9	7732 STATE HIGHWAY 5	\$3,000.00
		TOTALS	\$301,600.00

WHEREAS, Successful bids meet the terms and conditions of said auction and have been review 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 the to the Board of Supervisors for consideration.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (5/25/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Schumann, seconded by Supervisor Dybas, passed with Aye(1729). Supervisor Brodie was absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
6:00 PM, June 8, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Cechnicki, Mancini, McMahon, Schumann. Supervisor Paton was absent.

Additional present were Supervisors: Thomas, Jonker, Walters, DiMezza, Stagliano and Siniropi

Chairman Dybas noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding the Proceeding Books - Montgomery County Board of Supervisors
2. Discussion regarding negotiations - Montgomery County Representatives to the FMCC Board of Trustees
3. Other

Chairman Dybas opened the meeting with the discussion regarding the Proceeding Books and what direction the Committee will be taken. Deb Bain, Director of Data Processing addressed the Committee and stated that the last time the proceeding books were done was in the year 1996 and to get the proceeding books to the present state would involve a lot of manual work because of it is still being on the AS-400.

Ms. Bain stated that 50 books were ordered in 1996 and divided up between hard bound covers at \$15.00 each and soft bound covers at \$3.93 each plus shipping at a total cost of \$478.97.

She also stated that the price she quoted was from 1996 and there would probably be a price increase by the book firm. Chairman Dybas stated that it would be more feasible to do the proceedings electronically and have them available on the County web site for anyone to download.

Supervisor Stagliano stated that it is very important to have the proceeding books available because there is a lot of history associated with the information contained in the books. He also stated that you may not use the books now, but it is part of the County's history. Supervisor Stagliano stated that there is a wealth of historical information in the proceeding books and should be accessible to the public at locations deemed fit.

Another point of concern by Supervisor Stagliano was the ability for the elderly having access to computers; some are not privileged to own a computer so other means should be provided. If copies are in their library or the clerk's office the information is available and also serves as a back up if there was no accessibility to a computer.

Supervisor Cechnicki reiterated Supervisor Stagliano's concerns by not having any hard copies of the proceeding books available and also felt that they are a vital part of history that should be preserved.

Chairman Dybas requested that Deb Bain put together figures to reconstruct the information for the proceeding books from 1997 through 2003 and submit it at the next Education/Government Committee Meeting for further discussion and a resolution will be drafted sponsored by Supervisor McMahon, seconded by Supervisor DiMezza as to the direction for this project to be completed. The resolution moved to the full board with a positive recommendation.

Discussion regarding negotiations - Montgomery County Representatives to the FMCC Board of Trustees - Chairman Dybas stated that Marco Zumbolo was the only Montgomery County Representative to the FMCC Board of Trustees present and it would be unfair to present all the questions the committee has to one trustee. With that said, Chairman Dybas presented some issues that he had.

Chairman Dybas stated his thoughts regarding Fulton Montgomery Community College and what it costs Montgomery County on a per student basis versus what it costs Fulton County on a per student basis. He felt that it is out of line and the questions to the trustees was to bring some equity in to the way the contributions are made other than the 50/50 split.

Chairman Dybas stated that Montgomery County is contributing more on a per student basis and felt that Fulton County should be contributing the same relative proportion. He also stated that he requested information from David Morrow, Vice President for Administration and Finance at Fulton Montgomery Community College to go back and derive some numbers regarding the numbers of students attending from Montgomery County and Fulton County and how the numbers play out in regards to the capital projects between the counties.

Marco Zumbolo stated that the administration is working on getting the information that Chairman Dybas requested.

Chairman Dybas stated that some areas he would like to look into are the Domestic and Foreign population of students from Montgomery County and Fulton County and the tuition distribution and look at the curriculum and hope there is an equal mix.

Supervisor Schumann stated her concerns regarding the direction Chairman Dybas is taking with the college and felt that no action to challenge any agreements should be made until all the information is provided to the committee for review. Chairman Dybas stated that is why he requested the information from David Morrow so that the committee could be informed and do the necessary cost comparisons and make intelligent decisions based on what was provided from the college. It was recommended that a resolution be drafted for all requests to FMCC so that the administration is aware of what is being asked for. The committee recommended drafting a resolution for the most recent request for financial information. The resolution was sponsored by Supervisor Dybas, and seconded by Supervisor McMahon and moved to the full Board Meeting with a positive recommendation.

Supervisor Jonker stated that the Montgomery County representatives for Fulton Montgomery Community College should be held more accountable to the Board of Supervisors.

Supervisor Stagliano stated that other than Marco Zumbolo and Mike Sampone it is not known who the other college trustees are that represent Montgomery County and that creates a problem. He also stated the idea of tonight was to meet the representatives and have a discussion with all parties present and come up with a consensus of what direction the board wants to take regarding very important issues facing the County and bring that information to the college.

Supervisor Stagliano stated that August 1, 2004 is when the preliminary budget comes out and everyone will understand then how important this meeting with the FMCC trustees was.

Chairman Dybas along with the consensus of the Education/Government Committee felt another meeting with the trustees should be arranged and this will be coordinated by Legislative Aide, Jacki Meola.

Motion to adjourn the Education/Government Committee Meeting was made by Chairman McMahon, seconded by Supervisor Mancini. Chairman Dybas adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
7:00 PM, June 8, 2004

COMMITTEE MEETING DISCUSSION

Chairman Sinicropi presided over the meeting commencing at 7:00 p.m.

Roll call indicated Committee members present included Supervisors Brodie, DiMezza, Dybas, Jonker, Mancini, and Walters.

Additional present were Supervisors: Stagliano, Paton, Schumann, Cechnicki, Strevy, Thomas and McMahon

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Transferring Funds (Mental Health)
2. Resolution Authorizing the Negotiation Process for the Assumption/Purchase of the Montgomery Meadows
3. Other

Resolution Transferring Funds (Mental Health), sponsored by Supervisor Mancini, seconded by Supervisor Dybas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing the Negotiation Process for the Assumption/Purchase of the Montgomery Meadows, sponsored by Supervisor Strevy, seconded by Supervisor Jonker.

Pursuant to Section 105 (h) of NYS Open Meeting Law, Chairman Sinicropi asked for a Motion to go into Executive Session to discuss the proposed acquisition, sale or lease of real property. Motion was made by Supervisor Stagliano, seconded by Supervisor Strevy. Executive Session started at 7:10 p.m.

Motion to Adjourn Executive Session was made by Supervisor Jonker, seconded by Supervisor Dybas. Chairman Sinicropi adjourned the Executive Session at 7:50 p.m.

As a result of the Executive Session action was taken by the Board to move the Resolution Authorizing the Negotiation Process for the Assumption/Purchase of the Montgomery Meadows to the full board with a positive recommendation. The resolution will continue further negotiations with the two (2) top candidates selected by the Committee Members of the Health & Human Services/Social Services Committee and the additional Board members present at the meeting. The Committee recommended the two top candidates, Amsterdam Memorial Hospital and The Providers, Inc. (St. Johnsville Nursing Home) be selected.

Chairman Sinicropi stated under other a Resolution Amending 2004 Operating Budget (Public Health) has been submitted. The resolution was sponsored by Supervisor Jonker, seconded by Supervisor Paton. The Committee moved the resolution to the full board with a positive recommendation. Supervisor Dybas abstained.

Motion to adjourn the Health & Human Services/Social Services Committee Meeting was made by Supervisor Jonker, seconded by Supervisor Dybas. Chairman Sinicropi adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
6:00 PM, June 15, 2004

COMMITTEE MEETING DISCUSSION

Chairman Mancini presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Quackenbush, Schumann, Sinicropi, Walters. Supervisors Brodie and Dybas were absent

Additional present were Supervisors: Stagliano, Paton, Strevy, Thomas, Cechnicki and Jonker

Chairman Mancini noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Awarding Bid #05-04 – Radio Tower Equipment (Sheriff)
2. Resolution Establishing a Montgomery County EMS Advisory Board
3. Other

Resolution Awarding Bid #05-04 – Radio Tower Equipment (Sheriff) sponsored by Supervisor Sinicropi, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Establishing a Montgomery County EMS Advisory Board. A brief discussion took place with Rick Sager, Deputy Director of the Emergency Management Department and he stated that he was all in favor of the EMS Advisory Board, but there were some concerns regarding the make up of the Board and the voting rights. Mr. Sager stated he has made inquiries to the State and other counties for clarification of the Advisory Board and as of this date he has not received any response.

Chairman Mancini stated that because this is not a pressing issue, it was agreed upon that waiting until the next Public Safety Committee Meeting in July would give Mr. Sager sufficient time to have him compile all his information from the different agencies to be presented to the committee.

Chairman Mancini stated that there was two add on resolutions to be reviewed.

Resolution Appointing Members – Montgomery County Criminal Justice Coordinating Council (Alternatives to Incarceration) sponsored by Supervisor Sinicropi, seconded by Supervisor Quackenbush.

Jennifer Petteys, Youth Bureau/Alternative Community Services Director stated that the reason for appointing the new members was to be in compliance with the statute for the Division of Probation and Correctional Alternatives (DPCA). The Committee moved the resolution to the full board with a positive recommendation.

Resolution Awarding Bid No. 06-04 – Digital Eyewitness in Car Video System (Stop DWI) sponsored by Supervisor Sinicropi, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn the Public Safety Committee Meeting was made by Supervisor Quackenbush, seconded by Supervisor Sinicropi. Chairman Mancini adjourned the meeting at 6:20 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
6:30 PM, June 15, 2004

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 6:30 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Sinicropi, Strevy and Thomas

Additional present were Supervisors: Stagliano, Paton, Mancini, Schumann and Walters

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Authorizing Chairman to Sign Agreement for Provision of Purchasing Services – City of Amsterdam
2. Resolution Establishing Private Room Rate (Montgomery Meadows)
3. Other

Resolution Authorizing Chairman to Sign Agreement for Provision of Purchasing Services – City of Amsterdam sponsored by Supervisor Jonker, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation.

Marco Zumbolo, Interim Purchasing Agent gave a follow-up on the agreement to the committee stating that this will be a win-win situation for the City and County because of the same computer programs between both entities. He stated that all of the purchase orders will be done electronically and estimated between 1,500 – 2,000 will be processed in the course of the year and feels he has an excellent staff to provide the services and generate revenue for the county.

Resolution Establishing Private Room Rate (Montgomery Meadows) sponsored by Supervisor Sinicropi and seconded by Supervisor Strevy. The Committee moved the resolution to the full board with a positive recommendation.

Chairman DiMezza stated that there was one add on resolution for the Committee to review.

Resolution Amending 2004 Operating Budget (State Homeland Security Funding) sponsored by Supervisor Jonker, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn the Finance/Personnel Committee Meeting was made by Supervisor Cechnicki, seconded by Supervisor Strevy. Chairman DiMezza adjourned the meeting at 7:01 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
7:00 PM, June 15, 2004

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, DiMezza, Jonker, Paton, Strevy, and Thomas

Additional present were Supervisors: Stagliano, Sinicropi, Schumann, Walters and Mancini

Chairman Quackenbush noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Accepting Conservation Easement – Florida Business Park
2. Resolution Supporting Nature Trail Project – Thomas H. Burbine Sr. Memorial Forest
3. Resolution Authorizing Chairman to Sign Agreement – Montgomery County Snowmobile Association (Economic Opportunity and Development/Planning)
4. Resolution Transferring Funds – Tryon Oil Brownfield Project (Economic Opportunity and Development/Planning)
5. Other

Resolution Accepting Conservation Easement – Florida Business Park sponsored by Supervisor Sinicropi, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Supporting Nature Trail Project – Thomas H. Burbine Sr. Memorial Forest sponsored by Supervisor Paton, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – Montgomery County Snowmobile Association (Economic Opportunity and Development/Planning) sponsored by Supervisor Quackenbush, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Quackenbush stated that the pilot year was a success and received no complaints from any of his constituents and fully supports their efforts.

Supervisor Jonker stated that he has received very few complaints regarding the Snowmobile Association, but did have a concern about its wear on the wooden bridges. Mike Yevoli, Director of Economic Opportunity and Development/Planning stated that there was a walk through done and there is grant money available to repair the bridges with a recyclable material to prevent further damage by the snowmobiles.

Resolution Transferring Funds – Tryon Oil Brownfield Project (Economic Opportunity and Development/Planning) sponsored by Supervisor DiMezza, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – Tourism Promotion Agency Administration (Montgomery County Chamber of Commerce) sponsored by Supervisor Schumann, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn Economic Development/Agriculture & Planning Committee Meeting was made by Supervisor Cechnicki seconded by Supervisor Jonker. Chairman Quackenbush adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
7:00 PM, June 15, 2004

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:15 p.m.

Roll call indicated Committee members present included Supervisors Mancini, Paton, Schumann, Thomas, Walters. Supervisor McMahon was absent

Additional present were Supervisors: Stagliano, Cechnicki, Jonker, Quackenbush, Sinicropi and DiMezza

Chairman Strevy noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Authorizing Chairman to Sign Agreement for Provision of Data Processing Services – City of Amsterdam
2. Resolution Authorizing Chairman to Sign Agreement for Provision of Data Processing Services – City of Johnstown
3. Other

Resolution Authorizing Chairman to Sign Renewal Agreement for Provision of Data Processing Services – City of Amsterdam. Sponsored by Supervisor Mancini, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Renewal Agreement for Provision of Data Processing Services – City of Johnstown. Sponsored by Supervisor Mancini, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Strevy stated that he would like to have a discussion regarding the City of Amsterdam's request to the County for a free week of MOSA access. Supervisor Sinicropi supported his request under one circumstance, that the City make the cleanup be a curbside pick up, not a drop off at the transfer stations.

Supervisors Paton, Quackenbush, Thomas, Stagliano and Walters stated that they had their own trash pick up and the towns paid that expense. Other sentiments aired were that the city should have had better planned for the project, which was part of the City's 200th anniversary Celebration, instead of coming to the Board at the last minute for funding. Supervisor Quackenbush stated that he will support the clean up for the City of Amsterdam this year only if would get a guarantee from the members present that the Town of Minden will not have the expense the following year.

Chairman Strevy, with the consensus of the Committee, decided to have City Mayor Emanuele present at the next General Services/Public Works/Solid Waste Committee to explain to the committee his plan for the trash removal and answer any questions that might be presented to him.

Motion to adjourn General Services/Public Works/Solid Waste Committee Meeting was made by Supervisor Schumann, seconded by Supervisor Thomas. Chairman Strevy adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, June 22, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for June 22, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Walters led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Brodie, Sinicropi, Dybas, Mancini, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present. Supervisor Schumann and DiMezza were absent.

Supervisor DiMezza arrived at 7:05 p.m.

PRIVILEGE OF THE FLOOR

PRESENTATION

Honorable Philip V. Cortese, Judge, Montgomery County Family Court gave a presentation to the Board of Supervisors regarding his Court's goals and objectives for the year.

PUBLIC COMMENT

William Austin, Local CSEA President, resident of St. Johnsville, stated that the Union understands the Board's position regarding Resolution No. 159, a resolution to continue negotiations with two respondents to the County's RFP for assumption/lease/purchase of the Montgomery Meadows, but reiterated that the union is working closely with the Meadows Administrator to present a plan of its own to retain the facility under County ownership and asked the Supervisors to keep an open mind during the negotiation process.

Ron Briggs, President of County CSEA, Local 818 and first Vice President CSEA Capital Region speaking on behalf of Kathy Garrison reiterated William Austin's sentiments and asked that the Supervisors retain the facility for at least one year to provide the new Meadows Administrator ample time to turn the facility around.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor DiMezza, seconded by Supervisor Jonker, passed with Aye(1729). Supervisor Schumann was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor McMahon, seconded by Supervisor Quackenbush, passed with Aye(1729). Supervisor Schumann was absent.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

Chairman Stagliano referred to a memo in the Supervisor's packet from Supervisor Sinicropi requesting an add on Resolution for this evening's meeting.

Motion was made to SUSPEND THE RULES by Supervisor McMahon, seconded by Supervisor Quackenbush, to add the proposed Resolution onto this evening's agenda passed with Aye(1729). Supervisor Schumann was absent. The proposed Resolution will become Resolution No. 173.

RESOLUTION NO. 155 of 2004**DATED:** June 22, 2004**RESOLUTION AUTHORIZING THE ELECTRONIC SUBMISSION OF THE PROCEEDING BOOKS FOR THE MONTGOMERY COUNTY BOARD OF SUPERVISORS - 1997 - 2003**

Resolution by Supervisor: McMahon

Seconded by Supervisor: Di Mezza

WHEREAS, Section 211 of County Law requires the printed and electronically recorded proceedings of the Board of Supervisors, certified by the Clerk of the Board, as soon after the close of each calendar year as practicable, and

WHEREAS, the proceedings of the Board of Supervisors have not been printed or electronically submitted since 1996, and

WHEREAS, the Montgomery County Board of Supervisors desires to be compliant with County Law,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes and directs the Data Processing Department, in conjunction with the Board of Supervisors Office, to convert the proceedings of the board for the years 1997 through 2003 from the County Data System to an electronic version suitable for submission to the State of New York and other departments required by County Law.

FURTHER RESOLVED, the electronic version is such that a printed copy may be obtained from the data available in the electronic file, i.e. pdf format.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 156 of 2004**DATED:** June 22, 2004**RESOLUTION REQUESTING INFORMATION FROM THE ADMINISTRATION OF FULTON-MONTGOMERY COMMUNITY COLLEGE**

Resolution by Supervisor: Dybas

Seconded by Supervisor: McMahon

WHEREAS, it is necessary to obtain information from the administration of Fulton-Montgomery Community College to provide for proper analysis of Montgomery County sponsorship of the college,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests a report on student enrollment by residency and County sponsorship contribution for Fulton and Montgomery County for as many prior years as data is available, and

FURTHER RESOLVED, that said report be submitted to the Board of Supervisors office before requests for approval of the 2004-2005 Fulton-Montgomery Community College Budget.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 157 of 2004**DATED:** June 22, 2004**RESOLUTION TRANSFERRING FUNDS (MENTAL HEALTH)**

Resolution by Supervisor: Mancini

Seconded by Supervisor: Dybas

WHEREAS, the Director of Community Services has recommended transferring funds to provide payment to the Drug Abuse Prevention Program operated by Catholic Charities of Montgomery County,

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer funds as follows:

FROM:

A-17-4-4320-00-4433 Court Related Expenses \$2,305

TO:

A-17-4-4230-00-4555 Drug Abuse Prevention Services \$2,305

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 158 of 2004

DATED: June 22, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Paton

WHEREAS, New York State municipalities are responsible for establishing local payment rates for 4410 Preschool Related Services, and

WHEREAS, the related service rates established by the Montgomery County Public Health Department, per resolution 46 of 2001, are \$45.00 maximum per child per half-hour service visit and \$55.00 maximum per child for service visits in excess of thirty minutes, and

WHEREAS, the Montgomery County Public Health Department is recommending the establishment of related service group rates of \$22.50 per child per half-hour service visit and \$27.50 maximum per child for service visits in excess of thirty minutes,

RESOLVED, that the Board of Supervisors hereby adopts the 4410 Preschool Special Education Related Service group rates recommended.

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas abstained. Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Cechnicki stated that he would vote no on Resolution No. 159 and said he has issues with the sale of the property and felt that the current Administrator Donald Dalger should be given at least a year to turn the facility around.

Supervisor Sinicropi stated that he would be voting yes on the Resolution because this will keep the progress of the negotiations moving with the two prospective candidates.

RESOLUTION NO. 159 of 2004

DATED: June 22, 2004

RESOLUTION AUTHORIZING THE NEGOTIATION PROCESS FOR THE ASSUMPTION/PURCHASE OF THE MONTGOMERY MEADOWS

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

WHEREAS, the Purchasing Agent solicited proposals for assumption/purchase of the operation and certain assets of the Montgomery Meadows Residential Health Care Facility (RFP 02-04), and

WHEREAS, the Montgomery County Board of Supervisors has met with the four responders to said RFP to discuss their intentions for assumption/purchase, and

WHEREAS, the Board of Supervisors desires to enter into negotiations with two of the four presenters to further discuss the options presented to the Board,

RESOLVED, that the Montgomery County Board of Supervisors hereby selects Amsterdam Memorial Hospital and The Providers, Inc. as the leading candidates for selection and hereby authorizes the Chairman of the Board, the Chairman of the Health and Human Services Committee, the County Attorney, the Personnel Officer, the Purchasing Agent, and other department heads deemed necessary to gather the necessary information to provide for selection of one final award.

RESOLUTION ADOPTED with Aye(1139). Supervisors Quackenbush, Paton and Cechnicki voted Nay. Supervisor DiMezza abstained. Supervisor Schumann was absent. (6/22/2004)

Douglas Landon

Christine Pasquarelli

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 160 of 2004

DATED: June 22, 2004

RESOLUTION AWARDING BID #05-04 - RADIO TOWER EQUIPMENT (SHERIFF)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, the Purchasing Agent solicited bids for qualified providers to supply and install radio equipment and services (Bid #05-04) to update radio ability in the western part of Montgomery County and the Public Safety Facility and

WHEREAS, said bids were opened on February 26, 2004, and

WHEREAS, the Sheriff has reviewed the bid documents and recommended that award be made to Pittsfield Communications of Cobleskill, New York, the lowest responsible bidder,

RESOLVED, that the Board of Supervisors hereby awards Bid #05-04 to Pittsfield Communications of Cobleskill, New York.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Cechnicki, to insert a FURTHER RESOLVED clause as follows:

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 County Operating Budget as follows:

INCREASE:

A-511	E911 Appropriation Reserve	\$32,390
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INCREASE:

A-15-4-3020-14		
. 2250	Tech Equipment	\$20,297
. 4410	Utilities	2,510
. 4422	Equip Rent/Lease/Repair	7,083
. 4431	Professional Services	2,500
		<u>\$32,390</u>

passed with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 161 of 2004

DATED: June 22, 2004

RESOLUTION AWARDING BID NO. 06-04 - DIGITAL EYEWITNESS IN CAR VIDEO SYSTEM (STOP DWI)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, the purchasing Department was authorized to solicit bids for a Digital Eyewitness in-car video system, and

WHEREAS, said bids were opened on June 9, 2004,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts the proposal submitted by Kustom Signals, Inc., 9325 Pflumm Road, Lenexa, KS in the amount of \$7,255 per unit, for two units at a cost not to exceed \$14,510, and

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

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 162 of 2004**DATED:** June 22, 2004**RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL (ALTERNATIVES TO INCARCERATION)**

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, Article 13-A of NYS Executive Law calls for certain appointments to be made to the Montgomery County Criminal Justice Coordinating Council, and

WHEREAS, the current council does not adequately reflect the necessary appointments,

RESOLVED, that appointments to the Montgomery County Criminal Justice Coordinating Council shall be as follows:

Jeffrey T. Smith, Undersheriff
Michael T. Franko, Corrections Administrator
Lucille Sitterly, Interim Probation Director
Jim Gumaer, Director of Community Services (Mental Health)
Janet Benson
Felix J. Catena, County Judge
William F. Martuscello, Public Defender
John B. Thomas, Supervisor, Town of Glen
James E. Conboy, District Attorney
Raymond Mars, Town Justice, Town of Florida
Jennifer Petteys, Community Service Director
Jean Karutis
Dominick Stagliano, Chairman of the Board

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 163 of 2004**DATED:** June 22, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM**

Resolution by Supervisor: Mancini

Seconded by Supervisor: Siniropi, Jr.

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

WHEREAS, said contract will generate annual revenue of approximately \$26,900

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 renewal agreement to provide data processing services to the City of Amsterdam for the period commencing July 1, 2004 and ending on June 30, 2005.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 164 of 2004**DATED:** June 22, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF JOHNSTOWN**

Resolution by Supervisor: Mancini

Seconded by Supervisor: Schumann

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

WHEREAS, said contract will generate annual revenue of approximately \$7,500

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 renewal agreement to provide data processing services to the City of Johnstown for the period commencing July 1, 2004 and ending on June 30, 2005.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 165 of 2004

DATED: June 22, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR PROVISION OF PURCHASING SERVICES - CITY OF AMSTERDAM

Resolution by Supervisor: Jonker

Seconded by Supervisor: Siniropi, Jr.

WHEREAS, the Purchasing Agent has recommended a Memorandum of Agreement be entered into between Montgomery County, its Purchasing Agent and the City of Amsterdam to provide purchasing services to the City of Amsterdam, and

WHEREAS, said agreement will generate annual revenue of approximately \$20,000

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the agreement to provide Purchasing services to the City of Amsterdam for the period commencing July 1, 2004 and ending on June 30, 2005.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 166 of 2004

DATED: June 22, 2004

RESOLUTION ESTABLISHING PRIVATE ROOM RATE (MONTGOMERY MEADOWS)

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Strevy

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the Montgomery Meadows Residential Health Care Facility to establish a new self-pay room charge of \$210 per day for a one bed private room and \$200 per day charge for a semi-private room, and

FURTHER RESOLVED, this new rate will be effective August 1, 2004.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 167 of 2004

DATED: June 22, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET - STATE HOMELAND SECURITY FUNDING (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Schumann

WHEREAS, Resolution 48 of 2004 authorized the acceptance of \$100,000 State Homeland Security Funding, and

WHEREAS, it is necessary to provide an amendment to the 2004 operating budget to reflect proper spending of grant monies,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

INCREASE REVENUE:
A-2-3-3389 Other Public Safety \$100,000

INCREASE APPROPRIATIONS:
A-2-4-3640-2250 Technical Equipment \$ 51,600
a-2-4-3640-4455 Training \$ 6,500
A-2-4-3640-2259 Computer Equipment \$ 1,900

ADD & INCREASE APPROPRIATION:
A-2-4-3640-2230 Motor Vehicle Equipment \$ 40,000

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 168 of 2004

DATED: June 22, 2004

RESOLUTION ACCEPTING CONSERVATION EASEMENT - FLORIDA BUSINESS PARK

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Jonker

WHEREAS, Montgomery County Industrial Development Agency owns approximately 147 acres of permanent open space located at the Florida Business Park, and

WHEREAS, a condition of the US Army Corps of Engineers Wetland Land Permit, the Montgomery County Industrial Development Agency must preserve the 147 acres as permanent open space through a conservation easement with a qualified not-for-profit land trust or governmental entity, and

WHEREAS, no qualified not-for-profit land trust currently operates within Montgomery County,

RESOLVED that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized to accept and sign a conservation easement agreement from the MCIDA for 147 acres of permanent open space at the Florida Business Park.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Walters stated that Resolution No. 169 for the Nature Trail Project that the Montgomery County Water Quality Committee is proposing looks just like the Eagle Scout project. He stated that he has pictures of everything that the scouts encountered to develop the nature trail and this project gives the scouts the opportunity to receive an Eagle Scout Award when completed.

Supervisor Walters offered up a Motion to Table the Resolution.

RESOLUTION NO. 169 of 2004

DATED: June 22, 2004

RESOLUTION SUPPORTING NATURE TRAIL PROJECT- THOMAS H. BURBINE SR. MEMORIAL FOREST

Resolution by Supervisor: Paton

Seconded by Supervisor: Di Mezza

WHEREAS, Montgomery County owns and maintains reforestation land in the Town of Charleston, and

WHEREAS, on March 14, 1995 reforestation land was officially named in the honor of Thomas H. Burbine, Sr. and

WHEREAS, the Montgomery County Water Quality Committee proposes to undertake a project to develop a nature trail, and

WHEREAS, the Montgomery County Water Quality Committee proposes to do this project utilizing volunteer labor and its own resources,

RESOLVED, that the Board of Supervisors hereby endorses the proposed nature trail project in the

Thomas H. Burbine, Sr. Memorial Forest

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor McMahon, passed with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Jonker stated that he would like to offer up an amendment to Resolution No. 170 for a FURTHER RESOLVED clause that would stipulate that the bike path would not be open to snowmobilers until the wooden bridges were properly protected.

After a brief discussion with Paul Clayburn, DPW Commissioner it was indicated by him that the Snowmobile Association would be responsible for applying a protective surface to the bridges.

Supervisor Jonker stated that the information presented by Paul Clayburn was sufficient and he would be pulling his sponsorship of the amendment to the resolution.

RESOLUTION NO. 170 of 2004

DATED: June 22, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY SNOWMOBILE ASSOCIATION (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the 2003-2004 snowmobile season was a pilot year for the use of the New York State Canal Way Trail by snowmobilers, and

WHEREAS, Montgomery County Snowmobile Association, Inc. proposes to continue to provide maintenance services on a portion of the New York State Canal Way Trail within Montgomery County,

RESOLVED, that the Chairman of the Board of Supervisors, upon approval of the County Attorney, hereby is authorized and directed to sign a one-year agreement with the Montgomery County Snowmobile Association for purpose of maintenance services on a portion of the New York State Canal Way Trail within Montgomery County,

FURTHER RESOLVED, that said agreement also establishes provision for use of snowmobiles on said trail, and

FURTHER RESOLVED, that the portion of said trail located in Canajoharie is excluded from said agreement.

RESOLUTION ADOPTED with Aye(1446). Supervisor Dybas voted Nay. Supervisor Paton abstained. Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 171 of 2004

DATED: June 22, 2004

RESOLUTION TRANSFERRING FUNDS - TRYON OIL BROWNFIELD PROJECT (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, Montgomery County has an open and active Brownfield project at the former Tryon Oil property in the Village of Fort Johnson, and

WHEREAS, said project included a contract with North American Environmental Services in an amount not to exceed \$60,000, and

WHEREAS, additional work was required causing the contract to be exceeded by \$7,123, and

WHEREAS, the State of New York will reimburse 75% of eligible costs,

RESOLVED that the Board of Supervisors hereby authorizes payment to North American Environmental Services, and

FURTHER RESOLVED, that the Treasurer is hereby authorized to amend the 2004 Operating Budget as follows:

Transfer from:

A 24-4-6430-00-1110 (294) Planner Trainee \$ 7,123

Add and Transfer to:

A 24-4-6430-00-4431 Professional Services \$ 7,123

RESOLUTION ADOPTED with Aye(1645). Supervisor Thomas voted Nay. Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 172 of 2004

DATED: June 22, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT -TOURISM PROMOTION AGENCY ADMINISTRATION(MONTGOMERY COUNTY CHAMBER OF COMMERCE)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Board of Supervisors encourages and supports tourism promotion within Montgomery County, and

WHEREAS, the Montgomery County Chamber of Commerce has requested to renew their designation as the County's Official Tourism Promotion Agency for an administration cost of \$38,587, and

WHEREAS, said designation is for a one-year period commencing on October 1, 2004 and ending on September 30, 2005

RESOLVED, that the Montgomery County Chamber of Commerce is hereby designated the County's Official Tourism Promotion Agency for a one-year period commencing on October 1, 2004 and ending on September 30, 2005, and

FURTHER RESOLVED, that the Chairman of the Board, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Montgomery County Chamber of Commerce to provide for payment of said TPA Administrative Services at a cost not to exceed \$38,587.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Don Dalger, Administrator at the Montgomery Meadows stated the reason Resolution NO. 173 - the Memorandum of Agreement - was for the recruiting and retention of RNs and LPNs. This Memorandum would allow RNs and LPNs to have another option of employment with the County and would in turn save the facility money in the costs of benefits. He stated to hire nurses through the agency is costing the facility \$40.00-\$50.00 per hour.

Chairman Stagliano asked if anyone from the Union acknowledges that the discussion took place regarding the Memorandum of Agreement and if it has been approved.

William Austin, President of the Local CSEA stated that the discussions did occur and he assumed that the Memorandum of Agreement has been approved because it has been distributed to the Board of Supervisors.

Supervisor Sinicropi stated that this agreement will have a considerable savings to the County with the no-benefit wage rate for the full-time RN's and LPN's.

Supervisor Quackenbush questioned if the new employees coming on board will be union. Donald Dalger stated "no", this is an agreement for per diem employees only and that they will not be entitled to any benefits.

Donald Dalger, reiterated that this is a "no benefit" agreement and by having this agreement it will allow the facility another option for retaining nurses instead of relying on the agency nurses at a higher hourly rate.

RESOLUTION NO. 173 of 2004

DATED: June 22, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA (RECRUITING AND RETENTION OF RNS AND LPNS - MONTGOMERY MEADOWS)

Resolution by Supervisor: Sini cropi , Jr.

Seconded by Supervisor: Jonker

WHEREAS, Montgomery County and CSEA wish to enter into an agreement for the purpose of recruiting and retaining RNS and LPNs employed at the Meadows to reduce overtime costs, and

WHEREAS, said agreement will establish a "no-benefit" wage rate for full-time RNS and LPNs and provide for the establishment of a new per diem employee class,

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 Memorandum of Agreement with CSEA to establish a "no-benefit" wage rate for full-time RNS and LPNs and provide for the establishment of a new per diem employee class, and

FURTHER RESOLVED, that the Personnel Officer and the Meadows Administrator will verify employee status when needed.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano asked if there was any other business to come before the Board.

Supervisor McMahon raised question about the proposed legislation regarding the New Septic System Rules and was looking to the board for their reaction. Chairman Stagliano stated that this is just a proposal and the towns should be talking to their respective code enforcement officers.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor McMahon, passed with Aye(1729). Supervisor Schumann was absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
7:00 PM, June 29, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, McMahon, Paton and Schumann. Supervisor Brodie was absent.

Additional present were Supervisors: Thomas, Jonker, and Stagliano

Chairman Dybas noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding negotiations – Montgomery County Representatives to the FMCC Board of Trustees
2. Other

Chairman Dybas recognized the Fulton Montgomery Community College Trustees and personally thanked them for attending the Committee Meeting and stated that the discussion will allow everyone present to have a sense of the direction the Board of Supervisors are heading in and also have the Trustees be aware of the financial situation the County is facing.

Before the discussion takes place, Chairman Dybas, out of courtesy, asked if the College Trustees would introduce themselves to the Supervisors. Present from FMCC was Rosalie Riccio, Bonnie Cooke, Thomas Myles, Michael Sampone and Marco Zumbolo. Also present from the college was President Barry Weinberg.

Chairman Dybas yielded to Chairman of the Board and Budget Officer Dominick Stagliano to give a review of the financial situation the county will be in the year 2005.

Supervisor Stagliano stated that this was a good opportunity meeting with the Trustees and to have an open discussion regarding concerns that the Supervisors have with the college and the impact the College's Budget will have on the County.

Supervisor Stagliano stated that the Supervisors present have in their packets a letter from the Office of the State Comptroller stating that last year we had to increase our taxing power to cover the budget. The Comptroller's Office stated that Montgomery County is in a "Danger Zone" where municipalities have exceeded their tax limits. He also said that we are looking at 6 million dollars in expenses and 2 million dollars in revenues. A total of 4 million dollars needs to be shed and stated that it is hard for the Supervisors to consider new positions at the college when at the county level we are looking at cutting positions. Supervisor Stagliano stated that he sees the County going into a constitutional crisis between now and November and stated that a preliminary budget is going out August 1, 2004 and at that point everyone will see the reality of county government. It was further stated that the budget is going to be projected out for 3 years and the County will be at its constitutional taxing limit by 2007.

Chairman Dybas stated that since the County is bound by state law not to cut funding, he said with the financial uncertainty of the County indicates that there will be no increase in funding to the College.

Trustee Michael Sampone stated that the college is not asking for any type of increase this year because the College is aware of the County's financial situation and stressed that FMCC is also facing the same problems with personnel and insurance costs.

Mr. Sampone expressed his frustration with the criticism the Trustees have been receiving from the Supervisors regarding the last Education/Government Committee Meeting held June 8, 2004. He also stated that the notice sent out was not clear to the trustees with regards to their attendance and felt that better lines of communication could have been used. Chairman Dybas apologized for the miscommunications and stated that future notices will be very specific.

Mr. Sampone stated that the Trustees planned to meet with Supervisors from Fulton and Montgomery County after their July 8, 2004 meeting when their budget is presented. He also stated that the college should be viewed as an asset, not a liability, especially with looking at Tech Valley as the future.

Supervisor Schumann stated considering the financial problems the County is facing, somehow the Board of Supervisors will find a way to fund the college.

Supervisor Jonker questioned how the college would attract people to Montgomery County when the

taxes are so high and how will Fulton Montgomery Community College propose to bring in Tech Valley. President Barry Weinberg stated the role of FMCC is to work with various companies associated with Tech Valley and determine their needs regarding the labor force. Specialized programs will be introduced at the College to meet the technical demand associated with Tech Valley in hopes to form a successful partnership.

President Weinberg also stated to the committee that the Board should let Fulton Montgomery Community College be the facilitator to increase the tax base.

Supervisor Thomas stated that the college is doing a good job and stressed that FMCC is an asset that the County should enhance.

After some lengthy discussions, Chairman Dybas stated that he felt the Fulton Montgomery Community College Trustees now have a sense of direction from the Education Committee along with the other board members as to what needs to be accomplished at the College in terms of the financial situation the County has been placed in.

Chairman Dybas reiterated that the college is a great asset and it is an asset the County should have, but the County should be able to afford to the college

Chairman Dybas thanked the Trustees for attending the meeting and advised them that a future meeting will be arranged to follow up on the topics that have been discussed and see if any progress has been made.

Motion to adjourn the Education/Government Meeting was made by Supervisor Mancini, seconded by Supervisor Schumann. Chairman Dybas adjourned the meeting at 7:30 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
6:00 PM, July 13, 2004

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for July 13, 2004 was called to order at 6:00 p.m. by Chairman Stagliano.

SALUTE TO THE FLAG

The Salute to the Flag was led by Supervisor Stagliano.

ROLL CALL

Roll Call indicated that Supervisors Brodie and Thomas were absent.

STATEMENT OF PURPOSE OF MEETING

The stated purpose of the meeting was a Resolution Proposing a Fall 2004, One-Week Sales Tax Exemption.

ACTION ON BUSINESS

RESOLUTION NO. 174 of 2004

DATED: July 13, 2004

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, ELECTING THE FALL, 2004, ONE-WEEK CLOTHING AND FOOTWEAR EXEMPTION FROM SALES AND COMPENSATING USE TAXES

Resolution by Supervisor: Full Board

Seconded by Supervisor: Full Board

Be it enacted by the County of Montgomery as follows:

Section one. The County of Montgomery hereby elects the clothing and footwear exemption for the period commencing on August 31, 2004, and ending on September 6, 2004.

Section 2. This resolution shall take effect July 16, 2004, and shall apply in accordance with applicable transitional provisions of the Tax Law.

RESOLUTION ADOPTED with Aye(1579). Supervisors Brodie, Thomas and Cechnicki were absent. (7/13/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Strevy, passed with Aye (1579). Supervisors Brodie, Thomas and Cechnicki were absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
6:15 PM, July 13, 2004

COMMITTEE MEETING DISCUSSION

Chairman Sinicropi presided over the meeting commencing at 6:15 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, Mancini and Walters. Supervisor Brodie was absent.

Additional present were Supervisors: Stagliano, McMahon, Schumann, Strevy and Paton.

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Appointing Member – Community Service Board (Mental Health)
2. Other

Resolution Appointing Member – Community Service Board (Mental Health) sponsored by Supervisor Schumann, seconded by Supervisor Dybas. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Sinicropi then asked for a Motion to go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss employment of a particular person. Motion was made by Supervisor DiMezza, seconded by Supervisor Mancini. Executive Session started at 6:17 p.m.

Motion to Adjourn Executive Session was made by Supervisor Mancini, seconded by Supervisor Jonker. Chairman Sinicropi adjourned the Executive Session at 6:22 p.m.

As a result of the Executive Session no action was taken as a result of the Executive Session.

Motion to adjourn Health & Human Services/Social Services Committee was made by Supervisor Mancini, seconded by Supervisor Jonker. Chairman Sinicropi adjourned the meeting at 6:24 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
6:30 PM, July 13, 2004

COMMITTEE MEETING DISCUSSION

Chairman Mancini presided over the meeting commencing at 6:30 p.m.

Roll call indicated Committee members present included Supervisors Dybas, Quackenbush, Schumann, Walters. Supervisors Brodie and Sinicropi were absent

Additional present were Supervisors: Stagliano, Paton, Strevy, McMahon, DiMezza and Jonker

Chairman Mancini noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Appointing Member - Montgomery County Court Law Library Board of Trustees
2. Resolution Accepting Juvenile Justice Grant (NYS DCJS) and Authorizing Chairman to Sign Agreement - St. Mary's Hospital Children's Clinic (Probation)
3. Other

Resolution Appointing Member - Montgomery County Court Law Library Board of Trustees sponsored by Supervisor Quackenbush, seconded by Supervisor Strevy. Supervisor Schumann asked that she be appointed to the Board. The Committee agreed and moved the resolution to the full board with a positive recommendation.

Resolution Accepting Juvenile Justice Grant (NYS DCJS) and Authorizing Chairman to Sign Agreement - St. Mary's Hospital Children's Clinic (Probation) sponsored by Supervisor Dybas, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

With no further business Chairman Mancini asked for a Motion to Adjourn the Public Safety Committee Meeting. Motion was made by Supervisor Schumann, seconded by Supervisor Walters. Chairman Mancini adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
6:45 PM, July 13, 2004

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 6:45 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Jonker, Paton, Strevy. Supervisors Cechnicki and Thomas were absent.

Additional present were Supervisors: Stagliano, McMahon, Dybas, Schumann, Mancini and Walters.

Chairman Quackenbush noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Appointing Member of MCIDA Board of Directors
2. Resolution Authorizing Chairman to Sign Staff Support Services Agreement - Montgomery County Industrial Development Agency - (Economic Development)
3. Discussion Regarding Tourism Funding Application (Montgomery County Chamber of Commerce)
4. Other

A discussion regarding the vacancy in the Montgomery County Industrial Development Agency Board took place with Supervisor Schumann sponsoring a resolution offering the name of Joel Kaplan to be appointed to the MCIDA Board. Chairman Quackenbush seconded the Resolution for discussion purposes, but indicated that he felt that former Supervisor of the Town of Florida, Gene Richards should be appointed to the MCIDA Board. Supervisor DiMezza proposed an amendment to the resolution to change the appointment to Gene Richards to the MCIDA Board.

Supervisor Schumann withdrew her sponsorship to the resolution she introduced because she could not sponsor naming Gene Richards to the Board. Supervisor Quackenbush withdrew his second and this resulted in Supervisor Schumann's sponsored resolution to die.

Supervisor DiMezza re-introduced a new resolution offering up the name of Gene Richards to fill the vacancy on the MCIDA Board. Supervisor Jonker seconded this resolution.

Resolution Appointing Member of Montgomery County Industrial Development Agency sponsored by Supervisor DiMezza, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Staff Support Services Agreement - Montgomery County Industrial Development Agency - (Economic Development) sponsored by Supervisor Jonker, seconded by Supervisor Strevy. The Committee moved the resolution to the full board with a positive recommendation.

A brief discussion regarding Tourism Funding Application took place with Tracy Montoni of the Occupancy Tax Advisory Board stated that she just recently received the proposal from the Chamber of Commerce "I Love New York" Tourism Program and would like to have more time to put together a recommendation for funds to the Board of Supervisors. Chairman Quackenbush, along with the committee, granted her request to review have the Tax Board further review the Chamber's request for funding. The committee indicated that they could move the resolution to the full board with no recommendation and leave the amount of funding blank. This would then be amended with an amount the night of the Full Board Meeting based on a recommended by the Tax Board.

Resolution Supporting Tourism Funding Application (Chamber of Commerce) sponsored by Supervisor Jonker, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with no recommendation.

Motion to adjourn Economic Development/Agriculture & Planning Committee Meeting was made by Supervisor DiMezza, seconded by Supervisor Paton. Chairman Quackenbush adjourned the meeting at 7:00 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
6:00 PM, July 20, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, McMahon, Paton. Supervisors Brodie and Schumann were absent.

Additional present were Supervisors: Stagliano, Thomas, Jonker, Walters, Strevy and Quackenbush.

Chairman Dybas noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Authorizing RFP – Engineering & Design Services – Fire Alarm System/HVAC Control Conversion Projects (FMCC)
2. Discussion Regarding FMCC Middle States Commission Accreditation Status
3. Discussion Regarding FMCC 2005-2007 Capital Plan Request
4. Other

Resolution Authorizing RFP – Engineering & Design Services – Fire Alarm System/HVAC Control Conversion Projects (FMCC) sponsored by Supervisor Cechnicki, seconded by Supervisor Mancini.

Chairman Dybas stated that Resolution #127 of 2004 was adopted approving this capital project and that James Mraz, Fulton County Planning Director in a letter to the Education Committee stated that the Fulton County passed a resolution for RFP's for the project be submitted to the Purchasing Agent no later than Wednesday, August 18, 2004. The Committee moved the resolution to the full board with a positive recommendation.

Discussion regarding FMCC Middle States Commission Accreditation Status - Chairman Dybas deferred to Dr. Weinberg to give some information to the Committee regarding the Middle States Commission Accreditation Status, but FMCC Trustee Mike Sampone offered up the information on behalf of the college. He stated that the College submitted their 3-year plan and 3-year fiscal projections for sponsor support. Mr. Sampone also stated that the college is looking at other sources of revenue to stay above the College's 5% fund balance and at this time Middle States is satisfied with the College until next year's process with the Accrediting Institute.

Chairman Dybas stated that in his review of recent enrollment data from the college he has discovered that in the 27-year history of enrollment, full-time equivalent (FTE) students from Montgomery County has always been less than students enrolled from Fulton County and because of this disparity, Montgomery County has always contributed more per FTE than Fulton County.

Trustee Mike Sampone stated that he acknowledges that this discussion regarding equality of sponsorship contribution needs to take place; he feels it should be done with Fulton County Supervisors and hopes that the college does not suffer from sponsorship because of it.

Another concern Supervisor Jonker had was the cost of educating the students outside the County and a cost analysis should be done of that as well. Supervisor Cechnicki stated that this process should be kept simple and maybe the County should not get too involved because it does get very complicated. Chairman Dybas stated with authority that Montgomery County would not subsidize Fulton County.

Supervisor Thomas stated that he agreed a cost analysis should be completed because he believes it should be a Cost Benefit Analysis study to determine if, although we might be contributing more per FTE than Fulton County, possibly more Montgomery County students are remaining in Montgomery County. He stated that he didn't mind contributing more in that respect. Trustee Sampone stated that the analysis can be done and the college will get the information to the committee as soon as it is compiled.

Discussion Regarding FMCC 2005-2007 Capital Plan Request as submitted by David Morrow to Fulton County for their budget process. Chairman Dybas stated the Capital Projects / Improvements from the college are proposed projects and that their will need to be future discussions regarding Montgomery County's participation in the proposed projects and funding thereof.

Dr. Weinberg stated that the law states the capital expenses are paid for by Fulton County contributing 25%, Montgomery County contributing 25% and 50% would be contributed by the State of New York. Chairman Dybas corrected Dr. Weinberg and said that Education Law does not state that that is the distribution of how expenses are paid for. A resolution by both counties passed in the 1960's states that the counties will equally share in the remainder of the project not paid for by the state.

Motion to adjourn Education/Government Committee was made by Supervisor Cechnicki, seconded by Supervisor Mancini. Chairman Dybas adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:30 PM, July 20, 2004

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:30 p.m.

Roll call indicated Committee members present included Supervisors Mancini, McMahon, Paton, Thomas, and Walters. Supervisor Schumann was absent.

Additional present were Supervisors: Stagliano, Dybas, Jonker, Quackenbush and Cechnicki.

Chairman Strevy noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion Regarding Brownfield Project – Yost Fire Training Center
2. Resolution Authorizing Implementation and Funding of Latimer Hill Road Bridge Replacement Project
3. Resolution Establishing Position – Structural Maintenance Helper (DPW)
4. Other

Chairman Strevy yielded to Paul Clayburn, Commissioner of Department of Public Works to explain to the committee and the present supervisors the situation regarding the Richard L. Hanson Fire Training Center.

Commissioner Clayburn stated that Montgomery County completed the investigation phase of the cleanup at the Training Center, and according to the NYS DEC Record of Decision, the County can now begin to consider the remediation phase, which costs are covered up to 90% through a grant under the Environmental Restoration Program and the resolution will allow him to move an application for funding forward.

Supervisor Thomas questioned if Commissioner Clayburn did any research on whether a parallel grant is available for the project and suggested that he contact Mike Yevoli in the Economic Development Opportunity Department for assistance in finding additional funding.

A resolution sponsored by Supervisor Thomas, seconded by Supervisor Mancini which will be drafted by Legislative Aide for the full board meeting, will authorize the Chairman to sign a grant application to the NYS DEC Environmental Restoration Program regarding the completion of the remediation phase at the Yost Fire Training Center. This resolution was moved to the full board with a positive recommendation.

Resolution Authorizing Implementation and Funding of Latimer Hill Road Bridge Replacement Project (DPW) sponsored by Supervisor Mancini, seconded by Supervisor Jonker. With some discussion taking place between Commissioner Clayburn and the Committee it was determined because of the fiscal crisis that the County is in this project would have some funding issues. It was recommended that the resolution not move to the full board for consideration and be brought back to the General Services/Public Works/Solid Waste Committee at a future date for further discussion regarding funding.

Resolution Establishing Position – Structural Maintenance Helper (Buildings) sponsored by Supervisor Jonker, seconded by Supervisor Mancini. After a brief discussion it was determined by the Committee to entertain the resolution at a future date. The addition of any position at this time was not feasible and the committee wanted to review this again once the budget officer presented a preliminary budget.

Chairman Strevy stated that there was one additional item that would be discussed under other business, and yielded to Supervisor Quackenbush who stated he met with the Montgomery County Sanitary District Board of Trustees and it was proposed that, in memory of Superintendent Edwin D. Pellegrini, who passed away recently, a resolution be brought forward that would rename the District's Administration building after Mr. Pellegrini. With the consensus of the Committee, and attending supervisors, Legislative Aide will be drafting a resolution sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas for the July 27, 2004 Full Board Meeting.

Motion to adjourn General Services/Public Works/Solid Waste Committee was made by Supervisor Mancini, seconded by Supervisor Thomas. Chairman Strevy adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
7:00 PM, July 20, 2004

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Strevey, Thomas. Supervisor Sinicropi was absent.

Additional present were Supervisors: Stagliano, Dybas, Paton, McMahon, and Walters.

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Transferring Funds (Meadows)
2. Discussion Regarding Hotel/Motel Occupancy Tax Payments
3. Resolution Transferring Funds – Professional Services (Personnel)
4. Resolution Transferring Funds – (Sheriff)
5. Interviews for Permanent Appointment of a Probation Director II
6. Discussion Regarding Pending Labor Litigation
7. Other

Resolution Transferring Funds (Meadows) sponsored by Supervisor Dybas, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Discussion regarding Hotel/Motel Occupancy Tax Payments - upon recommendation by the County Attorney this agenda item needs to be held in Executive Session.

Resolution Transferring Funds-Professional Services (Personnel) sponsored by Supervisor Thomas, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Transferring Funds-Correcting Line Items (Sheriff) sponsored by Supervisor Jonker, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Chairman DiMezza stated before the Executive Session takes place there were items that needed to be placed on the agenda under "Other" that needed to be addressed.

Resolution Creating the Position of Interim Superintendent, Montgomery County Sanitary District #1 sponsored by Supervisor Jonker, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Transferring Funds – Unemployment (Personnel) sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Accepting Grant Award – Bureau of Justice Assistance (Sheriff) sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

To address items #2, #5 & #6, Pursuant to Section 105 (d) & (f) of NYS Open Meetings Law, Chairman DiMezza asked for a Motion to go into Executive Session to have discussions regarding the financial history of a corporation, the appointment of a particular person and pending litigation. Motion was made by Supervisor Thomas, seconded by Supervisor Jonker. Executive Session started at 7:20 p.m.

Motion to Adjourn Executive Session was made by Supervisor Jonker, seconded by Supervisor Thomas. Chairman DiMezza adjourned the Executive Session at 8:45 p.m.

As a result of the Executive Session, the committee decided to move a resolution to the full board meeting appointing a Probation Director for the County. This resolution was sponsored by Supervisor Thomas and seconded by Supervisor Quackenbush. The resolution will not name a particular person at this time and a name will be inserted by amendment the night of the meeting. This will give the committee and other supervisors present the time to make a decision based on the interviews that were conducted.

Motion to adjourn the Finance/Personnel Committee was made by Supervisor Jonker, seconded by Supervisor Thomas. Chairman adjourned the meeting at 8:47 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, July 27, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for July 27, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Sinicropi led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Brodie, Sinicropi, Schumann, Dybas, Mancini, Di Mezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present.

PRIVILEGE OF THE FLOOR

PRESENTATION

Supervisor Dybas acknowledged the City of Amsterdam's Mayor, Joseph Emanuele III, Council Members Marie Gavry and William Wills and asked them to approach the Deis to receive a Proclamation from the Board of Supervisors recognizing the Bicentennial Anniversary of the City.

After the reading of the proclamation by Supervisor Dybas, Mayor Emanuele expressed his appreciation to the Board of Supervisors and thanked them on behalf of the City of Amsterdam, the City Council, department heads, the citizens, volunteers and the entire County of Montgomery, for recognizing the Bicentennial Anniversary of the City of Amsterdam.

PUBLIC COMMENT

William Wills, Council Member, from the City of Amsterdam, wanted to personally thank the Board of Supervisors for supporting the opposition of the C&D Landfill that effects the residents in his Ward and also the residents in the Town of Amsterdam.

Councilman Wills also wanted to thank the Fire Advisory Board for their support of the Fire Department in its quest to possibly provide ambulance service to the City of Amsterdam.

Lastly, he thanked Supervisor Thomas for opening up the lines of communication between the city and the county by loaning out the paver to do the City streets. He stated that piece of equipment saved Amsterdam a considerable amount of money and also stated that if the City of Amsterdam can be of any assistance to the County the same cooperation will be their.

OTHER

Chairman Stagliano stated his office was contacted today by Ken Rose from the Economic Development Department in regards to an add on resolution for this evening's agenda. Chairman Stagliano directed the Supervisors to proposed Resolution #191 that has been passed out. Chairman Stagliano stated that there would need to be a motion to amend the Agenda to add on this resolution.

MOTION TO AMEND AGENDA by Supervisor Dybas, seconded by Supervisor Quackenbush, passed with Aye(1868).

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Mancini, seconded by Supervisor Di Mezza, passed with Aye(1868).

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Di Mezza, seconded by Supervisor McMahon, passed with Aye(1868).

UNFINISHED BUSINESS

RESOLUTION NO. 169 of 2004**DATED:** June 22, 2004

RESOLUTION SUPPORTING NATURE TRAIL PROJECT- THOMAS H. BURBINE SR. MEMORIAL FOREST

Resolution by Supervisor: Paton

Seconded by Supervisor: Di Mezza

WHEREAS, Montgomery County owns and maintains reforestation land in the Town of Charleston, and

WHEREAS, on March 14, 1995 reforestation land was officially named in the honor of Thomas H. Burbine, Sr. and

WHEREAS, the Montgomery County Water Quality Committee proposes to undertake a project to develop a nature trail, and

WHEREAS, the Montgomery County Water Quality Committee proposes to do this project utilizing volunteer labor and its own resources,

RESOLVED, that the Board of Supervisors hereby endorses the proposed nature trail project in the Thomas H. Burbine, Sr. Memorial Forest

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor McMahon, passed with Aye(1729). Supervisor Schumann was absent. (6/22/2004)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (7/27/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 175 of 2004**DATED:** July 27, 2004

RESOLUTION APPOINTING MEMBER - COMMUNITY SERVICE BOARD (MENTAL HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, Section 41.11 of Mental Hygiene Law provides for the appointment of members by the Board of Supervisors to the Local Community Service Board,

RESOLVED, that the following is hereby appointed as a member of the Montgomery County Community Services Board:

Donald Adamowski of 238 Church Street, Amsterdam, NY

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 176 of 2004**DATED:** July 27, 2004

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY COURT LAW LIBRARY BOARD OF TRUSTEES

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Strevy

WHEREAS, Section 814(1) of the Judiciary Law provides for the appointment of a member of the Board of Supervisors to the Montgomery County Law Library Board of Trustees, and

WHEREAS, said appointment shall be designated by the Board of Supervisors,

RESOLVED, that Supervisor Bethany Schumann hereby is appointed to serve on the Montgomery County Court Law Library Board for a term ending on December 31, 2005.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 177 of 2004

DATED: July 27, 2004

RESOLUTION ACCEPTING JUVENILE JUSTICE GRANT (NYS DCJS) AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL CHILDREN'S CLINIC (PROBATION)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery County has been awarded a Juvenile Justice Grant by the New York State Division of Criminal Justice Services in the amount of \$11,683, and

WHEREAS, acceptance of said grant would require a 10% County Match and the execution of a contract with St. Mary's Hospital of Amsterdam, NY to provide services associated with said grant,

RESOLVED, that Montgomery County Board of Supervisors hereby accepts the Juvenile Justice Grant from the New York State Division of Criminal Justice Services, 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 sign said grant acceptance agreement, 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 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 \$12,981.00, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:

Revenue:	A-27-3-3310-00	Probation Services	\$11,683.00
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Appropriations:	A-27-4-3140-00.4431	Probation Professional Services	\$11,683.00
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RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Cechnicki stated he will be voting no on Resolution #178 because he felt that this was another example of how the public might perceive the Board of Supervisors as appointing one of their own and that he felt this was an opportunity to appoint someone else who expressed interest in serving on the MCIDA Board.

Supervisor Schumann stated that she would also be voting no on Resolution #178 because she could not support the appointment of a former Supervisor when she was in support of appointing someone from her ward that was well qualified for the position.

Supervisor DiMezza expressed his frustration over the controversy surrounding this resolution. He felt that Gene Richards was an excellent choice for the appointment.

Supervisor Quackenbush stated he was in support of Mr. Richards appointment not only that he had the proper qualifications and integrity, but that Mr. Richards had contacted him regarding the appointment, Where the other candidate had not.

Supervisor Sinicropi said he would be supporting Mr. Richards appointment and felt he had a wealth of knowledge as a businessman to offer the MCIDA Board.

Supervisor Walters stated that this is a non-paying job. Mr. Richards is qualified, knows the County, he is a businessman and a good candidate for the position. He also stressed that there is no money involved so there is no impropriety.

RESOLUTION NO. 178 of 2004

DATED: July 27, 2004

RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Jonker

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

RESOLVED, that Gene Richards of the Town of Florida 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(1663). Supervisors Schumann and Cechnicki voted Nay. (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 179 of 2004

DATED: July 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Strevy

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, 2004 and ending on December 31, 2004

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 180 of 2004

DATED: July 27, 2004

RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION (CHAMBER OF COMMERCE)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Di Mezza

WHEREAS, the Montgomery County Chamber of Commerce is applying for _____ in the State of New York-I Love New York funds for the 2004-2005 tourism year, and

WHEREAS, said Chamber of Commerce has been designated the County's Tourism Promotion Agency,

WHEREAS, said request for matching funds has been reviewed and approved by the Montgomery County Occupancy Tax Advisory Board,

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 _____ toward the local share of said matching funds program for the 2004-2005 tourism year.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Jonker, to insert "\$288,830" in the first WHEREAS clause and "\$288,830" in the last FURTHER RESOLVED clause passed with Aye(1868). (7/27/2004)

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 181 of 2004**DATED:** July 27, 2004**RESOLUTION AUTHORIZING RFP - ENGINEERING & DESIGN SERVICES - FIRE ALARM SYSTEM/HVAC CONTROL CONVERSION PROJECTS (FMCC)**

Resolution by Supervisor: Full Board

Seconded by Supervisor: Full Board

WHEREAS, Resolution 127 of 2004 authorized an Integrated Fire Alarm System Project at a cost of \$276,336 (Montgomery County Share \$69,084) and a HVAC Control Project at a cost of \$177,577 (Montgomery County Share \$44,394) at Fulton-Montgomery Community College, and

WHEREAS, it is necessary to distribute a Request for Proposals to send to engineering firms to prepare design plans and bid specifications for these two projects,

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes and approves solicitation of proposals for engineering and design services for the Integrated Campus Fire Alarm System and the HVAC Control Project at Fulton-Montgomery Community College, and

FURTHER RESOLVED, that such solicitation shall be accomplished through the Fulton County Purchasing Department, and

FURTHER RESOLVED, that the Board of Supervisors reserves the right to reject any or all proposals, and

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

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 182 of 2004**DATED:** July 27, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - NYSDEC ENVIRONMENTAL RESTORATION PROGRAM - YOST FIRE TRAINING CENTER (DPW)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Mancini

WHEREAS, the County has been notified by New York State Department of Environmental (NYS DEC) that it has successfully completed the investigation phase at the Richard L. Hanson Fire Training Center and a Record of Decision (ROD) has been issued, and

WHEREAS, the NYS DEC has determined in the ROD, that remediation at the Fire Training Center is needed to be protective of both public health and the environment, and

WHEREAS, said remediation will cost approximately \$1,049,680, but may be eligible for a 90% reimbursement of associated costs through the State's Environmental Restoration Program, and

WHEREAS, the Commissioner of Public Works is requesting approval from the Board to apply for funding through said program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Grant Application to the New York State Department of Environmental Conservation - Environmental Restoration Program for funding assistance with the remediation phase at the Richard L. Hanson Fire Training Center as outlined in the NYS DEC March 2003 Record of Decision.

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Strevy, passed with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 183 of 2004**DATED:** July 27, 2004**RESOLUTION RENAMING SANITARY SEWER DISTRICT #1 ADMINISTRATION BUILDING**

Resolution by Supervisor: Full Board

Seconded by Supervisor: Full Board

WHEREAS, Edwin Pellegrini was Superintendant of the Montgomery County Sanitary District No. 1 since its inception in May 1978 until his passing in March 2004, and

WHEREAS, Mr. Pellegrini had many notable achievements during his tenure as Superintendant including 27 years of successful annual inspections from the New York State Department of Environmental Conservation, as well as no tax increases to homeowners since 1985, and

WHEREAS, Mr. Pellegrini supervised many upgrades to the operation to bring it into the 21st Century, and

WHEREAS, Mr. Pellegrini received many compliments for a well-maintained plant, equipment and grounds, and

WHEREAS, Mr. Pellegrini's first and foremost concern was always of the public's health, and

WHEREAS, the Montgomery County Board of Supervisors, in conjunction with the Board of Directors of the Sanitary District, would like to recognize the many efforts of Mr. Pellegrini during his tenure,

RESOLVED, that the Sanitary District No. 1 Administration Building in Fort Plain shall now be known as the Edwin Pellegrini Administration Building in honor of Mr. Pellegrini and his 27 years of dedicated service to the County of Montgomery.

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 184 of 2004

DATED: July 27, 2004

RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for nurse agency staffing,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

From: EH 34 4 6020 00 1110:	
(044) Cleaner	\$ 4,000.00
(049) Scheduling Clerk	3,000.00
(171) LPN	2,000.00
(178) LPN	4,000.00
(179) LPN	4,000.00
(184) LPN	2,000.00
(185) LPN	2,000.00
(207) C N A	3,000.00
(219) C N A	3,000.00
(237) C N A	2,000.00
(238) C N A	2,000.00
(246) C N A	3,000.00
(251) C N A	2,000.00
(475) Nursing Serv. Trng. Coord.	5,000.00
(342) Supv. Nurse	3,000.00
(1129) Caseworker	3,000.00
(1422) Supv. Nurse	3,000.00

\$50,000.00

EH 34 4 6020 00 1130 Temp. Emp. \$50,000.00

To: EH 34 4 6020 00 4436 Medical Fees \$100,000.00

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 185 of 2004

DATED: July 27, 2004

RESOLUTION TRANSFERRING FUNDS - PROFESSIONAL SERVICES (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, the line for Professional Services has almost been expended, and

WHEREAS, there are more expenditures being considered for the rest of fiscal year 2004, and

RESOLVED, that the County Treasurer is hereby authorized to transfer the following:

FROM:

A-01-4-1990-00-4400 (Contractual)	\$60,000.00
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TO:

A-10-4-1430-00-2252 (Security)	\$35,000.00
A-10-4-1430-00-4431 (Professional Services)	\$25,000.00

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 186 of 2004

DATED: July 27, 2004

RESOLUTION TRANSFERRING FUNDS - CORRECTING LINE ITEMS (SHERIFF)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, when the 2004 fiscal year budget was adopted, the salaries for Deputy Sheriffs and Correction Officers were not correct, and

WHEREAS, the Personnel Officer has recommended transfer of funds to provide for such correction,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

Transfer From:

A-01-4-1990-00-4400 Contingency Account	\$71,280
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Transfer To:

Account #	Line#	Amount
A-15-4-3110-00-1110	3	\$1,607
A-15-4-3110-00-1110	38	1,607
A-15-4-3110-00-1110	68	1,607
A-15-4-3110-00-1110	75	1,607
A-15-4-3110-00-1110	388	1,796
A-15-4-3110-00-1110	429	1,607
A-15-4-3110-00-1110	434	1,689
A-15-4-3110-00-1110	436	3,725
A-15-4-3110-00-1110	438	1,689
A-15-4-3110-00-1110	481	1,607
A-15-4-3110-00-1110	482	1,689
A-15-4-3110-00-1110	483	1,796
A-15-4-3110-00-1110	484	607
A-15-4-3110-00-1110	524	3,046

A-15-4-3110-00-1110	637	1,689
A-15-4-3110-00-1110	638	1,607
A-15-4-3110-00-1110	639	1,607
A-15-4-3110-00-1110	640	1,607
A-15-4-3110-00-1110	898	1,689
A-15-4-3110-00-1110	1116	1,607
A-15-4-3110-00-1110	1117	1,607
A-15-4-3150-00-1110	65	{444}
A-15-4-3150-00-1110	69	5,471
A-15-4-3150-00-1110	72	5,471
A-15-4-3150-00-1110	76	5,471
A-15-4-3150-00-1110	190	306
A-15-4-3150-00-1110	389	5,471
A-15-4-3150-00-1110	415	6,971
A-15-4-3150-00-1110	855	5,471

		\$71,280

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 187 of 2004

DATED: July 27, 2004

RESOLUTION CREATING THE POSITION OF INTERIM SUPERINTENDENT, MONTGOMERY COUNTY SANITARY DISTRICT #1

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, with the death of Superintendent Edwin Pellegrini, the Montgomery County Sanitary Sewer District #1 is in need of a replacement with the proper Statutory authority to sign and send reports to regulatory agencies, and

WHEREAS, the district has been reclassified from 3-A to 2-A classification, and

WHEREAS, the Board of Sanitary Sewer District #1, at a duly held meeting on July 17, 2004 recommends the creation of an Interim Superintendent position with an annual base salary of \$35,000,

RESOLVED, the Montgomery County Board of Supervisors hereby authorized the creation of the position of Interim Superintendent of the Montgomery County Sanitary Sewer District #1, with an annual salary of \$35,000, and

FURTHER RESOLVED, as Robert Bergen holds a 2-A license required for this position and has assumed a major portion of the responsibilities of the former Superintendent, he be named to this position, with the stipulation that he will qualify for a class 3-A license within 18 months of appointment to this position, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

G-26-8120-00-1110(54) Superintendent \$16,000

ADD AND TRANSFER TO:

G-26-8120-00-1130(312) Interim Superintendent \$16,000

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Quackenbush, to strike in the first FURTHER RESOLVED clause "with the stipulation that he will qualify for a class 3-A license within 18 months of appointment to this position" passed with Aye(1868). (7/27/2004)

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 188 of 2004

DATED: July 27, 2004

RESOLUTION TRANSFERRING FUNDS - UNEMPLOYMENT (PERSONNEL)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, the Personnel Officer has recommended the transfer of funds to provide for payment of unemployment claims,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 (Contractual)	\$50,000.00
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TRANSFER TO

A-10-4-9001-008840 (Unemployment)	\$50,000.00
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RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 189 of 2004

DATED: July 27, 2004

RESOLUTION ACCEPTING GRANT AWARD - BUREAU OF JUSTICE ASSISTANCE (SHERIFF)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, the Sheriff's Office has received notice of award totaling \$1,099 from the Bureau of Justice Assistance, and

WHEREAS, this money will be utilized to purchase new security holsters for transports that take place from the Corrections Division,

RESOLVED, the Montgomery County Board of Supervisors hereby accepts the grant award of \$1,099 from the Bureau of Justice Assistance, and

FURTHER RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

INCREASE:

A-15-3-3150-00-4389	Other Public Safety	\$1,099
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A-15-4-3150-00-4447	Clothing and Uniform	\$1,099
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RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 190 of 2004

DATED: July 27, 2004

RESOLUTION APPOINTING PROBATION DIRECTOR II

Resolution by Supervisor: Full Board

Seconded by Supervisor: Full Board

WHEREAS, the Montgomery County Probation Department has a vacancy for Probation Director II, and

WHEREAS, the Board of Supervisors held interviews on 7/20/04,

RESOLVED, that _____ be appointed Probation Director II at an annual base salary of _____ effective August 9, 2004, and

FURTHER RESOLVED, that the Probation Director II must take a written competitive Civil Service exam for the position.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Quackenbush to insert in the RESOLVED clause "Lucille Sitterly" and "\$50,104", respectively passed with Aye(1868). (7/27/2004)

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 191 of 2004

DATED: July 27, 2004

RESOLUTION AUTHORIZING CHANGE ORDER #2 - COBLESKILL STONE PRODUCTS - TARGET ACCESS ROAD/LOT#4 CONNECTOR (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)

Resolution by Supervisor:

Seconded by Supervisor:

WHEREAS, the original contract did not include the provision for the Target Access Road and the Lot #4 Connector Road to Hirschfield Road, and

WHEREAS, said costs include \$135,000 for the Target Access Road, \$191,000 for the Lot #4 Connector Road and \$15,000 for Miscellaneous including a detention basin, piping and control structures, and

WHEREAS, said costs are fully reimbursable through the NYS DOT IAP grant,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized to sign Change Order No. 2 with Cobleskill Stone Products to include the costs of the Target Access Road, Lot#4 Connector and miscellaneous at a cost not to exceed \$341,000.

RESOLUTION ADOPTED with Aye(1868). (7/27/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Walters passed with Aye (1868). Chairman Stagliano adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
6:00 PM, August 10, 2004

COMMITTEE MEETING DISCUSSION

Chairman Mancini presided over the meeting commencing at 6:00pm.

Roll call indicated Committee members present included Supervisors Dybas, Quackenbush, Schumann, Sinicropi, Walters. Supervisor Brodie was absent.

Additional present were Supervisors: McMahon, Stagliano, Jonker, Thomas, Strevy, DiMezza, Cechnicki and Paton

Chairman Mancini noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Establishing Montgomery County EMS Advisory Board
2. Resolution Appointing Jail Physician
3. Discussion regarding Local Records Improvement Fund Grant - Sheriff's Office
4. Other

Resolution Establishing Montgomery County EMS Advisory Board, sponsored by Supervisor Stagliano, seconded by Supervisor Dybas.

Chairman Mancini acknowledged Pam Van Alstine, EMS Council President and had her give the Committee an update and if progress has been made with the EMS Advisory Board since the last Public Safety Committee Meeting held on June 15, 2004.

Ms. Van Alstine stated that no progress has been made regarding who should be selected to the EMS Advisory Board and recommended that the resolution that is being presented by the committee be put on hold temporally so that the present EMS members could work more diligently with the county fire advisory board to solve the on going issue of membership and come up with a compromise between the agencies involved.

Also being acknowledged by Chairman Mancini was Frank Nestle, Fire Chief in the Village of Canajoharie and member of the Fire Advisory Board. Mr. Nestle also stressed the resolution should be put on hold and expressed the same concern as Ms. Van Alstine regarding membership and felt that the representation on the fire service was not adequate. By allowing more time could result in a solution to the problem of membership.

Supervisor Schumann felt that the resolution regarding the EMS Advisory Board should be kept in the Public Safety Committee until some type of agreement could be reached between the parties involved.

Chairman Mancini stated that he would pull his sponsorship and Supervisor Quackenbush stated he would pull his seconded.

Supervisor Stagliano stated that he would sponsor the resolution and it was seconded by Supervisor Dybas. Supervisor Stagliano felt that this issue was too important to have it go back into committee for future debate. Supervisor Stagliano directed a question to Ms. Van Alstine regarding a compromise? And the simple response was the suggestion of who would be representing the fire departments on the EMS Council.

Mr. Rick Sager, Deputy Director of Emergency Management Department stated that he was in favor of the EMS Advisory Board, but had concerns regarding the membership and the voting rights

After a lengthy debate it was determined by the Public Safety Committee to move the resolution to the full board with a positive recommendation.

Resolution Appointing Jail Physician sponsored by Supervisor Schumann, seconded by Chairman Mancini.

Sheriff Amato addressed the Committee and stated that he has received the resignation of the Jail Physician, Dr. Federico C. Colores effective July 28, 2004 and would like to fill the vacancy at the Montgomery County Corrections Facility and recommends Dr. John L. Glenn.

Supervisor Dybas stated that the Sheriff have a contact in place for the new physician along with the scope of work to be expected of him.

The Public Safety Committee moved the resolution to the full board with a positive recommendation.

A discussion regarding Local Records Improvement Fund Grant - Sheriff's Office with Sheriff Amato addressing the Committee and stated that he applied for grant from the State Education Department for records management of inactive records and received confirmation of the grant. He stated that the grant covers the archiving of documents along with shredding materials, shelving and half of the salary of a part-time employee.

Upon a positive recommendation of the Public Safety Committee a resolution will be drafted by legislative aide sponsored by Supervisor Dybas, seconded by Supervisor Schumann to be presented at the full board meeting.

Motion to adjourn Public Safety Committee was made by Supervisor Sinicropi, seconded by Supervisor Dybas. Chairman Mancini adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
6:30 PM, August 10, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:55 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, McMahon, Paton, and Schumann. Supervisor Brodie was absent.

Additional present were Supervisors: Thomas, Jonker, DiMezza, Walters, Strevy, Sinicropi, Stagliano and Quackenbush

Chairman Dybas noted the agenda:

Items on the agenda, at this time, are as follows:

1. Status Update – HFM BOCES Construction Project
2. Other

Chairman Dybas opened up the meeting with some brief comments regarding to clarify why he has called for a Status Update on the HFM BOCES Construction Project. He stated that he has had no communication with Dr. Geoffrey Davis, HFM BOCES Superintendent, Fulton Montgomery Community College or the Fulton County Board of Supervisors since the May 25, 2004 Board of Supervisors Meeting. He also stated that he has polled other supervisors and no dialog has been exchanged between Dr. Davis, FMCC or the FC Board of Supervisors either regarding the project. Chairman Dybas wanted to make it known that recent information regarding the BOCES project was published in the Leader Herald dated August 2, 2004, about the Fulton County Department of Planning choosing to be lead agency in the SEQRA process. Chairman Dybas expressed his concern that choosing a lead agency in the SEQRA process should be a joint decision by Montgomery County, Fulton County, FMCC and HFM BOCES and since we were not invited to participate in that meeting, he wanted to ensure that the committee was being kept up to date on the project.

Supervisor Schumann expressed her frustration with micro-managing this project and feels that if Fulton County wanted to take the lead for the SEQRA (State Environmental Quality Review) to determine whether construction of a new Vo-Tec Center will have any significant effect on the environment it should be allowed to proceed without being stifled.

Chairman Dybas stated that the board has not voted to do anything regarding the project and therefore it is premature to have a lead agency. He also stated that he was under the impression that this project was a partnership between Montgomery County, Fulton County and BOCES.

Chairman Dybas introduced Dr. Davis to give some clarification as to the article in the Leader Herald.

Dr. Davis apologized to the committee and the attending supervisors for the miscommunication regarding the article in the Leader Herald. He stated that the article in the paper is giving the presumption that BOCES is much further along in the project than they are. He stressed that this project is only in the preliminary stages. Dr. Davis stated that there has been a number of changes that have taken place since the referendum and the design that has been agreed upon six years ago with the Fulton Montgomery Community College Administration was not acceptable so some changes had to be acted upon fairly quickly and that is why it was introduced at the Fulton County Planning Board Meeting on August 9, 2004.

Dr. Davis reassured the committee that there has been no decision regarding lead agency and stated that a proposal will be coming to the Montgomery County Board of Supervisors from Fulton County asking for a response. Chairman Dybas stated that the decision has been agreed upon at the August 9th meeting.

Chairman Stagliano stated that there will be costs facing the county associated with this project and said that the doors of communication is more important now than ever.

Chairman Dybas questioned Dr. Davis if there was a possibility that the BOCES project was being considered as an IDA project instead of the formation of a 63-20 Corporation. Dr. Davis stated that there has not been a progress report submitted as of yet.

In closing Chairman Dybas stated that this discussion was not intended to criticize anyone, but it was to make everyone aware that this is a partnership.

Chairman Dybas stated that under Other Supervisor McMahon has handed out a resolution urging federal intervention to address the property tax crisis in New York State. The resolution was review and sponsored by Supervisor McMahon, seconded by Supervisor DiMezza and moved by the Committee to the full board with a positive recommendation.

Motion to adjourn the Education/Government Committee was made by Supervisor Schumann, seconded by Supervisor Mancini. Chairman Dybas adjourned the meeting at 7:20 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
7:00 PM, August 10, 2004

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:15 p.m.

Roll call indicated Committee members present included Supervisors Mancini, McMahon, Paton, Schumann, Thomas, and Walters

Additional present were Supervisors: Jonker, DiMezza, Stagliano, Dybas, Quackenbush, Siniropi and Cechnicki

Chairman Strevy noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding 2005 Guaranteed Annual Tonnage - MOSA
2. Discussion regarding DPW Bridge Projects
3. Other

Chairman Strevy addressed the committee and attending supervisors referenced a letter from Gilbert L. Chichester, Executive Director of MOSA (Montgomery-Otsego-Schoharie Solid Waste Management Authority) dated July 14, 2004 and would like some direction as to the 3 options on the calculation of the GAT for 2005.

Option 1 - Continue to use the 1999 Waste Management data along with other pertinent historical data to establish the Montgomery County GAT while using the most recent historical data for all other counties.

Option 2 - Leave the Montgomery County GAT the same for 2005 in anticipation of better data being available for the 2006 estimation, while using current historical data for the other counties.

Option 3 - Leave the GAT the same for all the counties until all defection issues are resolved or more clearly understood.

Chairman Strevy acknowledged Olga Podmajersky and Raymond Halgas, Montgomery County's representatives for MOSA and stated they are here to give any insight to the calculation of the GAT.

Supervisor Stagliano questioned if this letter has been submitted to Paul Casowitz of Sive, Paget & Riesel who is representing Montgomery County on issues related to MOSA. The Legislative Aide will provide Paul with the letter.

Supervisor DiMezza said there is no method to the madness of how MOSA calculates the GAT, he feels that MOSA is not living up to their mission statement which is to provide refuse service and recycling services to each of the three counties at a reasonable cost possible. He feels that MOSA is setting aside funds for the future beyond 2014. He also feels that there is 12 million dollars in their reserve and that money should be given back to the three counties.

Supervisor DiMezza strongly urged that Attorney Paul Casowitz look into the reserve that MOSA has accumulated.

Supervisor Schumann suggested that the county completely get out of MOSA. Supervisors DiMezza stated that that is may not be an option because the problem of what to do with the garbage still remains.

After a lengthy discussion it was the consensus of the committee to go with option 3 (leave the GAT the same for all the counties until all defection issues are resolved or more clearly understood). Chairman Strevy instructed the Montgomery County Representatives to communicate the feelings of the committee back to MOSA.

Chairman Strevy moved on to discuss the DPW Bridge Projects and how the projects are going to be paid for even though the resolutions have been approved. According to Legislative Aide, Jacki Meola the last resolved states the funds will be appropriated but it does not designate an account for which it will be paid so the Treasurer cannot make funds available for payment without authorization from the Board.

Chairman Strevy stated there should be a better process when resolutions are passed and maybe the resolution should include the method of payment all in one process.

It was the consensus of the committee to have a borrowing resolution drafted by the County Treasurer. This resolution was sponsored by Supervisor Quackenbush and seconded by Supervisor DiMezza and will be reviewed in a future Finance Committee.

Motion to adjourn the General Services/Public Works/Solid Waste Committee was made by Supervisor Mancini, seconded by Supervisor Thomas. Chairman Strevy adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
7:30 PM, August 10, 2004

COMMITTEE MEETING DISCUSSION

Chairman Sinicropi presided over the meeting commencing at 8:00 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, Mancini, and Walters. Supervisor Brodie was absent

Additional present were Supervisors: Schumann, McMahon, Strevy, Thomas, Quackenbush, Paton, Cechnicki, and Stagliano

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding Montgomery Meadows Purchase/Lease Assumption - Negotiating Committee Report
2. Other

Chairman Sinicropi asked for a Motion to go into Executive Session Pursuant to Section 105 (h) of NYS Open Meeting Law to discuss the proposed acquisition, sale or lease of real property. Motion was made by Supervisor Mancini, seconded by Supervisor DiMezza. Executive Session started at 8:06 p.m.

Motion to adjourn Executive Session was made by Supervisor DiMezza, seconded by Supervisor Jonker. Chairman Sinicropi adjourned the Executive Session at 9:15 p.m.

As a result of the Executive Session action was taken by the Board to move a Resolution Authorizing the Sale of the Montgomery Meadows Residential Health Care Facility to get a consensus of the Board of Supervisors if there is a willingness to divest the county of the Montgomery Meadows in order to select a final candidate.

Motion to adjourn Health & Human Services/Social Services Committee was made by Supervisor Dybas, seconded by Supervisor Mancini. Chairman Sinicropi adjourned the meeting at 9:20 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
 SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
 COMMITTEE MEETING - FINANCE/PERSONNEL
 6:00 PM, August 17, 2004

COMMITTEE MEETING DISCUSSION

In the absence of Chairman DiMezza, Supervisor Stagliano presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Sinicropi, Strevy, and Thomas. Chairman DiMezza absent

Additional present were Supervisors: Schumann, Walters, McMahon, Dybas and Paton

Chairman Stagliano noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Authorizing Chairman to Sign Grant Acceptance Award - LGRMIF (History and Archives)
2. Resolution Authorizing Chairman to Sign Agreement - Fidelis Care New York (Public Health)
3. Resolution to Request the NYS Legislature to Introduce and Enact a Real Property Tax Exemption for Volunteer Fire Fighters and Ambulance Corps Members who Serve and Reside in Montgomery County
4. Resolution Authorizing Chairman to Sign Empire Zone Administrative Services Agreement (EOD/Planning)
5. Resolution Authorizing Change Order No. 3 - Cobleskill Stone Products - NYS Rt. 5S Reconstruction (EOD/Planning)
6. Resolution Authorizing Change Order No. 4 - Cobleskill Stone Products - NYS Rt. 5S Reconstruction (EOD/Planning)
7. Resolution Authorizing Chairman to Sign Agreement - ID Badge/Door Access System (Personnel)
8. Resolution Adopting 2005 STOP DWI Program
9. Resolution Authorizing the Sale of the Montgomery County Residential Health Care Facility
10. Discussion regarding 2005 Budget
11. Other

Resolution Authorizing Chairman to Sign Grant Acceptance Award - LGRMIF (History and Archives) sponsored by Supervisor Thomas, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement - Fidelis Care New York (Public Health, sponsored by Supervisor Jonker, seconded by Supervisor Sinicropi. Supervisor Dybas stated that the word billing be added in front of the contract agreement so that there would be no confusion as to the resolutions' purpose. The Committee moved the resolution to the full board with a positive recommendation.

Resolution to Request the New York State Legislature to Introduce and Enact a Real Property Tax Exemption for Volunteer Fire Fighters and Ambulance Corps Members Who Serve and Reside in Montgomery County. Sponsored by Supervisor Quackenbush, seconded by Supervisor Cechnicki

According to Supervisor Quackenbush this resolution makes the process easier for the townships and other municipalities that want to participate. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Change Order No. 3 - Cobleskill Stone Products - NYS Rt. 5S Reconstruction (EOD/Planning), sponsored by Supervisor Strevy, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Change Order No. 4 - Cobleskill Stone Products - NYS Rt. 5S Reconstruction (EOD/Planning) sponsored by Supervisor Strevy, seconded by Supervisor Quackenbush.

Chairman Stagliano acknowledged Jack McDonald, McDonald Engineering, to discuss the problems at the construction site. The area of concern was with the curve on the eastern section of the road on route 5S. The cut did not meet DOT's standards due to the soil conditions and traffic volume,

so it was required to do additional excavation and install additional materials.

This additional work was not anticipated in the original contract and the funding for the project has reached its maximum level. According to Mr. McDonald, Mike Yevoli, Director of EOD/Planning has written letters and has met with personnel from DOT stating the argument that this project was state mandated and the state should be responsible for the unforeseen problems that have occurred. Mr. Yevoli stated that no response has been received from the state regarding this issue as of yet, but is anticipating a decision soon.

Chairman Stagliano stated that once the change order is signed, Montgomery County is obligated for the payment of the additional funds. Supervisor Dybas requested that the resolution be rewritten to add language to the resolution that the Change Order would be on the condition of outside funding for the changes. The Committee moved the resolution with said stipulation to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – ID Badge/Door Access System (Personnel) sponsored by Supervisor Jonker, seconded by Supervisor Quackenbush.

Richard Baia, Personnel Director stated that he is in receipt of a bill totaling \$5,500.00 for the maintenance agreement on the ID/Badge/Door Access System for the period commencing on September 1, 2004 and ending on August 31, 2005.

Supervisor Dybas recommended that the Further Resolved clause that states "said agreement may be renewed without further legislative action" be stricken from the resolution and also have the exact dollar amount be inserted. The Committee moved the resolution with said changes to the full board with a positive recommendation.

Resolution Adopting 2005 STOP DWI Program, sponsored by Supervisor Thomas, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing the Sale of the Montgomery County Residential Health Care Facility, sponsored by Supervisor Dybas, seconded by Supervisor Jonker.

There was some confusion among the supervisors regarding the wording of the resolution and Chairman Stagliano stated that this resolution is to give everyone a sense of direction as to the future of the Montgomery Meadows and how the board wants to proceed. He asked the member present if they wanted to keep the Meadows at the expense of the taxpayers or if there is a willingness to divest the County of the Meadows.

Supervisor Dybas stated that the figure to fund the Montgomery Meadows through 2005 is near 3 million dollars and it is time to make a decision either to vote to divest of the Meadows as the resolution states or be prepared to fund the facility and increase taxes in Montgomery County.

Supervisor Sinicropi stated he is willing to enter an agreement to choose one of the candidates and he is also proposing a resolution to be drawn up that would select The Providers, Inc. as the final candidate to sell the facility to.

Supervisor Schumann stated that she has numerous concerns regarding this resolution and stated that she has not been provided with all the information she has requested. She would like to have the final documents with the final terms that the negotiation committee has arrived at to make an informed decision. Until that additional information is provided, she will be voting no on this proposed resolution.

Supervisor Strevy stated that he also needed additional information before he could make an informed decision.

Supervisor Cechnicki stated that the board is not allowing the new administrator Donald Dalger enough time to use his experience to find some solutions to making the Montgomery Meadows profitable.

Chairman Stagliano reiterated that Supervisor Dybas' resolution states a simple question – keep the Meadows or divest from the Meadows, it does not name a party to sell to.

After a lengthy discussion, the resolution was moved to the full board with a positive recommendation. Supervisor Strevy voted to move with no recommendation and Supervisor Cechnicki voted not to move the resolution.

Chairman Stagliano stated some background information before the discussion on the 2005 budget took place. He stated there is no statutory obligation to provide a preliminary budget. The law states that the tentative budget will be submitted on October 1. He stated that he is giving the supervisors a heads up on what the financial condition of Montgomery County is and what the budget would look like under the parameters that the Board of Supervisors has set. He also stated that this preliminary budget is not his opinion, this is only a version until the Board of Supervisors come up with an alternative.

Chairman Stagliano read a letter from the State Comptrollers Office stating the county is in a "Danger Zone" because state aid can be withheld if the tax cap is exceeded. Along with the

letter, Chairman Stagliano distributed a letter from Moody's Investment and a letter from Standard and Poors, both downgraded the County's rating indicating its financial challenges.

Chairman Stagliano distributed an "Estimated 2005 Tax Margin" graph and stated that this sheet is very important because it shows where the County currently stands with its tax cap. He proceeded to state that currently the Board of Supervisors adopted a tax cap of 1.65% and under that cap maximum taxing power is \$26,640,810 and his preliminary budget shows exactly that property tax levy.

Chairman Stagliano stated that figure requires a tax levy of 7 ½% and massive cuts. He pointed out the other side of the estimated 2005 tax margin that would cover departmental requests and stated that the tax cap that is required to cover those department requests would need to be increased to 1.96%, an increase in property taxes of 24%. Increasing the tax cap to that figure would leave the County with four one hundreds of a percent until we are at the NYS constitutional tax limit of 2% in 2006.

Chairman Stagliano stated that this budget process is now in the hands of the Committee Chairman for the next five weeks and each will have to sit down and look at every department and every dollar and reiterated that a tentative budget has to be submitted by October 1, 2004.

Motion to adjourn the Finance/Personnel Committee Meeting was made by Supervisor Quackenbush, seconded by Supervisor Sinicropi. Chairman Stagliano adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, August 24, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for August 24, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor DiMezza led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Brodie, Sinicropi, Schumann, Dybas, DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present. Supervisor Mancini was absent.

PRIVILEGE OF THE FLOOR

PRESENTATION

Chairman Stagliano acknowledged the members of the public in attendance and stated that they state their name and who they represent.

PUBLIC COMMENT

Kathy Garrison, Capital Region President of CSEA stated that she, along with her membership have been coming to the Board of Supervisors Meetings and presenting facts to the board as to why the Montgomery Meadows should remain a public facility.

She stated that the CSEA has lobbied successfully for state aid and said they have shared their suggestions for reducing operating costs for the Meadows. Ms. Garrison stated that if everyone would work together, there is a possibility that the projected deficit could be erased.

Ms. Garrison stated that by introducing this resolution she felt a provider has already been decided contrary to what the supervisors are indicating. She stressed that all the facts have not been presented and feels that without a legitimate accounting of the real financial picture this sale should not move forward.

Ms. Garrison stated that the Board of Supervisors are misleading the public and the residents at Montgomery Meadows. She said that the position of the CSEA remains that with the State Aide and the reductions in the operating costs the facility can easily meet a more realistic projected deficit.

Ms. Garrison stated CSEA further contends that if Montgomery Meadows is sold the access to care will be severely diminished and quality of care will be compromised. She said that any decision as important as this one requires a real consensus, real numbers and a full understanding of all the facts and also stated that the board is not even close to having all the facts.

Stephanie Crewell, an employee of the Montgomery Meadows for 18 years, stated that the information given to her was that there are income requirements for a private nursing home and felt that the disadvantaged could not afford the private facility rates. She also stated that taxes will always go up, so why not keep the nursing home public.

Rick Spencer, Town of Palatine stated that the taxpayers are being hit hard and felt that other options need to be perused to save the taxpayers of Montgomery County money.

Joleen Hornbeck, Ward Clerk at Montgomery Meadows, stated that the Supervisors should be keeping the residents informed as to the status of the nursing home because they are still fearful of losing their home. She also stressed that her vote elected her Supervisor, but that will change come November.

Harry Czosnykowski, resident in the City of Amsterdam stated that the Supervisors are mandated to manage the County and not destroy the County. He also stressed come election time things will change.

Ron Blankenbaker, Store Clerk at the Montgomery Meadows, stated that a state mandated legal ad has to be published every year in the newspaper stating that the Montgomery Meadows will accept anyone

regardless of age, race, Creed, color or method of payment. He asked if a private facility will accept anyone.

John Miller, a resident family member, stated that the Supervisors had already had their minds made up.

Sal Landrio, resident in the City of Amsterdam had Kathy Garrison speak on his behalf. She reiterated his thoughts and stated that someday the Supervisors may need care in a public nursing home, he asked if one will it be in Montgomery County at that time.

Wilda Vainauskas, a previous Director of Nursing at the Meadows, state that she had left but came back because she missed the residents and the co-workers that truly care. Ms. Vainauskas also stated that the Montgomery Meadows does take people that no other facility will accept. She also understands that the County has a lot of financial problems and hopes that when the time comes to make a final decision that a reliable, responsible provider is chosen who will care for the residents and stressed that this should be their main priority.

Chairman Stagliano asked if there were any other speakers. With no other comments Chairman Stagliano ended the Public Comment at 7:05 p.m.

OTHER

Chairman Stagliano stated that Supervisor Dybas was contacted by Fulton Montgomery College Administration regarding the College's 2004-2005 budget. Their Budget is now complete and has been distributed to the Board. In order for this budget to be adopted, according to NYS Education Law, a public hearing must be held prior to that adopting resolution. FMCC Administration outlined the timeline of the budget adoption process and asked that an add-on resolution be considered this evening to provide for the establishment of a public hearing to review the 2004-2005 FMCC Operating Budget. Chairman Stagliano recommended adding on a resolution to the agenda to establish a public hearing for September 28, 2004 at 6:30 p.m., prior to the full board meeting.

Chairman Stagliano also stated that Supervisor DiMezza is requesting an add on resolution to address the transportation funding issue related to the Target Access Road Project.

MOTION TO AMEND AGENDA by Supervisor Dybas, seconded by Supervisor DiMezza, passed with Aye(1592). Supervisor Schumann abstained. Supervisor Mancini was absent.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor McMahon, seconded by Supervisor Dybas, passed with Aye(1731). Supervisor Mancini was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Jonker, seconded by Supervisor Walters, passed with Aye(1647). Supervisor Thomas voted Nay. Supervisor Mancini was absent.

UNFINISHED BUSINESS

Chairman Stagliano called on Mike Yevoli, EOD Director prior to the review of Resolution #182. He asked Mr. Yevoli to clarify the need for the remediation phase at the Fire Training Center. Mr. Yevoli stated that according to his research and review, the remediation phase was not require and that the Board would not have to pull this resolution from the table unless they choose to complete a project that was not required.

RESOLUTION NO. 182 of 2004

DATED: July 27, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - NYSDEC ENVIRONMENTAL RESTORATION PROGRAM - YOST FIRE TRAINING CENTER (DPW)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Mancini

WHEREAS, the County has been notified by New York State Department of Environmental (NYS DEC) that it has successfully completed the investigation phase at the Richard L. Hanson Fire Training Center and a Record of Decision (ROD) has been issued, and

WHEREAS, the NYS DEC has determined in the ROD, that remediation at the Fire Training Center is needed to be protective of both public health and the environment, and

WHEREAS, said remediation will cost approximately \$1,049,680, but may be eligible for a 90%

reimbursement of associated costs through the State's Environmental Restoration Program, and WHEREAS, the Commissioner of Public Works is requesting approval from the Board to apply for funding through said program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Grant Application to the New York State Department of Environmental Conservation - Environmental Restoration Program for funding assistance with the remediation phase at the Richard L. Hanson Fire Training Center as outlined in the NYS DEC March 2003 Record of Decision.

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Strevy, passed with Aye(1868). (7/27/2004)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 192 of 2004

****See Appendix for Resolution Attachment****

DATED: August 24, 2004

RESOLUTION APPOINTING JAIL PHYSICIAN

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

WHEREAS, Section 501 of NYS Corrections Law calls for the appointment of a jail physician by the board of supervisors of each county, and

WHEREAS, a vacancy currently exists for a jail physician at the Montgomery County Corrections Facility,

RESOLVED, that the Montgomery County Board of Supervisors hereby appoints Dr. John Glenn of Gloversville as Jail Physician at an annual base salary of \$42,000, and

FURTHER RESOLVED, that said physician will serve at the pleasure of the board.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Sinicropi, Jr., to insert a FURTHER RESOLVED clause that states the following;

"FURTHER RESOLVED, that the physician will agree in writing to stipulate to the terms of employment set forth in the RFP prepared by the sheriff, as attached hereto, and at such time that he begins employment with Montgomery County, which will be effective August 25, 2004"

passed with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

RESOLUTION ADOPTED with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano referred to a list of recommended appointments that was submitted to the Supervisors from the current EMS Council that could potentially make up the new EMS advisory board. This list of recommendations does not provide recommendation for 8 appointments and yielded to representatives from the EMS Council for explanation. With no representation present, Gary Nestle, Emergency Management Director, stated that the Fire Advisory Board and the EMS council are still in the process of completing the recommended appointments, including who should have voting rights. He also stated that there will need to be further changes on the proposed EMS Advisory Board and when those changes are determined, the recommendations will be presented to the Supervisors for their approval.

Supervisor Quackenbush stated that it was his understanding that at the Public Safety Meeting held on August 10, 2004, a discussion took place between the EMS Council representative and the Fire Advisory Board in which a compromise was going to be reached between the two agencies as to the number of representatives that were going to be added to the EMS Advisory Board. He stated that by examination of these recommendations, a compromise could not be reached as vacancies still exist.

Supervisor Paton raised the question as to what happens when someone resigns.

After a lengthy discussion there was a motion to table Resolution #193.

RESOLUTION NO. 193 of 2004

DATED: August 24, 2004

RESOLUTION ESTABLISHING A MONTGOMERY COUNTY EMS ADVISORY BOARD

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

WHEREAS, NYS County Law S223-b provides for the creation of a County EMS Advisory Board, in order to develop and maintain programs for EMS training, EMS-related activities and mutual aid emergencies in which the services of EMS providers would be used and to cooperate with appropriate state agencies in furthering such programs,

WHEREAS, the Law further states that any county may create a county EMS advisory board, which shall consist of not less than five nor more than twenty-one members, each of whom shall be appointed by the legislative body for a term of not to exceed one year, two years or three years; Such terms of office need not be the same for all members, and

WHEREAS, it has been recommended that Montgomery County create such an advisory board to provide advisement on said issues,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes a Montgomery County EMS Advisory Board, whose duties shall include:

- cooperation with appropriate state agencies in relation to such programs for EMS training, EMS-related activities and mutual aid
- to act as an advisory body to the Board of Supervisors and to the Montgomery County EMS coordinator
- participation in such programs for EMS training, EMS-related activities and mutual aid and mutual aid programs in cases of emergencies in which the services of EMS providers would be used
- to perform such other duties as may be prescribed in relation to EMS training, EMS-related activities and mutual aid in cases of emergencies in which the services of EMS providers would be used, and

FURTHER RESOLVED, that the Montgomery County Emergency Management Officer shall act as a liaison officer between the Board of Supervisors and said advisory board and the EMS providers in the county and the officers and governing boards or bodies thereof, and

FURTHER RESOLVED, there shall be 21 appointments to said Board which shall consist of the following representation:

- 4 appointments shall represent the agencies providing ambulance service in Montgomery County
- 1 appointment shall represent the agencies providing medvac airlift services in Montgomery County
- 8 appointments shall represent the fire departments of Montgomery County
- 1 appointment shall represent St. Mary's Hospital
- 1 appointment shall represent Amsterdam Memorial Hospital
- 1 appointment shall represent the Montgomery County Red Cross
- 1 appointment shall be the Public Safety Chairman of the Montgomery County Board of Supervisors or his designee
- 1 appointment shall represent the Montgomery County Public Health Department
- 1 appointment shall represent the Montgomery County Sheriff's Department - 911 Dispatch
- 2 appointments shall represent the public at large

FURTHER RESOLVED, that the following appointments are hereby made:

APPOINTEE

TERM EXPIRATION

MOTION TO TABLE by Supervisor Di Mezza, seconded by Supervisor Thomas, passed with Aye(1594). Supervisor Sinicropi, Jr. abstained. Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 194 of 2004

DATED: August 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AWARD - LGRMIF (HISTORY AND ARCHIVES)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the Department of History & Archives has applied for outside funding for the microfilming of permanent records, and

WHEREAS, Montgomery County has been notified of an \$18,174 grant award to be applied toward the cost of microfilming original assessment rolls,

RESOLVED, that the Board of Supervisors hereby accepts an \$18,174 grant award from the New York State Local Government Records Management Improvement Fund for the period ending in June 2005, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

ADD:

A-22-4-7510-00.2210 Historian Office Furniture

INCREASE:

Revenue:

A-22-3-3889-00 State Grant \$18,174.00

Appropriations:

A-22-4-7510-00		
.1120(1405)	Clerk Typist (p. t.)	\$ 2,063.00
.2210	Office Furniture	498.00
.4438	Misc. Service Fee	15,613.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 195 of 2004

DATED: August 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FIDELIS CARE NEW YORK (PUBLIC HEALTH)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, Fidelis Care is interested in expanding to provide services in Montgomery County, and

WHEREAS, it is necessary for Fidelis Care to establish a contractual relationship with Montgomery County Public Health, and

WHEREAS, the Public Health Director has recommended signing the contract with Fidelis Care New York,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the contract agreement with Fidelis Care.

(8/24/2004)

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Dybas, to insert in the first WHEREAS clause, after Fidelis Care "A Medicaid Managed Care Insurer", passed with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Cechnicki, to insert in the RESOLVED clause the word "billing" before the phrase "contract agreement with Fidelis Care", passed with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

RESOLUTION ADOPTED with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 196 of 2004

DATED: August 24, 2004

RESOLUTION TO REQUEST THE NEW YORK STATE LEGISLATURE TO INTRODUCE AND ENACT A REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIRE FIGHTERS AND AMBULANCE CORPS MEMBERS WHO SERVE AND RESIDE IN MONTGOMERY COUNTY

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Cechnicki

WHEREAS, the issue of attracting and retaining quality volunteer firefighters and ambulance workers is one of the most critical problems facing the communities of Montgomery County; and

WHEREAS, the maintenance of effective emergency protection depends on the ability to recruit, train and retain these key emergency services professionals; and

WHEREAS, many communities in Montgomery County benefit greatly from the existence of volunteer fire and ambulance companies and would be faced with a huge financial burden of a paid department or a dangerous reduction of services without them; and

WHEREAS, the volunteer firefighters and members of volunteer ambulance corps perform an invaluable service to our community, without compensation, and deserve some recognition for their service; and

WHEREAS, the institution and enactment of a real property tax deduction for performing these valuable services as a volunteer firefighter or ambulance corps worker would provide such recognition, as well as offer an incentive for recruitment and retention of their forces; and

WHEREAS, any loss of revenue to local governments resulting from this exemption would be far outweighed by the incentive results of retention and attraction of the services provided by the volunteer firefighters and ambulance worker in Montgomery County; now, therefore, be it

RESOLVED, that the Montgomery County Board of Supervisors hereby officially requests that our New York State Legislators, Senator Hugh T. Farley and Assemblyman Paul Tonko, introduce legislation to be acted upon their respective houses this session, to grant state authorization, through the enactment of a new section 466-e of the New York State Real Property Tax Law, to permit Montgomery County and its localities to provide a real property tax exemption, of up to ten percent, on real property owned and occupied by a volunteer firefighter or ambulance corps member, if such property is their principal residence, and is located within Montgomery County; and be it further

RESOLVED, that the Clerk of the Montgomery County Board of Supervisors shall send a copy of this resolution, together with a certification of the vote had hereupon, to the Albany Legislative Offices of our New York State Legislators, Senator Hugh T. Farley and Assemblyman Paul Tonko.

RESOLUTION ADOPTED with Aye(1592). Supervisor Schumann abstained. Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 197 of 2004

DATED: August 24, 2004

RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 - COBLESKILL STONE PRODUCTS - NYS RT. 5S RECONSTRUCTION (EOD/PLANNING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

WHEREAS, Cobleskill Stone Produces, Inc. has requested a no cost contract time extension due to the time lost in obtaining permits and for the additional excavation per DOT's recommendation,

RESOLVED, that the Chairman, following review and approval of the County Attorney, is hereby authorized to sign Change Order No. 3, Cobleskill Stone Products, NYS Route 5S Reconstruction.

RESOLUTION ADOPTED with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann stated that she would be voting no on Resolution #198 because of the contingency in the RESOLVED clause and feels that the payment should not be contingent on a funding source because it is an expense that the County has occurred and regardless the contractor should be paid.

Mike Yevoli, Director of Economic Opportunity and Development/Planning stated that he has run some projections on the project overrun and found that it was \$242,000 short. He also stated the next option would be to leave a portion of the project undone.

Mike Yevoli stated that a meeting is scheduled to discuss the problems and the additional funding concerns that have arisen through the change orders brought on by the Department of Transportation. Mr. Yevoli also stated he contacted Senator Hugh Farley's office who in turn wrote a letter to Joseph Boardman, Commissioner of DOT requesting more money for the project.

RESOLUTION NO. 198 of 2004

DATED: August 24, 2004

RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 - COBLESKILL STONE PRODUCTS - NYS RT. 5S RECONSTRUCTION (EOD/PLANNING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Quackenbush

WHEREAS, due to the soil conditions and traffic volume, Cobleskill Stone Products, Inc. was required to do additional excavation and install additional materials to meet New York State DOT standards, and

WHEREAS, this additional work was not anticipated in the original contract documents, and

WHEREAS, the current estimates for this additional work total an amount up to \$500,000, and

WHEREAS, we are working with State officials to assist in funding this additional scope of work, and

WHEREAS, at this time no additional funding has been identified,

RESOLVED, that the Chairman, following review and approval of the County Attorney, is hereby authorized to sign Change Order No. 4 for a cost not to exceed \$500,000, and

FURTHER RESOLVED, that this Resolution is contingent upon receipt of outside funding to Montgomery County to provide payment for said costs.

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Quackenbush, to strike the FURTHER RESOLVED clause, passed with Aye(1480). Supervisors Dybas and Jonker voted Nay. Supervisor Mancini was absent. (8/24/2004)

RESOLUTION ADOPTED with Aye(1480). Supervisors Dybas and Jonker voted Nay. Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 199 of 2004

DATED: August 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ID BADGE/DOOR ACCESS SYSTEM (PERSONNEL)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, the Personnel Officer is requiring a Maintenance Agreement for the Identocard IVIS Plus

Badge System, Software, Digital Camera, Badge Printer, and new Door Access System, Hardware and 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 one-year maintenance agreement for the Identocard IVIS Plus Badge System and new Door Access System with M.M. Hayes, at a cost not to exceed \$5,900.00, for the period commencing on September 1, 2004 and ending on August 31, 2005.

RESOLUTION ADOPTED with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 200 of 2004

DATED: August 24, 2004

RESOLUTION ADOPTING 2005 STOP DWI PROGRAM

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, the Stop DWI Coordinator has submitted the 2005 Stop DWI Plan,

RESOLVED, that the Board of Supervisors hereby adopts said Plan, and

FURTHER RESOLVED, that no funds for said Plan shall be appropriated from general revenue of the County of Montgomery.

RESOLUTION ADOPTED with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano prior to voting on Resolution #201, offered up an amendment to change the wording of the original resolution to replace the word "sale" with "divest" and also a phrase in the resolution indicating "authorizes the sale of the facility" be changed to "determine the facility should be transferred to a provider determined at a future date and upon terms yet to be determined". He stated that he felt that this resolution may have appeared much harsher than originally intended. It is a resolution intended to give direction only and hoped that this amendment would settle some controversy surrounding the wording of the original resolution.

Supervisor Cechnicki stated that he would not be supporting the amendment or the resolution and felt that the amendment is only skirting around the issue.

Supervisor Quackenbush stated that he supports the resolution as submitted because even though he has received calls regarding the Meadows, they were calls that attacked him personally, not requesting him to retain the facility. He then stated that he did, however, receive calls that were in support of the sale.

Supervisor Schumann stated that she would vote no on the resolution because she is still waiting to have the real numbers presented and the long term projections from the candidates.

Supervisor Walters stated that the Montgomery Meadows Nursing Home is a business that the County should not be in, especially now when there is such a budget crisis facing Montgomery County.

Supervisor Cechnicki stated that he will be voting no on the resolution and said that the Board is not allowing the new administrator adequate time to turn the facility around.

Supervisor Jonker stated he supports the resolution because of the tight budget that we are facing.

Supervisor DiMezza stated that the elderly will be taken care even if the Meadows is not a public facility, contrary to whatever misinformation is being projected. He also stressed that the Legislatures have failed Montgomery County.

RESOLUTION NO. 201 of 2004

DATED: August 24, 2004

RESOLUTION AUTHORIZING THE SALE OF THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the Purchasing Agent solicited proposals for assumption/purchase of the operation and certain assets of the Montgomery Meadows Residential Health Care Facility (RFP 02-04), and

WHEREAS, the Montgomery County Board of Supervisors met with the four responders to said RFP to discuss their intentions for assumption/purchase, and

WHEREAS, the Board of Supervisors, by Resolution No. 159 of 2004, authorized a designated team to enter into negotiations with Amsterdam Memorial Hospital and The Providers, Inc. as the leading candidates for selection to further discuss the options presented to the Board, and

WHEREAS, said negotiating team has reported back to the Board of Supervisors with options presented by both candidates, and

WHEREAS, there is a need to establish a willingness to divest the County of the Montgomery Meadows in order to select a final candidate,

RESOLVED, that the Montgomery County Board of Supervisors hereby agrees to divest the County of the Montgomery Meadows Residential Health Care Facility and authorizes the sale of the facility to a provider to be determined at a future date.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Sinicropi, Jr., make the following changes:

1. to replace the wording in the resolution title from "Authorizing the Sale" to "Divest Montgomery County"
2. in the RESOLVED clause replace the phrase "authorizes the sale of the facility" with "determines that the facility shall be transferred"
3. to insert at the end of the RESOLVED clause the phrase "and upon terms yet to be determined"

Motion was defeated with Aye(895). Supervisors Sinicropi, Jr., Dybas, DiMezza, McMahon, Walters, Jonker and Stagliano voted Aye. Supervisor Mancini was absent. (8/24/2004)

RESOLUTION ADOPTED with Aye(1053). Supervisors Brodie, Schumann, Strevy, Thomas, Paton and Cechnicki voted Nay. Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 202 of 2004

DATED: August 24, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AWARD - LGRMIF (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, the Sheriff's Department has applied for outside funding to destroy and catalog current records stored at the Sheriff's Office, Civil Division and Jail, and

WHEREAS, Montgomery County has been notified of an \$27,755 grant award to be applied toward the cost of said project,

RESOLVED, that the Board of Supervisors hereby accepts a \$27,755 grant award from the New York State Local Government Records Management Improvement Fund for the period ending in June 2005, and

FURTHER RESOLVED, that the Chairman of the Board, upon review and approval of the County Attorney is hereby authorized and directed to sign said grant acceptance agreement, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:
Revenue:

A-15-3-3889-00	Other Public Safety	\$27,755.00
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Appropriations:

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Schumann, to correct the Revenue

Line and insert in the Appropriation Lines in the last FURTHER RESOLVED clause as follows:

INCREASE:
Revenue:

A-15-3-3389-00	Other Public Safety	\$18,737
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Add & Increase Appropriations:

A-15-4-3110-00.1120-319	PT Account Clerk Typist – Records Management Grant	\$ 2,856
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Increase Appropriations:

A-10-4-9001-00.8810	FICA	\$ 219
A-10-4-9001-00.8820	Retirement	\$ 343
A-15-4-3110-00.2220	Office Equipment	\$14,350
A-15-4-3110-00.4449	Special Supplies and Materials	\$ 897
A-15-4-3110-00.4470	Travel	\$ 72

passed with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

RESOLUTION ADOPTED with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann stated she felt Resolution #203 was unnecessary because it is not possible to ask federal legislators to intervene on behalf of cash strapped counties to reduce the amount of money local taxpayers are faced to pay for the state mandated programs.

Supervisor Walters stated that he would support the resolution because the high property taxes are driving "would-be" property owners away.

Supervisor DiMezza stated that whether or not the federal government can tell the state what to do the resolution still sends a message. Supervisor Strevy reiterated the same.

Supervisor Jonker stated that there is another avenue to pursue to show unity and proposed that the Board of Supervisors go to Albany, New York to protest the extra generous programs that the state mandates and ultimately is forcing the County into a financial crisis.

RESOLUTION NO. 203 of 2004

DATED: August 24, 2004

RESOLUTION URGING FEDERAL INTERVENTION TO ADDRESS THE PROPERTY TAX CRISIS IN NEW YORK STATE

Resolution by Supervisor: McMahon

Seconded by Supervisor: Di Mezza

WHEREAS, the New York State Legislature has been unable to carry out its governance responsibilities and is crippling counties, school districts and local governments through its inaction on numerous policy issues, and

WHEREAS, the State's inaction is causing local municipalities and counties to exceed their constitutional tax limits, and

WHEREAS, an obsolete Medicaid funding formula unique to New York has combined with two decades of ignoring the problem in Albany and has led to this looming crisis, and

WHEREAS, local property taxes in New York State are the highest in the nation and deprive State residents of the economic opportunity possessed by residents of the other 49 states, and

WHEREAS, specifically, the State Legislature's inability to address the local share cost of Medicaid and other key policy decisions has created a situation requiring unprecedented action, and

WHEREAS, Federal intervention is now necessary to accomplish key steps to avoid a government crisis in New York State,

RESOLVED, that the Montgomery County Board of Supervisors hereby urges its Congressional Representatives to act swiftly to enact Federal Legislation that will accomplish a substantial State takeover of local Medicaid costs and reduce the State's Medicaid mandate on local governments and property taxpayers throughout the state, and

FURTHER RESOLVED, that copies of this resolution be sent to President George Bush, Senator Charles Schumer, Senator Hillary Clinton, Congressman Michael McNulty and to each and every other person, institution or agency who will further the purport of this resolution.

RESOLUTION ADOPTED with Aye(1526). Supervisors Schumann and Cechnicki voted Nay. Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 204 of 2004

DATED: August 24, 2004

RESOLUTION ESTABLISHING PUBLIC HEARING - 2004-2005 FMCC OPERATING BUDGET

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thomas

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposed 2004-2005 Operating Budget of Fulton-Montgomery Community College for September 28, 2004 at 6:30pm 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.

RESOLUTION ADOPTED with Aye(1731). Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 205 of 2004

DATED: August 24, 2004

RESOLUTION REQUESTING TRANSPORTATION FUNDING - NYS ROUTE 5S RECONSTRUCTION - TARGET ACCESS ROAD PROJECT

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County and the Montgomery County Industrial Development Agency (MCIDA) are facilitating the reconstruction of NYS Route 5S and the construction of the Target Distribution Center Access Road Project, and

WHEREAS, said project has experienced field changes mandated by the New York State Department of Transportation totaling over \$650,000, and

WHEREAS, Montgomery County and the MCIDA do not have the financial resources to complete the project, which will jeopardize the timely opening of the Distribution Center,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests that our local legislative leaders, Assemblyman Paul Tonko, and Senator Hugh Farley support and secure other state funding in an amount of \$650,000 to assist with the additional costs of this project.

RESOLUTION ADOPTED with Aye(1592). Supervisor Schumann abstained. Supervisor Mancini was absent. (8/24/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Schumann, seconded by Supervisor Sinicropi, Jr., passed with Aye(1731). Supervisor Mancini was absent.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:00 PM, August 31, 2004

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Mancini, McMahon, Paton, Schumann, Thomas, and Walters

Additional present were Supervisors: Jonker, DiMezza, Cechnicki, Stagliano, Dybas, Quackenbush and Sinicropi

Chairman Strevy noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding the former FJ&G railroad right-of-way and development of Rail Trail
2. Discussion regarding DPW 2005 Preliminary Budget
3. Discussion regarding Data Processing/Central Printing 2005 Preliminary Budget
4. Other

Chairman Strevy stated a change in the agenda and will have item number three - Data Processing/Central Printing 2005 preliminary budget ahead of item number two DPW 2005 Preliminary Budget.

Chairman Strevy yielded to Paul Clayburn, Commissioner of DPW to give an overview of the FJ&G Railroad right-of-way and development of a Rail Trail.

Commissioner Clayburn stated that he has received a letter from Frank LaPorta the Mayor of the City of Gloversville to see if there would be any interest in Montgomery County taking over the title to the former FJ&G Railroad Right-of-Way that lies in Montgomery County and developing it into a Rail Trail.

He also stated when the railroad went up for sale the combination of Fulton County, City of Gloversville, and City of Johnstown took over the property and have been working to develop the property. One of the obstacles facing the completion of the development of this entire length of the former Railroad is the section located in Montgomery County.

Mr. Clayburn stated that James Mraz, Fulton County Planning Department indicated grants could be applied for to undertake this project.

Supervisor Stagliano raised the question of why would Montgomery County take on a project that would involve maintaining and repairing the trail and in addition to providing security by law enforcement? He stated that with the financial crisis that is facing the county it would not be feasible to take on yet another project that has the potential of costing the taxpayers a considerable amount of money.

Chairman Strevy stated that additional information is needed on the Rail Trail Project and suggested to Mr. Clayburn that he contact the appropriate individuals to obtain answers to questions that have been raised during this discussion and present his findings to the committee at a future date.

Chairman Strevy acknowledged Deb Bain, Director of Data Processing/Central Printing and she presented her 2005 preliminary budget to the Board of Supervisors and stressed that other departments in the county will be impacted by this budget that she is presenting.

Ms. Bain stated that her budget cuts were drastic to bring them to the numbers the budget officer has proposed. She feels that the departments will be heavily impacted. One example is the job requests that are submitted. In the past, the requests were all handled as priority but now with the budget as it stands the jobs would be handled according to urgency. Other areas that the cuts will affect are the replacement of computer equipment, staff training and purchasing software.

Supervisor Quackenbush questioned if Data Processing/Central Printing was providing adequate revenue for the county by the services the city of Johnstown, Amsterdam, the villages and towns are receiving from her department? Ms. Bain stated that the department is just breaking even.

It was recommended by the Board of Supervisors that the Data Processing/Central Printing increase the rates to the entities. Ms Bain stated that she is willing to discuss a potential increase with the outside agencies and make them aware of the situation.

Chairman Strevy acknowledged Paul Clayburn, Commissioner of DPW, but before Mr. Clayburn gave his presentation on the 2005 preliminary budget Budget Officer Dominick Stagliano stated that there is no statutory authority for the preliminary budget and stressed this is only a heads up.

Commissioner Clayburn stated that Building/Grounds and Machinery are facing major budget cuts and the preliminary budget projections are eliminating the county highway department.

Budget Officer Dominick Stagliano stated that his preliminary budget projections decimated the road and machinery funds and stressed to Commissioner Clayburn that he has this opportunity to explain to the board what is left.

Chairman Strevy asked Commissioner Clayburn to explain to the committee what the highway department functions are and what they are responsible for. He stated that his department is responsible for 93 bridges and 397 miles of county highway. That includes basic jobs like ditching and paving and also any emergency situations that the department has to respond to.

Supervisor Stagliano stated that the county needs to define what the county road system is? The problem we are facing is that there are too many roads that are labeled county roads that are town streets.

Commissioner Clayburn stated that over a year ago a request was made regarding the county roads. A study was submitted and the documentation is still available according to Mr. Clayburn but was never acted upon.

Supervisor Stagliano stated that if you look at other counties of similar size we have more miles of county roads for all the wrong reasons and further stated that if county government is going to be reorganized we have to reorganize the road system.

Budget Officer Stagliano stated to Commissioner Clayburn that he must try to work within the projected budget figures and stressed this is the first round. Until the Board of Supervisors raise the tax cap what is the alternative? He also stated that From October 1 to December 20, 2004 will be round two, where a lot more discussion will take place.

Supervisor Quackenbush questioned as to how many employees at DPW would be eliminated by this preliminary budget? Mr. Clayburn stated that out of 61 total employees it would leave only 20 employees.

Supervisor DiMezza credited Budget Officer Stagliano for putting together one of the best sheets regarding the estimated 2005 tax margin and how the 5-year projection determines the tax increase when the tax cap is raised.

Supervisor DiMezza suggested putting forth a resolution to raise the tax cap on the September full board meeting and stated that he will sponsor the resolution, but will not support it.

Supervisor Dybas stated at the September full board meeting the Supervisors needs to make a decision to either raise the tax cap or conform to a budget within our means.

Supervisor Stagliano suggested that the resolution that is being proposed by Supervisor DiMezza be put on hold to allow the means and methods of the preliminary budget to work its way out. He also cautioned the supervisors of the mistake that was made in the past (referring to the jail) and suggested that the board of supervisors think this through and put together a proposal. It was determined by the committee that a the resolution to raise the tax cap be presented before the finance committee meeting on September 21, 2004.

Supervisor Walters stated that Commissioner Clayburn is up against the wall and the board cannot wipe out the Department of Public Works.

After the lengthy discussion, it was recommended by the General Services/Public Works/Solid Waste Committee to have Commissioner Clayburn work on the budget that lives in the self imposed tax cap.

Motion to adjourn the General Services/Public Works/Solid Waste Committee was made by Supervisor Mancini, seconded by Supervisor Thomas. Chairman Strevy adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
7:00 PM, August 31, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 8:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, McMahon, Schumann. Supervisors Brodie and Paton were absent.

Additional present were Supervisors: Thomas, Jonker, DiMezza, Walters, Strevy, Stagliano, Quackenbush and Sinicropi

Chairman Dybas noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion Regarding FMCC 2004-2005 Operating and Capital Budget Request (FMCC 2004-2005 Budgets previously distributed)
2. Discussion Regarding HFM BOCES Construction Project – Lead Agency Status Request – Fulton County Board of Supervisors
3. Resolution Establishing a Public Referendum on the Question of Alternative Forms of Government
4. Other

Chairman Dybas apologized to the Administration and the Trustees of Fulton Montgomery Community College for the delay on their scheduled meeting.

Chairman Dybas reiterated to the attendees that the message tonight is that Montgomery County does not have any money.

Mike Sampone, Chairman Board of Trustees acknowledged the financial situation the County is in and stated that when he previously addressed the Board of Supervisors the message he brought was that the college was not going to ask for any more funding for the year 2005.

Mr. Sampone stated that the trustees and the administration have been working very diligently on the budget and the next step is to get approval from both counties to go forward. He also stated that an addendum to the budget is presented due to the vetoes by Governor Pataki that amounted to \$198,000. that amount will be absorbed through the FMCC fund balance. For further discussion Mr. Sampone introduced David Morrow, Vice President for Administration and Finance.

Mr. Morrow received confirmation from Chairman Dybas regarding the "Notice of Public Hearing" on the Tentative Budget of Fulton Montgomery Community College for fiscal year September 1, 2004 – August 31, 2005 that has been scheduled for September 28, 2004 at 6:30 p.m.

David Morrow stated that in the projections for the current fiscal year a surplus of \$710,000. will exist and in turn give FMCC a strong fund balance.

Supervisor Dybas questioned the Operating Budget and stated that the 2003-2004 there was an increase of 4.28% to run the college compared to the 2004-2005 budget, which exceeds 7% and why is the college adding staff?

In response Mr. Morrow stated that there were vacancies that needed to be filled due to terminations and resignations that are contributing to the adding of staff.

Mike Sampone defended the additional staff members, due to higher enrollment and new programs. He stated that the college is aggressively looking for additional avenues for revenues. He also stated that the college will be getting a great deal of exposure due to the fact that the Montgomery County Chamber of Commerce is hosting a regional meeting in September for all the Capital District Chambers with the topic being on Economic Development.

Supervisor Thomas thanked the administration and the trustees for producing a quality product like Fulton Montgomery Community College and responding to the community needs.

Chairman Dybas stated that when the engineers addressed the board of supervisors on the capital plan that needed to be implemented at the college it was conveyed that the engineers were looking at novel ways to finance this project. The question Chairman Dybas raised was where are the

engineers? and when will they be coming forth with the information? another concern that Chairman Dybas stated was how does Montgomery County get the 2005-2007 items that are being requested in the capital plan Implemented when the county is facing a financial crisis?

Regarding the lead agency for the HFM BOCES it was determined by the Education/Government Committee to have Fulton County be the lead agency for the SEQRA (NYS Environmental Quality Review) process. According to Supervisor DiMezza and Mike Yevoli, Director of Economic Development and Opportunity/Planning all the agencies will be notified for comment periods, comments on the preparation of drafts and final documents.

It was determined by the committee to introduce at the September full board meeting a resolution approving Fulton County as Lead Agency on the SEQRA process. The resolution was sponsored by Supervisor Schumann and seconded by Supervisor DiMezza moved with a positive recommendation.

Resolution Establishing a Public Referendum on the Question of Alternative Forms of Government was sponsored by Supervisor Cechnicki, seconded by Supervisor Schumann.

Supervisor Cechnicki stated this resolution was derived from information speaking to the local government experts at the state and strongly feels this particular avenue of law allows for the county to have a discussion about one resolution, pass the resolution and then it is left to the people.

Supervisor Cechnicki distributed to the supervisors a sheet that is describing specifically this resolution in accordance with the alternative county government law that would set up the referendum in November 2005. (the referendum can only be held in a off number year)

Supervisor Cechnicki stated that this particular referendum requires three) 3) separate majority's. Majority of everyone of the county, the majority of everyone in the cities and the majority of the rest of the people voting in all the towns.

Supervisor Schumann felt that it is the consensus of the board to continue with the current structure of government. The minority thinks that a county executive would be a good thing being that the executive would be elected by the people and would be independent of the Board of Supervisors. She also stated that since there was such a strong division among the board it was suggested to introduce this resolution.

Supervisor Walters expressed his frustration regarding this resolution and pointed out that he first learned about the resolution through the media. He pointed out that he did not agree with a portion of the resolution and stated in the 9th WHEREAS the statement of "and the inherent conflict of one elected official representing both the interests of a town and the interests of the county becomes frequently exacerbated" Supervisor Walters stressed that the whole point of him being a supervisor was to represent his town and do good for his town and felt that this form of government was not going to save the county money it will only cost more.

Supervisor Stagliano stated that the board is the Executive and Legislative branch of government and the only way we can operate is by consensus and you have to work within the system, which sometimes has its flaws. He also expressed his frustration and stated that he also learned of the resolution through the media.

Supervisor Stagliano along with the other supervisors determined that there are parts of the resolution that are inaccurate and needed to be corrected. After the lengthy discussion it was determined that the resolution needed to be worked on and revisited at a later date. Supervisor Cechnicki withdrew the resolution and stated he would be contacting Chairman Stagliano to correct the flaws.

Motion to adjourn the Education/Government Committee Meeting was made by Supervisor Cechnicki, seconded by Supervisor Schumann. Chairman Dybas adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
6:00 PM, September 7, 2004

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Sinicropi, Strevy, and Thomas

Additional present were Supervisors: Mancini, Schumann, Walters, McMahon, Stagliano, Dybas and Paton

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Awarding Long Distance Telephone Services Provider Contract
2. Resolution Requesting the Public Service Commission to Block the Sale of Verizon's Upstate Telephone Network
3. Resolution Adopting Local Retirement Incentive Program for Fiscal Year 2004
4. Discussion regarding Montgomery Meadows 2003 Financial Audit – Marvin and Company
5. Discussion regarding Personnel 2005 Preliminary Budget
6. Other

Resolution Awarding Long Distance Telephone Services Provider Contract – Before the resolution could obtain a sponsor, Chairman DiMezza acknowledged Marco Zumbolo, Purchasing Agent. Mr. Zumbolo recommended moving the resolution to the next Finance Committee Meeting because the RFPs are not scheduled to be opened until September 13, 2004. All responses will be then be sent to the Meyers Group for their recommendation. The Committee recommended to entertain the resolution at the next Finance/Personnel Committee Meeting on September 21st.

Resolution Requesting The Public Service Commission To Block The Sale Of Verizon's Update Telephone Network And To Overhaul The Regulatory Structure For Telecommunications In New York State, sponsored by Supervisor Schumann, seconded by Supervisor Quackenbush with no discussion, the Committee moved the resolution to the full board with a positive recommendation.

Resolution Adopting Local Retirement Incentive Program for fiscal year 2004. Chairman DiMezza acknowledged Richard Baia, Personnel Director. Mr. Baia stated the County had an incentive in the year 2002 and a number of people took advantage of the incentive. With the state not offering a retirement incentive this year the county is proposing to offer a lump sum of \$8,000.00 for age-eligible employees with at least five (5) years of county service.

Mr. Baia referred to the preliminary budget where departments were looking at major layoffs. He continued to state that the laid off employees are eligible for 26 weeks of unemployment insurance at a maximum amount of \$400.00. They will also be eligible for County health insurance through COBRA (Consolidated Omnibus Budget Reconciliation Act) with the employee paying 100%.

Now if the employee chooses to retire, they will receive the \$8,000.00 incentive and be eligible for the county health insurance program at a cost of 25% of the premium and 50% for their spouse with the County absorbing the balance.

Supervisor Schumann stated that at the state level they usually have a proviso that the positions can only be part of the incentive and is filled at half the salary. She questioned how the County will save money if, upon an employee's retirement, it is determined that the position is needed and it gets re-established with the same salary next year.

Chairman DiMezza stated that there is no intention to backfill the positions.

Supervisor Schumann suggested that further information is needed from the Personnel Officer as to how the retirement incentive will be structured and what positions would be targeted to make sure going forward into next year the County will be actually saving money.

Supervisor Schumann also questioned the 5 years of service and recommended that a higher minimum of years be established. Mr. Baia stated that the County has a local law and it is also a state law that states after 5 years of service you are eligible to retire.

Supervisor Dybas questioned the number of employees eligible to retire on the list?

Mr. Baia stated that in Tier 1 there are 12 employees, Tier 2-5 employees, Tier 3-14 employees and Tier 4 there are 43 employees.

Mr. Baia, upon recommendation of the Board of Supervisors, will contact the State Retirement System and gather additional information on questions that were raised and bring back the information to the next Finance/Personnel Committee Meeting scheduled for September 21, 2004.

Discussion regarding Montgomery Meadows 2003 Financial Audit – Chairman DiMezza introduced Carol Hausmann of Marvin and Company, Certified Public Accountants and Consultants to give an overview of the Meadows Audit.

Ms. Hausmann referred to the assets of the facility and stated that compared to the previous year the current assets have gone down significantly, approximately \$700,000. The accounts receivables went down by \$300,000 and the reclaimed earnings decreased from \$2.6 million to \$2 million, which reflects the \$600,000 loss in the current year.

Total expenses increased by 11% from the prior year and the reason for this increase was due to benefits that increased to about \$200,000. That included a much larger retirement bill that the County had no control over as well as salary increases for the RN and LPN's.

Ms. Hausmann referenced the actual income statement where the patient days are the revenue driver at the facility. She pointed out that the occupancy rate in 2003 was at 94% compared to 88% in the current year (2004) that resulted in revenues going down by 6%.

Ms. Hausmann pointed out that even if the nursing home had been able to maintain the same occupancy rate as in 2003 (94% as opposed to 88% in 2004) it still would not have generated enough money to break even. In order for the Montgomery Meadows to pay their expenses the County had to funnel the facility about 1.4 million dollars. Ms. Hausmann also stated that the county also used cash flow to pay salary expenses and benefits to the tune of about \$400,000.

Chairman DiMezza stated that there were a few additional resolutions to be discussed regarding the Meadows.

The Meadows Administrator submitted a resolution transferring funds. This resolution was sponsored by Supervisor Sinicropi and seconded by Supervisor Quackenbush. Montgomery Meadows Administrator, Don Dalger stated the reason for the transfer of funds was due to employees calling in sick and because of the uncertainty of the facility the staff is using up their benefit time. The Finance and Personnel Committee moved the resolution to the full board with a positive recommendation.

Mr. Dalger also submitted a resolution establishing a new position – Building Maintenance Services Supervisor. The resolution was sponsored by Supervisor Schumann and seconded by Supervisor Sinicropi.

Mr. Dalger stated the reason for the new position is due to the elimination of the Building Maintenance Supervisor and the Senior Building Maintenance Supervisor. The new position consolidates the two into one position at a savings to the County. The Finance and Personnel Committee moved the resolution to the full board with a positive recommendation.

Richard Baia, Personnel Officer gave his presentation regarding the 2005 Preliminary Budget for the Personnel Office and stated that his department is divided into Payroll, Human Resources and Civil Service and Workman's Compensation. The Civil Service budget consists of outside services to all the town, villages, school district, MOSA, Fulton Montgomery Community College. Workman's Compensation is also handled for all the volunteer ambulance and fireman's corps.

Mr. Baia stated he would like the Board to consider that the preliminary budget eliminates the position of a current Personnel Assistant who handles Civil Service. The Personnel Officer would like the Board to consider that this position be replaced with a full-time Human Resource Clerk which could provide a long-term solution to losing the current person who handles the Civil Service aspect of Personnel.

With no further discussion, a motion to adjourn the Finance/Personnel Committee was made by Supervisor Quackenbush, seconded by Supervisor Sinicropi. Chairman DiMezza adjourned the meeting at 7:05 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
7:00 PM, September 7, 2004

COMMITTEE MEETING DISCUSSION

Chairman Mancini presided over the meeting commencing at 7:05 p.m.

Roll call indicated Committee members present included Supervisors Dybas, Quackenbush, Schumann, Sinicropi, Walters and Supervisor Brodie was absent.

Additional present were Supervisors: Thomas, Jonker, DiMezza, Cechnicki, McMahon, Strevy and Stagliano

Chairman Mancini noted the agenda:

Items on the agenda and the supplemental agenda, at this time, are as follows:

1. Discussion regarding 2005 Public Safety Preliminary Budget
2. Discussion regarding 2005 Probation Preliminary Budget
3. Discussion regarding 2005 Emergency Management/Fire Coordinator Preliminary Budget
4. Resolution Authorizing Chairman to Sign Agreement – FBI Antenna Site License Renewal (Sheriff)
5. Discussion regarding acceptance of grant award – Division of Criminal Justice – K-9 vehicle and equipment (Sheriff)
6. Other

Chairman Mancini chose to address items 4 & 5 before the discussions regarding the Preliminary Budget's.

Resolution Authorizing Chairman to Sign Agreement – FBI Antenna Site License Renewal (Sheriff) sponsored by Supervisor Dybas seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

A discussion regarding acceptance of grant award – Division of Criminal Justice – K9 vehicle and equipment (Sheriff) Sheriff Amato stated that this grant will allow him to purchase a new vehicle and equipment totaling \$38,889 to be used for the road patrol.

Supervisor Sinicropi questioned the grant when the preliminary budget would be eliminating the road patrol. The Sheriff stated that if the road patrol were eliminated, the vehicle would go back to the State.

After a brief discussion, the resolution was sponsored by Supervisor Quackenbush, seconded by Supervisor Schumann, and moved to the full board with no recommendation.

Chairman Mancini moved on to the discussion regarding the Public Safety 2005 Preliminary Budget and acknowledged Sheriff Mike Amato.

Sheriff Amato began by questioning the revenue lines for corresponding appropriations eliminated from his budget such as the DWI Officer, School Resource Officer and the Traffic Safety Officer. Since the Budget Officer had eliminated the positions, it would also be necessary to eliminate the revenue. He also stated his concerns regarding the dispatchers that were moved into the 911 budget. Sheriff Amato upon reviewing the 911 budget stated there would not be enough funding coming in to allow for all the dispatchers to be paid out of this budget.

Supervisor Schumann questioned how many dispatchers are required. Sheriff Amato stated that the state does require a certain amount of staff. He maintains 3 on the day shift, 3 on the evening shift and 2 on the night shift. Through discussion it was determined that the 911 was a self imposed mandate.

Supervisor Stagliano stated that in the past trying to raise the surcharge was attempted, but was not successful so it stays at the current rate of \$.35. The argument being if the surcharge could be raised then the additional revenue could help to operate the rest of the sheriff's budget.

Sheriff Amato stated that there are also issues with transporting prisoners when they are court

ordered from other counties. Montgomery County is not reimbursed for any expenses incurred. He did state that if a juvenile is transported, they can charge Social Services and they in turn charge the state.

Chairman Stagliano stated that when the board passed last year's budget, the tax cap was increased to 1.65%. This preliminary budget is a reflection of that tax cap. He continued by saying that the preliminary budget is not a required document; only the tentative budget is required on October 1. This preliminary budget was meant to give supervisors and department heads a heads up to what the tentative budget could look like. He stated that the initial departmental requests were 8 million dollars more than allowable by law under the 1.65% tax cap rate and that this board has to determine how they are going to find a solution to what the problems are.

Budget Office Stagliano continued to state that a structural problem exists and that no one is addressing the problems. He stated that all the Board is doing is raising taxes and now the Board is running out of space to raise taxes because in 2006 the County will be at the 2% constitutional tax cap mandated by the State and then the County has reached the taxing limit and the cuts will have to be made then.

The preliminary budget was put out to open up a dialog in which the Board can figure out how they are going to resolve its fiscal problems. He suggested to Sheriff Amato to convince the Board as to why it is necessary to keep everyone in his budget.

Supervisor Dybas stated he agreed with the Budget Officer and that there is a structural problem that just grew and for the first time the Board is looking seriously looking at fixing something that is wrong.

Discussions regarding the 2005 Probation Preliminary Budget – Chairman Mancini introduced Lucille Sitterley, Director of Probation and she gave an overview of her budget.

Ms. Sitterley has concerns regarding the 2 positions that she will be losing. Budget Officer Stagliano stated that the pre-trial program would be eliminated. Ms. Sitterley also stated that with the elimination of the pre-trial program it also eliminates \$17,139 in her revenue line.

Ms. Sitterley stated that they will be looking at additional revenue and will also try and put together a plan regarding the mileage issue which could be difficult due to the probation officers are always going in different directions.

Ms. Sitterley did make a plea for an additional probation officer due to the high volume of caseloads that her department has been experiencing.

Chairman Mancini introduced Gary Nestle to discuss the 2005 Emergency Management/Fire Coordinator Preliminary Budget.

Mr. Nestle stated that the clerk typist position that was eliminated in the budget needs to be reinstated. He stressed that someone needs to run the day-to-day office functions when he is out on County business. In addition to taking phone calls, the clerk typist is also responsible for preparing budgets and writing grants.

Supervisor Schumann along with Chairman Mancini agreed that this department could not function without the position and it would be ill advised to not reinstate it back into the budget.

A motion to adjourn the Public Safety Committee was made by Supervisor Quackenbush, seconded by Supervisor Walters. Chairman Mancini adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
7:45 PM, September 7, 2004

COMMITTEE MEETING DISCUSSION

Chairman Sinicropi presided over the meeting commencing at 9:20 p.m.

Roll call indicated Committee members present included Supervisors Dybas, Jonker, Mancini, Walters. Supervisors Brodie and DiMezza were absent

Additional present were Supervisors: Quackenbush, Paton, Strevy, Cechnicki, Thomas and Stagliano

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding Montgomery Meadows 2005 Preliminary Budget
2. Other

Chairman Sinicropi stated that the board is aware that the publicity of the sale/lease of the Montgomery Meadows has effected the occupancy rate at the facility and also stated to Mr. Dalger that the board of supervisors have to look at all of the options due to the Meadows being subsidized by the County.

Mr. Dalger presented his projected revenue assumptions to the board for review and stated that an aggressive effort is still being made to retain additional revenue for the facility. He did agree with Chairman Sinicropi that the publicity of the sale/lease affected their admission rate.

Mr. Dalger stated that with the current marketing plan in motion he is certain that the 97% occupancy rate could be met. He also reiterated that the facility is looking at other sources of revenue from increasing the case mix to obtaining grants.

Mr. Dalger stated that he understands that the facility has financial problems, but is working very hard to correct the situation with the resources that are available.

With no further discussion a motion to adjourn the Health & Human Services/Social Services Committee was made by Supervisor Dybas, seconded by Supervisor Mancini. Chairman Sinicropi adjourned the meeting at 9:35 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
6:00 PM, September 14, 2004

COMMITTEE MEETING DISCUSSION

Chairman Sinicropi presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Dybas, Jonker, Mancini, Walters. Supervisors Brodie and DiMezza were absent

Additional present were Supervisors: Thomas, McMahon, Strevy, Stagliano, Quackenbush and Paton

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding Social Services 2005 Preliminary Budget
2. Discussion regarding Public Health 2005 Preliminary Budget
3. Other

Chairman Sinicropi acknowledged Commissioner of Social Services, Bill Cranker and he presented his budget.

Commissioner Cranker distributed some changes/observations in the line items regarding the preliminary budget and pointed out that the programs that are mandated by New York State in turn affects his budget. He did state that there would be relief to the County in the Family Health Plus program due to New York State taking over the program. The projected take over is 50% in January 2005 through December 31, 2005 and in the year 2006 the state will oversee the entire program at 100%.

Supervisor Jonker had a concern about the overtime that is being paid out in Social Services. Commissioner Cranker stated that they have on call workers from 4:00 p.m. to 8:30 a.m. the following morning. Marie Wiley, Director of Social Services, also stated that the worker has 24 hours to investigate a report from the time it is called in and a serious report needs to be responded to immediately.

Supervisor Strevy questioned Commissioner Cranker as to how much is mandated by New York State and the response was 97%.

Commissioner Cranker gave an overview of the mandated programs that are in place and stressed that the State has a time line for these cases to be opened and if you do not meet the deadline the State can impose a sanction on the County.

Commissioner Cranker stated that the preliminary budget eliminates 8 employees in the social services department, which will leave a total of 90 employees.

Supervisor Dybas, Thomas, Walters and Budget Officer Stagliano requested additional information regarding the break down of all the programs and how they are funded. Commissioner Cranker stated that he would forward that information to the Board with a brief synopsis.

Commissioner Cranker did stress that the County needs to get relief from the State of New York regarding the mandated programs.

Discussion regarding Public Health 2005 Preliminary Budget took place with Chairman Sinicropi acknowledging Deborah Joralemon, Director of Public Health.

Ms. Joralemon presented the detailed summary and analysis of the Appropriations/Revenues/Net costs for 2005 for the Public Health Department and praised her staff for all the detailed documentation that has been presented to the Board of Supervisors for their review.

A discussion regarding what role the school district plays in the state mandated programs of the Early Intervention and the 3-5 Pre-School Programs. Deborah Auriemma, Accounting Supervisor, gave an overview of how the programs are instituted. She stated that the school districts are not involved in early intervention; the school district is involved in the 3-5 preschool programs. Early Intervention comes under the regulation of New York State Health Department and 3-5 preschool program comes under the State Education Department

Ms. Auriemma stated the problem that is occurring is the services that are recommended are not being done in a cost effective manner. The total cost of a child, depending on the program and transportation could run the county between \$50,000-\$60,000.

According to Ms. Auriemma, after running the new numbers, Public Health Budget will have a significant shortfall.

Chairman Sinicropi stated that under item #3 – Other on the agenda, a Resolution Transferring Funds – Consulting Fees (Montgomery Meadows) would be discussed. The resolution was sponsored by Supervisor Mancini and seconded by Supervisor Quackenbush.

Donald Dalger, Administrator at Montgomery Meadows stated that the Department of Health, in a recent review has mandated the Meadows to hire an outside consultant to provide in-service training to the staff. He has also experienced the loss of staff in the business office and needs to hire a consultant to provide training to the new accountant that was hired. This resolution would transfer funds to provide payment for these services. The committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn the Health & Human Services/Social Services Committee was made by Supervisor Mancini, seconded by Supervisor Dybas. Chairman Sinicropi adjourned the meeting at 7:50 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
7:00 PM, September 14, 2004

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:55 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Paton, Strevey and Thomas. Supervisor DiMezza were absent

Additional present were Supervisors: Mancini, Walters, McMahon, Stagliano Dybas and Sinicropi

Chairman Quackenbush noted the agenda:

Items on the agenda and the supplemental agenda, at this time, are as follows:

1. Discussion regarding Economic Development 2005 Preliminary Budget
2. Discussion regarding History and Archives 2005 Preliminary Budget
3. Discussion regarding Cornell Cooperative Extension 2005 Preliminary Budget
4. Discussion regarding Soil and Water Conservation District 2005 Preliminary Budget
5. Discussion regarding Occupancy Tax Advisory Board Annual Report
6. Discussion regarding the amendment of the Local Law which created the terms of the members of the Occupancy Advisory Board
7. Other

Chairman Quackenbush noted a change in the agenda and stated that Richard Brown will present a Discussion regarding Occupancy Tax Advisory Board Annual Report before beginning with department budget review.

Richard Brown, Co-Chairman of the OTAB stated that the OTAB is required by law to present to the Board of Supervisors an annual report. He presented the report and gave an overview of its contents.

Mr. Brown also presented the recommendation of the Occupancy Tax Advisory Board's member terms and is proposing three years instead of the current term of one year.

Chairman Quackenbush stated that a public hearing has to be scheduled to change the term on the Advisory Board and suggested that Mr. Brown submit the proposal to the County Attorney for review and recommendation.

Discussion regarding Economic Development 2005 Preliminary Budget – Chairman Quackenbush acknowledged Michael Yevoli, Director of EOD/Planning.

Mike Yevoli handed out a summary of the 2005 Economic Development/Planning budget proposal and stated his opposition to the preliminary budget. He stressed that they continue to provide Economic Development Services and believes that even though there is a cost to the County, the County receives benefit from his department through administration of the PILOTs and the retention of grants for ED projects.

Mike Yevoli stated that the position of Sr. Economic Development Specialist/Financial Analyst position, which was eliminated in the preliminary budget, is off set by revenue from the Montgomery County IDA. This revenue is by contract and passed by resolution by both Boards. This revenue currently funds a significant part of that position. Budget Officer Dominick Stagliano suggested that Mr. Yevoli contact the IDA Board for additional funding.

Chairman Quackenbush moved to an add on resolution to reappoint members of the Montgomery County Planning Board. The resolution was sponsored by Supervisor Sinicropi and seconded by Supervisor Paton. The committee moved the resolution to the full board with a positive recommendation.

Chairman Quackenbush acknowledged Kelly Farquhar, Director of History and Archives to present her budget. Ms. Farquhar expressed her concern over the elimination of the part time position in her department.

Ms. Farquhar gave a brief synopsis of her department and stated that it is a genealogical/historical research library and the revenue that the department generates is significant in terms of tourism to the County. She also wanted the Supervisors to be aware that

History and Archives have a vast and wide range of information that dates back 300 years.

Ms. Farquhar stated that her department has a small staff of 2 full time employees and 1 part time employee. She hopes that the board would reconsider their decision.

Chairman Quackenbush thanked Ms. Farquhar for her presentation.

Chairman Quackenbush moved on to Cornell Cooperative Extension and the impact of the \$119,000 in funding that is being eliminated in the preliminary budget.

Chairman Quackenbush acknowledged Marilyn Smith, Executive Director at Extension and she in turn introduced Michael O'Dockerty, President of Cornell Cooperative Extension Board and also a resident of Montgomery County. He addressed the Board and stressed the value of Cornell's service to the County and the community. He also stressed that for the Montgomery County's \$119,000 investment the county receives more than \$223,000 in additional funding.

Mr. Mark Will, Vice President of Cornell Cooperative Extension Board stated that if the funding is eliminated, Extension and all of its programs including the 4-H and Agriculture programs will end. He also stressed that no other County is without an extension service.

Supervisor Walters stated that he is aware of the programs that are offered through Extension, but faces a much more difficult situation because property taxes are going up and the people in the town of Charleston cannot afford the increases.

Supervisor Sinicropi suggested an alternative to the \$60,000.00 in rent that Cornell is paying in Johnstown and maybe an alternative would be to relocate to Montgomery County Offices to save \$60,000.

Supervisor Stagliano stated that the County has been declining for 70 years and we have less and less people paying more and more taxes and that it is crippling New York State. We need all the help we can get from the department heads and the outside agencies.

Chairman Quackenbush stated the last item on the agenda is a discussion regarding Soil and Water Conservation District 2005 Preliminary Budget. He acknowledged Corey Nellis, District Manager.

Mr. Nellis gave a detailed budget request and budget summary to the Supervisors for their review and stated that the funding request remains the same as 2004.

During the brief discussion he stated that the district's budget has increased 89% and contributed that success to having a strong district that is diversified.

Motion to adjourn the Economic Development/Agriculture & Planning Committee by Supervisor Strevy, seconded by Supervisor Jonker. Chairman Quackenbush adjourned the meeting at 9:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
6:00 PM, September 21, 2004

COMMITTEE MEETING DISCUSSION

Chairman Sinicropi presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, Mancini, and Walters. Supervisor Brodie was absent.

Additional present were Supervisors: Quackenbush, Stagliano, Strevy, McMahon, Thomas, Cechnicki and Paton.

Chairman Sinicropi noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding Office for the Aging 2005 Preliminary Budget
2. Discussion regarding Veteran Services 2005 Preliminary Budget
3. Discussion regarding Youth Bureau 2005 Preliminary Budget
4. Other

Chairman Sinicropi acknowledged Eileen Broyles, Executive Director of the Office of the Aging.

Ms. Broyles stated that the budget numbers presented by the Agency are providing needed services for the elderly and it continues to grow due to the population aging. She also stated that the decision that the Board made last year regarding the unrestricted funds has worked to their advantage and asked if the trend could continue.

Ms. Broyles stated that the transportation services have seen an increase. The Agency does coordinate with other agencies like Social Services and the Veterans Administration to be more cost effective. She did state that the agency is always looking for ways to bring in additional revenue.

Supervisor McMahon applauded the Office for the Aging's efforts because their agency keeps the elderly functional.

Chairman Sinicropi moved on to the discussion regarding Veteran Services 2005 Preliminary Budget and Chairman Sinicropi acknowledged Dwight Thompson, Veterans Director.

Mr. Thompson gave an overview of the services his department provides and commented on the line items that have been decreased in the preliminary budget. Even with projected funds that are being eliminated, Mr. Thompson stated that there are a few options he can pursue to regain some of the funding. He did state that he will be contacting the Fulton County Veterans and discussing a possible increase in the trip fee. At present, the charge is \$25.00.

The Committee then discussed the Youth Bureau 2005 Preliminary Budget. Chairman Sinicropi acknowledged Jennifer Petteys, Youth Bureau/Alternative Community Services Director.

Ms. Petteys gave an overview of her programs and stated that the Community Service Program that has been in her department for 2 months and overseen by Mr. Richard Boice has been very successful and is growing.

The question was asked if the Community Service Budget and the Youth Bureau Budget could be combined. Ms. Petteys stated due to the different state aid that is coming through and with the guidelines it has to be maintained separately.

Ms. Petteys commented on the \$20,000.00 requesting a motor vehicle and stated that a vehicle is needed to transport the individuals to the various work sites. Supervisor Dybas stated that with the preliminary budget cuts there could be a vehicle available through DPW.

Motion to adjourn the Health & Human/Social Services Committee Meeting was made by Supervisor Mancini, seconded by Supervisor Strevy. Chairman Sinicropi adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
7:00 PM, September 21, 2004

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Sinicropi, Strevy and Thomas

Additional present were Supervisors: Mancini, Schumann, Walters, McMahon, Stagliano, Dybas and Paton

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding Board of Elections 2005 Preliminary Budget
2. Discussion regarding Treasurer 2005 Preliminary Budget
3. Discussion regarding Real Property Tax Service 2005 Preliminary Budget
4. Discussion regarding County Attorney 2005 Preliminary Budget
5. Discussion regarding County Clerk 2005 Preliminary Budget
(Rescheduled for September 28, 2004 @ 6:15 p.m.)
6. Resolution Adopting Local Retirement Incentive Program for fiscal year 2004
7. Resolution Awarding Long Distance Telephone Services Provider Contract
8. Resolution Appointing Superintendent – Montgomery County Sanitary District #1
9. Resolution Authorizing Chairman to Sign Change Order #1 – Erwin Voss & Associates
(FMCC Water Infiltration Project)
10. Resolution Authorizing Chairman to Sign Contract – Phillips Associates
(FMCC Integrated Campus Fire Alarm and HVAC Controls Project)
11. Resolution Authorizing Salary Increases – Non Bargaining Employees
12. Resolution Establishing Public Hearing – Introductory Local Law #3 of 2004
Establishing Salaries of Various County Officials
13. Other

Chairman DiMezza acknowledged the Board of Elections and opened the discussion regarding their 2005 Preliminary Budget.

Lyn May (Republican) and Joan Grainer (Democrat), Deputy Commissioners, and Arlene Macek (Republican) and Deborah Tessiero (Democrat), Commissioners addressed the Committee.

The Board of Elections stated their position regarding elimination of the part time election commissioners without raising the salaries of the full time deputy commissioners and felt that a base salary needed to be established in all fairness. They also felt that if the election clerks were to become deputy commissioners, their salaries should be raised as well. It was also recommended that the term for a commissioner be 4 years instead of a 2-year term.

Ms. Grainer stated that in the 2006, the Board of Elections has to be in compliance with the HAVA (Help America Vote Act) and the future fiscal impacts it would have on the department and the County.

Chairman DiMezza moved on to the discussion regarding the Treasurer's 2005 Preliminary Budget. Chairman DiMezza acknowledged Shawn Bowerman, County Treasurer.

Mr. Bowerman gave an overview of his department and added that there is an addition in his appropriation lines for a principal payment of \$110,000.00 and an interest payment of \$11,000. This debt was taken because of the bonding related to the retirement system contribution.

The issue of the 1% sales tax increase was also discussed. Supervisor Dybas discussed the amount budgeted for sales tax revenues for 2005 and felt that it was a conservative number. The

Treasurer thought the \$12M figure was aggressive, but not having historical figures since the sales tax percentage was only increased in a partial year for 2003 makes it a difficult number to predict. There was also discussion regarding the 1/10th of that one percent increase that will go to the City of Amsterdam and when the agreement with the city terminates. Attorney Landon stated that the agreement terminates in November 2005 and that should be taken into consideration for this upcoming budget.

The next presentation on the agenda was the discussion regarding the Real Property Tax Service 2005 Preliminary Budget. Chairman DiMezza acknowledged Florence Stanton, Director

Ms. Stanton gave a brief overview of her department and stated her concern regarding the elimination of the Real Property Research Technician and feels it will have a major impact on her department.

She also stated that the line item for travel has been decreased and wanted the Board to be aware that the travel portion is state reimbursable. Ms. Stanton stated that all the other line items decrease could be dealt with.

Chairman DiMezza acknowledged County Attorney Doug Landon for his presentation of the 2005 preliminary budget.

Attorney Landon had a number of concerns regarding the line items that have been eliminated in his budget. He stated that operating an office in Fonda on a particular day, would change the way business is currently done and feels it would not be efficient. A large portion of his work involves responding to inquiries made at his office. It is not a perfect system, but it works. He asked the Supervisors to consider restoring the dollars as requested.

Chairman DiMezza reiterated that the discussion regarding the 2005 preliminary budget for the County Clerk has been rescheduled for a Finance Committee on September 28, 2004.

Resolution Adopting Local Retirement Incentive Program for Fiscal Year 2004 sponsored by Supervisor Stagliano, seconded by Supervisor Quackenbush was discussed at length and a decision to give all eligible full time employees the incentive who are a minimum of 55 years of age and have a minimum of 10 years of County Service are eligible for the following incentive payments: \$4,000.00 for 10 years of County Service, \$6,000.00 for 15 years, \$8,000.00 for 20 years and \$10,000.00 for 25 years of County Service. It was also suggested that the retirement incentive be put towards the payment of the employee's health insurance. The committee moved the resolution to the full board with a positive recommendation.

Resolution Awarding Long Distance Telephone Services Provider Contract sponsored by Supervisor Jonker, seconded by Supervisor Quackenbush. Marco Zumbolo, Purchasing Agent stated that the 2 proposals received and upon recommendation by the Myers Group, the County's Consultant, the proposals should be rejected since it was determined that the New York State Contract Plan would provide the best cost effective plan. The Committee agreed to move a resolution rejecting bids to the full board with a positive recommendation.

Resolution Appointing Superintendent – Montgomery County Sanitary District #1 sponsored by Supervisor Quackenbush, seconded by Supervisor Jonker. Supervisor Quackenbush made recommendation on behalf of the Board of Directors of the Sanitary District #1 to appoint Robert Bergen permanently, to fill the position at a annual salary of \$40,000. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman To Sign Change Order No. 1 – Erwin Voss & Associates (FMCC Water Infiltration Project) sponsored by Supervisor Schumann, seconded by Supervisor Quackenbush. The committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Contract – Phillips Associates (FMCC Integrated Campus Fire Alarm and HVAC Controls Project) sponsored by Supervisor Jonker, seconded by Supervisor Quackenbush. A brief discussion took place regarding the funding of the project and it was recommended by the Treasurer that the funds would be available through the contingency fund. The committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Salary Increases – Non-Bargaining Employees sponsored by Supervisor Sinicropi, seconded by Supervisor Jonker. Supervisors Strevy, Schumann, Quackenbush, Cechnicki, Dybas and McMahon agreed that there could be no justification for the non-bargaining salary increases due to the financial crisis that is facing Montgomery County. Raises could not be considered, if others faced job losses. Chairman Stagliano expressed his dismay with the decision to not consider raises for the only "unit" in the County that has not received a pay increase since 2002. All bargaining units, as well as all outside agencies have received pay increases, retroactively. He stated that the non-bargaining, mostly department heads, were being treated unfairly. He further stated that the non-bargaining employees also included several clerical positions whose only reason for being categorized as non-bargaining was that they were privy to certain confidential information, should not be penalized for that sole reason. Chairman DiMezza supported the Resolution reiterated Chairman Stagliano's sentiments. After a lengthy discussion, the Committee decided to move the resolution to the full board without a recommendation.

Resolution Establishing Public Hearing – Introductory Local Law No. 4 of 2004 – A Local Law

Establishing the 2004 Salaries of Various County Officials sponsored by Supervisor Jonker, seconded by Supervisor DiMezza. It was stated that in the event that the previous resolution was passed at the next meeting, it would be necessary to move this resolution as well. The committee moved the resolution to the full board without a recommendation.

Resolution Requesting the State Legislature to Implement a Cap on the Local Share of Medicaid and to Fully Fund Cost of All New Mandates to Local Governments, sponsored by Supervisor McMahon, seconded by Supervisor DiMezza. The committee moved the resolution to the full board with a positive recommendation.

Supervisors Dybas addressed Chairman DiMezza regarding the County's Tax Cap. It was determined by various supervisors that because of the drastic cuts departments will be facing, and the absence of additional revenue to fund these cuts, it would be necessary to consider increase the County's constitutional tax limit. To do so requires a public hearing. A resolution will be drafted to establish a Public Hearing for the consideration of raising the tax cap for the full board meeting. This resolution was sponsored by Supervisors Dybas and seconded by Supervisor DiMezza.

Motion to adjourn the Finance/Personnel Committee Meeting by Supervisor Quackenbush, seconded by Supervisor Sinicropi. Chairman DiMezza adjourned the meeting at 9:50 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
6:15 PM , September 28, 2004

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 6:15 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Sinicropi, Strevy and Thomas

Additional present were Supervisors: Brodie, Dybas, Stagliano, McMahon, Schumann, Walters and Mancini

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding County Clerk 2005 Preliminary Budget
2. Other

Chairman DiMezza acknowledged Helen Bartone, County Clerk to give her presentation of the 2005 Preliminary Budget.

Ms. Bartone presented the Board of Supervisors a handout outlining her concerns regarding the elimination of the part-time position and stressed that every year the volume of work increases, but the manpower does not increase and would hope that the Board of Supervisors takes this into consideration.

Chairman DiMezza stated under other business that there is a need for a Resolution Adopting 2004-2005 Fulton-Montgomery Community College Operating Budget since the Public Hearing will be held at 6:50 this evening. Once the Public Hearing is held, the Board may then adopt FMCC's Budget at the full board meeting at 7:00pm. The resolution was sponsored by Supervisor McMahon and seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation. Supervisors Sinicropi, Dybas and Stagliano opposed.

Motion to adjourn the Finance/Personnel Committee was made by Supervisor Quackenbush, seconded by Supervisor Jonker. Chairman DiMezza adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
6:30 PM, September 28, 2004

Public Hearing - Fulton Montgomery Community College 2004 - 2005 Tentative Operating Budget

PUBLIC HEARING DISCUSSION

Chairman Stagliano called the Public Hearing to order at 6:30 p.m. in the Supervisors' Chambers.

The following notice was read:

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Chambers of the Board of Supervisors, County Office Building, Broadway (Route 30A), Fonda, New York at 6:30 p.m. on Tuesday, September 28, 2004 for the purpose of holding a public hearing on the Tentative Budget of the Fulton-Montgomery Community College as the same relates to the financial share and obligation of the County of Montgomery for the College's fiscal year which begins September 1, 2004 and ends August 31, 2005.

FURTHER NOTICE is hereby given that a copy of the 2004-2005 Tentative Budget of Fulton-Montgomery Community College is available at the Office of the Chairman of the Board of Supervisors, County Annex Building, Park Street, Fonda, New York, where it may be examined or procured by any interested person during business hours.

By order of the Board of Supervisors of Montgomery County.

Christine Pasquarelli
Clerk of the Board

Chairman Stagliano asked whether anyone from the public wished to speak.

No one spoke.

Chairman Stagliano adjourned the public hearing at 6:35 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, September 28, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for September 28, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Sinicropi led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Brodie, Sinicropi, Schumann, Dybas, Mancini, Di Mezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present.

PRIVILEGE OF THE FLOOR

PRESENTATION

Chairman Stagliano acknowledged the members of the public in attendance and stated that they state their name and who they represent.

PUBLIC COMMENT

Bill Austin, President of Local 829 of the Civil Service Employee's Association and a resident of St. Johnsville stated that the Board of Supervisors will be considering two resolutions, Resolution 214, Adopting Local Retirement Incentive Program and Resolution 223, Establishing a Public Hearing for Consideration of Raising the Constitutional Tax Limit and urged the board to vote yes on both.

Mr. Austin stated that the preliminary budget presented by the Budget Officer Stagliano contained major layoffs and the two resolutions presented at tonight's meeting needs a critical "yes" vote.

He also stated that no one likes to pay more taxes, and Montgomery County is not alone in facing a financial crisis. There are a number of surrounding counties facing tax increases due to the mandates that are passed down to the local municipalities through the governmental entities.

In closing, Mr. Austin stated that it is far better if jobs are lost through voluntary retirement than through a layoff process and stressed resolution #214 (Adopting Local Retirement Incentive Program For Fiscal Year 2004) would provide that option for the eligible county employees.

Chairman Stagliano asked if there were any other speakers. With no other comments, Chairman Stagliano ended the Public Comment at 7:05 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Quackenbush, seconded by Supervisor Sinicropi, Jr., passed with Aye(1868).

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1868).

UNFINISHED BUSINESS

RESOLUTION NO. 193 of 2004

DATED: August 24, 2004

RESOLUTION ESTABLISHING A MONTGOMERY COUNTY EMS ADVISORY BOARD

Resolution by Supervisor: Stagl i ano

Seconded by Supervisor: Dybas

WHEREAS, NYS County Law S223-b provides for the creation of a County EMS Advisory Board, in order to develop and maintain programs for EMS training, EMS-related activities and mutual aid emergencies in which the services of EMS providers would be used and to cooperate with appropriate state agencies in furthering such programs,

WHEREAS, the Law further states that any county may create a county EMS advisory board, which shall consist of not less than five nor more than twenty-one members, each of whom shall be appointed by the legislative body for a term of not to exceed one year, two years or three years; Such terms of office need not be the same for all members, and

WHEREAS, it has been recommended that Montgomery County create such an advisory board to provide advisement on said issues,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes a Montgomery County EMS Advisory Board, whose duties shall include:

- cooperation with appropriate state agencies in relation to such programs for EMS training, EMS-related activities and mutual aid
- to act as an advisory body to the Board of Supervisors and to the Montgomery County EMS coordinator
- participation in such programs for EMS training, EMS-related activities and mutual aid and mutual aid programs in cases of emergencies in which the services of EMS providers would be used
- to perform such other duties as may be prescribed in relation to EMS training, EMS-related activities and mutual aid in cases of emergencies in which the services of EMS providers would be used, and

FURTHER RESOLVED, that the Montgomery County Emergency Management Officer shall act as a liaison officer between the Board of Supervisors and said advisory board and the EMS providers in the county and the officers and governing boards or bodies thereof, and

FURTHER RESOLVED, there shall be 21 appointments to said Board which shall consist of the following representation:

- 4 appointments shall represent the agencies providing ambulance service in Montgomery County
- 1 appointment shall represent the agencies providing medvac airlift services in Montgomery County
- 8 appointments shall represent the fire departments of Montgomery County
- 1 appointment shall represent St. Mary's Hospital
- 1 appointment shall represent Amsterdam Memorial Hospital
- 1 appointment shall represent the Montgomery County Red Cross
- 1 appointment shall be the Public Safety Chairman of the Montgomery County Board of Supervisors or his designee
- 1 appointment shall represent the Montgomery County Public Health Department
- 1 appointment shall represent the Montgomery County Sheriff's Department - 911 Dispatch
- 2 appointments shall represent the public at large

FURTHER RESOLVED, that the following appointments are hereby made:

APPOINTEE

TERM EXPIRATION

MOTION TO TABLE by Supervisor Di Mezza, seconded by Supervisor Thomas, passed with Aye(1594). Supervisor Sinicropi, Jr. abstained. Supervisor Mancini was absent. (8/24/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Quackenbush, passed with Aye(1868). (9/28/2004)

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Walters, passed with Aye(1574). Supervisors Dybas and Quackenbush voted Nay. (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 207 of 2004

DATED: September 28, 2004

RESOLUTION REQUESTING THE PUBLIC SERVICE COMMISSION TO BLOCK THE SALE OF VERIZON'S UPSTATE TELEPHONE NETWORK AND TO OVERHAUL THE REGULATORY STRUCTURE FOR TELECOMMUNICATIONS IN NEW YORK STATE

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, Verizon has announced its intention to sell 2.6 million access lines in the region from northern Orange County to Buffalo, and abandon the telephone business in much of upstate New York, and

WHEREAS, Verizon and its predecessor companies have provided telephone service in the upstate New York region for over 100 years, and

WHEREAS, many areas of upstate New York already suffering from severe declines in the quality of telephone service due to drastic cutbacks by Verizon in construction and maintenance of the telephone network, and

WHEREAS, all New Yorkers depend on a reliable, well-maintained telecommunications system for their safety and the smooth and successful functioning of their businesses and communities, and

WHEREAS, the future economic competitiveness and development of our region depends more than ever before on the deployment of the most advanced, high-speed communications networks such as broadband internet access, "Fiber-to-the Home" and wireless data networks, and

WHEREAS, published reports indicate that the only buyers interested in purchasing Verizon's upstate network are private equity firms interested in obtaining the network for the purpose of generating cash flow in order to leverage lucrative lending opportunities, and

WHEREAS, such buyers will very likely seek to cut maintenance, investment, and workforce costs in order to generate the maximum possible cash flow, and

WHEREAS, this is likely to lead to even further declines in service quality, and

WHEREAS, such buyers will have no interest or incentive whatsoever to build out the most up-to-date high-speed telecommunications technologies that are critical to the economic future of the upstate New York region, which is already suffering through virtual economic depression, and

WHEREAS, the present telecommunications regulatory system requires Verizon and any other incumbent telephone providers to lease access to its network at cut-rate prices, thereby creating tremendous disincentives for investment in the roll-out of new technologies, as well as in ongoing maintenance of the network, and

WHEREAS, Verizon currently employs 5,500 non-management employees who have good-paying jobs with substantial benefits, and these jobs will be jeopardized by any change in ownership of the upstate network,

RESOLVED, that the Montgomery County Board of Supervisors calls upon the Public Service Commission to use its statutory power to block the sale of Verizon's upstate telephone network, and

FURTHER RESOLVED, we call upon the Public Service Commission to overhaul the regulatory structure for telecommunications in New York State so that the interest of telephone consumers and workers take precedence over the greed of telecommunications speculators and specifically that UNE rates be raised to an appropriate equitable level so that all providers can continue to ensure high quality local telephone service, and

FURTHER RESOLVED, we call upon the PSC to require that Verizon and all telephone providers in New York restore adequate service quality by mandating sufficient expenditures on capital and workforce, and

FURTHER RESOLVED, that a copy of this resolution, suitably engrossed, be forwarded to the New

York State Public Service Commission

RESOLUTION ADOPTED with Aye(1385). Supervisors Sinicropi, Jr., Strevy, Paton and Stagliano voted Nay. (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 208 of 2004

DATED: September 28, 2004

RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, the Nursing Home Administrator has requested a transfer of funds to provide payment for nurse agency staffing and overtime pay,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

From: EH 34 4 6020 00 1110:	
(007) Accountant	\$12,000.00
(043) Custodial Worker	4,000.00
(044) Cleaner	5,000.00
(049) Scheduling Clerk	2,000.00
(058) Cook	12,000.00
(132) Food Service Helper	12,000.00
(134) Head Nurse	7,000.00
(171) LPN	3,000.00
(177) LPN	3,000.00
(178) LPN	6,000.00
(179) LPN	4,000.00
(184) LPN	2,000.00
(186) LPN	8,000.00
(194) LPN	1,000.00
(207) C N A	5,000.00
(210) C N A	5,000.00
(215) C N A	2,000.00
(219) C N A	1,000.00
(227) C N A	1,000.00
(237) C N A	4,000.00
(238) C N A	2,000.00
(246) C N A	5,000.00
(247) C N A	3,000.00
(272) Assistant Cook	2,000.00
(299) Stores Assistant	11,000.00
(342) Supv. Nurse	3,000.00
(350) Watchperson	12,500.00
(541) C N A	6,000.00
(562) Ward Clerk	10,000.00
(650) Account Clerk Typist	12,500.00
(1129) Caseworker	13,500.00
(1422) Supv. Nurse	6,000.00
	\$185,500.00

TO:

EH 34 4 6020 00 1111	
(926) Overtime Pay	\$135,500.00
EH 34 4 6020 00 4436 Medical Fees	\$ 50,000.00

RESOLUTION ADOPTED with Aye(1868). (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 209 of 2004

DATED: September 28, 2004

RESOLUTION ESTABLISHING POSITION - BUILDING MAINTENANCE SERVICES SUPERVISOR (MONTGOMERY MEADOWS)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Nursing Home Administrator has recommended the consolidation of the Building Maintenance Supervisor and the Senior Building Maintenance Worker Positions at the Montgomery Meadows, and

WHEREAS, this consolidation would call for the establishment of a new position with the title - Building Maintenance Services Supervisor, and

WHEREAS, said position would be a grade I with a annual base salary of \$29,632 in the CSEA contract,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes the position of Building Maintenance Services Supervisor, Grade I, with an annual base salary of \$29,632, at the Montgomery Meadows Residential Health Care Facility, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

EH-34-4-6020-00-1110(23) Building Maintenance Supervisor \$10,700

EH-34-4-6020-00-1110(665) Senior Building Maintenance Worker \$ 625

ADD and TRANSFER TO:

EH-34-4-6020-00-1110(329) Building Maintenance Services Supervisor \$11,325

RESOLUTION ADOPTED with Aye(1868). (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 210 of 2004

DATED: September 28, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, by Resolution 225 of 2003 and Resolution 37 of 2004, Montgomery County has entered into a license agreement with the US Department of Justice, Federal Bureau of Investigation for a 10-year Basic Ordering Agreement through September 30, 2013, and

WHEREAS, said agreement authorized the federal agency to maintain certain communications equipment on a County-owned tower, and

WHEREAS, said agreement calls for a renewal on a yearly basis,

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, 2004 and ending on September 30, 2005.

RESOLUTION ADOPTED with Aye(1868). (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 211 of 2004

DATED: September 28, 2004

RESOLUTION ACCEPTING GRANT AWARD - DCJS LOCAL LAW ENFORCEMENT BLOCK GRANT - K-9 VEHICLE AND EQUIPMENT (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

Christine Pasquarelli
Clerk, Board of Supervisors

Christine Pasquarelli
Clerk, Board of Supervisors

Seconded by Supervisor: Si ni cropi, Jr.

WHEREAS, Lee National Denim Day will be observed on Friday, October 8, 2004, 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 8, 2004, 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(1868). (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schuman stated that she would be voting no on the proposed amendment offered up by Supervisor DiMezza on Resolution 214.

She felt, that after the discussion that took place on September 21, 2004 in the Finance/Personnel Committee, the board members had reached a fair retirement incentive for the employees. This amendment does reward the people for the time they were employed for the County.

She also expressed that she was opposed to the retirement incentive because it would not save the County any money.

Supervisor Quackenbush stated that he would support the amendment that is being proposed and also stated with the County facing massive layoffs, it was the duty of the Board of Supervisors to give the people that are eligible for retirement every opportunity to take advantage of the incentive being offered.

Supervisor DiMezza stated that the resolution was put forth to save the County money and believes that if the people take advantage of the retirement incentive it will be a cost savings to the County.

Chairman Stagliano stated that the Board of Supervisors can cut the positions that were proposed in the tentative budget and pay the unemployment benefits, leaving the workers eliminated to find an alternative in obtaining health insurance coverage as opposed to the retirement incentive in which their health insurance would continue.

With no further discussion a roll call was taken on the amendment that was proposed.

Supervisor Schumann stated that she will be voting no on the resolution as proposed because she still feels that there would not be substantial savings to the County. She also requested a financial analysis of what was spent on the retirement incentive so when the same topic comes up for discussion next year, the facts and figures will be available for reference.

Chairman Stagliano in response to Supervisor Schumann's request stated that as soon as the information is generated the analysis will be forwarded to the Supervisors.

RESOLUTION NO. 214 of 2004

DATED: September 28, 2004

RESOLUTION ADOPTING LOCAL RETIREMENT INCENTIVE PROGRAM FOR FISCAL YEAR 2004

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Quackenbush

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, and who are a minimum of 55 years of age and have a minimum of 10 years of County Service shall receive an incentive payment as follows:

\$4,000 for 10 years of County Service

\$6,000 for 15 years of County Service
 \$8,000 for 20 years of County Service
 \$10,000 for 25 years of County Service

and if the following conditions are satisfied:

1. No later than December 31, 2004, 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, 2004.
3. Employees shall not be eligible to receive unemployment insurance benefits based upon the employee's employment with the County of Montgomery, and

FURTHER RESOLVED, that said incentive may be put towards the payment of the employee's health insurance retirement program, and

FURTHER RESOLVED, that said program be administered by the Personnel Officer, with a retirement incentive line item to be established to provide funds to pay for said early retirement incentive.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Quackenbush, to replace the word "County" which appears five (5) times in the first RESOLVED clause, with the words "New York State Employee Retirement System", passed with Aye(1663). Supervisors Schumann and Cechnicki voted Nay. (9/28/2004)

RESOLUTION ADOPTED with Aye(1663). Supervisors Schumann and Cechnicki voted Nay. (9/28/2004)

Douglas Landon
 County Attorney

Christine Pasquarelli
 Clerk, Board of Supervisors

RESOLUTION NO. 215 of 2004

DATED: September 28, 2004

RESOLUTION REJECTING LONG DISTANCE TELEPHONE SERVICES PROVIDER PROPOSALS

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, proposals were solicited for a provider of long distance telephone services, and

WHEREAS, 2 proposals were received, and

WHEREAS, it is recommended that both proposals be rejected since the NYS Contract Plan provides the best value,

RESOLVED, that the Board of Supervisors hereby rejects the two proposals received for the long distance telephone services contract, 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 enter into an agreement under NYS Contract, Plan #PS58750 with AT&T for the provision of long distance telephone services.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (9/28/2004)

Douglas Landon
 County Attorney

Christine Pasquarelli
 Clerk, Board of Supervisors

RESOLUTION NO. 216 of 2004

DATED: September 28, 2004

RESOLUTION APPOINTING SUPERINTENDENT - MONTGOMERY COUNTY SANITARY DISTRICT #1

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, Montgomery Sanitary District #1 is in need of a Superintendent to oversee the operation of this district, and

WHEREAS, on August 28, 2004, the Board of Directors of the Montgomery Sanitary District #1 met for the purpose of interviewing candidates for the position, and

WHEREAS, it is the recommendation of said Board to appoint Robert Bergen to fill this position,

RESOLVED, the Montgomery County Board of Supervisors hereby appoints Robert Bergen Superintendent of Montgomery Sanitary District #1, with an annual salary of \$40,000, and

FURTHER RESOLVED, as Robert Bergen holds a 2-A license required for the position, the Montgomery County Board of Supervisors further stipulate that said appointee qualify for a class 3-A license within 18 months of appointment to this position.

RESOLUTION ADOPTED with Aye(1868). (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 217 of 2004

DATED: September 28, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER NO. 1 - ERWIN VOSS & ASSOCIATES (FMCC WATER INFILTRATION PROJECT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 276 of 2003 awarded a contract for the Academic Connector Water Infiltration Repair project, a portion of the Air Quality and Safety Project at Fulton-Montgomery Community College to Erwin Voss and Associates of Gloversville, New York, and

WHEREAS, said contract is ready to be closed out and to do so requires a credit Change Order,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the following change Order to the contract with Erwin Voss and Associates for the Academic Connector Water Infiltration Repair project, a portion of the Air Quality and Safety Project at Fulton-Montgomery Community College:

Change Order No. 1	To credit back to the Sponsors the unused balance of two allowances contained in the original contract	(-)\$2,786.00
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Original Contract Amount:	\$59,500.00
Proposed Change Order #1	(-) 2,786.00

	\$56,714.00

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the closeout of said contract with Erwin Voss and Associates for said project and release all retainage due, contingent upon the receipt of written notification from the Fulton County Planning Director that all punchlist items have been completed:

Original Contract Amount	\$59,500.00
Change Order #1	\$ 2,786.00

Revised Contract Amount	\$56,714.00
Total Balance Paid to Date	\$42,783.25

Balance Due	\$13,930.75

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 abstained. (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 218 of 2004

DATED: September 28, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PHILLIPS ASSOCIATES (FMCC INTEGRATED CAMPUS FIRE ALARM AND HVAC CONTROLS PROJECT)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 127 of 2004 approves the Integrated Campus Fire Alarm and HVAC Controls Projects at Fulton-Montgomery Community College, and

WHEREAS, Resolution 181 of 2004 authorized distribution of a Request for Proposals from engineering firms for design services for said projects and three proposals were received,

RESOLVED, that the Chairman of the Board of Supervisors, upon review of the County Attorney, is hereby authorized and directed to sign a contract with Phillips Associates, of Saratoga Springs, NY, for design services for the Integrated Campus Fire Alarm and HVAC Controls Projects at FMCC, at a cost not exceed \$42,800 (Montgomery County share \$10,700), and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 operating budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account	\$10,700
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TRANSFER TO:

A-06-4-9900-00-9950 Transfer to Capital Projects	\$10,700
--	----------

and,

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

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained. (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor DiMezza proposed an amendment to Resolution 219 and stated there were several positions that should be excluded from receiving salary increases because upon their appointment in the year 2003 received a pay increase in their base salary.

Supervisor Quackenbush stated under the circumstances with the layoffs that are being proposed he could not support the resolution.

Supervisor Sinicropi stated that it was unfair to give union employees a raise, leaving the department heads receiving no compensation. He also stated with the cuts being proposed the department heads will be forced to restructure and the work load will be increasing.

Supervisor Schumann stated that she will be voting yes on the amendment and against the resolution.

Supervisor McMahon stated until he sees the budget documents he will abstain from voting.

Supervisor Cechnicki stated he will be voting no on the resolution because he cannot justify the salary increases for the non-bargaining employees when there are county employees loosing their jobs.

Supervisor Dybas stated that he will support the amendment, but will not support the resolution.

Supervisor Walters stated that it is only fair to bring the employees of the county up to a fair pay scale and try to make some amends to the typical notion that the county is underpaid.

Chairman Stagliano stated that he would not vote on the amendment that is being proposed, but would vote for the resolution because this is only way to bring the employees up to the 2003 level.

Supervisor McMahon made a motion to table the resolution until the tentative budget is made available for review. After the roll call was taken the motion to table failed and Supervisor DiMezza withdrew his amendment in light of the discussions that have been taken place.

Supervisor Dybas stated that instead of all the positions listed to receive a raise he would recommend amending the resolution by giving a one time only \$600.00 payment to the employees in lieu of the retro active payment.

During the discussion it was determined by County Attorney Doug Landon that the one time payment would create several payroll problems. He also stated that in addition to payroll it would also effect the employees that are in fixed term positions and any rate increase would involve a public hearing introducing a local law.

RESOLUTION NO. 219 of 2004**DATED:** September 28, 2004**RESOLUTION AUTHORIZING SALARY INCREASES - NON-BARGAINING EMPLOYEES**

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Jonker

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes a two and a half percent (2.5%) salary increase, retroactive to January 1, 2003, for the following non-bargaining employees:

Assistant DA/DWI Prosecutor	A. 25. 1165. 00. 1120(20)
Assistant DA	A. 25. 1165. 00. 1120(22)
Public Health Director	A. 16. 4010. 00. 1110(32)
Commissioner of Public Works	A. 12. 1490. 00. 1110(50)
Commissioner of Social Services	A. 18. 6010. 00. 1110(52)
Criminal Investigator	A. 25. 1165. 00. 1120(71)
County Attorney	A. 09. 1420. 00. 1120(78)
County Clerk	A. 08. 1410. 00. 1110(79)
Director of Weights & Measures	A. 20. 6610. 00. 1110(81)
Deputy County Clerk	A. 08. 1410. 00. 1110(97)
Deputy County Treasurer	A. 06. 1325. 00. 1110(98)
Youth Bureau Director	A. 21. 7310. 00. 1110(105)
Director of Eligibility - Social Services	A. 18. 6010. 00. 1110(108)
Administrative Aide	A. 01. 1010. 00. 1110(122)
Clerk Typist - Board of Supervisors	A. 01. 1010. 00. 1110(139)
Director of Emergency Management	A. 02. 3640. 00. 1110(202)
PHC Coordinator	A. 16. 4010. 01. 1110(257)
Social Services Attorney	A. 18. 6010. 00. 1110(276)
Director of Community Services	A. 17. 4310. 00. 1110(302)
Personnel Assistant	A. 10. 1430. 00. 1110(360)
Undersheriff	A. 15. 3110. 00. 1110(419)
Director of Social Services	A. 18. 6010. 00. 1110(441)
Director of Data Processing	A. 14. 1680. 00. 1110(444)
Economic Opp. And Dev. Director	A. 24. 6431. 00. 1110(472)
Economic Opp. And Dev. Specialist	A. 24. 6431. 00. 1110(473)
Sheriff	A. 15. 3110. 00. 1110(509)
Confidential Secretary - Sheriff	A. 15. 3110. 00. 1110(510)
Social Services Attorney	A. 18. 6010. 00. 1110(512)
Social Services Attorney	A. 18. 6010. 00. 1110(513)
Director of Real Property Tax	A. 07. 1355. 00. 1110(616)
Confidential Secretary - Public Defender	A. 28. 1170. 00. 1110(835)
Personnel Director	A. 10. 1430. 00. 1110(858)
Deputy County Attorney	A. 09. 1420. 00. 1120(866)
Director of Financial Management - Social Services	A. 18. 6010. 00. 1110(908)
Director of Veterans Services	A. 19. 6510. 00. 1110(912)
Secretary to District Attorney	A. 25. 1165. 00. 1110(987)
Deputy Election Commissioner	A. 11. 1450. 00. 1110(1134)
County Historian	A. 22. 7510. 00. 1110(1177)
Account Clerk Typist - Personnel	A. 10. 1430. 00. 1110(1273)
Personnel Associate	A. 10. 1430. 00. 1110(1274)
Assistant DA	A. 25. 1165. 00. 1120(1292)
Principal Account Clerk - Personnel	A. 10. 1430. 00. 1110(1392)
Purchasing Agent	A. 31. 1345. 00. 1110(1424)
Corrections Administrator	A. 15. 3150. 00. 1110(1438)

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to transfer funds into each stated line item in an amount not to exceed 2.5% of employee's total base salary, and

FURTHER RESOLVED, that said transfers will be made from account # A.01.1990.00.4400 Contingent Account, and

FURTHER RESOLVED, that retroactive pay to January 1, 2003 shall be made to those employees who are on payroll as of the date of passage of this resolution, and

FURTHER RESOLVED, this resolution is contingent upon adoption of a Local Law required for certain fixed terms positions.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Stagliano, was defeated with Aye(494). Supervisors McMahon, Walters, Strevy, Thomas and Jonker voted Aye. (9/28/2004)

MOTION TO CALL THE QUESTION by Supervisor Cechnicki, seconded by Supervisor McMahon, passed with Aye(1729). Supervisor Schumann voted Nay. (9/28/2004)

RESOLUTION DEFEATED with Aye(892). Supervisors Brodie, Sinicropi, Jr., Mancini, DiMezza, Walters, Jonker and Stagliano voted Aye. (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 220 of 2004

DATED: September 28, 2004

RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 4 OF 2004 - A LOCAL LAW ESTABLISHING THE 2004 SALARIES OF VARIOUS COUNTY OFFICIALS

Resolution by Supervisor: Jonker

Seconded by Supervisor: DiMezza

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 4 of 2004, A Local Law Establishing the 2004 Salaries of Various County Officials,

RESOLVED, that Introductory Local Law No. 4 of 2004 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 _____, _____, 2004 at _____p.m., in the Chamber of the Board of Supervisors, County Office Building, 64 _____ 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 law.

RESOLUTION WITHDRAWN BY SPONSOR (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 221 of 2004

DATED: September 28, 2004

RESOLUTION REQUESTING THE STATE LEGISLATURE TO IMPLEMENT A CAP ON THE LOCAL SHARE OF MEDICAID AND TO FULLY FUND COST OF ALL NEW MANDATES TO LOCAL GOVERNMENTS

Resolution by Supervisor: McMahon

Seconded by Supervisor: DiMezza

WHEREAS, State mandated programs and expenses constitute a large and growing portion of county budget, and

WHEREAS, Medicaid is the largest and fastest growing mandate, and

WHEREAS, the growing expense of mandates has forced counties to drastically under-fund crucial local services such as road maintenance, public safety, and youth services, and

WHEREAS, in spite of such cut backs, counties have still been forced to impose unacceptable tax increase on their citizens, and

WHEREAS, property taxes are an especially unfair and regressive form of taxation that often bears little relationship to ability to pay, and

WHEREAS, property tax levels have risen to unsustainable levels that are harming businesses and forcing people out of their homes, and

WHEREAS, the phased takeover of Family Health Plus that was included in this year's State budget is a positive first step toward mandate relief, and

WHEREAS, the annual growth in local Medicaid expenses still exceeds the relief provided by this takeover,

RESOLVED, that Montgomery County is determined to Push Back unfunded to those responsible for creating and controlling the mandated programs, and

FURTHER RESOLVED, that Montgomery County calls upon its representatives in the State Legislature and upon Senator Bruno, Assemblyman Silver, and Governor Pataki to implement a cap on the local share of Medicaid, and to fully fund the cost of all new mandates on local governments, and

FURTHER RESOLVED, that Montgomery County requests that our legislative representatives make a

clear commitment to the citizens and voters of this County, prior to this year's election, that they will support mandate relief and a cap on local Medicaid costs.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Quackenbush, to amend the resolution as follows:

1. In the title of the resolution replace the words "A CAP ON" with the words "THE TAKEOVER OF" and delete the word "NEW"
2. In the first FURTHER RESOLVED clause replace the words "a cap on" with the words "the takeover of" and delete the word "new"
3. In the second FURTHER RESOLVED clause replace the words "mandate relief and a cap on local Medicaid costs" and replace with "fully funding state mandates on local Medicaid costs"

passed with Aye(1729). Supervisor Schumann abstained. (9/28/2004)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 222 of 2004

****See Appendix for Resolution Attachment****

DATED: September 28, 2004

RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 5 OF 2004 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES

Resolution by Supervisor: Dybas

Seconded by Supervisor: Cechnicki

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 5 of 2004, A Local Law approving the execution and delivery of a ground lease by Montgomery County relating to a capital project for the Hamilton Fulton Montgomery Board of Cooperative Educational Services,

RESOLVED, that Introductory Local Law No. 5 of 2004 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 _____, _____, 2004 at _____ p.m., in the Chamber of the Board of Supervisors, County Office Building, 64 _____ 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 law.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Strevy, insert in the first FURTHER RESOLVED clause "October 26" and "6:50" respectively, passed with Aye(1868). (9/28/2004)

RESOLUTION ADOPTED with Aye(1868). (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Quackenbush stated that in order to reinstate positions and programs that have been eliminated by the preliminary budget, the tax cap needs to be increased. He proposed an amendment to raise the tax cap the maximum of 2%.

Supervisor DiMezza stated he will be voting yes on the public hearing, but no for a tax increase. He stated that the reason the County is in such a financial crisis is because of the mandates that are imposed by the state legislature.

Supervisor DiMezza stated that during one of his Finance/Personnel Committee Meetings he will be having a discussion on the TANF Program that is administered by Social Services. He has learned that there has to be stricter guidelines regarding this program, and will be researching the restrictions and the laws. Supervisor DiMezza stressed to the Board that this program needs to be looked into aggressively.

Supervisor Schumann stated a concern that this tax increase was premature and made a motion to table, which failed.

Chairman Stagliano stated that the 2% tax increase will give \$4.3 million dollars more taxing power, which will only help for another year. He pointed out all the increases that can not be

avoided in the year 2006.

After a lengthy discussion the date, time and place was determined for the public hearing.

RESOLUTION NO. 223 of 2004

DATED: September 28, 2004

**RESOLUTION ESTABLISHING A PUBLIC HEARING FOR CONSIDERATION OF RAISING THE
CONSTITUTIONAL TAX LIMIT**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Di Mezza

WHEREAS, Resolution 285 of 2003 established the Constitutional Tax Limit for Montgomery County to be 1.65%, and

WHEREAS, the Budget Officer has stated that the 2005 Tentative Budget will meet the Constitutional Tax Limit, but to do so requires total elimination of several needed County Services, and

WHEREAS, it is necessary to increase said tax limitation in order to provide additional revenue to reinstate said services, 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, 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 TABLE by Supervisor Schumann, seconded by Supervisor McMahon, was defeated with Aye(684). Supervisors Sinicropi, Jr., Schumann, McMahon, Strevy, Cechnicki and Stagliano voted Aye. (9/28/2004)

MOTION TO CALL THE QUESTION by Supervisor Dybas, seconded by Supervisor Sinicropi, Jr., passed with Aye(1571). Supervisors Schumann and Quackenbush voted Nay. (9/28/2004)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Jonker, to insert in the fourth WHEREAS clause "2.00%" passed with Aye(1393). Supervisors Sinicropi, Jr., Schumann, Strevy and Stagliano voted Nay. (9/28/2004)

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Quackenbush, to insert in the RESOLVED clause "October 19, 2004" "6:00 p.m." and to strike in the RESOLVED clause "Supervisors Chambers, County Office Building, Route 30A (Broadway), Fonda, New York" and insert instead "Montgomery County Court House, 58 Broadway, Fonda, New York" passed with Aye(1868). (9/28/2004)

RESOLUTION ADOPTED with Aye(1520). Supervisors Sinicropi, Jr., Jonker and Stagliano voted Nay. (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 224 of 2004

DATED: September 28, 2004

RESOLUTION TRANSFERRING FUNDS - CONSULTING FEES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

WHEREAS, the Nursing Home Administrator has made recommendation for consulting services at the Montgomery Meadows, and

WHEREAS, it is necessary to transfer funds to provide for payment of said services,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account - Contractual Expenses \$30,000

TRANSFER TO:

A-06-4-9900-00-9961 Interfund Transfers - Montgomery Meadows \$30,000

INCREASE:

EH-34-3-5031 Interfund Transfers - Montgomery Meadows \$30,000

INCREASE:

EH-34-4-6020-00-4431 Montgomery Meadows - Professional Services \$30,000

MOTION TO AMEND by Supervisor Sinicropi, Jr., seconded by Supervisor Dybas, to delete the amount "\$30,000" which appears four (4) times in the RESOLVED clause and replace with "\$35,000", passed with Aye(1868). (9/28/2004)

RESOLUTION ADOPTED with Aye(1868). (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 225 of 2004

DATED: September 28, 2004

RESOLUTION ADOPTING 2004-2005 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 2004-2005 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, 2004 and ending on August 31, 2005, with appropriations totaling \$13,521,086.00, 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 2005, 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(1499). Supervisors Sinicropi, Jr., Dybas and Stagliano voted Nay. (9/28/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1868).

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
6:00 PM, October 5, 2004

COMMITTEE MEETING DISCUSSION

In the absence of Chairman Dimezza, Chairman Stagliano presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Strevy and Thomas. Supervisor Sinicropi was absent.

Additional present were Supervisors: McMahon, Dybas, Schumann, Walters, Paton and Mancini.

Chairman Stagliano noted the agenda:

Items on the agenda, at this time, are as follows:

1. Presentation – Budget Officer – 2005 Tentative Budget
2. Other

Chairman Stagliano presented copies of the 2005 Tentative Operating Budget to the Board Members and stated the main objective of this meeting should be what direction the County should be going in.

Chairman Stagliano stated the requirement under the Finance Law is for the Budget Officer to deliver the Tentative Budget to the Clerk of the Board and then it gets turned over to the Chairman of the Finance Committee, who, this year is Supervisor Thomas DiMezza, for his review.

Chairman Stagliano noted that after the public hearing the Board of Supervisors could continue to make amendments to the budget up until December 20, 2004 as long as the budget remains balanced. He also stated that you cannot have a budget with a deficit.

Supervisor Dybas stated that the budget can be amended one of three ways: Increase revenues, decrease expense or increase expense, but you have to increase revenue simultaneously to stay in the tax cap.

Chairman Stagliano stated that if on December 20, 2004 there are not enough of votes to adopt the Budget, the Tentative Budget plus any amendments become the Budget. The amendments need to be submitted to the office as soon as possible so the revised numbers can be implemented into the budget to be sure that the effects are in the parameters.

Supervisor Quackenbush recommended that the sales tax distribution be looked at for additional revenue and Chairman Stagliano instructed Treasurer Shawn Bowerman to gather information from the sales tax distribution for the Board members to review.

Chairman Stagliano stated the State Comptroller's Office have been given a copy of the Tentative Budget and a meeting is being set up so that they can verify the parameters and the numbers as presented.

Guidelines were discussed among the Board Members regarding how the amendments and resolutions would be presented for the Tentative Budget process. With the guidelines in place, Supervisor McMahon made a motion, seconded by Supervisor Dybas to amend the 2005 Tentative Budget to remove the salary increases for the non-bargaining employees, this resolution will be on the agenda for the full board meeting on October 26th.

Supervisor McMahon also suggested that the revenue obtained through the sale of the Montgomery Meadows be used in the budget to eliminate some of the problems the County is facing. Supervisor Dybas noted that even if the facility was sold because of the timing difference there is a possibility of receiving that revenue in the year 2005.

Chairman Stagliano pointed out that Darryl Purinton of Marvin & Company is scheduled for the Education/Government Committee Meeting on October 12, 2004 to answer questions regarding the Montgomery Meadows and what the options are regarding the revenue.

Supervisor Quackenbush questioned the \$50.00 per parcel fee that is being proposed by Supervisor Schumann. Chairman Stagliano stated that since this is a new area that is being entertained he recommends that the document be submitted early to the office so that the County could get an interpretation from the appropriate agencies.

Supervisor Cechnicki stated that there are 24,838 non-state parcels in Montgomery County and with a \$50.00 per parcel fee, \$1.2 million dollars in revenue could be generated for departments that

have seen drastic cuts in their budget.

Motion to adjourn the Finance/Personnel Committee was made by Supervisor Quackenbush, seconded by Supervisor Strevy. Chairman Stagliano adjourned the meeting at 7:08 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
6:45 PM, October 5, 2004

COMMITTEE MEETING DISCUSSION

In the absence of Chairman Sinicropi, Chairman Stagliano presided over the meeting commencing at 7:15 p.m.

Roll call indicated Committee members present included Supervisors Dybas, Jonker, Mancini and Walters. Supervisors Brodie, DiMezza and Sinicropi were absent.

Additional present were Supervisors: Quackenbush, Paton, McMahon, Strevy, Cechnicki, Schumann and Thomas

Chairman Stagliano noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding Purchase/Lease/Assumption Montgomery Meadows
2. Other

Chairman Stagliano stated that the committee was in possession of four (4) written proposals regarding the purchase/lease/assumption of Montgomery Meadows for review.

Chairman Stagliano asked for a Motion to go into executive Session Pursuant to Section 105 (h) of NYS Open Meeting Law to discuss the proposed acquisition, sale or lease of real property. Motion was made by Supervisor Strevy, seconded by Supervisor Quackenbush. Executive Session started at 7:17 p.m.

Motion to adjourn Executive Session was made by Supervisor Mancini, seconded by Supervisor Walters. Chairman Stagliano adjourned the Executive Session at 7:40 p.m.

As a result of the Executive Session the Board of Supervisors took no action. The committee did discuss moving forward with the sale of the facility. A proposed resolution will come forward at the next Health & Human Services/Social Services Committee, the time and date to be determined by the Committee Chairman. The committee at that time will then insert into the proposed resolution the name of one of the four providers who made proposal.

Motion to adjourn Health & Human Services/Social Services Committee was made by Supervisor Dybas, seconded by Supervisor Jonker. Chairman Stagliano adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
6:00 PM, October 12, 2004

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for October 12, 2004 was called to order at 6:00 p.m. by Chairman Stagliano.

ROLL CALL

Roll Call indicated that Supervisors Brodie and Schumann were absent.

STATEMENT OF PURPOSE OF MEETING

To Introduce a Resolution To Increase The Constitutional Tax Limit

Chairman Stagliano bypassed the formalities and stated that before you can raise the tax cap a resolution has to be proposed at a full or special meeting of the Board of Supervisors.

He noted that before a vote can be taken at the October 26, 2004 full board meeting a sponsor and a second is needed to move this forward.

Supervisor McMahon sponsored the proposed resolution, seconded by Supervisor Quackenbush.

RESOLUTION NO. 227 of 2004

DATED: October 26, 2004

RESOLUTION INCREASING THE CONSTITUTIONAL TAX LIMIT FOR THE COUNTY OF MONTGOMERY

Resolution by Supervisor: McMahon

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 285 of 2003 established the Constitutional Tax Limit for Montgomery County to be 1.65%, and

WHEREAS, the Budget Officer has stated that the 2005 Tentative Budget will meet the Constitutional Tax Limit, but to do so requires total elimination of several needed County Services, and

WHEREAS, it is necessary to increase said tax limitation in order to provide additional revenue to reinstate said services, and

WHEREAS, the proposed increase in tax limitation is .35%, which would raise the tax limit from 1.65% to 2%, 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, which is required to be held concerning a proposal to increase Montgomery County's Constitutional Tax Limitation was held on October 19, 2004 at 6:00pm,

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 1.65% to a limit of 2.00%.

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

Chairman Stagliano stated that the resolution has been duly sponsored and a Motion to adjourn the Special Meeting was made by Supervisor Walters, seconded by Supervisor Dybas, passed with Aye(1590). Supervisors Brodie and Schumann were absent. Chairman Stagliano adjourned the meeting at 6:06 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:15 PM, October 12, 2004

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:15 p.m.

Roll call indicated Committee members present included Supervisors Mancini, McMahon, Paton, Thomas and Walters. Supervisor Schumann was absent.

Additional present were Supervisors: Jonker, DiMezza, Cechnicki, Stagliano, Dybas, Quackenbush and Sinicropi.

Chairman Strevy noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding the 2005 Tentative Budget – Department of Public Works
2. Discussion regarding 2005 Snow Removal Contracts
3. Other

With the delay of DPW Commissioner Clayburn, Chairman Strevy was unable to address items #1 & #2 on the agenda and proceeded to discuss an add on resolution under item #3, until his arrival.

Resolution Authorizing Chairman to Sign Renewal Agreement – GAT Subsidization (MOSA) sponsored by Supervisor Jonker, seconded by Supervisor Cechnicki. Supervisor Strevy stated that the MOSA tip fee for 2005 has been reduced from \$86.00 to \$83.00 and suggested that the Board also reduce the per ton subsidy from \$24 to \$21. This reduction will generate a savings of \$120,000.00 for the County in the MOSA line item. The Committee agreed to the \$3 reduction and the resolution moved to the full board with a positive recommendation.

Upon his arrival, Chairman Strevy acknowledged Commissioner Clayburn, who opened the discussion regarding the 2005 Tentative Budget – Department of Public Works.

Commissioner Clayburn distributed to the Board Members an outline of how he plans to shift funds from the Building and Grounds Fund to the Highway Fund to alleviate some of the cuts that the tentative budget created.

Commissioner Clayburn explained that the way he worked his budget was not an easy task to accomplish and in the end he was trying to meet the reduction of the \$2.1 million dollars as outlined in the tentative budget.

Chairman Strevy instructed Commissioner Clayburn to explain to the Board members what the cuts will mean to the Towns and the City. Commissioner Clayburn stated that liability is a major concern for him and the Tentative Budget is further reducing an under-staffed department. He stated that the tentative budget calls for a reduction of employees in the highway and bridge division from 25 employees to 13 employees. The Road/Machinery fund will see a reduction from 7 employees to 5 and Building and Grounds from 7 employees to 5. Commissioner Clayburn stressed to the Board that trying to maintain 400 miles of County roads will be extremely difficult.

Budget Officer Stagliano suggested that a serious discussion should take place to distinguish what are County and Town roads.

Supervisor DiMezza stated that Commissioner Clayburn should be allowed the latitude to staff his department as he deems necessary. A proposed shift in staffing that stayed within the bottom-line figures was distributed. After a lengthy discussion, a Resolution Amending the 2005 Tentative Operating Budget, which reflected the suggested changes from Commissioner Clayburn, was sponsored by Supervisor Strevy, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Strevy stated to Commissioner Clayburn that the Board of Supervisors will do all they can do, but under the circumstances the Board is limited and they all understand his arguments.

Chairman Strevy moved on to the snow removal contract and the reduction in the Tentative Budget to reduce the amount paid to the Towns for snow removal from \$3,000.00 to \$2,500.00 a mile and he stated that the Board is struggling to find the money to keep it at the original amount.

Budget Officer Stagliano stated he has recommended to Commissioner Clayburn to reduce the contract with the town to plow county roads by \$500.00 for a one-year period. The \$200,000.00 would help offset the \$2 million dollars in cuts that the Tentative Budget is proposing for the Department of

Public Works.

Several Town Highway Superintendents present at the meeting addressed the Board of Supervisors with their concerns and stated that their towns could not afford the added burden even if it is for a year.

Budget Officer Stagliano state that one resolution regarding the decrease in the snow removal contracts would be to utilize the \$120,000 savings achieved in the MOSA line item

With no further discussion a motion to adjourn the General Services/Public Works/Solid Waste Committee Meeting was made by Supervisor DiMezza, seconded by Supervisor Walters. Chairman Strevy adjourned the meeting at 7:40 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
6:45 PM, October 12, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 7:40 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, McMahon, Paton. Supervisors Brodie and Schumann were absent.

Additional present were Supervisors: Thomas, Jonker, DiMezza, Walters, Strevy, Stagliano, Quackenbush and Sinicropi.

Chairman Dybas noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion with Darryl Purinton, Marvin & Company, Regarding Recent Developments Montgomery Meadows, Sheriff's Department, MOSA
2. Other

Chairman Dybas introduced Darryl Purinton of Marvin & Company, P.C. to give his overview on the items presented for tonight's meeting.

Mr. Purinton referred to his work at the Montgomery Meadows. Marvin & Company has been working on a project that would provide the County with a tool to know where the Meadows stands, financially, on a month-to-month basis. Currently the County has no real method of evaluating where its stands without waiting for the annual audit, which occurs 4 months after the County closes its year-end books. This tool has been developed, but with unforeseen circumstances taking place at the facility regarding personnel issues, the project has been at a standstill since August of 2004, because there is no one in the business office to utilize this tool. He did note that the information could prove useful to the Treasurer if the County was faced with funding issues before the sale of the nursing home.

Budget Officer Stagliano had concerns regarding the cash flow at the Meadows. Mr. Purinton was aware of the county loaning money to the Meadows and in return taking back the money as payments are received. Mr. Purinton stated that money being loaned to the Meadows is being shown on the County Books as a "due to/from", and suggested that the transaction be shown as a transfer. He also noted that if the General Funds does receive any money back from the Meadows Fund, it would be the County's option to reduce the transfer.

Budget Officer Stagliano questioned the amount of money that is owed to the County. Treasurer Shawn Bowerman stated that so far in 2004, \$800,000.00 has been forwarded to the Meadows. Mr. Purinton recommendation was to have the County write off a portion of that money as a bad debt because the Meadows have no ability to repay the County.

Mr. Purinton also stated that if a windfall occurs the county can make an adjustment to the expenditure line item.

Budget Officer Stagliano referred to the proposals made from responders to the RFP to sell the Meadows. Each had suggested a purchase price for the facility and cash receivables would be about \$2.5 million dollars. Supervisor Stagliano asked Mr. Purinton to explain the effects of using these proceeds as a revenue line item in the 2005 Budget. Mr. Purinton stated that he could not recommend that strategy, because the revenue would be a one-shot deal, a one-time revenue, which would create a gap in subsequent years.

Supervisor Strevy questioned the expenses the County would be responsible for if the Meadows were sold. Mr. Purinton stated that the County is responsible for open insurance claims, unknown payables, collection of receivables and health insurance of the retirees.

Supervisor Dybas referred to the four (4) written proposals that have been received by the County for the purchase of the Meadows. He noted of the four proposals, only two of the providers Highgate Manor Group and the Providers, Inc. have brought up payment of receivables.

Supervisor Dybas suggested that Mr. Purinton review the four (4) proposals for the purchase/lease of the Meadows and bring back his recommendations to the Board of Supervisors.

With no further discussion on the Montgomery Meadows the next item to be discussed was the Sheriff's Department.

Mr. Purinton stated that the Sheriff's Office was audited and a financial statement was being

prepared to show related revenues and expenditures that will allow the County to support a request to the Federal Marshals for an increase in rates for the housing of inmates. He also stated that the County should investigate the true costs of housing the inmates at the jail because a justification needs to be made to file a claim for increasing the rates.

Mr. Purinton noted that increasing occupancy in the jail should be entertained to increase revenues and someone needs to pursue this aggressively. Treasurer Shawn Bowerman stated that the Montgomery County Jail has room for about 115 occupants and some of that space must be reserved for the use of Federal inmates. Currently the rates being charged out at the Federal Level is \$74.00 and at the State level it is \$24.00. Mr. Purinton stated information is being generated through the Treasurer's office and it is being forwarded to the Sheriff's Department for his review and to move the process forward to recoup the additional revenue.

Supervisor Thomas questioned where the additional funds will appear and if it was possible to keep the money in that department. Mr. Purinton stated that the funds would go into the General Fund

Budget Officer Stagliano stated the concern is that annually we have been budgeting \$1 million dollars a year, but Stagliano stated that the county has not received a million dollars since the year 2001 and the revenues are decreasing yearly. He stated that there is a big discrepancy on what the county is receiving for revenues.

Supervisor DiMezza stated with the State reimbursement being \$24.00 now he understands why the State will keep the inmates here in the County jail up to 6 months before they are shipped out to a receiving facility and further stated that at the \$24.00 rate why would they transfer the inmates sooner.

Supervisor Dybas stated that the responsibility of monitoring the correct reimbursements that are received from the Federal and State falls on the person who is in charge of running the facility and noted that Chairman of the Board Dominick Stagliano has started to address the structural problems of this County and there will be many more.

Mr. Purinton stated that the Internal County Auditor would be a valuable asset to the County not only in monitoring the jail census information, but in other areas as well that would prove to pay great dividends in the long run. Mr. Purinton stressed the importance of tracking the reimbursement rates and recommended that it should be done on a regular basis and for the jail administration to have waited this long to address the problem is irresponsible.

Budget Officer Stagliano stated that the issues have been raised before and that Sheriff Amato has not pursued the rate increase. He also stressed that the rate increase should have been acted upon, but it wasn't done in the past 4 years and said he could not see where a thing was done in the last 25 years under the system that exists here.

The last discussion on the agenda with Mr. Purinton was the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) Mr. Purinton opened up the discussion with an overview that has been distributed to the Board of Supervisors that details a range of issues the County is facing.

Mr. Purinton stated that he has been asked by the Board to look into issues about potential cost saving measures that could be introduced at MOSA. He stated to the Committee that he has attended a number of MOSA meetings that included finance and operations committee meetings. Mr. Purinton also indicated to the Committee that he has also seen the process in which the GAT (Guaranteed Annual Tonnage) and the tip fee (the County's subsidy for the tipping fee) encompassed.

Mr. Purinton stated to the Board Members that he has worked on a theory that could provide a significant savings to all three Counties as long as the Bond Counsel agrees to the process. Once this opinion was received, the County would be able to utilize a calculator that has been provided which allows the County to see the end result of their decisions. He indicated that the County might be able to save some money regarding cash flow. Mr. Purinton continued to explain that the subsidy fee the County is paying is funding the purchase and acquisition and some of the upkeep of the transfer station and stated the amount is not included in their cost structure.

Mr. Purinton made reference to the MOSA Mission Statement and pointed out that the statement is not being interpreted in the manner that it was written. The question that is being raised is why is MOSA not self-sufficient. Mr. Purinton stated that he is looking at ways where they can change their approach and still provide a viable service if they so choose as their Mission Statement does state.

Mr. Purinton also observed that there are very few projections at the facility and stated that MOSA is not looking towards the future. Mr. Purinton is willing to outline a plan, assuming the attorneys agree to it. Chairman Dybas stated that in time the strategy will be discussed at a future date and will be held in Executive Session.

Motion to adjourn the Education/Government Committee Meeting was made by Supervisor Cechnicki, seconded by Supervisor Mancini. Chairman Dybas adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
8:00 PM, October 12, 2004

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 9:05 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, DiMezza, Jonker, Paton, Strevy, and Thomas

Additional present were Supervisors: McMahon, Dybas, and Walters

Chairman Quackenbush noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding Economic Development 2005 Tentative Budget
2. Resolution Authorizing Chairman to Sign Grant Application and Establishing Required Public Hearings – Governor's Office for Small Cities – Power Pallet (EOD/Planning)
3. Resolution Authorizing Chairman to Sign Agreement – Microfilming Original Assessment Rolls – ImageMax (History and Archives)
4. Resolution Approving Removal of Archival Records (History and Archives)
5. Resolution Authorizing Increase in Fees – Genealogical Research (History and Archives)
6. Other

Chairman Quackenbush acknowledged Michael Yevoli, Director of Economic Development and Opportunity/Planning. Mr. Yevoli stated his concerns regarding the Senior Economic Development Specialist/Financial Analyst position that is being eliminated through the 2005 Tentative Budget. He stated that his department handles millions of dollars on an annual basis from basic County vouchers, to loan agreements to multi-million dollar Federal Grants and without this position it will greatly impact the efficiency of his department.

He also stated his frustration to the Board regarding the comparison of the Fulton County Economic Development to the Montgomery County Economic Development and defended the accomplishments of his department.

Supervisor DiMezza stated that he would not be supporting the cuts that have been made to Economic Development.

Supervisor Thomas proposed a resolution, which was seconded by Supervisor Quackenbush to restore the position that has been eliminated and also to restore the \$500.00 in the computer software line that would continue the licensing of ArcGIS that the department utilizes on a daily basis. The resolution was moved to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Grant Application and Establishing Required Public Hearing – Governor's Office for Small Cities – Power Pallet (EOD/Planning) sponsored by Supervisor DiMezza, seconded by Supervisor Quackenbush. The Committee moved the resolution, where it will be amended to include the date, time and place of the public hearings, to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement – Microfilming Original Assessment Rolls – ImageMax (History and Archives) sponsored by Supervisor DiMezza, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Approving Removal of Archival Records (History and Archives) sponsored by Supervisor DiMezza, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Increase in Fees – Genealogical Research (History and Archives) sponsored by Supervisor Cechnicki, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn the Economic Development/Agriculture & Planning Committee Meeting was made by Supervisor Thomas, seconded by Supervisor Strevy. Chairman Quackenbush adjourned the meeting at

9:25 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
COUNTY COURT HOUSE, 58 BROADWAY, FONDA, NY
PUBLIC HEARING
6:00 PM, October 19, 2004

A Proposal to Increase Montgomery County's Constitutional Tax Limitation

PUBLIC HEARING DISCUSSION

Chairman Stagliano called the Public Hearing to order at 6:00 p.m.

The following notice was read:

A PROPOSED INCREASE IN MONTGOMERY COUNTY'S CONSTITUTIONAL TAX LIMITATION

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Montgomery County Court House, 58 Broadway (Route 30A), Fonda, New York on Tuesday, October 19, 2004 for the purpose of holding a public hearing on the Proposed Increase in Montgomery County's Constitutional Tax Limitation from 1.65% to 2.0%

By order of the Board of Supervisors of Montgomery County.

Christine Pasquarelli, Clerk of the Board

Chairman Stagliano stated to the public that there will be a sign up sheet, but if there are additional speakers after that, each will be acknowledged and given the opportunity to speak. He asked each person to indicate for the record their name and who they represent.

Richard Stevens, Staff Director, Council 82, which represents Law Enforcement Officers throughout New York State spoke in support of increasing the tax cap if it will reinstate the road patrol.

Lt. Burt Wilson, Montgomery County Sheriff's Office and President of Montgomery County Deputy Sheriff's Police Benevolent Association Local 990 expressed his concern for the elimination of the road patrol and presented the Board of Supervisors with a number of petitions in support of the road patrol and increasing the tax cap.

Jim Arthurs, Employee for the Montgomery County Department of Social Services (Medicaid Department), stated the number one priority for the Board is to attack the Albany State Legislators. This County cannot afford the mandates and further stated that cutting jobs and services are not the answer. The County needs to stand up and fight.

Roberta Hayes, CSEA Local 829 and Montgomery County Sr. Welfare Examiner does not support the elimination of positions. She stressed to the Board of Supervisors that she hopes an educated decision will be made.

Evelyn Lindley, Councilwomen in the Town of Root, stated she is in support of raising the tax cap, but not to the maximum of 2% to keep the Department of Public Works and the Road Patrol.

Kathy Mount, Resident in the Town of Root, stated she supports the tax cap to reinstate the Road Patrol.

Naomi Kruger, Town of Glenn, also a Montgomery County Employee, stated she is facing a double edge sword. Raising the tax cap will only increase her property taxes and if the tax cap is not raised then there is a possibility of losing her job. She further stated that it is a no win situation for her.

William Grzyb, Resident Town of Amsterdam, presented the press information regarding the County's fund balance and spoke about fund balance that use to be available and according to his calculation still should be. Mr. Grzyb would not provide the Board of Supervisors a copy of this information. He also stated that he is in support of retaining the Road Patrol.

Lt. Corporal James Schnepferly from Division Headquarters of the New York State Police stated that he supervises the uniform force state wide and that he was speaking in support of the Road Patrol and the public safety they provide to the citizens of Montgomery County. He wanted to let the Supervisors know, that should they chose to eliminate the Sheriff's Road Patrol, they can not rely on the State Police to take their place. Lt. Corporal Schnepferly state that he has no plans to add additional resources to cover Montgomery County, or any other County.

Gerald Meyer, Commander of Troop G, NYS Police reiterated what Lt. Corporal Schnepferly stated and he was also in support of the Road Patrol and the vital service they provide to the public.

Bill Gilston, Montgomery County Investigator for the Sheriff's Department stated he is in support of the Road Patrol and the Supervisors would need to look somewhere to come up with cuts or consider raising the tax cap.

Kathy Garrison, CSEA Capital Region President, stated her concerns with the proposed cuts that are being made to services in the Tentative Budget. She felt that these cuts will only have a ripple effect that will cause unemployed County workers to become recipients of our Social Services. She requested that the Board of Supervisors increase the tax cap.

Mark Hoffman, Montgomery County Employee stated that he supports raising the tax cap and is willing to pay higher taxes to keep the services that the County residents deserve.

Janine Dykeman, stated that she supports keeping the Road Patrol. The County residents deserve to be safe in their community.

Michele Nare, Resident of Town of Palatine and wife of a Montgomery County Sheriff's Deputy, stated that she will be concerned for her safety if the Road Patrol is eliminated.

Elaine Grant, Resident of Town of Florida and employee at the Montgomery County Sheriffs Department stated that she was in support of the Road Patrol.

Etta Shea, Montgomery County resident, stated that if taxes go up, people will not be able to afford to keep their homes because of increased taxes.

J.D. Downing, Town of Mohawk, stated he supports keeping the Road Patrol and the Department of Public Works, but does not support the raising of the tax cap.

Leonard Logan of Stone Arabia states he does not support raising the tax cap and further stated that the County residents cannot afford to pay the increased taxes year after year.

Tom Logan, Resident of Montgomery County stated that he is not in favor of raising the tax cap and also his displeasure with the Department of Social Services and stressed that something needs to be done about controlling the costs of that department.

Jack Owens, Montgomery County resident, stated that he is in support of the Road Patrol, but does not support raising the tax cap.

Alan Wainwright, who is employed by Montgomery County as a Structural Maintenance Supervisor 1 in the Department of Public Works, stated that he is not in favor of raising the tax cap, but supports the Road Patrol and the Department of Public Works.

Brian Kearns, Trustee for the Village of Fultonville and employee of Montgomery County Social Services stated that believes the Board of Supervisors should raise the tax cap.

Jeff Moore, Town of Mohawk stated he does not support raising the tax cap and expressed the importance of bringing this issue to Legislators Tonko and Farley.

Clark Subik, stated that he does not support the Road Patrol, but thought the Board of Supervisors should consider putting the issue of the tax cap before the voters of Montgomery County before it is decided by the Board of Supervisors.

Chairman Stagliano asked if there were any other speakers. With no further speakers, he adjourned the public hearing at 7:55 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
6:30 PM, October 19, 2004

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 8:05 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Cechnicki, Mancini, McMahon, Paton and Schumann

Additional present were Supervisors: Quackenbush, Sinicropi, Strevy, Cechnicki, Walters, Thomas, Jonker and DiMezza

Chairman Dybas noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Establishing a Public Referendum on the Question of Alternative Forms of County Government
2. Resolution Rescinding Resolution #317 of 1966 – FMCC Capital and Operating Expenses
3. Other

Resolution Establishing A Public Referendum on the Question of Alternative Forms of County Government sponsored by Supervisor Cechnicki, seconded by Supervisor Schumann. Supervisor McMahon stated that this subject has been addressed a number of times in previous meeting and made a motion to forward the resolution on to the full board with no recommendation. The Committee agreed and the resolution was moved on with no recommendation.

Resolution Rescinding Resolution 317 of 1966 – FMCC Capital and Operating Expenses sponsored by Supervisor Dybas, seconded by Supervisor Mancini.

It was recommended by Supervisors McMahon and Schumann to bring in all the parties that would be involved to discuss the statistics and other information where it has revealed that fewer residents of Montgomery County are and have been enrolled as students at Fulton Montgomery Community College compared with residents of Fulton County.

Chairman Dybas stated that he requested County Attorney Doug Landon to research the original way the college was formulated, how we funded the college and stressed that will all the research there is absolutely no agreement in writing. Attorney Landon stated that the only agreement that he is aware of is the resolutions that have been adopted by the Counties.

Chairman Dybas stated that if no agreement exists, sponsorship of the Community College would default to the way it is laid out in NYS Education Law. Chairman Dybas also noted that by the data that has been compiled it has been apparent that Montgomery County has been "overpaying" and it needs to be fixed.

The Committee moved the resolution to the full board with no recommendation.

Motion to adjourn the Education/Government Committee Meeting was made by Supervisor Cechnicki, seconded by Supervisor Schumann. Chairman Dybas adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
7:00 PM, October 19, 2004

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 8:25 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Sinicropi, Strevy and Thomas

Additional present were Supervisors: Brodie, Paton, McMahon, Stagliano, Dybas, Schumann, Walters and Mancini

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Resolution Accepting a Proposal for the Sale of the Montgomery Meadows and Establishing a Public Hearing on Introductory Local Law #6 – A Local Law Authorizing the Private Sale of County-Owned Real Property and Related Assets, Not Needed for a County Purpose
2. Discussion regarding January 2005 Sales Tax Free Week
3. Resolution Amending 2004 Operating Budget – Child Passenger Safety Incentive Grant (Public Health)
4. Resolution Amending 2004 Operating Budget – Public Health Preparedness and Response to Bioterrorism Grant (Public Health)
5. Resolution Transferring Funds – Vehicle Costs (Veterans Services)
6. Resolution Transferring Funds – Indigent Burials (Veterans Services)
7. Resolution Authorizing county Treasurer to Disburse Mortgage Tax Money
8. Resolution Amending 2004 Operating Budget & Authorizing Retroactive Pay for Raises Approved by Agreements with the Montgomery County Sheriff's Police Benevolent Association (MCDSPBA) & the Montgomery County County Deputy Sheriff's Association (Corrections Officers)
9. Resolution Amending 2005 Tentative Operating Budget – Various Adjustments Sponsored by Supervisor McMahon
10. Resolution Amending 2005 Tentative Operating Budget – Various Adjustments – Sponsored by Supervisor Quackenbush and Seconded by Supervisors Strevy and Jonker
11. Other

Resolution Accepting A Proposal For The Sale of The Montgomery Meadows and Establishing A Public Hearing On Introductory Local Law #6 – A Local Law Authorizing The Private Sale Of County-Owned Real Property and Related Assets, Not Needed For A County Purpose sponsored by Supervisor Jonker, seconded by Supervisor Sinicropi.

Supervisor Stagliano stated that a matrix is being formulated for the Board of Supervisors to evaluate the four (4) proposals submitted.

It was determined after a brief discussion to hold a Special Meeting prior to the Full Board Meeting at 6:00 p.m. The Committee moved the resolution to the full board with no recommendation.

Chairman DiMezza stated that a letter has been received from the State of New York Department of Taxation and Finance regarding the new tax exemption period that begins on January 31, 2005 through February 6, 2005. Chairman DiMezza noted that since Montgomery County participated in the Fall 2004 tax-free week no further action is required by the Board of Supervisors.

Resolution Amending 2004 Operating Budget – Child Passenger Safety Incentive Grant (Public Health) sponsored by Supervisor Sinicropi, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Transferring Funds – Vehicle Costs (Veterans Services) sponsored by Supervisor Dybas,

seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Transferring Funds – Indigent Burials (Veterans Services) sponsored by Supervisor Sinicropi, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing County Treasurer To Disburse Mortgage Tax Money sponsored by Supervisor Quackenbush, seconded by Supervisor McMahon. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2004 Operating Budget & Authorizing Retroactive Pay For Raises Approved by Agreements with the Montgomery County Deputy Sheriff's Police Benevolent Association (MCDSPBA) & Montgomery County Deputy Sheriff's Association (Correction Officers) sponsored by Supervisor Quackenbush, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Tentative Operating Budget – Various Adjustments sponsored by Supervisor McMahon, seconded by Supervisor Quackenbush.

Supervisor McMahon requested to have his sponsorship removed due to the resolution not being drafted per his request. It was agreed upon that the five (5) resolutions submitted by Supervisor McMahon would be re-submitted. The Committee moved the resolution to the full board with no recommendation.

Supervisor Quackenbush voiced his frustration with the process in which the resolutions amending the Tentative Operating Budget were being ignored when submitted.

Supervisor Stagliano stated the reason for grouping the proposed cuts that Supervisor Quackenbush submitted was to avoid duplication and a decision to follow a past practice format was made.

Chairman DiMezza stated that the request from Supervisor Quackenbush will be re-submitted in his original format for the October 26, 2004 Full Board Meeting.

Supervisor Stagliano suggested that the resolution presented with the various adjustments should be discussed. The discussion tonight will give the Department Heads present the opportunity to explain some of the items that are being targeted for cuts. After a lengthy discussion-taking place it was determined that some of the positions that were proposed for elimination were either being funded through grants or are mandated positions.

Chairman DiMezza stated that there were two items that have been presented to the Committee under "Other".

Resolution Establishing Position – Business Manager (Montgomery Meadows) sponsored by Supervisor Sinicropi, seconded by Supervisor Dybas. The Committee moved the resolution to the full board with a positive recommendation. Supervisor Quackenbush voted no.

Resolution Amending 2004 Operating Budget-DCJS Grant-K-9 Vehicle, Equipment and Training (Sheriff) sponsored by Supervisor Schumann, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn Finance/Personnel Committee Meeting was made by Supervisor Strevy, seconded by Supervisor Sinicropi. Chairman DiMezza adjourned the meeting at 10:10 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE OF THE WHOLE
6:00 PM, October 26, 2004

COMMITTEE MEETING DISCUSSION

Chairman Stagliano presided over the meeting commencing at 6:00 p.m.

Roll call indicated that Supervisors Sinicropi, Schumann, Dybas, Mancini, DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki and Chairman Stagliano were present. Supervisor Brodie was absent.

Chairman Stagliano noted the agenda:

Discussion regarding Purchase/Lease/Assumption Montgomery Meadows Residential Health Care Facility.

Chairman Stagliano stated that the Board of Supervisors are in possession of four (4) proposals:

1. Charles Knoll, MD and Cosimo Mastropiero of New York City
2. Amsterdam Memorial Hospital
3. Highgate Manor/Northwoods of Niskayuna
4. The Providers of Broadalbin, New York

also provided to the Supervisors were the analysis of the proposals prepared by Darryl Purinton, an Audit Manager with Marvin & Company, P.C.

Chairman Stagliano noted that each Supervisor should take into consideration the best interest of the tax payer when selecting an organization to sell the Montgomery Meadows to.

Chairman Stagliano stated that Supervisor Dybas has been working with Mr. Purinton and is in the best position to review the proposals with the Board that have been presented.

Supervisor Dybas indicated that upon in-depth comparison and review of the proposals with Mr. Purinton, he feels that the Board should eliminate the proposals of Charles Knoll, MD/Cosimo Mastropiero and Amsterdam Memorial as they are not as beneficial to the taxpayer as Highgate and The Providers.

Supervisor Dybas further stated that the Highgate Manor/Northwoods and the Providers are similar in their proposals and that the primary difference between them was the potential increase to the tax base that Montgomery County may realize under the Providers proposed plan to build "Green Houses" adjacent to the facility. It is for this reason that the facility should be sold to The Providers.

Supervisor Dybas suggested that should the Board agree, a caveat should be placed in the agreement between the County and The Providers stating that within five (5) years, if the "Green Houses" are not built, the acreage reverts back to Montgomery County.

Supervisors Mancini and Walters questioned why Montgomery County would want to become landowners again if the plan for the "Green Houses" fails? Supervisor Quackenbush also indicated that he does not want to become a realtor.

Supervisor Schumann continued to state that not enough information was available to make an informed decision.

County Attorney Landon stated from a legal stand point there is enough information available for the County to enter into an agreement.

Supervisors Quackenbush and Dybas stated that they would be voting for The Providers because their proposal would be in the best interest of the County.

Supervisor Jonker stated a concern regarding the caveat to be placed in the deed that Supervisor Dybas is proposing. Attorney Landon stated that the provision proposed is a negotiable item.

Supervisor McMahon stated that another point to consider is that the County would be getting rid of a liability and The Providers are proposing a fresh approach that should be entertained.

The question of Attorney fees was raised and County Attorney Landon stated that he was qualified to handle the transaction of the sale of the Meadows.

After the discussion it was determined that at the Full Board Meeting immediately following, the Board will chose a name to be inserted into the proposed resolution to establish a public hearing on the sale of the Meadows. This will move the process forward.

Motion to adjourn the meeting by Supervisor Mancini, seconded by Supervisor Dybas. Chairman Stagliano adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
7:00 PM, October 26, 2004

"Introductory Local Law #5 - --A Local Law Approving the Execution and Delivery of a Ground Lease by Montgomery County Relating to a Capital Project for HFM BOCES

ACTION ON BUSINESS

Chairman Stagliano called the Public Hearing to order at 6:50 p.m. in the Supervisors' Chambers.

The following notice was read:

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Chambers of the Board of Supervisors, County Office Building, Broadway (Route 30A), Fonda, New York at 6:50 p.m. on Tuesday, October 26, 2004 for the purpose of holding a public hearing on Introductory Local Law No. 5 of 2004-"A Local Law Approving The Extension And Delivery Of A Ground Lease By Montgomery County Relating To A Capital Project For The Hamilton-Fulton-Montgomery Board of Cooperative Educational Services." (HFM BOCES).

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No.5 of 2004 are available at the Office of the Chairman of the Board of Supervisors, County Annex Building, Park Street, Fonda, New York where they may be inspected or procured by any interested persons during business hours.

By order of the Board of Supervisors of Montgomery County.

Christine Pasquarelli
Clerk of the Board

Chairman Stagliano asked whether anyone from the public wished to speak.

No one spoke.

Chairman Stagliano adjourned the public hearing at 6:55 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, October 26, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for October 26, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Walters led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Sinicropi, Schumann, Dybas, Mancini, DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present. Supervisor Brodie was absent.

PRIVILEGE OF THE FLOOR

Chairman Stagliano acknowledged the many members of the public in attendance and stated that due to the size of the crowd the Board would hold the presentation of the meeting in the Supervisors Chambers first and after the Proclamation was given the public comment portion of the meeting would be held in the Montgomery County Court House located next door. This would accommodate everyone wishing to speak. He also stated that the Board would return to the Chamber after the public comment concluded to continue with the remaining agenda items.

PRESENTATION

A proclamation was given by Supervisor Sinicropi, Chairman of the Health and Human Services Committee to Janet Ladd, who was named by Montgomery County Office of the Aging as the 2004 Montgomery County Older Worker of the Year.

PUBLIC COMMENT

Harry Buffardi, Sheriff, Schenectady County stated that there should be a great concern among the Supervisors regarding the elimination of the Road Patrol and stressed that is extremely important that the public have the protection the sheriff's office provides. Mr. Buffardi in closing would hope that the Board of Supervisors would reconsider their position.

Bill Grzyb, Lepper Road, Fort Johnson, Town of Amsterdam stated that he addressed the Board of Supervisors at a Public Hearing on October 19, 2004 and he will reiterate the same statements made that night. He feels that there is a fund balance available in the County Budget according to the calculations he presented to the press. He also stated that he is in support of the Road Patrol, but not in favor of increasing the tax cap.

Julie Franchi, Mid-County Volunteer Ambulance Service stated that the Sheriff's department and the ambulance service work hand-in-hand and supports keeping the Road Patrol intact.

Melanie Shuster, a former 4-H volunteer and speaking on behalf of the Cornell Cooperative Extension, stated that with 50% of the County land in Agriculture, the youth have depended on the programs provided by the Extension and to eliminate the funding would be devastating to those who are participating.

Bill Peeler, Private Investigator stated that as a tax payer he supports the Road Patrol and felt that without them his family will not have the protection that they deserve.

Louis Falco, New York State Deputies Association, stated that the Association supports the Road Patrol because it is a quality life issue and made it clear that you have to be safe to feel safe.

James Kralik, Rockland County Sheriff, supports the Road Patrol and stated that the void must be filled somehow and stressed that the NYS Police are already overburdened. Cutting the Road Patrol would only require local villages and other municipalities to increase their police forces. He also stated that 9/11 changed the State of New York like no other state in the Union and stressed that the public needs to have the protection the Sheriff's department provides.

Kathy Garrison, CSEA Capital Region President, stated that it would be a bad choice for the Board of Supervisors not to increase the tax cap.

Russ Kelly, stated that Montgomery County doesn't need less of a Road Patrol it needs more. If

the Road patrol is eliminated, he asked how will the County attract businesses or families into the area knowing there is no public safety.

Jean Taylor, Town of Charleston Resident/Rural Metro Ambulance Volunteer, stated that she supports the Road Patrol and stressed that the safety of people should be a priority.

John M. York, Sheriff, Livingston County, stated that he was not here to criticize, but stated that it is extremely important that the public have the protection of the Sheriff's department and further stated that the sheriff is the only elected law enforcement official in the County that is accountable to the public.

Brian Doyle, Erie County Sheriff, stated that the Supervisors have a moral and a legal duty to reinstate the Road Patrol. He also stated that the State Police should not be used as an alternative solution and what should be taken into consideration are the liability issues that would be facing the County.

Jolene Hornbeck, County Worker for the Meadows, stated her frustration regarding the sale of the facility and felt that the employees along with the residents are not being properly informed. She also requested copies of the 4 proposals that were submitted for the sale of the Meadows.

Amanda Gogis, 4-H Member, stated her concerns for the elimination of the Cornell Cooperative Extension and hoped that the Supervisors would reconsider.

Kyle Myers, 4-H Member, asked that the Board of Supervisors not to eliminate Cornell Cooperative Extension.

Linda Chapin, Town of Glen and a 4-H Volunteer, asked the Board of Supervisors to restore Cornell Cooperative Extension and stated that the 4-H is an important program for today's youth because the program produces tomorrow's leaders. Ms. Chapin also stated she supports the Road Patrol.

Heather Graff, 4-H Member, stated the importance of Extension to her and the programs that the rural youth are involved in and that 4H supports the local merchants by purchasing feed and other necessities for the animals they care for. She asked the Supervisors not to eliminate Cornell Cooperative Extension.

Kate Hutenson, 4-H Member, asked the Supervisors not to eliminate Cornell Cooperative Extension and stated that the programs they provide play an important role for the youth in the rural communities.

Rob Hudyncia, Fort Plain dairy farmer, stated he supports the Road Patrol and Cornell Cooperative Extension and stressed that the farmers pay the biggest portion of taxes and does not want these services eliminated.

Chad Myers, supports Cornell Cooperation Extension and hopes the Board of Supervisors would reconsider their funding.

Sheriff Mike Amato spoke on behalf of the Montgomery County Sheriff's Department. He thanked his fellow sheriffs from across New York State who came to speak in support of the sheriff's Department. He also thanked his fellow police officers, fire fighters and the Emergency Medical Service providers.

Sheriff Amato stated his frustration with the budget process and how it is effecting the lives of the people in the County. Sheriff Amato further stated that when he won his first election in 1999 he took an oath to protect the people of this County by the laws of the State. Now he is fighting to keep the people of this County employed in the Sheriff's Office and stressed that the Road Patrol is very important in protecting the people in Montgomery County.

The Sheriff also pointed out that if a 911 call comes into the office they are liable by law to respond whether they have a road patrol or not. Sheriff Amato stated that over 5,000 signatures on a petition were presented to the Board of Supervisors and they are sending a message to keep the Road patrol intact.

Sheriff Amato stated that he is not in favor of raising the tax cap and felt that the budget should be looked at differently and being creative should be an option. The Sheriff expressed his frustration with the preliminary budget and stated that there are positions being created when positions in the road patrol are being eliminated.

In closing, Sheriff Amato invited any member of the Board of Supervisors to schedule a meeting with him to discuss his budget at length and stressed that the board might not be aware of the obligation the road patrol has.

Chairman Stagliano asked if there were any other speakers. With no further speakers, he adjourned the public comment at 8:35 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Supervisor Dybas requested that the Minutes of the Special Meeting held on October 12, 2004 be reviewed. He questioned the dates listed in the minutes and asked for them to be checked for their accuracy.

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION except the Minutes of the Special Meeting from October 12, 2004 by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1729). Supervisor Brodie was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor McMahon, seconded by Supervisor Jonker, passed with Aye(1729). Supervisor Brodie was absent.

OTHER

Supervisor McMahon asked for a Motion to amend the agenda. He asked that Resolution 234 be placed after Resolution 226 and that Resolution 235 be placed before Resolution 206.

Chairman Stagliano also stated that there was an add-on Resolution #247 for this evening.

MOTION TO AMEND AGENDA by Supervisor McMahon, seconded by Supervisor Dybas, passed with Aye(1729). Supervisor Brodie was absent.

UNFINISHED BUSINESS

RESOLUTION NO. 193 of 2004

DATED: August 24, 2004

RESOLUTION ESTABLISHING A MONTGOMERY COUNTY EMS ADVISORY BOARD

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

WHEREAS, NYS County Law S223-b provides for the creation of a County EMS Advisory Board, in order to develop and maintain programs for EMS training, EMS-related activities and mutual aid emergencies in which the services of EMS providers would be used and to cooperate with appropriate state agencies in furthering such programs,

WHEREAS, the Law further states that any county may create a county EMS advisory board, which shall consist of not less than five nor more than twenty-one members, each of whom shall be appointed by the legislative body for a term of not to exceed one year, two years or three years; Such terms of office need not be the same for all members, and

WHEREAS, it has been recommended that Montgomery County create such an advisory board to provide advisement on said issues,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes a Montgomery County EMS Advisory Board, whose duties shall include:

- cooperation with appropriate state agencies in relation to such programs for EMS training, EMS-related activities and mutual aid
- to act as an advisory body to the Board of Supervisors and to the Montgomery County EMS coordinator
- participation in such programs for EMS training, EMS-related activities and mutual aid and mutual aid programs in cases of emergencies in which the services of EMS providers would be used
- to perform such other duties as may be prescribed in relation to EMS training, EMS-related activities and mutual aid in cases of emergencies in which the services of EMS providers would be used, and

FURTHER RESOLVED, that the Montgomery County Emergency Management Officer shall act as a liaison officer between the Board of Supervisors and said advisory board and the EMS providers in the county and the officers and governing boards or bodies thereof, and

FURTHER RESOLVED, there shall be 21 appointments to said Board which shall consist of the following representation:

4 appointments shall represent the agencies providing ambulance service in Montgomery County

- 1 appointment shall represent the agencies providing medvac airlift services in Montgomery County
- 8 appointments shall represent the fire departments of Montgomery County
- 1 appointment shall represent St. Mary's Hospital
- 1 appointment shall represent Amsterdam Memorial Hospital
- 1 appointment shall represent the Montgomery County Red Cross
- 1 appointment shall be the Public Safety Chairman of the Montgomery County Board of Supervisors or his designee
- 1 appointment shall represent the Montgomery County Public Health Department
- 1 appointment shall represent the Montgomery County Sheriff's Department - 911 Dispatch
- 2 appointments shall represent the public at large

FURTHER RESOLVED, that the following appointments are hereby made:

APPOINTEE

TERM EXPIRATION

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Thomas, passed with Aye(1594). Supervisor Sinicropi, Jr. abstained. Supervisor Mancini was absent. (8/24/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Quackenbush, passed with Aye(1868). (9/28/2004)

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Walters, passed with Aye(1574). Supervisors Dybas and Quackenbush voted Nay. (9/28/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

MOTION TO AMEND by Supervisor Mancini, seconded by Supervisor Cechnicki,

In the second FURTHER RESOLVED clause,

- change the number of appointments representing the ambulance service from 4 to 8 representatives
- remove the appointment of a representative from Amsterdam Memorial Hospital
- replace the appointment of a representative from the Montgomery County Red Cross, with 1 appointment representing Disaster Services
- remove the appointment of a representative from the Board of Supervisors
- remove the appointment of a representative from the Public Health Department
- remove the appointment of a representative from the Sheriff's Department - 911 Dispatch

In the third FURTHER RESOLVED clause, insert the following appointments:

Appointment	Representing	Term Expiration
Steve Kuck	Ambulance Service - SAVAC	October 26, 2005
Shannon Whiteman	Ambulance Service - SAVAC	October 26, 2005
William Washburn	Ambulance Service - Mid-City	October 26, 2005
William Blanchard	Ambulance Service - Mid-City	October 26, 2005
Jean Taylor	Ambulance Service - Rural Metro	October 26, 2005
Dewayne Gault	Ambulance Service - Rural Metro	October 26, 2005
Tom Pasquarelli	Ambulance Service - GAVAC	October 26, 2005
Kim Nikolaus	Ambulance Service - GAVAC	October 26, 2005
Al Nadler	Fire Departments - 211/214/218/223	October 26, 2005
Robert Furman	Fire Departments - 216/217	October 26, 2005
Julie Franchi	Fire Departments - 206/209/219	October 26, 2005
Mark DeLaffette	Fire Departments - 208/210	October 26, 2005
Patty Prime	Fire Departments - 215/220/224	October 26, 2005
Chad Pollack	Fire Departments - 212/222	October 26, 2005
Michael Whitty	Fire Departments - 207/AFD	October 26, 2005
Robert Quiet	St. Mary's Hospital	October 26, 2005

Mickey Swartz	Medvac Air lift Services	October 26, 2005
Ken Noeltner	Disaster Services	October 26, 2005
Edith Noeltner	Public-at-large	October 26, 2005
Jane Karker	Public-at-large	October 26, 2005

passed with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

Supervisor Dybas noted that Attorney Landon has words that needed to be added to Resolution #235 regarding the sale price of the facility. It was further noted that the text of the Local Law will be drafted by the County Attorney with the Administrative Aide.

Supervisor Schumann stated that she was voting no because she felt that all the information still has not been provided to make a final determination. She also stated she would be voting no because a concerned employ from the Meadows led her to believe that they have not been fully informed as to the progress of the facilities sale. Ms. Schumann wanted to be assured that there is accessibility to the public for review of the proposals.

Chairman Stagliano stated that the four (4) proposals have been printed in the local newspaper and it is already public knowledge and further noted that there are copies in the Board of Supervisor's Office for the public to review.

Supervisor Cechnicki stated that he would like the current figures being used in transferring money to the Meadows. Chairman Stagliano stated that information is available and instructed Treasurer Shawn Bowerman to forward it on to Supervisor Cechnicki. Chairman Stagliano did note that the figures change from week to week.

Supervisor DiMezza stated that it is best to sell the Meadows where it will be on the tax rolls and felt that the Providers presented a much better package when submitting their proposal and with the experience in the nursing home business will do an excellent job.

RESOLUTION NO. 235 of 2004

****See Appendix for Resolution Attachment****

DATED: October 26, 2004

RESOLUTION ACCEPTING A PROPOSAL FOR THE SALE OF THE MONTGOMERY MEADOWS AND ESTABLISHING A PUBLIC HEARING ON INTRO. LOCAL LAW #6 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE

Resolution by Supervisor: Jonker

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Purchasing Agent solicited proposals for assumption/purchase of the operation and certain assets of the Montgomery Meadows Residential Health Care Facility (RFP 02-04), and

WHEREAS, the Montgomery County Board of Supervisors met with the four responders to said RFP to discuss their intentions for assumption/purchase, and

WHEREAS, by Resolution 201 of 2004 the Montgomery County Board of Supervisors agreed to divest the County of the Montgomery Meadows Residential Health Care Facility to a provider to be determined at a future date, and

WHEREAS, the adoption of a Local Law is deemed necessary for the sale of County-Owned Real Property, not needed for County Purpose, and

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 6 of 2004, a Local Law Authorizing the Private Sale of County-Owned Property and Related Assets, Not Needed for a County Purpose,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts the proposal as submitted by _____, as attached hereto and made part of this resolution, for the purchase and acquisition of the Montgomery Meadows Residential Health Care Facility operation, real property and related assets, and

FURTHER RESOLVED, that Introductory Local Law No. 6 of 2004 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 November 16, 2004 at 6:00 p.m., in the Montgomery County Courthouse, 58 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 law.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Jonker, to insert in the RESOLVED clause, "The Providers, Inc. of Broadalbin, NY", passed with Aye(1274). Supervisors Schumann, Strevy, Paton and Cechnicki voted Nay. Supervisor Brodie was absent. (10/26/2004)

RESOLUTION ADOPTED with Aye(1274). Supervisors Schumann, Strevy, Paton and Cechnicki voted Nay. Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 206 of 2004

DATED: October 26, 2004

RESOLUTION CONSENTING TO FULTON COUNTY BOARD OF SUPERVISORS ACTING AS LEAD AGENCY IN THE SEQRA PROCESS FOR THE HFM BOCES CONSTRUCTION PROJECT

Resolution by Supervisor: Schumann

Seconded by Supervisor: Di Mezza

WHEREAS, Fulton County Board of Supervisors has requested to act as Lead Agency in the NYS Environmental Quality Review (SEQRA) process for the proposed construction of a new facility on NYS Route 67 for Hamilton, Fulton, and Montgomery County Board of Cooperative Educational Services (HFM-BOCES), and

WHEREAS, as a potential Involved Agency in the SEQRA process, Montgomery County Board of Supervisors are required to provide consent of such designation, and

WHEREAS, said request has been reviewed and recommended by the Education/Government Committee,

RESOLVED, that the Montgomery County Board of Supervisors hereby consents to Fulton County Board of Supervisors acting as Lead Agency in the NYS Environmental Quality Review (SEQRA) process for the proposed construction of a new facility on NYS Route 67 for Hamilton, Fulton, and Montgomery County Board of Cooperative Educational Services (HFM-BOCES).

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 226 of 2004

****See Appendix for Resolution Attachment****

DATED: October 26, 2004

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 5 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES

Resolution by Supervisor: Dybas

Seconded by Supervisor: Stagliano

WHEREAS, on September 28, 2004 a proposed Local Law for the County of Montgomery, entitled: "A Local Law Approving the Execution and Delivery of a Ground Lease by Montgomery County Relating to a Capital Project for HFM BOCES" was presented to the Board of Supervisors for consideration, and

WHEREAS, on September 28, 2004 Resolution No. 222 of 2004 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 26th day of October, 2004, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 5 of 2004, entitled: "A Local Law Approving the Execution and Delivery of a Ground Lease by Montgomery County Relating to a Capital Project for HFM BOCES" 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.

FURTHER RESOLVED, that adoption of this Local Law is contingent upon the adoption of a similar

Local Law by Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor DiMezza stated that he appreciates the work that Supervisor Dybas has put into Resolution #234, but cannot support it, stating that there are different opinions as to how the college should be funded. He further stated that with respect to the Fulton County Board of Supervisors, both Board need to have a discussion regarding the local share and their agreement to sponsor the College.

Supervisor Schumann suggested to table the resolution until a advisory opinion on the legalities of the two (2) resolutions in question have been received from SUNY.

Supervisor Thomas stated he supports the resolution, but will accept any opinion that is offered by SUNY.

Supervisor Dybas addressed the funding issue and reassured everyone that the college has a funding source. He read a letter from SUNY regarding the requirements on how the college should be funded and referenced Education Law Section 6304 subdivision 4. He also stressed that for 27 years Montgomery County has overpaid \$7.4 million dollars.

Supervisor Cechnicki stated that he has an issue with doing the resolution tonight and felt that it would better serve Montgomery County if Fulton County is brought to the table to discuss the options. He also stated he cannot support the resolution.

Supervisor Thomas questioned Attorney Landon in reference to the resolutions that were passed by Montgomery County and Fulton County many years ago and whether or not they would constitute an agreement. Attorney Landon stated that that point could be argued. Supervisor Thomas stated until he receives an interpretation from SUNY he could not support the resolution.

Supervisor Dybas stated his frustration with the Board of Supervisors willing to pay more than their fair share at the Community College. He also stated what better way to send a message to Fulton County other than to have a County that uses the college more should be willing to fund their proportionate share.

Supervisor Schumann stated that the resolution has merit, but still wants to wait for an interpretation from SUNY before she would vote.

Supervisor Jonker stated that with trying to initiate some type of dialog with the Fulton County Board of Supervisors and the Trustees at the College, the Board has no alternative but to pass this resolution and force the dialog regarding future funding.

Supervisor Strevy stated he will support the resolution because he feels that it has merit.

RESOLUTION NO. 234 of 2004

DATED: October 26, 2004

RESOLUTION RESCINDING RESOLUTION 317 OF 1966 - FMCC CAPITAL AND OPERATING EXPENSES

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

WHEREAS, Resolution #317 of 1966 provides for Montgomery County to pay half of the total capital and operating costs of Fulton-Montgomery Community College, as its local share, and

WHEREAS, statistics and other information have revealed that fewer residents of Montgomery County are and have been enrolled as students at FMCC as compared with residents of Fulton County, and

WHEREAS, State Education Law (Section 6304) provides for a method of apportionment of the local share of the expenses of a community college established and operated jointly by two or more local sponsors, in the absence of an agreement otherwise,

RESOLVED, that Resolution #317 of 1966 is hereby rescinded, effective _____, and

FURTHER RESOLVED, that after such date of rescission, Montgomery County will provide its portion of the local share of expenses of FMCC in accordance with the provisions of Education Law.

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Thomas, was defeated with Aye(584). Supervisors Sinicropi, Jr., Schumann, Thomas, Quackenbush and Cechnicki voted Aye. Supervisor Brodie was absent. (10/26/2004)

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Mancini, to insert in the RESOLVED

clause "12/31/04", passed with Aye(1590). Supervisor Schumann voted Nay. Supervisor Brodie was absent. (10/26/2004)

RESOLUTION DEFEATED with Aye(931). Supervisors Sinicropi, Jr., Dybas, Mancini, Walters, Strevy, Quackenbush, Jonker and Stagliano voted Aye. Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Strevy stated that he would not support Resolution #227. He further stated that he does not agree with the increasing of the tax cap and feels the Board should try to work within the tax cap, although this will be a difficult task. But increasing the cap to 2% is not the way to go. He feels raising the tax cap to the maximum level is sending a wrong message to the residents of the County and also to the State Comptroller's Office.

Supervisor Cechnicki stated that he supports the tax cap increase because his constituents in the Town of Root are not willing to have their services eliminated. However unpleasant, they expressed to him that they will pay the higher property taxes.

Supervisor Cechnicki stated that he has submitted a resolution to reinstate programs back into the budget that have been eliminated. He also stated that he supports the 2% tax cap increase, but also indicated that if the Board came to an agreement to lower the tax cap for instance to 1.70% he would also be in support.

Supervisor Quackenbush stated that he has submitted several resolutions to be reviewed and stressed that the Road Patrol should not be reduced. He also noted that he is not in favor of increasing taxes 23%, but he is not willing to sacrifice the protection and safety of the people. Supervisor Quackenbush stated that he is in support of raising the tax cap.

Chairman Stagliano stated that the Comptroller's Office has been provided the budget to verify the numbers and a report will be issued in mid November 2004 with their findings.

Supervisor Schumann stated that she would be voting no to increase the tax cap and noted that the correct information regarding the revenues and expenditures has not been provided and felt it was premature to make a determination and suggested that this resolution be tabled.

Chairman Stagliano agreed with Supervisor Schumann and did state it was premature because not all the numbers have been submitted. He stated that once the letter is received from the Comptroller's Office then there will be a sense of direction and recommended not to support the tax cap increase.

Supervisor Walters stated that his constituents in the Town of Charleston expressed to him that they do not want to lose their services. He also suggested looking at different departments in depth so that logical decisions can be made.

Supervisor Walters stated that he is not in favor of the 2% tax cap, but in order to proceed is willing to vote for the increase.

Supervisor Strevy stated that the message the Board needs to send to the people is that we are willing to work together to keep their taxes under control and at the same time give them services they require.

Supervisor Jonker stated that the Albany Legislators have victimized the County instead of the Board of Supervisors and further stated that his constituents in the Town of Palatine are expressing to him not to raise the taxes. He further stated that he will be voting no on the resolution to increase the tax cap.

Supervisor Paton suggested to offer up an amendment to increase the tax cap to 1.80% instead of the 2% that is being proposed. County Attorney Landon stated that this proposal would have to be introduced at a meeting of the Board and another public hearing on a different proposal would need to be held. If there were a sponsor and a second the proposed resolution could be done in the parameters of the public hearing scheduling.

Supervisor DiMezza stated that he will not vote for the increase in the tax cap. He indicated that as Chairman of the Finance/Personnel Committee he will be submitting a proposal to the Board and hopefully will make the Department of Public Works and the Sheriff's Department as whole and functional as possible.

Supervisor Sinicropi stated that he has not received one phone call from his constituents in the City of Amsterdam regarding the reinstatement of the Road Patrol. He also stated that he will be voting no on increasing the tax cap.

Supervisor Dybas stated to the Board of Supervisors that they should do what the people have elected them to do and make a decision.

RESOLUTION NO. 227 of 2004**DATED:** October 26, 2004**RESOLUTION INCREASING THE CONSTITUTIONAL TAX LIMIT FOR THE COUNTY OF MONTGOMERY**

Resolution by Supervisor: McMahon

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 285 of 2003 established the Constitutional Tax Limit for Montgomery County to be 1.65%, and

WHEREAS, the Budget Officer has stated that the 2005 Tentative Budget will meet the Constitutional Tax Limit, but to do so requires total elimination of several needed County Services, and

WHEREAS, it is necessary to increase said tax limitation in order to provide additional revenue to reinstate said services, and

WHEREAS, the proposed increase in tax limitation is .35%, which would raise the tax limit from 1.65% to 2%, 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, which is required to be held concerning a proposal to increase Montgomery County's Constitutional Tax Limitation was held on October 19, 2004 at 6:00pm,

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 1.65% to a limit of 2.00%.

RESOLUTION DEFEATED with Aye(416). Supervisors McMahon, Walters, Quackenbush and Cechnicki voted Aye. Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 228 of 2004****DATED:** October 26, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - GAT SUBSIDIZATION (MOSA)**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Cechnicki

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) has established Montgomery County's 2005 Guaranteed Annual Tonnage (GAT) at 41,616 tons, and

WHEREAS, MOSA has established its 2005 Official Tipping Fee at \$83.00 per ton,

WHEREAS, it has been recommended that the Board of Supervisors authorize a per-ton subsidization of the tipping fee to a reasonable market rate to ensure delivery of waste to the MOSA system.

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

FURTHER RESOLVED, that Montgomery County hereby establishes a subsidy of \$21 per ton, for said one-year period, pursuant to an appropriation in the 2005 Operating Budget to provide for payment of said subsidy.

RESOLUTION ADOPTED with Aye(1645). Supervisor Thomas voted Nay. Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 229 of 2004****DATED:** October 26, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES - POWER PALLET (EOD/PLANNING)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery County is eligible to apply for funding for economic development purposes with the Governor's Office for Small Cities, and

WHEREAS, Montgomery County has prioritized economic development and job creation provisions which will result in a direct and positive impact to low and moderate income persons, and

WHEREAS, Power Pallet, Inc. has supplied a request for funding under the terms set forth by Montgomery County and Governor's Office for Small Cities,

RESOLVED that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized and directed to sign and submit all required application materials for funding under the Governor's Office for Small Cities Community Development Block Grant program.

FURTHER RESOLVED, program requirements include the provision to hold two public hearings, the first of which shall be held the _____ day of November 2004 at _____ a.m./p.m. at _____ (location); the second, which shall be held the _____ day of December 2004 at _____ a.m./p.m. at _____ (location).

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Di Mezza, to insert in the FURTHER RESOLVED clause "17th" "6:45 p.m." "Amsterdam Town Hall, Manny's Corners Road, Town of Amsterdam" "8th" "11:00 a.m." "Amsterdam Town Hall, Manny's Corners Road, Town of Amsterdam", into the blanks respectively, passed with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 230 of 2004

DATED: October 26, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MICROFILMING ORIGINAL ASSESSMENT ROLLS - IMAGEMAX (HISTORY AND ARCHIVES)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, Resolution 194 of 2004 authorized the acceptance of a \$18,174 grant from the New York State Local Government Records Management Improvement Fund for the Department of History and Archives, and

WHEREAS, said funds will be used to provide for microfilming of original assessment rolls,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with ImageMax to microfilm a portion of the County's assessment rolls, and

FURTHER RESOLVED, that said agreement, which shall commence on November 1, 2004 and end on June 30, 2005, shall provide for compensation in an amount not to exceed \$15,300.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 231 of 2004

DATED: October 26, 2004

****See Appendix for Resolution Attachment****

RESOLUTION APPROVING REMOVAL OF ARCHIVAL RECORDS (HISTORY AND ARCHIVES)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Board of Supervisors has established a Policy and Procedures Manual for Records Management, and

WHEREAS, said procedures includes deaccession provisions,

RESOLVED, that the Board of Supervisors hereby authorizes removal of records from the Archives as recommended by the Records Management Advisory Board and the Records Management Officer and,

FURTHER RESOLVED, that a summary of the records be attached and made part of this resolution.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 232 of 2004

DATED: October 26, 2004

RESOLUTION AUTHORIZING INCREASE IN FEES - GENEALOGICAL RESEARCH (HISTORY AND ARCHIVES)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: DiMezza

WHEREAS, the current fee charged by the Montgomery County Department of History and Archives for genealogical research activities has been \$15.00 per hour by Resolution 119 of 1989, which took effect April 1, 1989, and

WHEREAS, since 1989, costs associated with conducting such research have increased – especially with regard to personnel and operating expenditures, and

WHEREAS, the Historian has made recommendation that the rate be increased to \$20.00 per hour,

RESOLVED, that the Montgomery County Board of Supervisors does hereby authorize the County Department of History and Archives to charge \$20.00/hour for genealogical research activities, effective January 1, 2005.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 233 of 2004

DATED: October 26, 2004

RESOLUTION ASSUMING LEAD AGENCY STATUS UNDER SEQRA - MONTGOMERY COUNTY SMALL CITIES APPLICATION - POWER PALLET (EOD/PLANNING)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Jonker

WHEREAS, Montgomery County proposes to submit an application to the Governor's Office For Small Cities for an amount up to \$650,000 to be used to extend municipal water service to the proposed Power Pallet Manufacturing facility,

RESOLVED, that the Montgomery County Board of Supervisors hereby classifies the action as "unlisted" under SEQRA, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby proposes that they serve as lead agency for the purpose of conducting a coordinated review under SEQRA, and

FURTHER RESOLVED, that the Economic Development Director is hereby directed to distribute SEQRA materials to all potential involved agencies.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 236 of 2004

DATED: October 26, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET - PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Public Health Department has been awarded a Public Health Preparedness and Response to Bioterrorism grant in the amount of \$77000.00, and

WHEREAS, the grant will commence on August 31, 2004 and will end on August 30, 2005,

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, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:

Revenue:

A-16-3-3401-06	Public Health Grant	\$77000.00
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Appropriations:

A-16-4-4010-06	Public Health Grant	
.2210	Office Furniture	\$ 8000.00
.2250	Technical Equipment	\$ 7000.00
.2259	Computer Equipment	\$21600.00
.4407	Office Equipment	\$ 500.00
.4408	Office Supplies	\$ 1500.00
.4409	Office Furniture	\$ 7250.00
.4410	Utilities	\$ 2640.00
.4425	Maintenance Agreements	\$ 2280.00
.4431	Consultants	\$ 9000.00
.4438	Misc. Supporting Svc.	\$ 3900.00
.4445	Medical Supplies	\$ 4130.00
.4446	Food Supplies	\$ 2000.00
.4455	Training	\$ 3500.00
.4459	Computer Software	\$ 1200.00
.4470	Travel Related Expense	\$ 1000.00
.4491	Legal Notice & Adv	\$ 1500.00

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 237 of 2004

DATED: October 26, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET - CHILD PASSENGER SAFETY INCENTIVE GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Schumann

WHEREAS, the Montgomery County Public Health Department has been awarded a Child Passenger Safety Incentive grant in the amount of \$3350.00, and

WHEREAS, the grant will commence on October 1, 2004 and will end on September 30, 2005,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the NYS Governor's Traffic Safety Committee - Child Passenger Safety Incentive Grant, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

INCREASE:

Revenue:

A-16-3-3401-08 Public Heal th Grant \$3350. 00

Appropri ations:

A-16-4-4010-08 Public Heal th Grant
 . 4449 Special Suppl ies & Material s \$3300. 00
 . 4455 Train ing \$ 50. 00

RESOLUTION ADOPTED wi th Aye(1729). Supervi sor Brodi e was absent. (10/26/2004)

Dougl as Landon
 County Attorney

Christi ne Pasquarelli
 Clerk, Board of Supervi sors

RESOLUTION NO. 238 of 2004

DATED: October 26, 2004

RESOLUTION TRANSFERRING FUNDS - VEHICLE COSTS (VETERANS SERVICES)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, the Director of Veterans Services has requested a transfer of funds to cover excess mileage, damages and final lease payment on leased vehicle to transport veterans to the VA Medical Center in Albany,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

From:
 A-01-4-1990-00. 4400 Contingent Account
 Contractual Expenses \$4, 237. 39

To:
 A-19-4-6510-00. 4422 Veterans Servi ces
 Equi p. Rental /Lease/Repai r \$4, 237. 39

RESOLUTION ADOPTED wi th Aye(1729). Supervi sor Brodi e was absent. (10/26/2004)

Dougl as Landon
 County Attorney

Christi ne Pasquarelli
 Clerk, Board of Supervi sors

RESOLUTION NO. 239 of 2004

DATED: October 26, 2004

RESOLUTION TRANSFERRING FUNDS - INDIGENT BURIALS (VETERANS SERVICES)

Resolution by Supervisor: Si ni cropi , Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, the Director of Veterans Services has requested a transfer of funds to provide for payment of indigent burials,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

From:
 A-01-4-1990-00. 4400 Contingent Account
 Contractual Expenses \$10, 000. 00

To:
 A-19-4-6510-00. 4438 Veterans Servi ces
 Mi sc. Support ing Servi ces \$10, 000. 00

RESOLUTION ADOPTED wi th Aye(1729). Supervi sor Brodi e was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 240 of 2004

DATED: October 26, 2004

RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from April 1, 2004 through September 30, 2004, and

FURTHER RESOLVED, that said Treasurer is directed to take all necessary steps, under proper accounting procedure, to adjust the books of his office, effective immediately.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 241 of 2004

DATED: October 26, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET & AUTHORIZING RETROACTIVE PAY FOR RAISES APPROVED BY AGREEMENTS WITH THE MONT. CO. DEPUTY SHERIFF'S POLICE BENEVOLENT ASSOCIATION (MCDSPBA) & THE MONT. CO. DEPUTY SHERIFF'S ASSOCIATION (CORRECTION OFFICERS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

WHEREAS, Pursuant to Resolution 278 of 2003 and Resolution 113 of 2004, agreements have been ratified with the Sheriff's Department's bargaining units, and

WHEREAS, funding for the retroactive pay and the raises was not provided for in the 2004 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER FROM:

A	01	4	1990	00	4400	Contingent Account	\$153,447.95
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TRANSFER TO:

A	15	4	3110	00	1110	
			(3)			\$ 789.24
			(38)			\$ 795.46
			(68)			\$1,078.18
			(75)			\$ 788.83
			(388)			\$ 881.75
			(419)			\$ 251.93
			(429)			\$ 785.52
			(434)			\$ 828.82
			(436)			\$ 56.54
			(438)			\$ 832.22
			(481)			\$ 788.83
			(482)			\$ 803.99
			(483)			\$ 881.75
			(524)			\$ 840.23
			(637)			\$ 825.33
			(638)			\$ 819.22
			(639)			\$ 687.74
			(640)			\$ 785.52
			(898)			\$ 828.82
			(1115)			\$ 788.83
			(1116)			\$ 785.52
			(1117)			\$ 785.52
			(1418)			\$ 919.39

A 15 4 3110 00 1212
(1111) \$1,053.48

A 15 4 3110 00 1213
(1113) \$ 713.25

A 15 4 3150 00 1110
(2) \$3,089.87
(4) \$3,121.13
(10) \$3,127.38
(64) \$2,969.86
(65) \$ 819.12
(69) \$1,478.99
(70) \$1,049.58
(72) \$1,557.10
(73) \$3,014.16
(74) \$2,972.60
(76) \$1,389.27
(146) \$1,471.85
(152) \$3,015.38
(154) \$2,969.86
(155) \$3,046.47
(156) \$1,971.07
(174) \$2,969.86
(182) \$2,648.93
(188) \$2,915.92
(196) \$2,969.11
(198) \$2,969.86
(295) \$2,695.64
(316) \$2,939.08
(389) \$1,617.84
(411) \$2,975.81
(414) \$2,379.25
(415) \$ 352.95
(416) \$2,510.87
(499) \$2,969.86
(500) \$2,975.81
(506) \$ 156.25
(508) \$1,976.70
(642) \$2,601.19
(643) \$2,975.81
(845) \$2,871.44
(855) \$1,627.62
(1059) \$2,975.57
(1074) \$2,969.86
(1075) \$2,969.86
(1076) \$2,975.81
(1077) \$2,969.86
(1078) \$3,052.58
(1079) \$2,930.91
(1080) \$3,046.47
(1104) \$2,219.79
(1105) \$2,969.86
(1317) \$2,969.56
(1419) \$3,313.41

A 15 4 3150 00 1214
(1111) \$7,272.97

A 15 4 3150 00 1176
(1113) \$6,252.04

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 242 of 2004

DATED: October 26, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF NON-BARGAINING SALARY INCREASES

Resolution by Supervisor: McMahon

Seconded by Supervisor: Dybas

WHEREAS, it has been recommended to reduce the salary increases of the non-bargaining staff in the 2005 Tentative Operating Budget be removed,

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

		FROM	TO	INC/(DEC)
Legislative Board				
Administrative Aide	A-01-4-1010-00-1110(122)	\$45,088	\$44,000	\$(1,088)
Clerk Typist	A-01-4-1010-00-1110(139)	\$24,037	\$23,475	\$(562)
Emergency Management				
Dir. Emergency Management	A-02-4-3640-0-1110(202)	\$33,130	\$32,346	\$(784)
Real Property Tax				
Dir. of Real Property Tax	A-07-4-1355-0-1110(616)	\$44,409	\$43,375	\$(1,034)
County Clerk				
County Clerk	A-08-4-1410-0-1110(79)	\$52,750	\$51,500	\$(1,250)
Deputy County Clerk	A-08-4-1410-0-1110(97)	\$32,274	\$31,523	\$(751)
County Attorney				
County Attorney	A-09-4-1420-0-1120(78)	\$46,374	\$45,255	\$(1,119)
Deputy County Attorney	A-09-4-1420-0-1120(866)	\$31,222	\$30,497	\$(725)
Personnel				
Pers. Dir. /Self-Ins. Dir.	A-10-4-1430-0-1110(858)	\$45,014	\$43,714	\$(1,300)
Acc. Clrk. Typ/Self-Ins. ACT	A-10-4-1430-0-1110(1273)	\$17,792	\$17,167	\$(625)
Personnel Assistant	A-10-4-1430-0-1110(360)	\$32,455	\$31,712	\$(743)
Pers. Assoc. /Self-Ins. PA	A-10-4-1430-0-1110(1274)	\$27,222	\$24,309	\$(2,913)
Principal Account Clerk	A-10-4-1430-0-1110(1392)	\$29,175	\$28,500	\$(675)
Public Works				
Commis., of Public Works	A-12-4-1490-0-1110(50)	\$52,225	\$51,000	\$(1,225)
Data Processing/Printing				
Dir. of Data Processing	A-14-4-1680-0-1110(444)	\$47,100	\$46,000	\$(1,100)
Sheriff & Jail				
Sheriff	A-15-4-3110-0-1110(509)	\$58,524	\$57,145	\$(1,379)
Undersheriff	A-15-4-3110-0-1110(419)	\$47,172	\$46,058	\$(1,114)
Confidential Secretary	A-15-4-3110-0-1110(510)	\$30,905	\$30,176	\$(729)
Corrections Administrator	A-15-4-3150-0-1110(470)	\$41,159	\$40,155	\$(1,004)
Public Health				
Public Health Director	A-16-4-4010-0-1110-(32)	\$51,357	\$50,129	\$(1,228)
PHC Coordinator	A-16-4-4010-0-1110(257)	\$24,342	\$23,756	\$(586)
PHC Coordinator	A-16-4-4010-0-1110(1289)	\$13,107	\$12,792	\$(315)
Mental Health				
Dir. of Community Svcs.	A-17-4-4310-0-1110(302)	\$47,860	\$46,705	\$(1,155)
Social Services				
Commis. of Social Svcs	A-18-4-6010-0-1110(52)	\$53,250	\$52,000	\$(1,250)
Dir. of Financial Mngmnt	A-18-4-6010-0-1110 908	\$43,751	\$42,733	\$(1,018)
Director of Eligibility	A-18-4-6010-0-1110(108)	\$36,338	\$35,500	\$(838)
Dir. of Social Services	A-18-4-6010-0-1110(441)	\$38,400	\$37,500	\$(900)
Social Services Attorney	A-18-4-6010-0-1110(513)	\$34,338	\$33,500	\$(838)
Social Services Attorney	A-18-4-6010-0-1110(276)	\$45,482	\$44,397	\$(1,085)
Social Services Attorney	A-18-4-6010-0-1110(512)	\$25,100	\$24,500	\$(600)
Veterans Service				
Dir. of Veterans Svcs	A-19-4-6510-0-1110(912)	\$30,627	\$29,904	\$(723)
Weights & Measures				
Dir. -Weights & Measures	A-20-4-6610-0-1110(81)	\$33,782	\$32,982	\$(800)
Youth Bureau				
Youth Bureau Director	A-21-4-7310-0-1110(161)	\$32,788	\$32,000	\$(788)
Historian				
County Historian	A-22-4-7510-0-1110(1177)	\$31,750	\$31,000	\$(750)

Economic Opp/Development					
EOD Director	A-24-4-6431-0-1110(472)	\$54,300	\$53,000		\$(1,300)
EOD Specialist	A-24-4-6431-0-1110(473)	\$37,798	\$36,900		\$(898)
District Attorney					
Asst. DA/DWI Prosecutor	A-25-4-1165-0-1120(20)	\$39,306	\$38,372		\$(934)
Asst. DA	A-25-4-1165-0-1120(1292)	\$36,539	\$35,672		\$(867)
Asst. DA	A-25-4-1165-0-1120(22)	\$36,039	\$35,172		\$(867)
Criminal Investigator	A-25-4-1165-0-1120(71)	\$25,113	\$24,500		\$(613)
Secretary to DA	A-25-4-1165-0-1110(987)	\$30,928	\$30,198		\$(730)

, and

FURTHER RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

Public Defender					
Confidential Secretary	A-28-4-1170-0-1110(835)	\$29,698	\$24,870		\$(4,828)

RESOLUTION DEFEATED with Aye(910). Supervisors Schumann, Dybas, McMahon, Strevy, Thomas, Quackenbush and Paton voted Aye. Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

With the budget crisis the County is facing, various Supervisors stated that they could not justify salary increases at this time.

Chairman Stagliano defended the non-bargaining staff and felt it was unfortunate that the Board took the position they did.

RESOLUTION NO. 243 of 2004

DATED: October 26, 2004

RESOLUTION ESTABLISHING POSITION - BUSINESS MANAGER (MONTGOMERY MEADOWS)

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Dybas

WHEREAS, the Nursing Home Administrator has recommended establishing the position of Business Manager at the Montgomery Meadows Residential Health Care Facility,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes the position of Business Manager at the Montgomery Meadows Residential Health Care Facility, at a grade level J with an annual base salary of \$31,055, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

TRANSFER:

From: EH-34-6020-00-1110(1038) Accountant \$4,800

To: EH-34-6020-00-1110(401) Business Manager \$4,800

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 244 of 2004

DATED: October 26, 2004

****See Appendix for Resolution Attachment****

RESOLUTION AMENDING 2004 OPERATING BUDGET - DCJS GRANT - K-9 VEHICLE, EQUIPMENT AND TRAINING (SHERIFF)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, Resolution 211 of 2004 accepted a Department of Criminal Justice Grant to provide funding for a new K-9 vehicle, equipment and training, and

WHEREAS, it is necessary to amend the 2004 Operating Budget to realize said funding,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

INCREASE REVENUE:

A-15-3-2705	Gifts and Donations	\$ 3,889
A-15-3-3389	Other Public Safety	\$35,000
		<hr/>
		\$38,889

INCREASE APPROPRIATIONS:

A-15-4-3310-00-2230	Motor Vehicle Equipment	\$33,473
A-15-4-3310-00-2250	Technical Equipment	\$ 3,716
A-15-4-3310-00-4455	Training	\$ 1,200
A-15-4-3310-00-4449	Special Supplies & Materials	\$ 500
		<hr/>
		\$38,889

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Because of the late hour (10:45 p.m.) Supervisor Schumann suggested that Resolution #245 be tabled, but the other Supervisors felt it was important enough to have the discussion.

Everyone acknowledged they were in receipt of Supervisor Cechnicki's amendment to the resolution.

Supervisor DiMezza in respect to the public referendum on the Alternative Forms of County Government stated that the only thing he would be in favor of was an Elected County Executive and not the total form of Government. He further stated that all this referendum does is create another layer of bureaucracy and that he could not support this resolution.

Chairman Stagliano stated that under Supervisor Cechnicki's four (4) options they all retain the Board of Supervisors and further explained that if the Board wishes to have an Elected County Executive and it is not achieved by one of the four options under Alternative County Government, it can be accomplished through the General Municipal Law.

Chairman Stagliano stated that the biggest problem in County Law Form of Government is that the County Executive happens to be the majority. He further stated that the County Law Form is the majority of Board of Supervisors and it is very difficult to move a majority because of the wide range of issues that the Board is faced with.

Supervisor Schumann stated that the people should have a say in the way the government is run and believes that the people of Montgomery County deserve to have a voice in improving and updating their county government via a public referendum.

After a lengthy discussion a motion was made to table the resolution.

RESOLUTION NO. 245 of 2004

DATED: October 26, 2004

RESOLUTION ESTABLISHING A PUBLIC REFERENDUM ON THE QUESTION OF ALTERNATIVE FORMS OF COUNTY GOVERNMENT

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Schumann

WHEREAS, the power vested in the government of Montgomery County comes directly from its citizens, in a nation of longstanding traditions of government of, by, and for the people; and

WHEREAS, in 1789, this nation was founded through a process that included its people, namely through public support in ratifying the Constitution of the United States, a document that endures even today; and

WHEREAS, the counties of the State of New York, being creatures of said State, are endowed with their own power to choose their form of government; and

WHEREAS, the selection of a form of government should be a deliberative process, involving the citizens of the political subdivision so that the will of the majority may be effected; and

WHEREAS, at the present time the County of Montgomery faces enormous fiscal challenges, brought about by a stagnant tax base and increasing costs, that require a government that is consolidated and efficient; and

WHEREAS, the people of Montgomery County deserve to have a voice in improvement and updating of their county government, and said voice is most appropriate via a public referendum;

RESOLVED, in accordance with Article 14, Sections 650, 652, 653, and 655 of the Alternative County Government Law, the Board of Supervisors does hereby establish a referendum on alternative forms of government to be held on the next succeeding general election in an odd-numbered year, namely November 8, 2005, and;

FURTHER RESOLVED, that the questions posed to the electors of Montgomery County on said date of referendum shall be:

"Shall the county of Montgomery adopt the county president form of government?"

"If the county president form is adopted, shall the county have county assessment of property for the towns, villages, cities, and school districts in the county?"

FURTHER RESOLVED, that the Board of Supervisors shall hold no fewer than three public information sessions regarding the nature and consequence of the referendum and potential changes to the governmental structure to foster a well informed citizenry in anticipation of the referendum; and

FURTHER RESOLVED, that at least one of the aforementioned public information sessions shall occur no sooner than 45 days prior to the referendum

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Cechnicki, was defeated with Aye(689). Supervisors Schumann, Dybas, Mancini, Jonker, Cechnicki and Stagliano voted Aye. Supervisor Brodie was absent. (10/26/2004)

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Sinicropi, Jr., was defeated with Aye(735). Supervisors Sinicropi, Jr., DiMezza, McMahon, Walters, Strevy and Thomas voted Aye. Supervisor Dybas abstained. Supervisor Brodie was absent. (10/26/2004)

MOTION TO TABLE, by Supervisor Schumann, seconded by Supervisor Cechnicki, passed with Aye(1178). Supervisors Strevy, Quackenbush and Paton voted Nay. Supervisors Brodie and McMahon were absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 246 of 2004

DATED: October 26, 2004

RESOLUTION TRANSFERRING FUNDS - PROFESSIONAL SERVICES (PERSONNEL)

Resolution by Supervisor: Stagliano

Seconded by Supervisor: DiMezza

WHEREAS, the Personnel Officer has recommended the transfer of funds to provide for payment of legal invoices,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 (Contractual)	\$30,000.00
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TRANSFER TO

A-10-4-1430-00-4431 (Professional Services)	\$30,000.00
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RESOLUTION ADOPTED with Aye(1586). Supervisors Brodie and McMahon were absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano asked to go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss the employment/demotion of a particular person. Motion was made by Supervisor Sinicropi, seconded by Supervisor Mancini. Executive Session started at 10:58 p.m.

Motion to adjourn Executive Session was made by Supervisor Dybas, seconded by Supervisor Quackenbush. Chairman Stagliano adjourned the Executive Session at 11:03 p.m.

As a result of the Executive Session action was taken by the Board on Resolution # 247.

RESOLUTION NO. 247 of 2004

DATED: October 26, 2004

RESOLUTION ESTABLISHING POSITION - REGISTERED PROFESSIONAL NURSE (MONTGOMERY MEADOWS)

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Siniropi, Jr.

WHEREAS, there is a need to create an immediate line item position of Registered Professional Nurse at the Montgomery Meadows Residential Health Care Facility,

RESOLVED, that the position of Registered Professional Nurse, CSEA grade J, at an annual salary \$31,055 is hereby created at the Montgomery Meadows, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized to transfer funds as follows:

FROM:

EH-34-4-6020-1110(42) Primary Health Care Nurse \$6,500

TO:

EH-34-4-6020-1110(397) RPN \$6,500

RESOLUTION ADOPTED with Aye(1586). Supervisors Brodie and McMahon were absent. (10/26/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1586). Supervisors Brodie and McMahon were absent. Chairman Stagliano adjourned the meeting at 11:05 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE OF THE WHOLE
6:00 PM, November 3, 2004

ACTION ON BUSINESS

Chairman Stagliano presided over the meeting commencing at 6:00 p.m.

Roll call indicated that Supervisors Sinicropi, McMahon, Strevy, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini, DiMezza and Paton were present. Supervisor Brodie was absent.

Chairman Stagliano noted the agenda:

1. Discussion regarding grant contracts (Emergency Management)
2. Discussion regarding Sheriff's request to establish fees
3. Discussion regarding Sheriff's 2005 Tentative Budget
4. Discussion regarding 2005 Social Services Tentative Budget
5. Other

Chairman Stagliano stated the discussion on the grant contracts with Emergency Management will be entertained at a future date due to a personal emergency Director Gary Nestle had to attend.

Chairman Stagliano did state that there needs to be a clarification regarding grants and the use of personnel services that Supervisor Walters raised at a previous meeting.

Chairman Stagliano stated that in the packet, a copy of the County Law, Article 7 that basically deals with the budget especially section 354, 355 and 357 through 360. He further stated that there has been some confusion regarding the budget process and this information should clear up any confusion. Also attached is Local Law #5 of 2002 which the budget had to be submitted and the time frame the Finance Chairman had to review the document.

Chairman Stagliano further stated that the Board will understand what the time table is and noted that section 358b and the importance of the wording "The Board of Supervisors shall enter into it's minutes a statement of basis for any increase in or addition of any statement of estimated revenues".

Chairman Stagliano stated that the State Comptroller's Office is looking to ensure that the revenues have not been inflated and noted that the Comptroller's Office will be issuing a report on their findings in a couple of weeks.

Supervisor Dybas stressed to the Board that the Tentative Budget has to be balanced and stated that if expenses are being put back in Supervisors should be prepared to have off-setting revenues, otherwise he will not be voting in favor of it.

Chairman Stagliano noted that Tentative Budget has to be a legal document and it has to be balanced.

It was noted that item #3 on the agenda was addressed before item #2 - the discussion regarding Sheriff's 2005 Tentative Budget and because of the oversight it was determined that item #2 will follow item #3.

Sheriff Amato stated that he has distributed a detailed form that will give the Board some indication of where his budget is. He did state that the revenues for 2004 are right on track, but the appropriations are not and noted that money will have to be moved around in order to balance for the year.

Sheriff Amato did state that over the last couple of years a lot of counties have built their own jails and they are no longer needing County's facility, but further stated that he has submitted an increase for a higher reimbursement rate to the Federal Government and will be following up on the progress of his request.

Supervisor Quackenbush questioned the DWI program deputy, traffic safety deputy and the Amsterdam High School security officer and how they were funded.

Sheriff Amato stated that the 3 positions were paid for by other than County revenue sources and the exceptions include the fringe benefits of the DWI deputy and a fraction of the salary and benefits of the Amsterdam High School security officer whose salary and benefits are paid for by the Greater Amsterdam School District for 10 months out of the year.

Sheriff Amato noted that those three positions adds nearly enough revenue to cover the additional related expenses and upon the discussion that took place it was agreed that the resolution that has been drafted to address the three positions be submitted, but the figures have to be verified which Sheriff Amato agreed to.

Supervisor McMahon stated to the Board that the resolution process needs to be kept simple. Chairman Stagliano agreed and relayed to the Board that the County is facing two (2) major stumbling blocks that have come along that are beyond our control which amounts to a large sum of money. The retirement system payment may not be due when the State Comptroller's Office originally had intended, which could produce a \$500,000 gap in the 2005 Tentative Budget and there is also an additional \$400,000 that Social Services will be losing through the Foster Care Grant.

Chairman Stagliano suggested that Sheriff Amato coordinate with Supervisor Quackenbush a time to review his proposed resolution to reinstate line items in the Sheriff's Budget. He further stated that since Supervisor Quackenbush has all the information it would be more practical to discuss the items line by line to come up with a updated spending plan to be presented to the Board of Supervisors at a future date.

Chairman Stagliano warned that if the County does not change the way it does business it will be facing the same budget situation in 2006. He also stated that as Budget Officer, he has tried to save hundreds of thousands of dollars for the ensuing year and will not perform a disservice to this Board or the taxpayers of this County.

Sheriff Amato stated item #2, discussion regarding Sheriff's request to establish fees. During the discussion it was determined that a resolution to increase the fee for the Audio/Video recordings to \$25.00 and to increase pistol permit safety class fee should be moved to the Board with a positive recommendation. The resolution was sponsored by Supervisor McMahon and seconded by Supervisor Dybas.

Chairman Stagliano stated that Social Services is the biggest budget and indicated the purpose of the presentation was to inform the Board about the programs the department administers, the staff that does the work and the clientele the department serves in order to make an informed decision and cuts made to that department.

Supervisor Sinicropi stated that he would be submitting a resolution to add five additional part-time investigators to the Social Services Department to maintain the vigilance to deter those individuals looking for a free ride at County taxpayers' expense. The resolution was seconded by Supervisor Jonker.

Supervisor Sinicropi continued to state there are numerous fraudulent cases and the four part-time investigators cannot handle the volume at this time. He recommended the hiring be contractual, so the County would not have to pay benefits.

Supervisor Sinicropi stated the additional investigators could be funded through Social Services 50% Federal, 25% State and 25% local share. The positions could come from the Temporary Assistance for Needy Families (TANF) line to pay the local share.

A structure of Social Services by department was provided to the Board and Chairman Stagliano requested that the format be followed by the various supervisors responsible for their units.

Commissioner William Cranker stated that he is responsible for all the programs mandated by the State of New York along with the \$28 1/2 million dollar budget. He also gave an overview of how the programs are administered and the associated costs.

Bob Lennon, Supervisor, Foster Care, Adoption and Child Preventive Services Unit gave an overview of how children are placed in Foster Care through abuse and neglect, PINS (Persons in Need of Supervision) or Juvenile Delinquent (JD) and voluntary placements. Mr. Lennon stated that the cases are monitored through Uniform Care Records (UCR) and have to be very precise and detailed.

Mr. Lennon noted that Child Preventive Services' primary focus is to attempt to work with families in crisis to prevent the placement of children in Foster Care. He further stated that Foster Care and Child Preventive Services are mandated programs.

Chairman Stagliano stated that he has learned there will be a reduction in funding to the Foster Care, Adoption & Child Preventive Services Unit. Commissioner Cranker confirmed the information and the funding will be a significant amount.

Theresa Cranker, Coordinator/Supervisor, Adult Protective/Long Term Care Unit stated that she has 2 programs under her supervision. Adult Protection which serves individuals 18 years of age through to the elderly.

Ms. Cranker stated the unit investigates and assesses suspected reports of adult abuse and neglect with the reasons ranging from financial management to safety issues. She further stated that due to the elderly population the volume of cases are increasing.

Ms. Cranker discussed the other programs being administered under the Long Term Care Unit and stated that she is responsible for all the home care programs that Medicaid pays for, including the personal care program, which is mandated and currently 170 clients are being served. The Long Term Home Health Care Program or Nursing Home without walls has approximately 130 clients receiving care. This program provides services to keep the individuals at home longer is not mandated and is paid for by Medicaid.

Bill Austin, Supervisor, Child Protective Services Unit, stated that CPS is mandated by State Law to investigate all reports of child abuse and/or neglect within 24 hours.

Mr. Austin stated that the duties and responsibilities of the CPS are extensive and critical with two (2) major functional provisions; the investigation of reports and the provision of services. The primary responsibility of Child Protective Services is to ensure the safety of children. He further stated that CPS department is on a 24 hour, 7 days a week schedule and as of November 3, 2004, 664 reports have been made to CPS.

Shawnee Lasher, Coordinator, Child Support Enforcement/Support Collection stated her department pursues support payments for the families where there is an absent parent and it is their job to enforce support order issued through the court system. Ms. Lasher also detailed the staff duties maintained in her office.

Linda Bare, Director of Financial Management, stated her department is the administrative unit that provides support activities for the entire agency. The primary function is to monitor, process and record all financial transactions that occur on a daily basis for the Department of Social Services.

Johanna DelCostello, Supervisor, Temporary Assistance/Food Stamp Unit stated she is in charge of the unit dealing with Temporary Assistance for Needy Families (TANF), Food Stamps and HEAP. TANF also includes Emergency Aid to Families (EAF). She stated that the clients have to meet a eligibility criteria in order to receive benefits and the clients needs vary from cash assistance to food stamps to fuel.

Ms. DelCostello stated that Temporary Assistance for Needy Families are families with a child or children in the household. Also included are single individuals who meet eligibility requirements that could qualify for Safety Net Assistance.

Chairman Stagliano asked if with Montgomery County's unemployment rate is it difficult to move a person who falls under the Safety Net from welfare to work and how does this get monitored? Ms. DelCostello stated that there are programs and guidelines that need to be followed.

David Van Wormer, Job Training Developer stated that presently there are 166 Safety Net cases of those 45 are mental health cases with documentation that they cannot work, 45 cases are drug and alcohol with documentation they cannot work and are exempt because of medical reasons. He also stated that there are 20 employable individuals, 10 work part-time and the other 10 are work limited.

Supervisor Thomas questioned who does the medical evaluations? Mr. Van Wormer stated that the County contracts out for the Physicians and Mental Health professionals.

Ms. DelCostello stated that spot checks are made regarding individuals required to seek employment, but with the staff shortage it is limited.

Chairman Stagliano questioned the success rate of the employment program? Mr. Van Wormer stated that 23 cases were dropped in October 2004, but with the large turnover it is difficult to have an exact number.

Chairman Stagliano questioned in the 28 million dollar Social Services Budget, what age group do most of the programs cover? Commissioner Cranker stated from birth to 20 years of age and 25 to 65 years of age are the most costly. Most of the cost is for public assistance, Medicaid, drug and alcohol treatment, mental health, and pharmacy.

Jim Arthurs, Senior Welfare Examiner in the Medicaid Department stated there are presently 5066 cases in the county and noted that the population of Montgomery County is 49,318 that works out to 16.6% of the people are on Medicaid and the numbers are increasing with no end in sight.

With no further discussion a Motion to adjourn the Committee of the Whole was made by Supervisor Walters, seconded by Supervisor Jonker. Chairman Stagliano adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
COUNTY OFFICE BUILDING , 64 BROADWAY, FONDA, NY
COMMITTEE OF THE WHOLE
6:00 PM , November 9, 2004

COMMITTEE MEETING DISCUSSION

Chairman Stagliano presided over the meeting commencing at 6:00 p.m.

Roll call indicated that Supervisors Quackenbush, McMahon, Strevy, Dybas, Cechnicki, Schumann, Thomas, Jonker, Mancini, DiMezza, Paton and Walters were present. Supervisors Siniropi and Brodie were absent.

Chairman Stagliano noted the agenda:

1. Discussion regarding Retirement Incentive 2004 - Authorization to Fill Vacancies- Departments effected:
 - a. County Clerk
 - b. Public Health
 - c. Data Processing
 - d. Personnel
 - e. Montgomery Meadows
 - f. Sheriff
 - g. DPW
 - h. Social Services
2. Discussion regarding Personnel - Employee Benefits - Tentative Budget
3. Budget Officer
 - Board of Supervisors' Tentative Budget
 - Sales Tax Estimate
 - Budget Amendment and Adoption Schedule
4. Other

Chairman Stagliano stated that several months ago an incentive for retirement was entertained and Rich Baia, Personnel Director has the results and will explain to the Board the outcomes.

Mr. Baia, stated that the Board of Supervisors have the Retirement Incentive Salary and Benefit Cost Comparison Report for their review. There were 60 letters sent out to the people that were age eligible for the retirement incentive. He explained that the State is not offering an incentive, but a County incentive was offered to the retirees. He further stated that in a State incentive the employees get a month of credit for each year of service up to 36 months and the County pays the State Retirement System for those months.

Mr. Baia stated that he canvassed each department head that would have an employee retiring and each indicated that they would need to have that position filled. Mr. Baia cautioned that the insurance figures could be inaccurate due to the retiree using a different plan than the person who would be hired.

Chairman Stagliano stated that the reason the Department Heads were asked to attend the meeting so that they could comment on Mr. Baia's presentation. If there are no comments, then the Board will entertain a resolution to incorporate the changes into the 2005 Tentative Budget.

Supervisor Dybas questioned the figures of \$152,000, \$44,464 and \$36,174 that were presented on the 2004 Montgomery County Retirement Incentive breakdown sheet and how it will be funded? Mr. Baia stated that \$152,000 will be coming out of the contingency fund and that the \$44,464 and the \$36,174 has been budgeted in Personnel.

Supervisor Schumann stated that she would like to have the total cost of savings to the county.

Supervisor DiMezza stated that he would make a motion to implement the changes on page 2 of the Retirement Incentive Salary & Benefit Cost Comparison Report, seconded by Supervisor Thomas.

Supervisor Dybas stated that additional information is needed from Mr. Baia regarding the payment of health insurance. He stated that the report shows a reduction in cost, but the full reduction is not included and the Board will need this information to understand the total impact.

Supervisor Schumann questioned the insurance premium and how it will effect the County in the future? She also noted that there is a possibility that it could zero out any revenue gains and stated that the resolution that is being proposed is premature due to the incomplete figures.

Chairman Stagliano stated there was a controversy over how to fund the retirement. The best option was to establish a reserve for the monies in this year's Budget for retirement purposes.

Moving on to discussion item #3, Chairman Stagliano stated that there was no point of discussing the Board of Supervisors Tentative Budget due to a consensus that has been determined and it would be pointless to defend his position.

Supervisor Quackenbush disagreed with Chairman Stagliano on his position of the Board of Supervisors Budget and requested a presentation because his opinion could change. Also a lot of the opinions could be uninformed opinions.

Chairman Stagliano stated that the Budget Officer needs to be someone other than an elected official. For an elected official to recommend the things he recommended this year would be impossible. He further stated that the Treasurer would take the departmental requests, and submit them to the Board of Supervisors for their action.

Chairman Stagliano stated that there were a number of proposed cuts by a number of Supervisors that had to do with the MOSA lines. One is the professional services and the other one is a line item that was for advertising. He further explained that Marvin & Co. put a plan together to spend down MOSA's current reserves and apply it towards their current debt, taking a pro-rated portion of the debt with a understanding that MOSA would not go back into debt. This plan would make MOSA competitive with Fulton County.

Chairman Stagliano stated that the problem being is that Otsego County or Schoharie County have no interest with doing away with MOSA. Otsego County takes it out of their budget so it is sitting in a user fee and Schoharie County' subsidy is very little so it is not an issue if they have to subsidize.

Chairman Stagliano stated when you have two parties that are not interested in doing away with MOSA then how do you effect change? They way to effect change is through their constituents so you need professional services, and you need to be able to advertise in the respective counties to inform them that their legislators are not working in their best interest. He felt that was an initiative with the potential of saving Montgomery County up to \$600,000.

Chairman Stagliano stated the last initiative in the Board of Supervisors budget was the "task force" and the net cost of the task force is \$25,000 excluding fringe benefits. Again, Darryl Purinton, an Audit Manager with Marvin & Co., recommended doing certain services internally instead of paying outside people to obtain the same results. One plan was to create an Internal Auditor Position and in order for the position to work it had to come under the umbrella of the Board of Supervisors because it was the Board who would sanction this plan. He further stated that the mission of the task force was to restructure County Government and how it provides its services.

Supervisor Jonker stated that the five (5) new members of the Board of Supervisors were elected because the people voted for change and supports the plan of the task force.

Chairman Stagliano moved on to discuss the Sales Tax calculation. He stated that the current sales tax calculation, with the break down in quarters, is flat in Montgomery County. The numbers vary so sales tax isn't historically a number that we can always count on. We can track it and have been close, but the historical data on the 1% is not consistent.

Supervisor Dybas questioned the calculation of the real sales tax figures and after a discussion it was determined that the figures in question will be updated accordingly and will be provided to the Board.

Chairman Stagliano stated that the Special Meeting scheduled for November 16, 2004 the Board will start to entertain resolutions to amend the 2005 Tentative Operating Budget.

Supervisor Dybas stated that no resolution off the floor will take place on the Special Meeting and suggested that some ground rules should be in place.

Supervisor McMahon suggested that the Board go according to the Departments that are listed in the Tentative Budget so there would be some order to the process.

Chairman Stagliano stated that what he has created on the computer will be transferred over to the Supervisors' Chamber computer and whatever resolutions get passed, the results on the tax rate and the effects on the tax cap will be known immediately.

With no further discussion a Motion to adjourn the Committee of the Whole was made by Supervisor Dybas, seconded by Supervisor Quackenbush. Chairman Stagliano adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
MONTGOMERY COUNTY COURT HOUSE, 58 BROADWAY, FONDA, NY
PUBLIC HEARING
6:00 PM, November 16, 2004

INTRODUCTORY LOCAL LAW NO. 6 OF 2004 - AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE

PUBLIC HEARING DISCUSSION

Chairman Stagliano called the Public Hearing to order at 6:00 p.m.

The following notice was read:

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Montgomery County Court House, 58 Broadway (Route 30A), Fonda, New York at 6:00 p.m. on Tuesday, November 16, 2004 for the purpose of holding a public hearing on Introductory Local Law No. 6 of 2004 - "A Local Law Authorizing The Private Sale Of County-Owned Real Property and Related Assets Not Needed For County Purpose." Property identified as Montgomery Meadows Residential Health Care Facility being located at 100 Sandy Drive, Amsterdam, NY (SBL 55.6-12.1 and SBL 55.6-12.3)

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No. 6 of 2004 are available at the Office of the Chairman of the Board of Supervisors, County Annex Building, Park Street, Fonda, New York where they may be inspected or procured by any interested persons during business hours.

By order of the Board of Supervisors of Montgomery County

Christine Pasquarelli
Clerk of the Board

Chairman Stagliano acknowledged the first speaker:

Cathy Garrison, CSEA Capital Region President, stated that in one week the Board will decide the fate of Montgomery Meadows and the Board is also aware of the position CSEA has taken regarding the sale to a private owner.

Ms. Garrison stated that there has never been an accurate accounting of the budget to the Meadows and the numbers that have been presented have changed every week as projected losses. She further stated that because of this, the Board communicates that there is no alternative left but to sell the Meadows.

Ms. Garrison stated that the Board has shown little regard for the employees of the County who work at Montgomery Meadows. She stated that these workers are also tax payers in Montgomery County, have families and work hard under the toughest conditions. She stated that the Board shows its appreciation for them by keeping them in the dark about their possible future employer and the terms of their employment.

Ms. Garrison stated that if the Board members took time to visit the Meadows they would see first hand that the employees are overworked. Because of the publicity on selling the Meadows, employees have lost hope and choose to seek employment elsewhere creating the situation of a staff shortage.

Ms. Garrison pointed out to the Board if the residents at Montgomery Meadows were their top priority and they had their best interest in mind, they would have made an effort to at least talk with the residents to get a sense of how anxious they were about the changes taking place and the care they will be given.

In closing Ms. Garrison stated that CSEA will continue to represent the interest of its members and will continue to fight until all the questions regarding the Meadows are answered. She further stated that they will be watching the actions of the Board not just at the vote next week, but in the weeks to come and the CSEA will continue to hold the Board accountable.

Jolene Hornbeck, Unit Clerk at the Montgomery Meadows, presented the Board of Supervisors with 500 petitions not to sell the facility. She stated one of her main concerns was that not one Supervisor came to Meadows to address the sale with the residents or with the staff. Ms. Hornbeck noted that on November 16, 2004 she counted 20 postings for positions at the facility and this gap is creating an enormous amount of stress on the current staff.

Ms. Hornbeck stated that the residents and the staff at the Meadows deserve to know the future of the facility and there has not been a conscious effort made by the Board to address any of the issues of concern with the sale to the Providers, Inc.

Ms. Hornbeck further stated that before the sale is finalized she is looking to have some questions answered. She noted compared to the current benefits that the employees are receiving

there are rumors circulating that when the new owner "The Providers, Inc." takes place the benefit package will be reduced. She stated that if the rumor is true, the reduction will have a major impact on the quality of life that will be facing the current employees.

Another concern Ms. Hornbeck had was that the media having information on the sale of the Meadows while the staff did not. The lack of information has created increased anxiety among the residents and if it was provided it would of at least minimized their concerns.

In closing Ms Hornbeck stated that the sale of the Meadows is definitely effecting the residents and the staff. She stressed to the Board that it was their job because they were voted in by the people to take care of not only the residents of the facility, but the employees as well. Ms. Hornbeck asked the Board to look at the whole picture before they vote to sell the Meadows, not just the money issue but the moral issue. She stated that the staff and residents are owed that respect and it should be the Board's moral obligation to take care of the residents.

Phyllis Bullock, resident, Montgomery County, stated that after talking to everyone she supports the Board of Supervisors decision to sell the Montgomery Meadows. It is unfortunate that this needs to be done, but the people will be taken care of.

Susanne Guttenberg, President of The Providers, Inc. stated that her group wanted to bring the Montgomery Meadows into the next century. She stated in their proposal that they considered the employees of the nursing home one of the greatest assets and if the sale is confirmed, The Providers are anxious to employ anyone who wants to continue employment at the Meadows.

Mrs. Guttenberg stated that staff members are very valuable to the residents because of the quality of care that has been provided through the years. She noted that the Providers realize the tremendous shortage of nurses and the people working in this environment have the utmost respect for its workers.

Mrs. Guttenberg stated that she is the CEO of the St. Johnsville Nursing Home and has been in the industry for 14 years and as a nurse she knows first hand what nursing is all about because she has been in the trenches herself.

She stated that she is not the owner of St. Johnsville Nursing Home, but that she does help to develop policies. She noted that St. Johnsville is one of the highest paying employers in the area. She stated that the philosophy at St. Johnsville Nursing Home is that paying a higher wage will attract a good quality staff. She further stated that if you have a happy staff you will have happy residents.

Mrs. Guttenberg explained that The Providers, Inc. do provide hospitalization and other health insurance coverage for the employees, but the coverage for the families are required to contribute to the plan.

Mrs. Guttenberg addressed the question that a for-profit facility would not accept Medicaid patients. She noted that the St. Johnsville Nursing Home admitted more Medicaid patients in 2003 than the Montgomery Meadows and pointed out that there isn't any residential facility who can afford not to admit Medicaid patients because they are 75% of the business nationwide and a facility would be out of business.

In closing, Mrs. Guttenberg wanted to reassure everyone that The Providers, Inc. would provide quality care, the same care that the residents have been receiving at the Meadows. She did acknowledge the staff shortage, but her plan is to work as a team and hopefully the staff at the Meadows will consider joining The Providers, Inc. to be part of that team.

Chairman Stagliano asked if there were any other speakers. With no further speakers, he adjourned the public hearing at 6:30 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
7:00 PM, November 16, 2004

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for November 16, 2004 was called to order at 7:00 p.m. by Chairman Stagliano.

SALUTE TO THE FLAG

Supervisor Dybas led the Salute to the Flag.

ROLL CALL

Roll call indicated that all the Supervisors were present.

OTHER

Chairman Stagliano acknowledged Supervisor Quackenbush, who as Majority Leader, called on his Republican colleagues to enter into a party caucus. Minority Leader, Supervisor Mancini asked for the same with his Democratic colleagues.

Chairman Stagliano allowed time for the party caucuses that commenced at 7:05 p.m.

Members of the Republican caucus consisted of Supervisors Paton, Brodie, McMahon, Strevy, Thomas, Walters, and Sinicropi. Members of the Democratic caucus consisted of Supervisors Schumann, Dybas, DiMezza, Jonker, Cechnicki and Chairman Stagliano.

After the caucus, Chairman Stagliano reconvened the Special Meeting at 7:45 p.m.

STATEMENT OF PURPOSE OF MEETING

Resolutions amending the 2005 Tentative Operating Budget

Chairman Stagliano stated that Resolution #248 is one of the biggest cuts in appropriations for the 2005 Budget. It reduces the cost of health insurance by \$785,000. He further explained that in prior years there have been criticisms in the audit reports faulting the County for over spending on health insurance. He referred the Board to the back up documentation provided which outlined spending from 1998 through 2004.

Chairman Stagliano stated when questioned about the availability of fund balance, in part the fund balance went to pay an under budget or over cost in health insurance of almost \$4 million dollars since 1998. He explained that when the budget was put together he looked at the back up presented from the department and it did not appear to be accurate. He stated that he took the estimated \$5.1 million dollars appropriated for 2004 and added 20% to 2005. This gave an estimated health insurance cost of \$6.2 or \$6.3 million dollars.

Chairman Stagliano stated that the State Comptroller's Office has reviewed the whole budget and one of the primary areas they looked at was the County's Health Insurance Costs to determine if the estimate was reasonable.

Chairman Stagliano stated that since then, he has worked further with the County Treasurer who has compiled a health insurance appropriation that he believes to be an accurate projection for 2005. He referred the Board to the supporting documents provided. He further stated that that was how the proposed reduction in Resolution #248 was attained.

RESOLUTION NO. 248 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVISING HEALTH INSURANCE

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

RESOLVED, that the 2005 Tentative Operating Budget is hereby amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A-10-4-9001-00-8850 Hosp. & Med. Insurance	\$6,354,200	\$5,640,000	\$(714,200)

A-10-4-9001-00-8852	Dental	\$ 141,400	\$ 150,000	\$ 8,600
A-10-4-9001-00-8853	Vi sion	\$ 117,500	\$ 89,500	\$ (28,000)
A-10-4-9001-00-8854	Di sability	\$ 145,800	\$ 94,000	\$ (51,800)
				<u>\$ (785,400)</u>

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

In reference to Resolution #249, Chairman Stagliano stated that as a result of the General Services/Public Works/Solid Waste Committee Meeting on October 12, 2004 and the Full Board Meeting on October 26, 2004, the Board has reduced the per ton subsidy amount to MOSA from \$24 to \$21. The 2005 Budget appropriation for the subsidy was calculated at \$24, not \$21, so the appropriation will need to be reduced accordingly. He stated that this results in a \$124,848 savings to the 2005 budget figures.

RESOLUTION NO. 249 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING MOSA SUBSIDY

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
Refuse & Garbage			
A-01-4-8160-00-4438 MISC SUPPORT SVCS	\$998,784	\$873,936	(\$124,848)

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

In reference to Resolution #250, Chairman Stagliano stated that at the General Services/Public Works/Solid Waste Committee Meeting on October 12, 2004 the Superintendents of the Highway Departments were present and expressed their dissatisfaction to reduce the \$500.00 a mile from the towns on the snow removal contract for a one year period and because of the consensus he recommended the reinstatement of the Snow Removal Contract.

RESOLUTION NO. 250 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING DPW SNOW CONTRACT

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A 06 4 9900 00 9901 Trans to Co. Road Fund	\$2,240,809	\$2,318,199	\$197,390
D 12 3 5031 00 Interfund Transfer	\$2,240,809	\$2,318,199	\$197,390
D 12 4 5142 00 4469 Snow Contracts	\$ 986,950	\$1,184,340	\$197,390

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Dybas stated concerns that information pertaining to FICA and other fringe benefits calculations were not listed in Resolution #251. Chairman Stagliano reassured Supervisor Dybas that there will be a final resolution, before the budget is adopted, that will have all the calculations and will clear up the inaccuracies.

Supervisor Schumann stated that she also had concerns with Resolution #251 because she was not provided with the corresponding projected health insurance calculations of the retirees that she

has requested in previous meetings. Without this, she stated she was unable to evaluate the net savings that will result from having a retirement incentive.

RESOLUTION NO. 251 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RETIREMENT INCENTIVE LINE ITEM CHANGES

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
Treasurer:				
A-06-4-9900-00-9901	TRANS TO ROAD (D) FUND	\$2,318,199	\$2,314,713	(\$ 3,486)
A-06-4-9900-00-9961	TRANS TO MEADOWS (EH) FUND	\$2,537,969	\$2,515,725	(\$22,244)
County Clerk:				
A-08-4-1410-00-1110				
332	SENIOR CLERK TYPYST	\$ 22,654	\$ 21,654	(\$ 1,000)
A-08-4-1410-00-1110				
381	INDEX/RECORDING CLERK	\$ 27,244	\$ 23,934	(\$ 3,310)
A-08-4-1410-00-1110				
1268	PRINCIPAL CLERK	\$ 24,964	\$ 22,795	(\$ 2,169)
Public Health:				
A-16-4-4010-00-1110				
298	PRINCIPAL CLERK	\$ 25,819	\$ 0	(\$25,819)
A-16-4-4010-00-1120				
704	PRINCIPAL CLERK- P/T	\$ 0	\$ 15,000	\$15,000
Data Processing:				
A-14-4-1680-00-1110				
88	DATA ENTRY MACHINE OPERATOR	\$ 22,654	\$ 0	(\$22,654)
A-14-4-1680-00-1110				
705	DATA ENTRY/COMPUTER OPER	\$ 0	\$ 22,795	\$22,795
Personnel :				
A-10-4-1430-00-1110				
360	PERSONNEL ASSISTANT	\$ 32,455	\$ 0	(\$32,455)
A-10-4-1430-00-1120				
706	PERSONNEL ASSISTANT - P/T	\$ 0	\$ 14,500	\$14,500
Sheriffs Dept. :				
A-15-4-3020-14-1110				
483	DEPUTY SHERIFF LIEUTENANT	\$ 36,021	\$ 0	(\$36,021)
A-15-4-3020-14-1110				
707	DISPATCHER	\$ 0	\$ 23,934	\$23,934
DPW:				
A-12-4-1620-00-1110				
425	CLEANER	\$ 24,395	\$ 0	(\$24,395)
A-12-4-1620-00-1110				
149	STRUCTURAL MAINT. HELPER	\$ 22,795	\$ 0	(\$22,795)
A-12-4-1620-00-1110				
149	STRUCTURAL MAINT WORKER	\$ 26,659	\$ 0	(\$26,659)
Social Services:				
A-18-4-6010-00-1110				
537	SENIOR CLERK TYPYST	\$ 22,654	\$ 0	(\$22,654)
Road Fund:				
D-12-4-5010-00-1110				
502	PRINC ACCOUNT CLERK TYPIST	\$ 26,959	\$ 25,359	(\$ 1,600)
D-12-4-9001-00-8810	FICA	\$ 27,981	\$ 26,095	(\$ 1,886)

Meadows:

EH-34-4-6020-00-1110	166 LEISURE TIME ACTIV. AIDE	\$	23,825	\$	20,972	(\$ 2,853)
EH-34-4-6020-00-1110	44 CLEANER	\$	24,110	\$	21,654	(\$ 2,456)
EH-34-4-6020-00-1110	143 PATIENTS ACCOUNT WORKER	\$	22,654	\$	0	(\$22,654)
EH-34-4-6020-00-1120	708 PATIENTS ACCOUNT WORKER PT	\$	0	\$	11,500	\$11,500
EH-34-4-6020-00-1110	208 C N A	\$	23,254	\$	21,654	(\$ 1,600)
EH-34-4-6020-00-1110	204 C N A	\$	22,954	\$	21,654	(\$ 1,300)
EH-34-4-6020-00-1110	167 LEISURE TIME ACTIV. AIDE	\$	22,272	\$	20,972	(\$ 1,300)
EH-34-4-9001-00-8810	FICA	\$	303,107	\$	301,626	(\$ 1,481)

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 252 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS

Resolution by Supervisor: Strevy

Seconded by Supervisor: Di Mezza

RESOLVED, that the 2005 Tentative Operating Budget of the County of Montgomery hereby is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A 12 4 1620 00 1110(149) Hourly Employees	\$ 242,464	\$ 184,234	(\$ 58,230)
A 12 4 1490 00 1110(501) Executive Secretary	\$ 0	\$ 26,359	\$ 26,359
A 12 4 1620 00 1110(427) Struc Maint Sup II	\$ 0	\$ 31,232	\$ 31,232
A 06 4 9900 00 9901 Trans to Co. Road Fund	\$2,314,713	\$2,339,530	\$ 24,817
A 06 4 9900 00 9903 Trans to Rd. Mach Fund	\$ 31,734	\$ 29,108	(\$ 2,626)
D 12 3 5031 00 Interfund Transfer	\$2,314,713	\$2,339,530	\$ 24,817
D 12 4 3310 00 1110(277) Hourly Employees	\$ 29,523	\$ 52,576	\$ 23,053
D 12 4 9001 00 8810 FICA	\$ 26,095	\$ 27,859	\$ 1,764
DM 12 3 5031 00 Interfund Transfer	\$ 31,734	\$ 29,108	(\$ 2,626)
DM 12 4 5130 00 1110(148) Hourly Employees	\$ 114,642	\$ 141,682	\$ 27,040
DM 12 4 9001 00 8810 FICA	\$ 11,334	\$ 13,402	\$ 2,068

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano stated that Social Services Commissioner William Cranker has informed the Board that the State has reduced funding for Foster Care, Adoption & Child Preventive Services in 2005. Resolution 253 is required because the 2005 Tentative Budget does not reflect that loss of funding.

RESOLUTION NO. 253 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVENUE ADJUSTMENTS (SOCIAL SERVICES)

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

RESOLVED, that the 2005 Tentative Operating Budget is hereby amended as follows:

Account	From	To	Inc/(Dec)
A 18 3 3610 State Aid-Administration	\$ 824,963	\$ 819,542	(\$ 5,421)
A 18 3 3619 State Aid-Child Care	\$ 577,585	\$ 392,236	(\$ 185,349)
A 18 3 3623 State Aid-Administration	\$ 347,325	\$ 255,098	(\$ 92,227)
A 18 3 4610 Federal Aid-Administration	\$2,659,529	\$2,582,909	(\$ 76,620)

A 18 3 4670	Fed Aid-Svcs for Recipients	\$	19,300	\$	14,213	(\$	5,087)

						(\$	364,704)

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano stated that Resolution #254 is being proposed because Sheriff Amato has indicated that his department has applied to the Federal Government for a rate increase to house federal prisoners at the Public Safety Facility. Sheriff Amato referred to the backup documentation submitted to Chairman Stagliano, and stated that he believes that based on his request, that rate increase would provide \$175,000 or more of additional revenue, depending on what was approved by the Feds. Chairman Stagliano stated Resolution #255 shows an increase to the Federal Revenue line of \$150,000 to be conservative.

RESOLUTION NO. 254 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING JAIL CONTRACTUAL LINE ITEMS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-15-3-2264	JAIL FACILITY OTHER GOVT	\$850,000	\$1,000,000	\$150,000

ACCOUNT		FROM	TO	INC/(DEC)
A-15-4-3150-00-4408	OFFICE SUPPLIES	\$1,800	\$ 3,500	\$ 1,700
A-15-4-3150-00-4410	UTILITIES	\$ 600	\$ 7,000	\$ 6,400
A-15-4-3150-00-4422	EQUIPMENT RENTAL/LEASE	\$3,800	\$10,797	\$ 6,997
A-15-4-3150-00-4441	GASOLINE AND DIESEL FUEL	\$1,200	\$ 5,500	\$ 4,300
A-15-4-3150-00-4444	CUSTODIAL	\$6,260	\$ 9,500	\$ 3,240
A-15-4-3150-00-4449	SPECIAL SUPPLIES & MATER.	\$8,000	\$10,000	\$ 2,000
A-15-4-3150-00-4455	TRAINING	\$1,500	\$ 2,300	\$ 800
A-15-4-3150-00-4470	TRAVEL: RELATED COSTS	\$1,200	\$ 2,000	\$ 800

				\$26,237

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

In regard to Resolution #255, Chairman Stagliano stated that Sheriff Amato has submitted several increases in revenue that he has gained by working with the entities that he currently contracts with. These revenues along with additional revenues from the Corrections facility will help to provide for reinstatement of the Road Patrol.

RESOLUTION NO. 255 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING SHERIFF'S ROAD PATROL

Resolution by Supervisor: Full Board

Seconded by Supervisor:

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-15-3-1270	SHARED SERVICE CHARGES	\$ 42,728	\$ 77,662	\$ 34,934
A-15-3-1289	OTHER GOV INCOM	\$ 900	\$ 1,200	\$ 300
A-15-3-1510	SHERIFF'S FEES	\$ 70,000	\$ 75,000	\$ 5,000
A-15-3-2260	PUBLIC SFTY SVCE-OTHER GOVT	\$ 0	\$ 41,717	\$ 41,717
A-15-3-2414	RENTAL OF OTHER EQUIP	\$ 3,600	\$ 18,000	\$ 14,400
A-15-3-2665	SALE OF EQUIPMENT	\$168,000	\$ 2,000	(\$166,000)
A-15-3-3308	TRANSPORT OF PRISONERS	\$ 6,000	\$ 6,500	\$ 500
A-15-3-3389	OTHER PUBLIC SAFETY	\$ 0	\$ 37,454	\$ 37,454

A-15-4-3110-00-1110

(3)	Deputy Sheriff	\$	0	\$ 31,943	\$ 31,943
(38)	Deputy Sheriff	\$	0	\$ 31,443	\$ 31,443
(68)	Deputy Sheriff	\$	0	\$ 30,443	\$ 30,443
(429)	Deputy Sheriff	\$	0	\$ 31,934	\$ 31,943
(434)	Deputy Sheriff Investigator	\$	0	\$ 33,328	\$ 33,328
(436)	Deputy Sheriff	\$	0	\$ 30,443	\$ 30,443
(438)	Deputy Sheriff Investigator	\$	0	\$ 33,988	\$ 33,988
(482)	Deputy Sheriff Sergeant	\$	0	\$ 33,238	\$ 33,238
(484)	Deputy Sheriff	\$	0	\$ 30,443	\$ 30,443
(524)	Deputy Sheriff Lieutenant	\$	0	\$ 35,271	\$ 35,271
(637)	Deputy Sheriff Sergeant	\$	0	\$ 33,488	\$ 33,488
(638)	Deputy Sheriff	\$	0	\$ 30,443	\$ 30,443
(639)	Deputy Sheriff	\$	0	\$ 30,693	\$ 30,693
(640)	Deputy Sheriff	\$	0	\$ 30,693	\$ 30,693
(898)	Deputy Sheriff Investigator	\$	0	\$ 33,988	\$ 33,988
(1115)	Deputy Sheriff	\$	0	\$ 30,443	\$ 30,443
(1116)	Deputy Sheriff	\$	0	\$ 30,693	\$ 30,693
(1117)	Deputy Sheriff	\$	0	\$ 31,943	\$ 31,943

A-15-4-3110-00-1111

(1212)	OVERTIME PAY	\$	0	\$ 50,000	\$ 50,000
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A-15-4-3110-00-1113

(1213)	SHIFT DIFFERENTIAL	\$	0	\$ 40,700	\$ 40,700
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A-15-4-3110-00-1125

(307)	OTHER COMPENSATION	\$	0	\$ 14,728	\$ 14,728
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A-15-4-3110-00-1125

(347)	OTHER COMPENSATION/RAISES	\$	0	\$ 2,814	\$ 2,814
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A-15-4-3110-00-1140

(966)	SICK LEAVE BUY-BACK	\$	0	\$ 300	\$ 300
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A-15-4-3110-00-1150

(485)	ALLOWANCES	\$	0	\$ 2,100	\$ 2,100
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A-15-4-3110-00-4408 OFFICE SUPPLIES

\$	500	\$ 3,500	\$ 3,000
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A-15-4-3110-00-4410 UTILITIES

\$	0	\$ 37,608	\$ 37,608
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A-15-4-3110-00-4422 EQUIPMENT RENTAL/LEASE

\$	0	\$ 88,392	\$ 88,392
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A-15-4-3110-00-4436 MEDICAL FEES

\$	0	\$ 3,500	\$ 3,500
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A-15-4-3110-00-4438 MISC. SUPPORTING SERVICES

\$	0	\$ 5,000	\$ 5,000
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A-15-4-3110-00-4441 GASOLINE AND DIESEL FUEL

\$	3,000	\$ 32,000	\$ 29,000
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A-15-4-3110-00-4444 CUSTODIAL

\$	0	\$ 2,000	\$ 2,000
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A-15-4-3110-00-4447 CLOTHING & UNIFORMS

\$	600	\$ 20,000	\$ 19,400
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A-15-4-3110-00-4449 SPECIAL SUPPLIES & MATER.

\$	0	\$ 13,000	\$ 13,000
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A-15-4-3110-00-4453 POSTAGE EXPENSES

\$	0	\$ 70	\$ 70
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A-15-4-3110-00-4455 TRAINING

\$	0	\$ 3,500	\$ 3,500
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A-15-4-3110-00-4470 TRAVEL: RELATED COSTS

\$	500	\$ 1,800	\$ 1,300
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A-15-4-3110-00-4587 K-9 SUPPLIES

\$	0	\$ 800	\$ 800
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A-15-4-3150-00-1110

(854)	ACCOUNT CLERK TYPIST	\$	0	\$ 9,979	\$ 9,979
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A-10-4-9001-00-8810 FICA

INCREASE TO	\$ 793,416
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A-10-4-9001-00-8830 WORKERS COMPENSATION

INCREASE TO	\$ 510,627
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A-10-4-9001-00-8840 UNEMPLOYMENT

DECREASE TO	\$ 218,400
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A-10-4-9001-00-8851 HEALTH INSURANCE BUYBACK

INCREASE TO	\$ 142,400
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RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann stated that she will need to withdraw her sponsorship on Resolution #256 due to the fact that should it pass, she would be working on the legislation at the State level. Supervisor Mancini picked up sponsorship on the Resolution.

RESOLUTION NO. 256 of 2004**DATED:** November 16, 2004

RESOLUTION RECOMMENDING THE STATE LEGISLATURE AMEND SUCH SECTIONS OF THE NEW YORK STATE TAX LAW TO AUTHORIZE THE COUNTY OF MONTGOMERY TO INCREASE MORTGAGE RECORDING TAX AND EXPEND SAME IN ANY APPROPRIATE MANNER

Resolution by Supervisor: Mancini

Seconded by Supervisor: Cechnicki

WHEREAS, it has been determined that, in light of the fiscal challenges it is now facing, it is appropriate to raise revenues by increasing the mortgage recording tax for mortgages recorded within Montgomery County, which proceeds shall be utilized for County purposes, and

WHEREAS, the Board of Supervisors has determined that an additional recording tax of fifty cents for each one hundred dollars of real property secured by a mortgage is appropriate, and

WHEREAS, in order for the County to enact appropriate legislation providing for the additional mortgage tax, the New York State Legislature must amend the New York State Tax Law,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports and advocates the introduction and passage of an amendment to the New York State Tax Law to authorize the County of Montgomery to increase said mortgage tax amount by fifty cents for each one hundred dollars of real property secured by a mortgage and further allowing the additional mortgage recording tax to be paid to the Montgomery County Treasurer for deposit in the Montgomery County General Fund to be utilized for County purposes.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano stated that the enabling Resolution #256 passed, Resolution #257 allows the Board to recognize that revenue in the 2005 Budget. He stated that the County Treasurer has projected Mortgage Tax with the increase, based on historical data and it is his estimation that 7 months revenue would be a realistic number to amend into the tentative budget, since it will take the State and the Governor time to pass the legislation.

RESOLUTION NO. 257 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - CREATION OF COUNTY MORTGAGE TAX REVENUE LINE ITEM

Resolution by Supervisor: Schumann

Seconded by Supervisor: Cechnicki

WHEREAS, the Board of Supervisors has asked the State Legislature to consider its request for an increase in the County's Mortgage Recording Tax fee, and

WHEREAS, said increase would be retained in the County's General Fund and utilized for County purposes, and

WHEREAS, it is anticipated that said request shall result in a revenue of approximately \$195,000 in the 2005 Operating Budget,

RESOLVED, that the 2005 Tentative Operating Budget is hereby amended as follows:

ADD REVENUE ACCOUNT LINE #A-06-3-3005 \$195,000

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano stated that at the Economic Development/Agriculture & Planning Committee Meeting held October 12, 2004 recommended not to eliminate the position and further stated that the Montgomery County Industrial Development Agency (IDA) has provided the department additional money to reinstate this position that they deemed necessary.

RESOLUTION NO. 258 of 2004

DATED: November 16, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ECONOMIC OPPORTUNITY AND DEVELOPMENT

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2005 Tentative Operating Budget of the County of Montgomery hereby is amended as follows:

INCREASE REVENUE:

ACCOUNT		FROM	TO	INC/(DEC)
A. 24. 3. 2189.	Home&Comm Serv Dept Inc	\$ 89,500	\$ 122,000	\$ 32,500

INCREASE APPROPRIATIONS:

ACCOUNT		FROM	TO	INC/(DEC)
A. 24. 4. 6430.00.1110.674	Sr. EOD Spec/Fin. Anal.	\$ 0	\$ 31,920	\$ 31,920
A. 24. 4. 6430.00.4459	Computer Software	\$ 0	\$ 500	\$ 500
A. 10. 4. 9001.00.8840	Unemployment Insurance Decrease			(\$ 10,400)

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors

In regard to Resolution #259, Chairman Stagliano referred to the November 16, 2004 Committee of the Whole Meeting in which Sales Tax calculations were reviewed. It was in that meeting that it was determined that the estimated Sales Tax figure in the 2005 Tentative Budget may be slightly lower than historical data would estimate it to be. Resolution #259 calls for an increase in the Sales Tax Revenue based on those calculations.

RESOLUTION NO. 259 of 2004**DATED:** November 16, 2004**RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - RESTORING CORNELL COOPERATIVE EXTENSION FUNDING**

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Thomas

WHEREAS, Cornell Cooperative Extension is an important part of the economic and cultural foundation of Montgomery County, and;

RESOLVED, that the 2005 Tentative Budget is amended as follows:

ACCOUNT NUMBER	FROM	TO	INC/(DEC)
A-06-3-1110	\$12,200,000	\$12,319,000	\$119,000
A-01-4-8751-00-4575 Operational (Coop Ext)	\$ 0	\$ 119,000	\$119,000

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 260 of 2004****DATED:** November 16, 2004**RESOLUTION ESTABLISHING A PUBLIC HEARING ON 2005 TENTATIVE OPERATING BUDGET**

Resolution by Supervisor: Dybas

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 2005 Tentative Operating Budget at the Montgomery County Court House, 58 Broadway, Fonda, New York at 6:00 pm on Tuesday, December 7, 2004, 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 2005 are available at her 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 Sinicropi, Jr., in the RESOLVED clause to change the time of the meeting from 6:00 p.m. to 7:00 p.m., passed with Aye(1868). (11/16/2004)

RESOLUTION ADOPTED with Aye(1868). (11/16/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

After the final resolution was passed Chairman Stagliano stated that the Tentative Budget as amended is currently \$212,872 over the constitutional tax limit. He stated that there will be another Special Meeting to continue amending the Tentative Budget which will be scheduled will be on November 30, 2004.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Quackenbush, seconded by Supervisor Mancini, passed with Aye (1868).

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
TOWN OF AMSTERDAM TOWN HALL
PUBLIC HEARING
7:00 PM, November 17, 2004

PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

PUBLIC HEARING DISCUSSION

Town of Amsterdam Supervisor DiMezza called the Public Hearing to order at 6:45 p.m.

Present: Town Supervisor DiMezza, Christine Pasquarelli, Clerk of the Board, Michael Yevoli, Director of Economic Opportunity and Development/Planning

The following notice was read:

PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Montgomery will hold public hearings at the Town of Amsterdam Office Building located at 283 Manny's Corners Road, Amsterdam, New York. Said public hearings will take place on November 17, 2004 at 6:45 p.m. and December 8, 2004 at 11:00 a.m. regarding the proposed use of Community Development Block Grant funds.

The purpose of the Economic Development Program's Community Development Block Grant Application is to fund eligible economic development activities.

The Board of Supervisors has directed that the Economic Development Program's Community Development Block Grant Application address needs related to Economic Development and job creation and retention activities, consisting of a single year commitment in the amount of \$615,000.

The Board of Supervisors is considering applying for funding related to the Power Pallet, Inc. project located on State Highway 30 in the Town of Amsterdam. This project will result in the retention of 70 full time jobs in New York State and the creation of at least 50 new full time jobs within three years of project approval in Montgomery County.

Citizens will be afforded an opportunity to review and comment upon program objectives, consolidated and abbreviated plans and the application, prior to submission.

FURTHER NOTICE is hereby given that copies of said documents are available at the Office of the Montgomery County Economic Opportunity and Development Department, Old County Court House, Park Street, Fonda, New York, where they may be inspected or procured by any interested person during business hours.

By order of the Board of Supervisors of Montgomery County.

Christine Pasquarelli
Clerk of the Board
Dated: November 1, 2004

Town Supervisor DiMezza asked whether anyone from the public wished to speak. No one spoke. Town Supervisor DiMezza adjourned the public hearing at 6:48 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, November 23, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for November 23, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Strevy led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Brodie, Sinicropi, Schumann, Dybas, Mancini, Di Mezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present.

PRIVILEGE OF THE FLOOR

PRESENTATION

A proclamation was read by Canajoharie Supervisor Robert McMahon, honoring Dorothy Russ, a resident of Canajoharie who in the month of November has been named by the Montgomery County Office of the Aging as the 2004 Montgomery County "Caregiver of the Year".

Kathy Rivers representing the Office of the Aging thanked Chairman Stagliano, Supervisor McMahon and the Board of Supervisors for allowing this opportunity to honor Dorothy and her wonderful family.

PUBLIC COMMENT

Chairman Stagliano stated that there are a number of speakers for the public comment portion of the meeting and requested that the speakers limit their time to three minutes.

Cathy Garrison, CSEA Capital Region President, stated that she has been speaking at the meetings for the last 9 months and wanted to stress to the Board once again the issues they will be voting on tonight.

Ms. Garrison made reference to tonight's presentation that was given by Supervisor McMahon for the "Care Giver of the Year" and wanted to remind the Board of Supervisors that the employees at the Meadows are valuable care givers.

Ms. Garrison stated that if the Board of Supervisors vote yes on the resolution tonight, then they are voting to fire 160 employees. She stressed that other counties are facing similar situations as Montgomery County, but the other counties are working with the CSEA on issues because they know the value of their work force.

Ms. Garrison noted that if the Board was trying to justify the vote by believing the new provider will hire all the employees at the equivalent wages and benefits they are not being realistic.

Ms. Garrison stated that if the Meadows is sold tonight, it further demonstrates that the residents are not the Board's first priority and stressed that this vote will not only fire the employees at the Meadows, it will not provide long term health care for the residents of Montgomery County.

Theresa Jurevicius, resident in the City of Amsterdam and a commuter on Brown Coach. She has appeared before the Board to express her frustration with a current rate increase in the mass transportation service. She also discussed the poor customer service she was experiencing from Brown's Coach. She cited examples of the "nasty grams" she had received from the bus company and the ultimatums that commuters were given when they complained to Brown's.

Ms. Jurevicius noted that the three (3) buses that Montgomery County provides for the service are not being utilized to shuttle workers to the Albany area, but are being used for other means. She also pointed out in addition to the numerous times the bus is late, there are safety and health issues that have not been addressed by Brown's.

Sue Mosier, resident of Amsterdam questioned if there is a price cap in the contract as to what Brown Coach can charge. She also noted a concern regarding the subsidy that the company was

receiving and the restrictions that Brown's imposes on the commuters when purchasing tickets.

Kristin Olechowski, resident of Amsterdam and a commuter on Brown Coach submitted to the Board a letter with concerns from the group of the commuters along with a copy of the printed ticket that includes other bus lines. She referenced the tickets and pointed out that they are not dated or nor do they have any restrictions. Her complaint was that the tickets that are purchased from Brown's Coach are dated on a weekly basis and have unreasonable restrictions. Ms. Olechowski as an example, stated that if during the week, a commuter is ill or an emergency arises, the unused ticket cannot be carried over to the following week which she believes is unfair.

Tom Hotaling, resident of Gloversville and a commuter stated that he has an issue when an erroneous overpayment of fares was made to Brown's Coach. He noted that he has made numerous phone calls to the bus company and they continue to ignore his request for a refund.

Robert Mahar, resident of Johnstown and a commuter stated that he is legally blind and that the buses are not handicap accessible. He further stated that if he does not use the bus for transportation to his place of employment he will be forced to quit his job and the end result would be collecting welfare.

Maggie Ahrens, resident of Fort Plain has been riding the Brown Coach for 18 years and stated that within the last couple of years it has deteriorated. She cited that the commuters would be stranded for up to 1 1/2 hours because the Bus would be doing other bus runs not associated with mass transportation program provided by Montgomery County.

Ms. Ahrens also stated that the buses are not being cleaned on a routine basis and the complaints to Brown's are being ignored. It is getting worse and requested an investigation into the allegations.

Supervisor Mancini, Chairman of the Public Safety Committee, stated that the complaints that are being presented tonight need to be addressed at his next Public/Safety Committee meeting.

Chairman Stagliano stated that all the complaints have been forwarded to the Department of Transportation for an investigation.

Jill Bailie said that she has been taking the bus for 3 years and stated that because the schedule for pick up is not consistent it becomes a safety issue for the commuters waiting to be picked up after dark. She also stated her frustration with contacting the bus company after 4:00 p.m. when the commuters are stranded and are only able to reach an answering machine.

Veronica (Ronnie) Cetnar expressed her concern regarding the rate increase also and questioned if the Department of Transportation had to be notified. Chairman Stagliano noted that under the contract Brown's Coach has to give a 30 day notice to the commuters regarding the rate increase.

Jolene Hornbeck, Ward Clerk at the Montgomery Meadows reiterated what Cathy Garrison has stated regarding the sale of the Meadows and noted that the vote tonight will be to fire her and questioned if this decision the Board will be making is in the best interest of the County.

Ms. Hornbeck stated that if the Meadows does get transferred to the Providers, Inc. the effects will create hardships for the workers; the reduced benefits will result in not being able to afford the insurance, ultimately resulting in employees applying for Social Services. In closing she would hope that the Board of Supervisors would make the right decision.

Chairman Stagliano asked if there were any other speakers. With no further speakers, he adjourned the public hearing at 7:40 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Quackenbush, seconded by Supervisor Sinicropi, Jr., passed with Aye(1732). Supervisor Dybas voted Nay.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Quackenbush, passed with Aye(1868).

UNFINISHED BUSINESS

Supervisor Cechnicki stated that on Resolution #245, (Establishing a Public Referendum on the Question of Alternative Forms of County Government) he is proposing an amendment to the resolution to remove the question regarding County-wide assessing because of some concerns that Supervisors have expressed in the original text.

Chairman Stagliano stated that Supervisor Cechnicki choose the County President Form of Government in which the County resident would serve in the capacity of an elected County

Executive who would administer the County was because it is the only form of government that retains the Board of Supervisors.

Supervisor McMahon stated his concern regarding the alternative form of government and the candidate could be elected based on his or her popularity rather than his/her competence or qualifications to do the job.

Supervisor Quackenbush stated that resolution #245 states that the Board is only choosing to involve the residents of Montgomery County to voice their opinion on the Alternative Form of County Government.

Chairman Stagliano confirmed that what the Board is voting on is to have the residents of Montgomery County decide if they want an Alternative Form of Government and did stress that this could very well be a popularity vote. He further noted that there will be three (3) public hearings held to explain to the residents just what is intended by the Board of Supervisors which will give the public the opportunity to be heard.

Chairman Stagliano suggested creating teams for the Public Hearings that are pro and con on the issue of adopting an alternative form of government, but the details of the teams would need to be worked out. The goal would be to have all the accurate information presented to the constituents so when it comes time to vote it will be an informed vote.

Supervisor Walters stated that the Board needs to look at what is wrong with the County to make change and believe that that could not be accomplished by changing the form of government. He further stated that 90% of the people will not go to the public hearings and if they vote to change the form, they will vote because they are mad at the County and feels this is not the right time for the change.

Chairman Stagliano stated that this is an uphill battle and typically people do not want to change their form of government and cited the outcome in Cortland County regarding the treasurer. The proposal was to change the position from an elected to an appointed official which became a highly contested issue resulting in keeping the treasurer as an elected official.

Supervisor Dybas stated that anytime the people are given a choice, it is viewed as a very open and very fundamental form of government.

After a lengthy discussion, a motion to call the question by Supervisor Quackenbush, seconded by Supervisor McMahon was passed.

RESOLUTION NO. 245 of 2004

DATED: October 26, 2004

RESOLUTION ESTABLISHING A PUBLIC REFERENDUM ON THE QUESTION OF ALTERNATIVE FORMS OF COUNTY GOVERNMENT

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Schumann

WHEREAS, the power vested in the government of Montgomery County comes directly from its citizens, in a nation of longstanding traditions of government of, by, and for the people; and

WHEREAS, in 1789, this nation was founded through a process that included its people, namely through public support in ratifying the Constitution of the United States, a document that endures even today; and

WHEREAS, the counties of the State of New York, being creatures of said State, are endowed with their own power to choose their form of government; and

WHEREAS, the selection of a form of government should be a deliberative process, involving the citizens of the political subdivision so that the will of the majority may be effected; and

WHEREAS, at the present time the County of Montgomery faces enormous fiscal challenges, brought about by a stagnant tax base and increasing costs, that require a government that is consolidated and efficient; and

WHEREAS, the people of Montgomery County deserve to have a voice in improvement and updating of their county government, and said voice is most appropriate via a public referendum;

RESOLVED, in accordance with Article 14, Sections 650, 652, 653, and 655 of the Alternative County Government Law, the Board of Supervisors does hereby establish a referendum on alternative forms of government to be held on the next succeeding general election in an odd-numbered year, namely November 8, 2005, and;

FURTHER RESOLVED, that the questions posed to the electors of Montgomery County on said date of referendum shall be:

"Shall the county of Montgomery adopt the county president form of government?"

"If the county president form is adopted, shall the county have county assessment of property for the towns, villages, cities, and school districts in the county?"

FURTHER RESOLVED, that the Board of Supervisors shall hold no fewer than three public information sessions regarding the nature and consequence of the referendum and potential changes to the governmental structure to foster a well informed citizenry in anticipation of the referendum; and

FURTHER RESOLVED, that at least one of the aforementioned public information sessions shall occur no sooner than 45 days prior to the referendum

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Cechnicki, was defeated with Aye(689). Supervisors Schumann, Dybas, Mancini, Jonker, Cechnicki and Stagliano voted Aye. Supervisor Brodie was absent. (10/26/2004)

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Sinicropi, Jr., was defeated with Aye(735). Supervisors Sinicropi, Jr., DiMezza, McMahon, Walters, Strevy and Thomas voted Aye. Supervisor Dybas abstained. Supervisor Brodie was absent. (10/26/2004)

MOTION TO TABLE, by Supervisor Schumann, seconded by Supervisor Cechnicki, passed with Aye(1178). Supervisors Strevy, Quackenbush and Paton voted Nay. Supervisors Brodie and McMahon were absent. (10/26/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Quackenbush, seconded by Supervisor Cechnicki, passed with Aye(1725). Supervisor McMahon voted Nay. (11/23/2004)

MOTION TO AMEND by Supervisor Cechnicki, seconded by Supervisor Schumann, in the first FURTHER RESOLVED clause strike "If the county president form is adopted, shall the county have county assessment of property for the towns, villages, cities and school districts in the county?" passed with Aye(1592). Supervisors Sinicropi, Jr. and Schumann voted Nay. (11/23/2004)

MOTION TO CALL THE QUESTION by Supervisor Quackenbush, seconded by Supervisor Mancini, passed with Aye(1729). Supervisor Schumann voted Nay. (11/23/2004)

RESOLUTION ADOPTED with Aye(1539). Supervisors Sinicropi, Jr., McMahon and Walters voted Nay. (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

Supervisor Quackenbush, on Resolution #261, to sell the Montgomery Meadows to the Providers, Inc. wanted to reassure the Board of their intentions regarding the employees at the Meadows and feels that the new owners will provide an atmosphere of stability for the employees. He stated that he would be voting yes on the sale of the Meadows.

RESOLUTION NO. 261 of 2004

****See Appendix for Resolution Attachment****

DATED: November 23, 2004

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #6 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE (MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: McMahon

WHEREAS, on October 26, 2004 a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property & Related Assets, Not Needed for a County Purpose" (Montgomery Meadows Residential Health Care Facility) was presented to the Board of Supervisors for consideration, and

WHEREAS, on October 26, 2004 Resolution No. 235 of 2004 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 16th day of November, 2004, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 6 of 2004, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property & Related Assets, Not Needed for a County Purpose" (Montgomery Meadows Residential Health Care Facility) 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(1377). Supervisors Brodie, Schumann, Paton and Cechnicki voted Nay. (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano stated that on Resolution #262 (Establishing a Retirement Contribution Reserve Fund) that it was the State Legislature's intent to give municipalities a one year reprieve. By creating this reserve, the appropriated money in the 2004 Budget would be reserved to use in 2005.

Chairman Stagliano did note that now the accountants and the State Comptroller's Office have gotten involved with the State's decision to push out the payment of the retirement contribution and that he was notified today that there is a possibility of yet another change in the plan that might be forthcoming.

Supervisor Quackenbush questioned if the reserve that is being set up could it be used to off set future expenses in other departments. Treasurer, Shawn Bowerman, stated no that the monies can only be used for retirement purposes.

RESOLUTION NO. 262 of 2004

DATED: November 23, 2004

RESOLUTION ESTABLISHING RETIREMENT CONTRIBUTION RESERVE FUNDS

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County, in its 2004 Operating Budget, appropriated monies to provide for payment of the 2004 Retirement Contribution, and

WHEREAS, the State Comptroller has determined that said Contribution may be paid in a municipality's 2005 Operating Budget,

WHEREAS, under NYS General Municipal Law, Article 2, Section 6R, the governing board of a municipality by resolution may establish a retirement contribution reserve fund for the purpose of financing retirement contributions, and

WHEREAS, it is the desire of the Board of Supervisors to reserve previously appropriated monies to be utilized for future retirement contribution appropriations,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes a Retirement Contribution Reserve Fund for each of the following:

General Fund (A)	\$ 830,913
County Road Fund (D)	\$ 60,520
Road Machinery Fund (DM)	\$ 39,710
Montgomery Meadows (EH)	\$ 302,600
Montgomery County Sanitary District #1 (G)	\$ 8,500
Self Insurance Fund (MS)	\$ 842

	\$1,243,085

, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for the establishment of said funds in accordance with NYS General Municipal Law.

RESOLUTION ADOPTED with Aye(1868). (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Dybas questioned if the work regarding Resolution #263 (County-wide Telephone System) had been done in the year 2004. Chairman Stagliano stated "no". Supervisor Dybas also questioned if the County was going to bond for the project. Chairman Stagliano replied "yes".

Supervisor Schumann had some questions of concern regarding the large discrepancy in the numbers from Gaffney Communications and the other RFP's that have been received for the County Wide Telephone System.

Sean Walsh of the Myers Group addressed the Board of Supervisors regarding the concerns on the bid from Gaffney Communications and stated that he has had conversations and suggested that they recheck their numbers. Mr. Walsh stated that Gaffney Communications has rechecked their numbers and are standing by the numbers submitted. He also noted that the bid prices are covered by a performance bond to guarantee that the project will be completed as specified.

When questioned by Supervisor Schumann regarding awarding all three parts of the bid, Mr. Walsh recommended not to award the maintenance contract for the first year because the equipment will be covered under warranty.

Supervisor Schumann stated to the Board that she had contacted Canajoharie Central School where Gaffney Communications completed their telephone system and they had expressed that the district was pleased with the work that Gaffney Communications provided.

RESOLUTION NO. 263 of 2004

DATED: November 23, 2004

RESOLUTION ACCEPTING BID - RFP#05-4 - COUNTY WIDE TELEPHONE SYSTEM

Resolution by Supervisor: Strevy

Seconded by Supervisor: Di Mezza

WHEREAS, the Purchasing Agent solicited proposals for a County-wide Telephone System (RFP #05-04), and

WHEREAS, Montgomery County's consulting firm, The Myers Group LLC has recommended acceptance of the proposal submitted by _____,

RESOLVED, that the proposal tendered by _____ for the provision of a County-wide Telephone System hereby is accepted at a amount not to exceed _____, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign agreement with _____ for the provision of said services as outlined in the agreement.

MOTION TO AMEND by Supervisor Di Mezza, seconded by Supervisor Dybas,

1. In the second WHEREAS clause insert "Gaffney Communications, 310 Main Street, Utica, NY."
2. In the RESOLVED clause insert "Gaffney Communications, 310 Main Street, Utica, NY" and "\$212,740", respectively.
3. In the FURTHER RESOLVED clause insert "Gaffney Communications, 310 Main Street, Utica, NY" passed with Aye(1868). (11/23/2004)

RESOLUTION ADOPTED with Aye(1868). (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 264 of 2004

DATED: November 23, 2004

RESOLUTION RESCHEDULING BOARD OF SUPERVISORS' DECEMBER 2004 MEETING

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

RESOLVED, that the Regular Meeting of the Montgomery County Board of Supervisors, originally scheduled for 7:00 pm, Tuesday, December 28, 2004 is hereby rescheduled to 7:00 pm, Tuesday, December 14, 2004.

RESOLUTION ADOPTED with Aye(1868). (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano stated on Resolution #265 the Public Health Department has provided a chart for the Board charting the increased costs in the 3-5 pre school and the early intervention programs.

RESOLUTION NO. 265 of 2004

DATED: November 23, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Schumann

WHEREAS, the Montgomery County Public Health Department is mandated to provide for services to children enrolled in the NYSED 4410 3-5 Preschool and NYSDOH Early Intervention programs, and

WHEREAS, it is anticipated that the current fiscal year's costs for these programs, due to increased enrollment, service authorizations and program costs, will be in excess of the 2004 appropriated funds,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget, as follows:

DECREASE:

Appropriations:

A-01-4-1990-00		
	. 4400 Contingency Account	\$151,043
A-16-4-4046-00	3-5 Preschool Program	
	. 4438 Misc. Supporting Svcs.	\$ 6,767
A-16-4-4059-00	Early Intervention Program	
	. 4438 Misc. Supporting Svcs.	\$ 5,493
	. 4475 Transportation	\$ 3,892

INCREASE:

Revenue:

A-16-3-3277-00	State Aid – Handicapped Children (3-5)	\$212,963
A-16-3-3449-00	State Aid – Early Intervention	\$ 6,086
A-16-3-1621-00	Medicaid – Early Intervention	\$ 21,176

		\$407,420

INCREASE:

Appropriations:

A-16-4-4046-00	3-5 Preschool Program	
	. 4432 Tuition	\$321,023
	. 4436 Medical Fees	\$ 2,068
	. 4475 Transportation	\$ 41,597
A-16-4-4059-00	Early Intervention Program	
	. 4432 Tuition	\$ 40,074
	. 4436 Medical Fees	\$ 2,658

		\$407,420

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained. (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 266 of 2004

DATED: November 23, 2004

RESOLUTION ESTABLISHING FEES - SHERIFF'S OFFICE

Resolution by Supervisor: McMahon

Seconded by Supervisor: Dybas

WHEREAS, it has been recommended by the Sheriff to increase fees for certain services provided in the Sheriff's Office,

RESOLVED, that effective immediately, the fee imposed for pistol permits in the Sheriff's Office will be \$25.00, such fee to be paid upon attending the pistol permit safety class, and

FURTHER RESOLVED, that effective immediately, the fee imposed for duplication of audio/video recordings of certain incidents will be \$25.00, and

FURTHER RESOLVED, that the above fees will be payable to the Sheriff of Montgomery County and shall be credited as departmental revenue.

MOTION TO AMEND by Supervisor Cechnicki, seconded by Supervisor Quackenbush, in the first WHEREAS clause strike the word "increase" and in its stead replace with "combine and impose", passed with Aye(1868). (11/23/2004)

RESOLUTION ADOPTED with Aye(1868). (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 267 of 2004

DATED: November 23, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET (SHERIFF'S OFFICE)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff's Office has requested to purchase new K-9 equipment by utilizing private donations made to the office, and

WHEREAS, a transfer of funds is required to utilize said donations,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

INCREASE:

A-15-3-2705	Gifts and Donations	\$731.97
A-15-4-3150-00-4587	K-9 and K-9 Supplies	\$731.97

RESOLUTION ADOPTED with Aye(1868). (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 268 of 2004

DATED: November 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS UNIFORM COURT SYSTEM (SHERIFF'S OFFICE)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff provides Court Security Services under the Uniform Court System of the State of New York (UCS), and

WHEREAS, the Sheriff has recommended that Montgomery County enter into a new basic ordering 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 of the County Attorney, hereby is authorized and directed to sign a 5-year basic ordering agreement with the New York State Uniform Court System from April 1, 2004 through March 31, 2009, and

FURTHER RESOLVED, that this basic ordering agreement will encompass the period beginning April 1, 2004 and ending March 31, 2005 for a total reimbursement which shall not exceed \$48,000, and

FURTHER RESOLVED, that this agreement will be supplemented each successive year with an amendment establishing a new maximum financial limit and any changes to staffing requirements.

RESOLUTION ADOPTED with Aye(1731). Supervisor Mancini abstained. (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann questioned Resolution #269 and asked if the grant supplements salaries for the District Attorney's Office. Ms. Schumann stated that she has a problem with the resolution when salaries are tucked into grants. She further noted that the grants should be used for equipment and other tangible items, and until further information is provided, she would be voting no on the resolution.

Supervisor Dybas questioned why the District Attorney's office has not provided the Board with a line by line item as to how the money will be spent. He stated that he would also be voting no on the resolution.

After the discussion it was determined by the Board to table the Resolution until further information is received regarding the distribution of the money from the grant.

RESOLUTION NO. 269 of 2004

DATED: November 23, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

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 \$40,375 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.

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Strevy, passed with Aye(960). Supervisors Brodie, Sinicropi, Jr., Mancini, Di Mezza, McMahon, Walters and Thomas voted Nay. (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 270 of 2004

DATED: November 23, 2004

RESOLUTION TRANSFERRING FUNDS - CONSULTING FEES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the Nursing Home Administrator has made recommendation for the continuation of previously approved consulting services at the Montgomery Meadows, and

WHEREAS, it is necessary to transfer funds to provide for payment of said services,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account - Contractual Expenses	\$10,000
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TRANSFER TO:

A-06-4-9900-00-9961	Interfund Transfers - Montgomery Meadows	\$10,000
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INCREASE:

EH-34-3-5031	Interfund Transfers - Montgomery Meadows	\$10,000
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INCREASE:

EH-34-4-6020-00-4431 Montgomery Meadows - Professional Services \$10,000

RESOLUTION ADOPTED with Aye(1868). (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 271 of 2004

DATED: November 23, 2004

RESOLUTION ESTABLISHING POSITION - SANITARY DISTRICT #1

Resolution by Supervisor: McMahon

Seconded by Supervisor: Jonker

WHEREAS, The Montgomery County Sanitary District #1 Board met on Saturday November 6, 2004, and established the permanent position of Laborer, and

WHEREAS, the base salary for said Laborer will be \$22,000, and

WHEREAS, the 2004 Operating Budget needs to be amended to provide payment for said laborer,

WHEREAS, the Montgomery County Board of Supervisors hereby establishes the position of Laborer in the Sanitary District #1 Department and an annual base salary of \$22,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

G 26 4 8120 00 1110 (678) WW TREATMENT PLANT OPER \$ 2,099.24

ADD AND TRANSFER TO:

G 26 4 8120 00 1110 (392) LABORER \$ 2,099.24

RESOLUTION ADOPTED with Aye(1868). (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 272 of 2004

DATED: November 23, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET (COMMUNITY COLLEGE TUITION)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, there are not sufficient funds to cover the anticipated expenses that will be incurred for the Community College Tuition chargebacks for the remainder of the year,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2004 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingency Account \$20,000

TRANSFER TO:

A-06-4-2490-00-4400 Community College Tuition \$20,000

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 273 of 2004

DATED: November 23, 2004

RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES, WATER RENTS AND

SEWER TAXES

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the relevy, effective December 3, 2004, of delinquent School Taxes, Village Taxes, Water Rents, including the Harrower Water District, and Sewer Taxes, including the Town of Amsterdam Sewer Services Area and Montgomery County Sanitary Sewer District #1, in equal installments on January 2005 Town Tax Rolls.

RESOLUTION ADOPTED with Aye(1868). (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 274 of 2004

DATED: November 23, 2004

RESOLUTION AMENDING 2004 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has been notified of the 2004-2005 State Fiscal Year Medicaid Intergovernmental Transfer (IGT) dollars to be funneled through the County's Medicaid and Montgomery Meadow's accounts during November 2004,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 Operating Budget as follows:

INCREASE:

Revenues		
A-18-3-2772	Miscellaneous State Bond Act	\$1,275,042
Appropriations		
A-18-4-6011-00-6102	Social Svcs Programs Medical Assistance-MMIS	\$1,275,042

RESOLUTION ADOPTED with Aye(1868). (11/23/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Jonker, seconded by Supervisor Quackenbush, passed with Aye(1868). Chairman Stagliano adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
7:00 PM, November 30, 2004

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for November 30, 2004 was called to order at 7:00 p.m. by Chairman Stagliano.

SALUTE TO THE FLAG

Supervisor Dybas led the Salute to the Flag.

ROLL CALL

Roll call indicated that all the Supervisors were present.

OTHER**STATEMENT OF PURPOSE OF MEETING**

Resolutions amending the 2005 Tentative Operating Budget

RESOLUTION NO. 275 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING PERSONNEL DEPARTMENT LINE ITEM

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Jonker

WHEREAS, the 2005 Tentative Operating Budget did not have the correct salary of an employee in the Personnel Department, and

WHEREAS, an adjustment is required to reflect the correct salary of said employee,

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT NUMBER	FROM	TO	INC/(DECREASE)
A 10 4 1430 00 1110(1274) PERSONNEL ASSOCIATE	\$27,222	\$25,172	(\$2,050)

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 276 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING PUBLIC HEALTH REVENUE LINE ITEM

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, Resolution 251 of 2004 amended the 2005 Tentative Operating Budget to reflect changes/eliminations to certain positions due to the County Retirement Incentive, and

WHEREAS, the change of a position in the Public Health Department did not reflect a corresponding decrease in revenue that was required,

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT NUMBER	FROM	TO	INC/(DECREASE)
A-16-3-3401 Public Health State Aid	\$347,179	\$336,360	(\$10,819)

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 277 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING REVENUE LINE ITEMS

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

WHEREAS, the County Treasurer has reviewed current revenues, and

WHEREAS, the County Treasurer believes certain revenue items in the 2005 Tentative Operating Budget may be increased,

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-06-3-1090	Interest on Real Property	\$ 600,000	\$ 625,000	\$ 25,000
A-06-3-1110	Sales and use Tax	\$12,319,000	\$12,350,000	\$ 31,000
A-08-3-1255	Clerk fees	\$ 475,000	\$ 500,000	\$ 25,000
A-14-3-2801	Data Processing fees	\$ 1,850	\$ 26,900	\$ 25,050

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano stated that on Resolution #278 there is a plan that has a potential savings to the County of \$500,000 to \$600,000 a year. He stated that after January 1, 2005 there needs to be a meeting with the County, Fiscal Advisors, bond council, the Treasurer and Marvin & Co. to determine how to proceed with this plan. The money budgeted in the MOSA professional services line item will be needed to utilize these advisors. Chairman Stagliano stated that he believes that if Montgomery County can not get Otsego & Schoharie County to agree with the potential savings plan, then it will be necessary to effectuate change through the constituents and that will need to be accomplished through a media campaign. That is why, as Budget Officer, he budgeted \$10,000 for legal notice and advertising.

Supervisor Strevy questioned if taking the fight to the press would be the way to go. Chairman Stagliano stated again that the Board will have to develop their plan with the key people and then present it to the two counties. That will be the avenue of least resistance. But if the plan is met with opposition then there is no other alternative but to go to their citizens through the means of advertising.

Chairman Stagliano noted that this advertising requires professional expertise and that requires money. He felt that it would be in the best interest of the County if the Board would consider this resolution which reduces those line items and not allow it to go through. He reiterated that this plan needs to be aggressively pursued because it has the potential of being a big savings to the County.

Supervisor Jonker stated that he would be voting no to eliminate the MOSA line items because he feels the money will be well spent.

RESOLUTION NO. 278 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING MOSA LINE ITEMS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Strevy

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT NUMBER		FROM	TO	INC/(DECREASE)
Refuse & Garbage				
A. 01. 4. 8160. 00. 4431	PROFESSIONAL SVCS	\$ 65,000	\$ 30,000	(\$ 35,000)
A. 01. 4. 8160. 00. 4491	LEGAL NOT & ADV	\$10,000	\$ 2,000	(\$ 8,000)

				(\$ 43,000)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Sinicropi, Jr., to strike

A. 01. 4. 8160. 00. 4491	LEGAL NOT & ADV	\$10,000	\$ 2,000	(\$ 8,000)
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passed with Aye(1725). Supervisor McMahon voted Nay. (11/30/2004)

RESOLUTION ADOPTED with Aye(1171). Supervisors Dybas, DiMezza, McMahon, Thomas and Jonker voted Nay. (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 279 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING TENTATIVE BUDGET - CORONER'S OFFICE

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker
Strevy

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT NUMBER		FROM	TO	INC/(DECREASE)
Coroners				
A. 29. 4. 1185. 00. 4436	MEDICAL FEES	\$ 27,000	\$ 20,000	(\$ 7,000)

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 280 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER CORRECTION

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Jonker

WHEREAS, Resolution 251 of 2004 amended the 2005 Tentative Operating Budget to reflect changes that incurred due to the County 2005 Retirement Incentive, and

WHEREAS, that amendment did not reflect the changes that occurred in the transfer to the Meadows Account from the General Fund due to said retirement incentive,

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-06-4-9900-00-9961	Trans to Meadows	\$ 2,537,969	\$ 2,515,725	(\$ 22,244)
EH-34-3-5031	Trans from General Funds	\$ 837,969	\$ 815,725	(\$ 22,244)

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 281 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PUBLIC DEFENDER'S OFFICE

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Sinicropi, Jr.

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-28-3-3025	INDIGENT LEGAL SERVICES	\$ 0	\$ 12,360	\$ 12,360
A-28-4-1170-00-4431	PROFESSIONAL SERVICES	\$270,000	\$230,000	(\$ 40,000)

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Regarding Resolution #282, Chairman Stagliano referred to his conversations at last week's regular Board meeting and how the Board created a Retirement Contribution Reserve. He reminded the Board that last week he informed them that they might have to change that reserve because of a potential change of how the reserve was to be set up, used and booked was still left pending with the State Comptroller's Office.

He stated that after a conversation late in the afternoon with Darryl Purinton of Marvin & Co. the draft letter that was presented last week by the State Comptroller's Office was misinterpreted and the Reserve that was established can still be utilized. There would only need to be a change in the way it was initially put in the 2005 Tentative Budget. He explained further by saying that he initially thought that Counties could create one reserve to be utilized over all funds, but further clarification from the State requires a Retirement Reserve to be created for each fund.

He continued by telling the Board that the current 2005 Budget utilizes approximately \$500,000 dollars of the \$1.2 million in Retirement Reserves with the intention that the remaining \$700,000 could be utilized to offset the cost of the Retirement Contribution payment in 2006. Chairman Stagliano stated that if the Board wanted to reinstate more positions into the 2005 budget, in particular, the many layoffs in the DPW department, the entire \$1.2 million Reserve Funds could be utilized towards the \$1.8 million Retirement Bill. This would free up additional money to restore those positions.

RESOLUTION NO. 282 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - AMENDING USE OF RETIREMENT RESERVE FUND

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Thomas

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Quackenbush, to insert Resolution text as follows:

WHEREAS, Resolution No. 262 of 2004 established a Retirement Reserve for each fund in the 2004 Operating Budget, and

WHEREAS, the 2005 Tentative Operating Budget accounts for the use of the total reserves, not the break down of each reserve as required, and

WHEREAS, it is also the desire to increase the amount of reserve funds appropriated from \$495,060 to \$1,243,085,

RESOLVED, that the 2005 Tentative Operating Budget is amended to reflect the use of the Retirement Reserve across each fund as follows:

General Fund (A)	\$ 830,913
County Road Fund (D)	\$ 60,520
Road Machinery Fund (DM)	\$ 39,710
Montgomery Meadows (EH)	\$ 302,600
Montgomery County Sanitary District #1 (G)	\$ 8,500
Self Insurance Fund (MS)	\$ 842

	\$1,243,085

passed with Aye(1868). (11/30/2004)

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor DiMezza, on Resolution #283, distributed an amendment that further amends the 2005 Tentative Operating Budget. Resolution #283, as it stands, would leave 5 layoffs in the DPW department. Supervisors DiMezza stated that his amendment would restore those 5 positions as well.

Supervisor Dybas requested a recess so Chairman Stagliano would have an opportunity to calculate the net effect of Supervisors DiMezza's amendment.

Recess began at 7:55 p.m.

Chairman Stagliano reconvened the Special Meeting at 8:15 p.m.

Chairman Stagliano stated that the numbers that were plugged in from the amendment that Supervisor DiMezza presented would bring 2005 Tentative Operating Budget to \$109,943 over the tax cap and indicated to the Board that that number is a reasonable number because of, without layoffs there will be further reductions in unemployment insurance. This reduction should put the Budget under the cap.

RESOLUTION NO. 283 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 12 (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Strevy

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-06-4-9900-00-9901	Transfer to D Fund	\$2,339,530	\$2,698,801	\$359,271
A-06-4-9900-00-9903	Transfer to DM Fund	\$ 29,108	\$ 182,130	\$153,022
A-12-4-1620-00-1110				
(149)	Hourly employees	\$ 184,234	\$ 311,578	\$127,344
A-12-4-1620-00-1110				
(621)	Cleaner	\$ 0	\$ 22,304	\$ 22,304
A-12-4-1620-00-2255	Building & Grounds Equip	\$ 1,025	\$ 5,000	\$ 3,975
A-12-4-1620-00-2260	Other Equipment	\$ 0	\$ 10,000	\$ 10,000
A-12-4-1620-00-4421	Prop. Lease/Rent/Repair	\$ 80,000	\$ 100,000	\$ 20,000
A-12-4-1620-00-4422	Equip. Lease/Rent/Repair	\$ 42,000	\$ 82,000	\$ 40,000
D-12-3-5031	Transfer from A Fund	\$2,339,530	\$2,698,801	\$359,271
D-12-4-3310-00-4465	Road Striping	\$ 0	\$ 55,000	\$ 55,000
D-12-4-5110-00-1110				
(144)	DPW - Highway Labor	\$ 160,000	\$ 361,980	\$201,980
D-12-4-5110-00-4448	Constr. & Maint. Supplies	\$ 200,000	\$ 250,000	\$ 50,000
D-12-4-9001-00-8810	FICA	\$ 27,859	\$ 43,310	\$ 15,451
D-12-4-9001-00-8830	Workers Compensation	\$ 10,050	\$ 52,100	\$ 42,050
D-12-4-9001-00-8840	Unemployment Insurance	\$ 76,784	\$ 18,750	(\$ 58,034)
D-12-4-9001-00-8850	Hosp & Med Insurance	\$ 113,126	\$ 164,250	\$ 51,124
D-12-4-9001-00-8852	Dental Benefits	\$ 6,600	\$ 7,300	\$ 700
D-12-4-9001-00-8853	Vision Benefits	\$ 4,600	\$ 5,100	\$ 500
D-12-4-9001-00-8854	Disability Insurance	\$ 4,600	\$ 5,100	\$ 500
DM-12-3-5031	Interfund Transfers	\$ 29,108	\$ 182,130	\$153,022
DM-12-4-5130-00-1110				
(148)	Hourly Employees	\$ 141,682	\$ 215,587	\$ 73,905
DM-12-4-5130-00-4422	Equip. Rent/Lease/Repair	\$ 130,000	\$ 140,000	\$ 10,000
DM-12-4-5130-00-4441	Gasoline, Oil, Diesel	\$ 150,000	\$ 170,000	\$ 20,000
DM-12-4-9001-00-8810	FICA	\$ 13,402	\$ 19,056	\$ 5,654
DM-12-4-9001-00-8830	Workers Compensation	\$ 5,400	\$ 37,642	\$ 32,242
DM-12-4-9001-00-8840	Unemployment Insurance	\$ 20,317	\$ 0	(\$ 20,317)
DM-12-4-9001-00-8850	Hospital & Medical Ins.	\$ 27,862	\$ 57,500	\$ 29,638
DM-12-4-9001-00-8851	Hosp. & Med. Ins. Payback	\$ 2,500	\$ 0	(\$ 2,500)
DM-12-4-9001-00-8852	Dental Benefits	\$ 2,800	\$ 5,000	\$ 2,200
DM-12-4-9001-00-8853	Vision Benefits	\$ 1,400	\$ 2,500	\$ 1,100
DM-12-4-9001-00-8854	Disability Insurance	\$ 1,400	\$ 2,500	\$ 1,100

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Thomas, to strike the following account changes:

A-06-4-9900-00-9901	Transfer to D Fund	\$2,339,530	\$2,698,801	\$359,271
A-12-4-1620-00-1110 (149)	Hourly employees	\$ 184,234	\$ 311,578	\$127,344
D-12-3-5031	Transfer from A Fund	\$2,339,530	\$2,698,801	\$359,271
D-12-4-5110-00-1110 (144)	DPW - Highway Labor	\$ 160,000	\$ 361,980	\$201,980
D-12-4-9001-00-8810	FICA	\$ 27,859	\$ 43,310	\$ 15,451
D-12-4-9001-00-8830	Workers Compensation	\$ 10,050	\$ 52,100	\$ 42,050
D-12-4-9001-00-8840	Unemployment Insurance	\$ 76,784	\$ 18,750	(\$ 58,034)
D-12-4-9001-00-8850	Hosp & Med Insurance	\$ 113,126	\$ 164,250	\$ 51,124
D-12-4-9001-00-8852	Dental Benefits	\$ 6,600	\$ 7,300	\$ 700
D-12-4-9001-00-8853	Vision Benefits	\$ 4,600	\$ 5,100	\$ 500
D-12-4-9001-00-8854	Disability Insurance	\$ 4,600	\$ 5,100	\$ 500

and replace with:

A-06-4-9900-00-9901	Transfer to D Fund	\$2,339,530	\$2,792,348	\$452,818
A-12-4-1620-00-1110 (149)	Hourly employees	\$ 184,234	\$ 357,578	\$173,344
D-12-3-5031	Transfer from A Fund	\$2,339,530	\$2,792,348	\$452,818
D-12-4-5110-00-1110 (144)	DPW - Highway Labor	\$ 160,000	\$ 409,980	\$249,980
D-12-4-9001-00-8810	FICA	\$ 27,859	\$ 49,059	\$ 21,200
D-12-4-9001-00-8830	Workers Compensation	\$ 10,050	\$ 59,100	\$ 58,050
D-12-4-9001-00-8840	Unemployment Insurance	\$ 76,784	\$ -0-	(\$ 76,784)
D-12-4-9001-00-8850	Hosp & Med Insurance	\$ 113,126	\$ 186,250	\$ 73,124
D-12-4-9001-00-8852	Dental Benefits	\$ 6,600	\$ 8,300	\$ 1,700
D-12-4-9001-00-8853	Vision Benefits	\$ 4,600	\$ 5,800	\$ 1,200
D-12-4-9001-00-8854	Disability Insurance	\$ 4,600	\$ 5,800	\$ 1,200

and insert the following account change:

D-12-4-5020-00-1110 (118)	Sr. Engineer Tech.	\$ -0-	\$ 27,148	\$ 27,148
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passed with Aye(1868). (11/30/2004)

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Quackenbush stated on Resolution #284 he requested County Attorney Doug Landon to research the County Law regarding the Treasurer collecting a separate salary for assuming the responsibility as Budget Officer.

Attorney Landon cited County Law section 351 and the law specifically authorizes that the Treasurer can collect a separate salary in addition to receiving his compensation as the Treasurer.

Supervisor DiMezza stated that the resolution he proposed was no reflection on the work that the Budget Officer Stagliano accomplished, but the intent was to be a cost savings measure.

Supervisor Sinicropi stated that he supports the Budget Officer's position and further stated that this is the first year the budget came under the tax cap and is convinced if the Treasurer assumes the dual role he would not adequately serve the people of the County.

Supervisor Strevy stated that he has worked with the Treasurer for the last couple of weeks and he has shown a tremendous amount of knowledge in putting this budget together. He also noted that without his input it would not gotten DPW reinstated. Supervisor Strevy added that he does not support the Budget Officer's position.

Supervisor Dybas stated that if the Board is looking to have the Treasurer assume the position as Budget Officer than what the Board is doing is reverting back to the County Administrators Form of Government and have someone who is not on the Board of Supervisors put a budget together and would not support this resolution.

Supervisor Strevy suggested a public referendum so that the people could decide what they are willing to fund.

Chairman Stagliano stated that the Board imposed the self contained tax cap of 1.65%. He noted that what the people want are not to have their taxes raised.

Chairman Stagliano expressed his frustration regarding the elimination of the Budget Officer and reminded the Board that they have not made any structural changes and that the only thing that occurred was a temporary fix. He further stated that he has been working as Budget Officer for 11 months and aware of the challenges the County is facing in 2006.

RESOLUTION NO. 284 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING BUDGET OFFICER

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT NUMBER	FROM	TO	INC/(DEC)
A-01-4-1340-00-1120-676 Budget Officer-P/T	\$20,500	\$ 0	(\$20,500)

AND,

FURTHER RESOLVED, that the position of part-time Budget Officer is hereby eliminated and the County Treasurer is requested to assume the duties of Budget Officer, effective January 1, 2005.

RESOLUTION DEFEATED with Aye(777). Supervisors Di Mezza, Strevy, Thomas, Quackenbush, Paton and Cechnicki voted Aye. (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann stated on Resolution #285 that the Board is voting on a concept and that she has not received anything on paper to review.

Chairman Stagliano stated that a discussion took place with Darryl Purinton, an Audit Manager with Marvin & Co. who recommended doing certain services internally instead of paying outside people to obtain the same results.

Chairman Stagliano stated with that recommendation there was a need for a restructure of the way the County would do business, that is why the concept of the Internal Auditor and a task force to restructure County Government was initiated.

He explained to the Board in order for this task force to succeed there needs to be some key players involved with experience and knowledge of how the County is structured. Chairman Stagliano further stated that there is a lot of talent available with Marco Zumbolo, Jacki Meola and the Treasurer to take this concept and restructure local government.

Chairman Stagliano noted that the net cost of the task force would be \$24,000 and stated that this is a concept that the Board of Supervisors has to work on because there has to be an umbrella under which this task force has to operate and it has to be the Board of Supervisors who creates that concept and that umbrella.

Supervisor DiMezza stated that through experience he found that internal auditors do not work because of the politics that is entered into it.

Chairman Stagliano reiterated the need for the Internal Auditing Initiative and stated that the task force would present ideas to restructure local county government to be more cost effective and efficient and that is why the Board of Supervisors have to sanction this concept.

RESOLUTION NO. 285 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF INTERNAL AUDITING INITIATIVE

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: McMahon

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A-31-4-1345-00-1110			

(701)	Purchasi ng Agent	\$35, 000	\$ 0	(\$35, 000)
A-31-4-1345-00-1110				
(1312)	Purchasi ng Buyer	\$ 0	\$26, 498	\$26, 498
A-31-4-1345-00-1120				
(1424)	Purchasi ng Agent-P/T	\$ 0	\$21, 013	\$21, 013
A-30-4-1320-00-1120				
(703)	Internal Audi tor	\$30, 000	\$ 0	(\$30, 000)
A-30-4-1320-00-1120				
(869)	Audi tor	\$ 0	\$21, 013	\$21, 013
A-01-4-1010-00-1110				
(699)	Confidenti al Aide	\$27, 650	\$ 0	(\$27, 650)

				(\$24, 126)

MOTION TO AMEND by Supervi sor Di Mezza, seconded by Supervi sor Strevy, to strike the following account changes:

A-31-4-1345-00-1110				
(701)	Purchasi ng Agent	\$35, 000	\$ 0	(\$35, 000)
A-31-4-1345-00-1110				
(1312)	Purchasi ng Buyer	\$ 0	\$26, 498	\$26, 498
A-31-4-1345-00-1120				
(1424)	Purchasi ng Agent-P/T	\$ 0	\$21, 013	\$21, 013

was defeated wi th Aye(674). Supervi sors Schumann, Di Mezza, Strevy, Paton and Cechnicki voted Aye. (11/30/2004)

RESOLUTION DEFEATED wi th Aye(751). Supervi sors Schumann, Di Mezza, McMahon, Strevy and Paton voted Aye. (11/30/2004)

Dougl as Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervi sors

RESOLUTION NO. 286 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING SUPERVI SORS' SALARI ES

Resolution by Supervisor: McMahon

Seconded by Supervisor:

RESOLVED, that the Board of Supervi sors listed below have voluntarily accepted a pay reduction of \$2,000 for the year 2005:

Bob McMahon

reflected in the 2005 Tentative Operating Budget as follows:

ACCOUNT NUMBER	FROM	TO	INC/(DEC)
A-01-4-1010-00-1120-1137 Supervi sor	\$7, 000	\$5, 000	(\$2, 000)

RESOLUTION WI THDRAWN BY SPONSOR (11/30/2004)

Dougl as Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervi sors

RESOLUTION NO. 287 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING CONTINGENT ACCOUNT

Resolution by Supervisor: Di Mezza

Seconded by Supervisor:

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A-01-4-1990-00-4400 Contingent Account	\$800,000	\$700,000	\$(100,000)

RESOLUTION WITHDRAWN BY SPONSOR (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann stated she was voting no on Resolution #288 and felt that it was totally unnecessary for the Treasurer to receive a raise because he just received a raise in January.

Supervisor DiMezza defended his position on granting the Treasurer and the Deputy County Treasurer a raise because he felt they should not be punished and would be voting yes on this resolution.

RESOLUTION NO. 288 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 06 (TREASURER)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Strevy

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A-06-4-1325-00-1110 (82) County Treasurer	\$ 51,000	\$ 52,250	\$ 1,250
A-06-4-1325-00-1110 (98) Dep County Treasurer	\$ 33,500	\$ 34,338	\$ 838

MOTION TO CALL THE QUESTION by Supervisor Di Mezza, seconded by Supervisor Strevy, passed with Aye(1649). Supervisor Di Mezza abstained. (11/30/2004)

RESOLUTION ADOPTED with Aye(1375). Supervisors Schumann, Dybas, Strevy and Jonker voted Nay. (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 289 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING REAL PROPERTY RESEARCH TECH POSITION

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Paton

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A-07-4-1355-00-1110(1053) Real Property Research Tech	\$ 0	\$21,654	\$ 21,654

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 290 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING COUNTY CLERK POSITION

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Schumann

RESOLVED, that the 2005 Tentative Operating Budget is hereby amended as follows:

INCREASE APPROPRIATIONS:
ACCOUNT

	FROM	TO	INC/(DEC)
A-08-4-1410-00-1120(632) Account Clerk Typist	\$ 0	\$ 9,500	\$ 9,500

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 291 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING COUNTY ATTORNEY LINE ITEMS

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: McMahon

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A-09-4-1420-00-4408 Office Supplies	\$ 200	\$ 300	\$ 100
A-09-4-1420-00-4410 Utilities	\$ 1,100	\$ 750	(\$ 350)
A-09-4-1420-00-4437 Clerical Services	\$ 8,000	\$16,000	\$ 8,000
A-09-4-1420-00-4453 Postage Expenses	\$ 0	\$ 250	\$ 250
A-09-4-1420-00-4471 Mileage	\$ 250	\$ 1,250	\$ 1,000

RESOLUTION ADOPTED with Aye(1412). Supervisors Schumann, Dybas, Jonker and Cechnicki voted Nay. (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 292 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 10 (PERSONNEL)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Sinicropi, Jr.

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A-10-4-1430-00-1110 (1273) Account Clerk Typist	\$ 17,792	\$ 0	(\$ 17,792)
A-10-4-1430-00-1110 (709) Personnel HR Clerk	\$ 0	\$ 19,542	\$ 19,542
A-10-4-1430-00-4422 Equip Rental /Lease	\$ 3,564	\$ 0	(\$ 3,564)
A-10-4-1430-00-4441 Gasoline	\$ 450	\$ 0	(\$ 450)
A-10-4-1430-00-4471 Mileage	\$ 250	\$ 750	\$ 500

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Quackenbush stated on Resolution #293 the Board of Elections came before the Board and expressed that they were satisfied with the way the positions were structured in the tentative budget. He also noted during the discussion they made some valid points regarding the department. He stated that he would be voting no on the resolution.

Supervisor DiMezza defended the resolution and felt the additional staff was needed to assist when elections take place.

After the discussion, Supervisor Mancini withdrew his second on the resolution and with no one picking up that second, the resolution ultimately died.

RESOLUTION NO. 293 of 2004**DATED:** November 30, 2004**RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 11 (BOARD OF ELECTIONS)**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor:

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-11-4-1450-00-1110				
(453)	Elections - Data Clerk	\$ 0	\$24,934	\$24,934
A-11-4-1450-00-1110				
(454)	Elections - Data Clerk	\$ 0	\$23,934	\$23,934
A-11-4-1450-00-1110				
(568)	Deputy Election Commissioner	\$25,650	\$30,561	\$ 4,911
A-11-4-1450-00-1110				
(1134)	Deputy Election Commissioner	\$26,000	\$29,061	\$ 3,061
A-11-4-1450-00-1110				
(680)	Election Commissioner	\$33,000	\$ 0	(\$33,000)
A-11-4-1450-00-1110				
(681)	Election Commissioner	\$31,500	\$ 0	(\$31,500)
A-11-4-1450-00-1120				
(566)	Election Commissioner - P/T	\$ 0	\$ 8,196	\$ 8,196
A-11-4-1450-00-1120				
(1133)	Election Commissioner - P/T	\$ 0	\$ 8,196	\$ 8,196

RESOLUTION DIED FOR LACK OF A SECOND (11/30/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 294 of 2004****DATED:** November 30, 2004**RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 16 (PUBLIC HEALTH)**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Stagliano

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
REVENUES				
A-16-3-3401-00	STATE AID - PUBLIC HEALTH	\$336,360	\$335,118	(\$ 1,242)
A 16 3 3401 01	STATE AID - GRANT EI/CSHCN	\$ 56,793	\$ 56,793	\$ 0
A 16 3 4451 00	FEDL-EI MEDICAID ADMIN. REIMB	\$ 22,898	\$ 22,989	\$ 91
TOTAL REVENUE CHANGE:		\$426,870	\$425,719	(\$ 1,151)

APPROPRIATIONS

A-16-4-4010-00-1110				
(257)	PHC COORDINATOR (SD)-65%	\$ 24,342	\$ 0	(\$24,342)
A-16-4-4010-01-1110				
(1289)	GRANT PHC COORDR (SB)-35%	\$ 13,107	\$ 0	(\$13,107)
A-16-4-4010-00-4431	PROFESSIONAL SERVICES	\$ 0	\$ 21,450	\$21,450
A-16-4-4010-01-4431	GRANT PROFES SVCS (GRANT)	\$ 0	\$ 11,550	\$11,550
A-16-4-4010-01-4526	GRANT EDUCATION PROGRAMS	\$ 19,094	\$ 20,651	\$ 1,557
TOTAL APPROPRIATION CHANGE:		\$ 56,543	\$ 53,651	(\$ 2,892)

NET SAVINGS TO COUNTY:

(\$1,741)

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann stated on Resolution #295 that she would like to see a cost benefit analysis on hiring the investigators that is being proposed. She also questioned Commissioner William Cranker if five (5) investigators are needed.

Commissioner Cranker stated that two or three investigators would be sufficient and noted that the hiring would be staggered.

Supervisor Sinicropi stated that he would be sitting down with the Commissioner to discuss the areas of fraud that he feels should be getting attention.

Supervisor McMahon stated that Commissioner Cranker indicated that he would only be hiring investigators as needed and the Board should give him the latitude to make that decision.

RESOLUTION NO. 295 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING APPROPRIATIONS FOR INVESTIGATORS (SOCIAL SERVICES)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Dybas

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
Increase Revenue			
A-18-3-4610 Federal Revenue for Admin	\$2,582,909	\$2,610,203	\$27,294
Decrease Revenue			
A-18-3-4609 Family Assist. Fed. Revenue	\$1,316,500	\$1,285,300	(\$31,200)
A-18-3-3609 Family Assist. State Revenue	\$541,250	\$525,650	(\$15,600)
Net Decrease in Revenues			(\$19,506)
Increase Appropriation			
A-18-4-6010-00.4438 Misc. Service Fee	\$540,000	\$602,400	\$62,400
Decrease Appropriation			
A-18-4-6011-00.6109 Social Service Programs			
Family Assistance	\$2,600,000	\$2,537,600	\$62,400
Net Decrease in Appropriations			\$ -0-

MOTION TO TABLE by Supervisor Quackenbush, seconded by Supervisor Stagliano, was defeated with Aye(812). Supervisors Schumann, Strevy, Thomas, Quackenbush, Paton, Jonker and Cechnicki voted Aye. (11/30/2004)

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton voted Nay. (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 296 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING PART-TIME ATTORNEY POSITION (SOCIAL SERVICES)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
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INCREASE REVENUE:

A-18-3-3610	SOCIAL SVCS ADMIN - STATE AID	\$ 824,963	\$ 829,403	\$ 4,440
A-18-3-4610	SOCIAL SVCS ADMIN - FEDERAL AID	\$2,659,529	\$2,674,649	\$15,120

INCREASE APPROPRIATIONS:

A-18-4-6010-00-1120-512	P/T ATTORNEY	\$	0	\$	24,000	\$24,000
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MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Sinicropi, Jr., to strike the following account changes:

A-18-3-3610	SOCIAL SVCS ADMIN - STATE AID	\$ 824,963	\$ 829,403	\$ 4,440
A-18-3-4610	SOCIAL SVCS ADMIN - FEDERAL AID	\$2,659,529	\$2,674,649	\$15,120

passed with Aye(1868). (11/30/2004)

RESOLUTION ADOPTED with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Sinicropi stated on Resolution #297 that a safer vehicle is needed for transporting the clients that are on the Community Service Program and the ambulance that is being recommended would not be a reliable form of transportation.

Supervisor Walters agreed because this is an older vehicle and to retrofit the ambulance would be costly.

Chairman Stagliano stated that there is a committee that is involved in the pre trial and Alternative to Incarceration program and noted that a survey was sent out to all the justices in the County and the responses that were received were very favorable to the programs.

Chairman Stagliano noted that the programs are here to reduce the jail population and the County has some responsibility in transporting the clients and encouraged the Board to enhance the program and allow this resolution to pass.

RESOLUTION NO. 297 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 21 (YOUTH BUREAU / ACSD)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Sinicropi, Jr.

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-21-4-3155-00-2230	Comm. Svc.-Motor Vehicle Equip	\$20,000	\$ -	(\$20,000)
A-21-4-3157-00-1120				
(712)	Pre-Trial Release Prog. Coord.	\$26,000	\$ -	(\$26,000)
A-21-4-3157-00-4438	Pre-Trial -Misc. Supp. Svcs.	\$-	\$22,000	\$22,000
A-21-4-3157-00-4471	Pre-Trial -Mileage	\$ 800	\$ 2,500	\$ 1,700

MOTION TO AMEND by Supervisor Sinicropi, Jr., seconded by Supervisor Stagliano, to strike the following account change:

A-21-4-3155-00-2230	Comm. Svc.-Motor Vehicle Equip	\$20,000	\$ -	(\$20,000)
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passed with Aye(1138). Supervisors Brodie, Schumann, Dybas, Strevy, Paton and Cechnicki voted Nay. (11/30/2004)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

After a discussion on Resolution #298, Chairman Stagliano withdrew his second on the resolution and with no one picking up the second, the resolution ultimately died.

RESOLUTION NO. 298 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER REDUCTION

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Stagliano

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A-06-4-9900-00-9961 Trans to Meadows	\$ 2,515,725	\$ 2,265,725	(\$250,000)
EH-34-3-5031 Trans from General Funds	\$ 815,725	\$ 565,725	(\$250,000)

MOTION TO TABLE by Supervisor Di Mezza, seconded by Supervisor Sinicropi, Jr., passed with Aye(1868). (11/30/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Mancini, seconded by Supervisor Dybas, passed with Aye(1868).
Chairman Stagliano adjourned the meeting at 10:16 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
MONTGOMERY COUNTY COURT HOUSE
PUBLIC HEARING
7:00 PM , December 7, 2004

2005 Tentative Operating Budget

PUBLIC HEARING DISCUSSION

The following notice was read:

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Montgomery County Court House, 58 Broadway (Route 30A), Fonda, New York at 7:00 p.m. on Tuesday, December 07, 2004 for the purpose of holding a public hearing on the Tentative Budget for the fiscal year beginning January 1, 2005, as required by County Law of the State of New York.

FURTHER NOTICE is hereby given that copies of said 2005 Tentative Budget are available at the Office of the Chairman of the Board of Supervisors, County Annex Building, 20 Park Street, Fonda, New York where they may be inspected or procured by any interested persons during business hours.

PURSUANT to the County Law, the maximum salaries that may be fixed and payable during said fiscal year to members of said Board of Supervisors and to the Chairman thereof, respectively, are specified as

Chairman of the Board of Supervisors	\$10,000.00
Members of the Board of Supervisors (14) at	\$ 7,000.00 each

By order of the Board of Supervisors of Montgomery County.

Christine Pasquarelli
Clerk of the Board

Chairman Stagliano called the public hearing to order at 7:00 p.m.

William Grzyb, 415 Lepper Road, Fort Johnson, New York stated that in the year 2004 the County will be collecting a \$1.5 million over Budget to run the County and said that there would be no reason to increase taxes in 2005. He made reference to a County fund balance that according to his calculations still should be there. Mr. Grzyb also questioned what the Economic Development Department has accomplished. In closing he stated that the County is over taxed.

Chairman Stagliano asked if there were any other speakers. With no further speakers, he adjourned the public hearing at 7:10 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
7:45 PM, December 7, 2004

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for December 07, 2004 was called to order at 7:45 p.m. by Chairman Stagliano.

SALUTE TO THE FLAG

Supervisor Strevy led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Sinicropi, Schumann, Dybas, Mancini, DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki and Chairman Stagliano were present. Supervisor Brodie was absent.

UNFINISHED BUSINESS

Tabled Resolution #298

RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER REDUCTION

RESOLUTION NO. 298 of 2004

DATED: November 30, 2004

RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER REDUCTION

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Stagliano

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
A-06-4-9900-00-9961 Trans to Meadows	\$ 2,515,725	\$ 2,265,725	(\$250,000)
EH-34-3-5031 Trans from General Funds	\$ 815,725	\$ 565,725	(\$250,000)

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Sinicropi, Jr., passed with Aye(1868). (11/30/2004)

MOTION TO REMOVE FROM TABLE by Supervisor DiMezza, seconded by Sinicropi, Jr., passed with Aye(1633). Supervisor Stagliano voted Nay. Supervisor Brodie was absent. (12/7/2004)

MOTION TO TABLE by Supervisor Sinicropi, Jr., seconded by Supervisor Quackenbush, passed with Aye(1593). Supervisor Dybas voted Nay. Supervisor Brodie was absent. (12/7/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Jonker, seconded by Supervisor Mancini, passed with Aye(1729). Supervisor Brodie was absent. (12/7/2004)

RESOLUTION died for lack of a second. (12/7/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

STATEMENT OF PURPOSE OF MEETING

Resolutions amending the 2005 Tentative Operating Budget

RESOLUTION NO. 299 of 2004

DATED: December 7, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING VARIOUS LINE ITEMS

Resolution by Supervisor: Stagl i ano

Seconded by Supervisor: Thomas

WHEREAS, as directed by certain department heads, it is necessary to make corrections to the 2005 Tentative Operating Budget,

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-27-3-3310	State Aid Probation Svcs	\$ 150,188	\$150,278	\$ 90
A-27-4-3140-00-1110				
(394)	Int. Sup. Probat. Officer	\$ 33,051	\$ 33,451	\$ 400
A-27-4-3140-00-4476	Probation Assoc. Dues	\$ 225	\$ 275	\$ 50
G-26-4-8120-00-1110				
(392)	Laborer	\$ 0	\$ 22,550	\$ 22,550
(12)	San. Sewer Mechanic	\$ 22,550	\$ 0	(\$ 22,550)
A-06-4-9900-00-9961	Transfer to Meadows	\$2,515,725	\$2,543,560	\$ 27,835
EH-34-3-5031	Transfer from Gen. Fund	\$ 815,725	\$ 843,560	\$ 27,835
EH-34-4-6020-00-1110				
(58)	Cook	\$ 24,584	\$ 0	(\$ 24,584)
(61)	Cook	\$ 0	\$ 24,934	\$ 24,934
(131)	Food Service Helper	\$ 0	\$ 23,825	\$ 23,825
(132)	Food Service Helper	\$ 20,972	\$ 0	(\$ 20,972)
(380)	Custodial Worker	\$ 0	\$ 22,654	\$ 22,654
EH-34-4-9001-00-8810	FICA	\$ 301,626	\$ 303,504	\$ 1,878

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (12/7/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 300 of 2004

DATED: December 7, 2004

RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING MONTGOMERY MEADOWS LINE ITEMS

Resolution by Supervisor: Stagl i ano

Seconded by Supervisor: Dybas

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-06-4-9900-00-9961	Trans to Meadows	\$ 2,543,560	\$ 2,311,051	(\$ 232,509)
EH-34-3-5031	Trans from Gen Fund	\$ 815,725	\$ 2,311,051	\$1,545,326
EH-34-3-1650	PUB NURS HOME INCOME	\$ 250,000	\$ 0	(\$ 250,000)
EH-34-3-1651.01	MEDICAID-WEF ADD	\$ 219,968	\$ 0	(\$ 219,968)
EH-34-3-1651.02	MEDICAID-DI SADV SNFS	\$ 253,112	\$ 0	(\$ 253,112)
EH-34-3-1653	MEDICARE PART A	\$ 993,713	\$ 800,000	(\$ 193,713)
EH-34-3-1657	PRIVATE PAY	\$ 1,040,250	\$ 950,000	(\$ 90,250)
EH-34-4-6020-00-1111				
(926)	OVERTIME PAY	\$ 300,000	\$ 350,000	\$ 50,000
EH-34-4-6020-00-1120				
(115)	PART TIME EMPLOYEES	\$ 224,311	\$ 400,000	\$ 175,689
EH-34-4-6020-00-1120				
(125)	NURSING PER DIEM	\$ 0	\$ 75,000	\$ 75,000
EH-34-4-6020-00-4436	MEDICAL FEES	\$ 351,440	\$ 450,000	\$ 98,560
EH-34-4-6020-00-4438	MISC SERVICE FEE	\$ 361,804	\$ 400,000	\$ 38,196
EH-34-4-6020-00-8810	FICA	\$ 303,504	\$ 326,507	\$ 23,003

RESOLUTION ADOPTED with Aye(1626). Supervisor Strevy voted Nay. Supervisor Brodie was absent. (12/7/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 301 of 2004**DATED:** December 7, 2004**RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITIONS (SOCIAL SERVICES - HISTORY & ARCHIVES)**

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Thomas

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-16-4-6010-00-1110				
	(405) COMM. SVC. WORKER	\$ 0	\$ 21,654	\$21,654
	(938) HOMEMAKER	\$ 0	\$ 21,654	\$21,654
A-22-4-7510-00-1120				
	(549) PRINCIPLE CLERK	\$ 0	\$ 9,122	\$ 9,122

RESOLUTION ADOPTED with Aye(1626). Supervisor Strevy voted Nay. Supervisor Brodie was absent. (12/7/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 302 of 2004****DATED:** December 7, 2004**RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITION (SHERIFF'S OFFICE)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
A-15-4-3110-00-1110				
	(1416) Account Clerk Typist	\$ 0	\$ 21,654	\$ 21,654

RESOLUTION ADOPTED with Aye(1626). Supervisor Strevy voted Nay. Supervisor Brodie was absent. (12/7/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors

Chairman Stagliano stated on Resolution #303 that this resolution corrects the general fund with regards to the previous resolutions which restored positions. He stated that this resolution will clean up the FICA and the unemployment insurance line items.

RESOLUTION NO. 303 of 2004**DATED:** December 7, 2004**RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PERSONNEL FRINGE BENEFITS CORRECTIONS**

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

WHEREAS, as a result of previous amendments to the 2005 Tentative Operating Budget, it is necessary to make appropriate corresponding changes to certain Fringe Benefits line items,

RESOLVED, that the 2005 Tentative Operating Budget is amended as follows:

ACCOUNT NUMBER		FROM	TO	INC/(DEC)
A-10-3-2801	PERSONNEL INTERFUND REV.	\$1,366,900	\$1,326,550	(\$ 40,350)
A-10-4-9001-00-8810	FICA	\$ 793,416	\$ 812,562	\$ 19,146
A-10-4-9001-00-8840	UNEMPLOYMENT	\$ 208,000	\$ 15,000	(\$193,000)

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (12/7/2004)

Douglas Landon

Christine Pasquarelli

County Attorney

Clerk, Board of Supervisors

Chairman Stagliano stated that Resolution #304 is a resolution that by law goes with the Tentative Budget as the final resolution, a resolution that adopts the budget as amended.

Supervisor Schumann stated that she was under the impression that the Board would be presented with a printed budget as adopted for review and voiced her displeasure with not being provided with a final document.

Chairman Stagliano stated that a PDF file which is colored coded could be sent to everyone for their review.

Supervisor Sinicropi stated that he was confident the budget figures were correct and said that it is time to pass the 2005 Tentative Budget and called the question to cease the debate.

RESOLUTION NO. 304 of 2004**DATED:** December 7, 2004**RESOLUTION ADOPTING 2005 OPERATING BUDGET**

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Montgomery County Board of Supervisors has met and considered the 2005 Tentative Operating Budget and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that in accordance with County Law, the 2005 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, 2005.

MOTION TO CALL THE QUESTION by Supervisor Sinicropi, Jr., seconded by Supervisor Quackenbush, was defeated with Aye(1158). Supervisors Sinicropi, Jr., Dybas, Mancini, McMahon, Walters, Strevy, Thomas, Quackenbush, Jonker and Stagliano voted Aye. Supervisor DiMezza abstained. Supervisor Brodie was absent. (12/7/2004)

RESOLUTION ADOPTED with Aye(1022). Supervisors Schumann, Dybas, DiMezza, Paton and Cechnicki voted Nay. Supervisor Brodie was absent. (12/7/2004)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Cechnicki, seconded by Supervisor Strevy, passed with Aye(1729). Supervisor Brodie was absent. Chairman Stagliano adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
TOWN OF AMSTERDAM, TOWN HALL
PUBLIC HEARING
11:00 AM, December 8, 2004

PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

PUBLIC HEARING DISCUSSION

Clerk of the Board of Supervisors Christine Pasquarelli called the Public Hearing to order at 11:00 a.m.

Present: Christine Pasquarelli, Clerk of the Board, Ken Rose, Economic Development Specialist and Paul Buzash, Project Manager, Power Pallet

The following notice was read:

PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Montgomery will hold public hearings at the Town of Amsterdam Office Building located at 283 Manny's Corners Road, Amsterdam, New York. Said public hearings will take place on November 17, 2004 at 6:45 p.m. and December 8, 2004 at 11:00 a.m. regarding the proposed use of Community Development Block Grant funds.

The purpose of the Economic Development Program's Community Development Block Grant Application is to fund eligible economic development activities.

The Board of Supervisors has directed that the Economic Development Program's Community Development Block Grant Application address needs related to Economic Development and job creation and retention activities, consisting of a single year commitment in the amount of \$615,000.

The Board of Supervisors is considering applying for funding related to the Power Pallet, Inc. project located on State Highway 30 in the Town of Amsterdam. This project will result in the retention of 70 full time jobs in New York State and the creation of at least 50 new full time jobs within three years of project approval in Montgomery County.

Citizens will be afforded an opportunity to review and comment upon program objectives, consolidated and abbreviated plans and the application, prior to submission.

FURTHER NOTICE is hereby given that copies of said documents are available at the Office of the Montgomery County Economic Opportunity and Development Department, Old County Court House, Park Street, Fonda, New York, where they may be inspected or procured by any interested person during business hours.

By order of the Board of Supervisors of Montgomery County.

Christine Pasquarelli
Clerk of the Board
Dated: November 1, 2004

Clerk of the Board Christine Pasquarelli asked whether anyone from the public wished to speak. No one spoke. Clerk of the Board adjourned the public hearing at 11:03 a.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE/PERSONNEL
6:00 PM , December 14, 2004

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 6:00 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Quackenbush, Sinicropi, Strevy and Thomas

Additional present were Supervisors: McMahonb, Stagliano, Dybas, Paton, Schumann, Walters, Mancini and Brodie

Chairman DiMezza noted the agenda:

Items on the agenda, at this time, are as follows:

1. Discussion regarding CSEA grievances*
2. Other

Pursuant to Section 105 (f) of NYS Open Meeting Law, Chairman DiMezza asked for a Motion to go into Executive Session to discuss the matters related to grievances brought on by Civil Service Employees Association Local #829 (CSEA) against Management.

Motion was made by Supervisor Jonker, seconded by Supervisor Thomas . Executive Session started at 6:05 p.m.

A Motion to Adjourn Executive Session was made by Supervisor Strevy, seconded by Supervisor Jonker. Chairman DiMezza adjourned the Executive Session at 7:50 p.m.

As a result of the Executive Session Chairman DiMezza recommended that Richard Baia, Personnel Officer respond to the Union (CSEA) stating that it was the consensus of the Board to proceed with arbitration.

A Motion was made by Supervisor Thomas, seconded by Supervisor Quackenbush to adjourn the Finance/Personnel Committee meeting. Chairman DiMezza adjourned the meeting at 7:51 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, December 14, 2004

CALL TO ORDER

Chairman Stagliano called the Regular Meeting of the Montgomery County Board of Supervisors for December 14, 2004 to order at 7:00 p.m.

SALUTE TO THE FLAG

Supervisor Dybas led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Brodie, Sinicropi, Schumann, Dybas, Mancini, Di Mezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki, and Chairman Stagliano were present.

PRIVILEGE OF THE FLOOR

PRESENTATION

Corey Nellis, Director of Soil and Water Conservation District addressed the Board regarding the Montgomery County Water Quality Committee's function and their goals.

Mr. Nellis stated the mission of the Committee is to provide leadership, coordinate efforts, seek funding and carry out programs which improve the quality of water and other natural resources within the County. He also noted that the State of New York provides funds to the Committee each year for environmental educational programs, exhibits, news letters, workshops and seminars.

Mr. Nellis indicated that there are numerous programs that can be funded through water quality and encouraged the Board and County residents to contact his office for further information.

In closing Mr. Nellis pointed out that the Committee is looking for individuals from the surrounding communities with good ideas.

PUBLIC COMMENT

Rich Godlewski, resident in the City of Amsterdam and employed as a cable maintenance technician for Verizon, stated that there was a problem with the Department of Public Works complying with the New York State Law 753-3 - Duties of Excavators.

Mr. Godlewski stated that a County DPW employee, using poor judgment by disregarding the law, had created a dangerous situation by not properly notifying Niagara Mohawk to mark out the location of power and gas lines where the excavation was to take place.

Mr. Godlewski further noted that this situation created telephone cables to be severed and the telephone service was disrupted for the residents in the Town of Florida. He also pointed out that the County would be responsible for costs incurred to repair the cut telephone cable and any penalties levied by the New York Public Service Commission.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Quackenbush, seconded by Supervisor McMahon, passed with Aye(1868).

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Sinicropi, Jr., passed with Aye(1663). Supervisors Schumann and Cechnicki voted Nay.

UNFINISHED BUSINESS

RESOLUTION NO. 269 of 2004**DATED:** November 23, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

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 \$40,375 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.

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Strevy, passed with Aye(960). Supervisors Brodie, Sinicropi, Jr., Mancini, Di Mezza, McMahon, Walters and Thomas voted Nay. (11/23/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Strevy, seconded by Supervisor Di Mezza, passed with Aye(1593). Supervisors Schumann and Dybas voted Nay. (12/14/2004)

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(939). Supervisors Brodie, Mancini, Di Mezza, McMahon, Walters, Thomas and Quackenbush voted Nay. (12/14/2004)

MOTION TO REMOVE FROM TABLE by Supervisor Sinicropi, Jr., seconded by Supervisor McMahon, passed with Aye(1380). Supervisors Schumann, Paton and Cechnicki voted Nay. Supervisor Dybas abstained. (12/14/2004)

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Mancini, passed with Aye(1435). Supervisors Schumann, Dybas and Quackenbush voted Nay. (12/14/2004)

RESOLUTION ADOPTED with Aye(1222). Supervisors Schumann, Dybas, Quackenbush, Paton and Cechnicki voted Nay. (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Resolution No. 269 was taken off the table and retabled under unfinished business during this evening's meeting. At the conclusion of the meeting, Supervisor Sinicropi made a motion to take Resolution No. 269 off the table again this motion was seconded by Supervisor McMahon.

After a brief discussion it was determined that the grant and the line by line items would be furnished by the District Attorney and would be forwarded to the Supervisors.

It also was determined because of the time constraints that the County Attorney would review the grant contract and only after the review of the County Attorney would the Chairman of the Board sign the agreement accepting the grant.

The Board of Supervisors agreed to the agreement and Resolution No. 269 passed.

NEW BUSINESS**RESOLUTION NO. 305 of 2004****DATED:** December 14, 2004**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- VAN ALSTINE HORTICULTURAL SERVICES**

Resolution by Supervisor: Quackenbush

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 Van Alstine Horticultural Services, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purposes of acquiring and installing a composting system at R and R Farms in the Town of Glen,

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 \$55,000, to Van Alstine Horticultural Services, 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 60 monthly installments, with interest of prime (at time of closing), and

FURTHER RESOLVED, that Van Alstine Horticultural Services shall satisfy all conditions recommended by the Housing and Urban Development Agency, and the MCIDA,

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(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 306 of 2004

DATED: December 14, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDMENT - ST. MARY'S HOSPITAL - COMMUNITY MENTAL HEALTH AND ALCOHOLISM CENTER (MENTAL HEALTH)

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Schumann

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 2004 Operating Budget as follows:

INCREASE REVENUE ACCOUNT:

A-17-3-3472-00 Spec. Hlth. Prog. OASAS \$180,000.00

INCREASE APPROPRIATIONS ACCOUNT:

A-17-4-4250-00-4565 Community Support System \$180,000.00

RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 307 of 2004

DATED: December 14, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GOVERNOR'S TRAFFIC SAFETY COMMITTEE - BUNY GRANT (SHERIFF'S OFFICE)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has been notified of a grant award from the Governor's Traffic Safety Committee for the Buckle Up New York program, and

WHEREAS, the grant is for a total of \$5,000 to provide for Sheriff's Office patrols to enforce the use of seatbelts, and

WHEREAS, a portion of said funding is to be spent in 2004 and the remaining balance in 2005,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval by the County Attorney, is hereby authorized to sign a grant acceptance award with the Governor's Traffic Safety Committee for the Buckle Up New York program in the amount of \$5,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2004 operating budget as follows:

A-15-3-3389	Other Public Safety	\$780
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A-15-4-3110-00-1110(1212)	Overtime	\$780
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RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 308 of 2004

DATED: December 14, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

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 \$60.00 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, 2005 and ending on December 31, 2005.

RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 309 of 2004

DATED: December 14, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - (EAP) EMPLOYEE ASSISTANCE PROGRAM - ST. MARY'S HOSPITAL (PERSONNEL)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

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, effective 1/1/05 thru 12/31/05.

RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 310 of 2004

DATED: December 14, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THIRD PARTY DRUG AND ALCOHOL TESTING ADMINISTRATOR (PERSONNEL)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, the Personnel Officer has recommended that Energetix OF Albany, NY be designated to administer the County's Drug and Alcohol Testing Program,

RESOLVED, that Energetix of Albany, NY, hereby is designated to administer the County's Drug and Alcohol Testing Program, for the period commencing January 1, 2005 and ending December 31, 2005, at a cost not to exceed \$10,000, and

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

RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 311 of 2004

DATED: December 14, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EXCESS LIABILITY WORKERS COMPENSATION INSURANCE (PERSONNEL)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Personnel Officer has recommended renewal of Excess Liability Workers Compensation Insurance,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an Excess Liability Workers Compensation Insurance renewal agreement with APA/Safety National, and

FURTHER RESOLVED, that said Insurance Coverage shall be provided at a cost not to exceed \$70,000, and

FURTHER RESOLVED, that said agreement shall be renewed for a one-year period commencing on January 1, 2005 and ending on December 31, 2005.

RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 312 of 2004

DATED: December 14, 2004

RESOLUTION RESCINDING RESOLUTION 67 OF 2004 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, the New York State Employee's Retirement System requires a local governing body to set standards for retirement system credit for applicable part-time elected and appointed officials, and

WHEREAS, such standards are needed to set for the average number of full time equivalent (FTE)

days worked by such an employees, and

WHEREAS, the Personnel Department has surveyed involved employees and has conducted the necessary research, and

WHEREAS, Resolution No. 67 of 2004 approved standards for crediting retirement days for part-time elected and appointed officials, and

WHEREAS, it is necessary to rescind said resolution and provide for new standards of credit for Retirement days for part-time elected/appointed officials as recommended by the Personnel Officer.

RESOLVED, that Resolution No. 67 of 2004 is hereby rescinded, and

FURTHER RESOLVED, the Montgomery County Board of Supervisors does hereby approve the following standards for retirement days credit under the New York State Employee's Retirement System for part-time elected and appointed officials of the County of Montgomery:

RETIREMENT DAYS CREDIT
FOR
ELECTED/APPOINTED (PT) OFFICIALS

Commissioner of Elections (2)	1.38 Days
County Attorney	5.00 Days
1st Assistant District Attorney/DWI Prosecutor	7.60 Days
Assistant District Attorney	5.70 Days
Coroner - Administrator	1.78 Days
Coroner	1.50 Days
Public Defender	5.00 Days
1st Assistant Public Defender	3.85 Days
Assistant Public Defender	3.85 Days
Social Services Attorney (2)	3.85 Days
Meadows Medical Director	3.00 Days
Jail Physician	2.31 Days
Chairman of the Board of Supervisors	2.50 Days
All Supervisors	2.00 Days
County Auditor	5.00 Days
Assistant County Attorney	4.00 Days
Budget Officer part-time	5.00 Days
Purchasing Agent	5.00 Days
Criminal Investigator	5.00 Days
Physician (Public Health)	1.00 Days

FURTHER RESOLVED, that the standard workday for the above part-time positions hereby is established at 6 hours per day, and

FURTHER RESOLVED, that said days credit as noted is listed on a bi-weekly basis, and

FURTHER RESOLVED, that the Board of Directors of the Montgomery County Sanitary District No. 1 shall be credited with a 1/2 day of retirement for each Board Meeting attended.

MOTION TO CALL THE QUESTION by Supervisor DiMezza, seconded by Supervisor McMahon, passed with Aye(1868). (12/14/2004)

RESOLUTION ADOPTED with Aye(1571). Supervisors Schumann and Quackenbush voted Nay. (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 313 of 2004

DATED: December 14, 2004

RESOLUTION AUTHORIZING ACCOUNT PAYABLE YEAR-END ADJUSTMENTS - 2004 OPERATING BUDGET

Resolution by Supervisor: Thomas

Seconded by Supervisor: Schumann

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 and 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 2004, 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 Board of Supervisors.

RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 314 of 2004

DATED: December 14, 2004

RESOLUTION DELEGATING AUTHORITY TO AMEND 2004 OPERATING BUDGET

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, it has been recommended that certain County Officers be empowered with limited budget-amending authority for the remainder of the year,

RESOLVED, that the Board of Supervisors hereby delegate to the County Treasurer and Personnel Officer authority to amend the 2004 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 15, 2004 and ending on December 31, 2004.

FURTHER RESOLVED, that adjusting entries shall be reported to the Finance Committee and Board of Supervisors at the 2005 Organizational Meeting.

RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 315 of 2004

DATED: December 14, 2004

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SNOW AND ICE CONTROL (PUBLIC WORKS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

RESOLVED, that pursuant to Section 135A of the Highway Law, the Chairman of the Board of Supervisors, upon review of the County Attorney, 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 \$3,000 per centerline mile, during the winter of 2004-2005.

RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 316 of 2004

DATED: December 14, 2004

RESOLUTION FIXING DATE AND TIME FOR 2005 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

RESOLVED, that pursuant to Article, Section 151, Subdivision 11 of the County Law, the Organizational Meeting of the Montgomery County Board of Supervisors shall be held at 7:00pm on the 4th day of January, 2005

RESOLUTION ADOPTED with Aye(1868). (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 317 of 2004

DATED: December 14, 2004

BOND RESOLUTION OF MONTGOMERY COUNTY AUTHORIZING THE ASSESSMENT, EVALUATION & REPLACEMENT OF A COUNTY-WIDE TELEPHONE SYSTEM; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$228,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors has heretofore approved funding the assessment and evaluation of the County's telephone system and the acquisition of a new County-wide telephone system, all as more particularly described in Resolution No. 75 of 2004, dated March 23, 2004 and Resolution No. 263 of 2004, dated November 23, 2004 (collectively, the "Prior Resolution"); and

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

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

SECTION 1

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

(a) The cost of the assessment and evaluation of the County's telephone system and the acquisition of a new County-wide telephone system (the "Telephone System"), the maximum aggregate cost thereof being hereby estimated to be \$228,000, appropriating said amount therefor and authorizing the issuance of \$228,000 serial bonds to finance such costs; and

SECTION 2

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

(a) Telephone System - 20 years pursuant to Section 11.00(a)(25) of the Law.

SECTION 3

The plan of financing includes the issuance of \$228,000 serial bonds and the levy of a tax upon all of the real property in the County to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4

The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the specific objects or purposes described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the County intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

SECTION 5

The proposed average maturity date of the bonds authorized pursuant to this resolution is expected to exceed five (5) years.

SECTION 6

The serial bonds issued to finance the cost of each object or purpose described in Section 1 above shall mature no later than the date of the expiration of the period of probable usefulness for each such object or purpose.

SECTION 7

The County hereby covenants and agrees with the holders from time to time of the serial bonds of the County issued pursuant to this resolution, and any bond anticipation notes of the County issued in anticipation of the sale of said bonds, that the County will duly and faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the County, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

SECTION 8

Pursuant to Section 617.5(a) of the regulations of the New York State Department of Environmental Conservation, in the event that certain components of the Project set forth in Section 1 of this resolution are subject to the procedures required by the State Environmental Quality Review Act ("SEQRA"), no "action", as the same is referred to in Article 9 of SEQRA and SEQRA regulations, shall be taken and no serial bonds shall be issued until all of the procedures and requirements set forth therein have been completed with respect to such project.

SECTION 9

Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation of said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 10

Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Board of Supervisors relative to authorizing serial bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Treasurer of the County, the chief fiscal officer of the County. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the County, the chief fiscal officer of said County. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 11

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 12

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

(a) Such obligations are authorized for any object or purpose for which the County is not authorized to expend money; or

(b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13

This resolution shall be published in full in the designated official newspapers of the County for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Law.

SECTION 14

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

SECTION 15

This resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (12/14/2004)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Quackenbush, seconded by Supervisor Strevy, passed with Aye (1868). Chairman Stagliano adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Christine Pasquarelli
Clerk of the Board

**CERTIFICATION OF PUBLICATION
CLERK OF THE BOARD**

I, CHRISTINE PASQUARELLI, Clerk of the Montgomery County Board of Supervisors, do hereby certify that the foregoing Proceedings of the Board are, typographical errors excepted, a true and correct transcript of the Special, Regular and Annual Sessions of 2004, and the same is hereby printed in the volume by authorization of the said Montgomery County Board of Supervisors.

CHRISTINE PASQUARELLI, CLERK
Board of Supervisors

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
AGREEMENT	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGRICULTURE ECONOMIC DEVELOPMENT FUNDING SUPPORT AGREEMENT COOPERATIVE EXTENSION	75
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GOVERNOR'S TRAFFIC SAFETY COMMITTEE - BUNY GRANT (SHERIFF'S OFFICE)	327
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2004-2006 COMPREHENSIVE PLAN FOR YOUTH SERVICES (YOUTH BUREAU)	48
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - TRANSPORTATION OF FULTON COUNTY VETERANS (VETERANS SERVICES)	48
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT REHABILITATION PROGRAM (MONTGOMERY MEADOWS)	49
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SACK & ASSOCIATES BOILER REPLACEMENT PROJECT (DPW)	69
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THE MEYERS GROUP - TELEPHONE SYSTEM PROJECT (DPW)	69
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT IMPAIRED DRIVING DETERRENCE PROGRAM GRANT (STOP DWI)	73
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS (YOUTH BUREAU)	74
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CONSULTING SERVICES SPHN (PUBLIC HEALTH)	47
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ASHER GROUP NEW REVERSE-911 SYSTEM (SHERIFF)	75
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN EMPIRE ZONE ADMINISTRATIVE SERVICES AGREEMENT	75
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MVEDD (ECONOMIC OPPORTUNITY)	76
RESOLUTION AUTHORIZING CHAIR TO SIGN AGREEMENT CONTRACT AMENDMENT MCDONALD ENGINEERING FLORIDA BUSINESS PARK WATER AND SEWER (ECONOMIC OPPORTUNITY)	76
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR AN INTERIM LICENSED MEADOWS ADMINISTRATOR	78
RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT - PSYCHIATRIST (MENTAL HEALTH)	81
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ALTREYA CONSULTING REVENUE MAXIMIZATION SERVICES	81
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY DEPUTY SHERIFF'S ASSOCIATION (CORRECTION OFFICERS) FOR PERIOD OF JANUARY 1, 2002 – DECEMBER 31, 2003.	103
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ELECTRONIC DOCUMENT IMAGING (COUNTY CLERK)	106
RESOLUTION RATIFYING APPLICATIONS FOR CERTAIN GRANT FUNDING (SHERIFF)	135

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ACCEPTING GRANT AWARD - DCJS LOCAL LAW ENFORCEMENT BLOCK GRANT - K-9 VEHICLE AND EQUIPMENT (SHERIFF)	224
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT INMATE DENTAL SERVICES (JAIL)	74
AGRI CULTURE	
RESOLUTION RESCINDING RESOLUTION 27 OF 2000 AND APPOINTING MEMBERS - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE	43
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGRICULTURE ECONOMIC DEVELOPMENT FUNDING SUPPORT AGREEMENT COOPERATIVE EXTENSION	75
RESOLUTION ESTABLISHING ANNUAL THIRTY-DAY AGRICULTURAL DISTRICT REVIEW PERIOD	131
ALTERNATIVES TO INCARCERATION	
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 21 (YOUTH BUREAU / ACSD)	316
RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL (ALTERNATIVES TO INCARCERATION)	152
RESOLUTION ESTABLISHING COMMUNITY SERVICE PROGRAM (BOARD OF SUPERVISORS)	136
RESOLUTION RESCINDING RESOLUTION 316 OF 2003 (ALTERNATIVES TO INCARCERATION PROGRAM)	5
AMEND OPERATING BUDGET	
RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION (PUBLIC WORKS)	99
RESOLUTION AMENDING 2004 OPERATING BUDGET - IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)	100
RESOLUTION AMENDING 2004 OPERATING BUDGET - EARLY INTERVENTION/CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANTS (PUBLIC HEALTH)	46
RESOLUTION AMENDING 2004 OPERATING BUDGET PSYCHIATRIC PHYSICIAN (MENTAL HEALTH)	104
RESOLUTION AMENDING 2004 OPERATING BUDGET (BOARD OF ELECTIONS)	5
RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION - SHERIFF	135
RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)	150
RESOLUTION AMENDING 2004 OPERATING BUDGET - STATE HOMELAND SECURITY FUNDING (EMERGENCY MANAGEMENT)	153
RESOLUTION ACCEPTING GRANT AWARD - BUREAU OF JUSTICE ASSISTANCE (SHERIFF)	177
RESOLUTION AMENDING 2004 OPERATING BUDGET - LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT (SHERIFF)	134
RESOLUTION AMENDING 2004 OPERATING BUDGET FORFEITURE MONIES (DISTRICT ATTORNEY)	105

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2004 OPERATING BUDGET IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)	19
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDMENT - ST. MARY'S HOSPITAL - COMMUNITY MENTAL HEALTH AND ALCOHOLISM CENTER (MENTAL HEALTH)	327
RESOLUTION AMENDING 2004 OPERATING BUDGET LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)	18
APPOINTMENTS	
RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS	171
RESOLUTION APPOINTING INTERIM PROBATION DIRECTOR	138
RESOLUTION APPOINTING MONTGOMERY COUNTY CORONER - WESTERN DISTRICT (BOARD OF SUPERVISORS)	26
RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL (ALTERNATIVES TO INCARCERATION)	152
RESOLUTION APPOINTING COUNTY ATTORNEY	2
RESOLUTION APPOINTING MEMBER - COMMUNITY SERVICE BOARD (MENTAL HEALTH)	170
RESOLUTION CREATING THE POSITION OF INTERIM SUPERINTENDENT, MONTGOMERY COUNTY SANITARY DISTRICT #1	176
RESOLUTION RESCINDING RESOLUTION 27 OF 2000 AND APPOINTING MEMBERS - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE	43
RESOLUTION APPOINTING PROBATION DIRECTOR II	177
RESOLUTION APPOINTING JAIL PHYSICIAN	191
RESOLUTION ESTABLISHING A MONTGOMERY COUNTY EMS ADVISORY BOARD	191, 220, 258
RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR 2004	1
RESOLUTION REAPPOINTING MEMBERS OF THE MONTGOMERY COUNTY PLANNING BOARD	225
RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2004	1
RESOLUTION APPOINTING MOSA BOARD REPRESENTATIVE	9
RESOLUTION APPOINTING MEMBERS OF THE MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS	7
RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR (MONTGOMERY MEADOWS)	78
RESOLUTION APPOINTING MEMBER OF BOARD OF DIRECTORS OF MONTGOMERY COUNTY COOPERATIVE EXTENSION ASSOCIATION	7
RESOLUTION APPOINTING SUPERINTENDENT - MONTGOMERY COUNTY SANITARY DISTRICT #1	227
RESOLUTION APPOINTING AN INTERIM NURSING HOME ADMINISTRATOR	84
RESOLUTION APPOINTING MEMBER OF THE MONTGOMERY COUNTY JURY BOARD	8
RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR	138

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT NO. 1 BOARD OF DIRECTORS	9
RESOLUTION REAPPOINTING COUNTY HISTORIAN/RECORDS MANAGEMENT OFFICER	8
RESOLUTION APPOINTING MEMBERS OF THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD	10
RESOLUTION APPOINTING COUNTY AUDITOR	3, 14
RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS	10
RESOLUTION REESTABLISHING A RECORDS MANAGEMENT ADVISORY BOARD AND RESCINDING RESOLUTION 82 OF 1989 AND 434 OF 1997 WHICH CREATED PREVIOUS RECORDS MANAGEMENT ADVISORY BOARDS (HISTORY & ARCHIVES)	132
RESOLUTION APPOINTING REGION IV FOREST PRACTICE BOARD MEMBERS	11
RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE COORDINATOR	72
RESOLUTION AMENDING 2004 OPERATING BUDGET (STOP DWI)	12
RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY COURT LAW LIBRARY BOARD OF TRUSTEES	170
APPRECIATION	
RESOLUTION RENAMING SANITARY SEWER DISTRICT #1 ADMINISTRATION BUILDING	173
ARSON	
RESOLUTION APPOINTING MONTGOMERY COUNTY ARSON ADVISORY BOARD MEMBERS	41
AUDITOR	
RESOLUTION APPOINTING COUNTY AUDITOR	3, 14
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF INTERNAL AUDITING INITIATIVE	310
RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR	18
BIDS	
RESOLUTION AUTHORIZING PURCHASE CONTRACT - NATURAL GAS AWARD	137
RESOLUTION AWARDDING BID #05-04 - RADIO TOWER EQUIPMENT (SHERIFF)	151
RESOLUTION AWARDDING BID NO. 04-04 SALE OF TIMBER (DPW)	68
RESOLUTION AWARDDING BID NO. 03-04 (MEADOWS)	79
RESOLUTION AWARDDING BID NO. 06-04 - DIGITAL EYEWITNESS IN CAR VIDEO SYSTEM (STOP DWI)	151
RESOLUTION AWARDDING BID NO. 02-04 (PUBLIC WORKS)	70
RESOLUTION ACCEPTING BID - RFP#05-4 - COUNTY WIDE TELEPHONE SYSTEM	297
BOARD OF ELECTIONS	

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 11 (BOARD OF ELECTIONS)	313
RESOLUTION AMENDING 2004 OPERATING BUDGET (BOARD OF ELECTIONS)	5
RESOLUTION APPOINTING REPUBLICAN ELECTION COMMISSIONER	6
BOARD OF SUPERVISORS	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TEITSCH-KENT-FAY ARCHITECTS, P.C. - COUNTY BUILDINGS ENERGY COST COMPARISON STUDY - DPW	129
RESOLUTION APPOINTING BUDGET OFFICER (BOARD OF SUPERVISORS)	23
RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDIT BY THE NEW YORK STATE COMPTROLLER	15
RESOLUTION AUTHORIZING THE ELECTRONIC SUBMISSION OF THE PROCEEDING BOOKS FOR THE MONTGOMERY COUNTY BOARD OF SUPERVISORS - 1997 - 2003	148
RESOLUTION TO RETAIN LEGAL COUNSEL (BOARD OF SUPERVISORS)	13
RESOLUTION ESTABLISHING A PUBLIC REFERENDUM ON THE QUESTION OF ALTERNATIVE FORMS OF COUNTY GOVERNMENT	273, 294
RESOLUTION LIMITING ELIGIBILITY OF SUPERVISORS FOR MILEAGE REIMBURSEMENT	15
RESOLUTION ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	2
RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2004	1
RESOLUTION RESCHEDULING BOARD OF SUPERVISORS' DECEMBER 2004 MEETING	298
RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR 2004	1
RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	12
RESOLUTION APPOINTING COUNTY ATTORNEY	2
RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2004	3
RESOLUTION FIXING DATE AND TIME FOR 2005 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS	331
RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	52
BOARDS	
RESOLUTION APPOINTING MONTGOMERY COUNTY ARSON ADVISORY BOARD MEMBERS	41
RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH)	80
RESOLUTION ESTABLISHING A MONTGOMERY COUNTY EMS ADVISORY BOARD	191, 220, 258
RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE ADVISORY BOARD MEMBERS	40
RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY COURT LAW LIBRARY BOARD OF TRUSTEES	170

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS	171
RESOLUTION REESTABLISHING A RECORDS MANAGEMENT ADVISORY BOARD AND RESCINDING RESOLUTION 82 OF 1989 AND 434 OF 1997 WHICH CREATED PREVIOUS RECORDS MANAGEMENT ADVISORY BOARDS (HISTORY & ARCHIVES)	132
RESOLUTION DISSOLVING THE MONTGOMERY COUNTY TOURISM ADVISORY COMMITTEE	130
RESOLUTION REAPPOINTING MEMBERS OF THE MONTGOMERY COUNTY PLANNING BOARD	225
BONDS	
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE 'COUNTY') DATED APRIL 27, 2004, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$2,593,010.00; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST	107
RESOLUTION APPROVING CAPITAL PROJECT - EQUIPMENT REPLACEMENT (DPW)	129
RESOLUTION APPROVING 2004 CAPITAL PROJECTS - BRIDGE REHABILITATION/REPLACEMENT (DPW)	42
RESOLUTION APPROVING 2004 CAPITAL PROJECT OFFSET PRESS (DATA PROCESSING)	42
BOND RESOLUTION OF MONTGOMERY COUNTY AUTHORIZING THE ASSESSMENT, EVALUATION & REPLACEMENT OF A COUNTY-WIDE TELEPHONE SYSTEM; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$228,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST	332
RESOLUTION APPROVING 2004 CAPITAL PROJECTS ROAD RECONSTRUCTION (DPW)	69
BUDGET	
RESOLUTION AMENDING 2004 OPERATING BUDGET (DATA)	77
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITIONS (SOCIAL SERVICES - HISTORY & ARCHIVES)	320
RESOLUTION ESTABLISHING RETIREMENT CONTRIBUTION RESERVE FUNDS	297
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITION (SHERIFF'S OFFICE)	321
RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - RESTORING CORNELL COOPERATIVE EXTENSION FUNDING	290
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ECONOMIC OPPORTUNITY AND DEVELOPMENT	289
RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)	77
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PERSONNEL FRINGE BENEFITS CORRECTIONS	321
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING MOSA SUBSIDY	284
RESOLUTION ADOPTING 2004-2005 FMCC OPERATING BUDGET	234
RESOLUTION INCREASING THE CONSTITUTIONAL TAX LIMIT FOR THE COUNTY OF MONTGOMERY	239, 263

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ESTABLISHING A PUBLIC HEARING FOR CONSIDERATION OF RAISING THE CONSTITUTIONAL TAX LIMIT	232
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 10 (PERSONNEL)	313
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 11 (BOARD OF ELECTIONS)	313
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 16 (PUBLIC HEALTH)	314
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF NON-BARGAINING SALARY INCREASES	270
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING APPROPRIATIONS FOR INVESTIGATORS (SOCIAL SERVICES)	315
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING DPW SNOW CONTRACT	284
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING PART-TIME ATTORNEY POSITION (SOCIAL SERVICES)	315
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING MONTGOMERY MEADOWS LINE ITEMS	320
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 21 (YOUTH BUREAU / ACSO)	316
RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER REDUCTION	316, 319
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RETIREMENT INCENTIVE LINE ITEM CHANGES	284
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS	286
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVENUE ADJUSTMENTS (SOCIAL SERVICES)	286
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING JAIL CONTRACTUAL LINE ITEMS	287
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING SHERIFF'S ROAD PATROL	287
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING VARIOUS LINE ITEMS	319
RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - CREATION OF COUNTY MORTGAGE TAX REVENUE LINE ITEM	289
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVISING HEALTH INSURANCE	283
RESOLUTION ADOPTING 2005 OPERATING BUDGET	322
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 12 (PUBLIC WORKS)	308

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING REVENUE LINE ITEMS	305
RESOLUTION AMENDING TENTATIVE BUDGET - CORONER'S OFFICE	306
RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER CORRECTION	306
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 06 (TREASURER)	312
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING PUBLIC HEALTH REVENUE LINE ITEM	304
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING CONTINGENT ACCOUNT	311
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PUBLIC DEFENDER'S OFFICE	306
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING REAL PROPERTY RESEARCH TECH POSITION	312
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING SUPERVISORS' SALARIES	311
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING MOSA LINE ITEMS	305
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING COUNTY CLERK POSITION	312
RESOLUTION ESTABLISHING A PUBLIC HEARING ON 2005 TENTATIVE OPERATING BUDGET	290
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING BUDGET OFFICER	309
RESOLUTION DELEGATING AUTHORITY TO AMEND 2004 OPERATING BUDGET	331
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING COUNTY ATTORNEY LINE ITEMS	313
RESOLUTION AMENDING 2004 OPERATING BUDGET - EARLY INTERVENTION/CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANTS (PUBLIC HEALTH)	46
RESOLUTION AUTHORIZING ACCOUNT PAYABLE YEAR-END ADJUSTMENTS - 2004 OPERATING BUDGET	330
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF INTERNAL AUDITING INITIATIVE	310
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - AMENDING USE OF RETIREMENT RESERVE FUND	307

BUDGET OFFICER

RESOLUTION INDICATING A VOTE OF CONFIDENCE FOR THE CURRENT CHAIRMAN - DOMINICK STAGLIANO AND HIS APPOINTMENT AS BUDGET OFFICER OF MONTGOMERY COUNTY	82
RESOLUTION APPOINTING BUDGET OFFICER (BOARD OF SUPERVISORS)	23
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING BUDGET OFFICER	309

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
BUSINESS DEVELOPMENT	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MVEDD (ECONOMIC OPPORTUNITY)	76
CAPITAL PROJECTS	
RESOLUTION AUTHORIZING RFP - ENGINEERING & DESIGN SERVICES - FIRE ALARM SYSTEM/HVAC CONTROL CONVERSION PROJECTS (FMCC)	172
RESOLUTION APPROVING CAPITAL PROJECT - EQUIPMENT REPLACEMENT (DPW)	129
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE 'COUNTY') DATED APRIL 27, 2004, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$2,593,010.00; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST	107
RESOLUTION APPROVING 2004 CAPITAL PROJECTS - BRIDGE REHABILITATION/REPLACEMENT (DPW)	42
BOND RESOLUTION OF MONTGOMERY COUNTY AUTHORIZING THE ASSESSMENT, EVALUATION & REPLACEMENT OF A COUNTY-WIDE TELEPHONE SYSTEM; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$228,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST	332
RESOLUTION APPROVING 2004 CAPITAL PROJECT OFFSET PRESS (DATA PROCESSING)	42
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PHILLIPS ASSOCIATES (FMCC INTEGRATED CAMPUS FIRE ALARM AND HVAC CONTROLS PROJECT)	228
RESOLUTION APPROVING 2004 CAPITAL PROJECTS ROAD RECONSTRUCTION (DPW)	69
RESOLUTION APPROVING CAPITAL PROJECTS - INTEGRATED FIRE ALARM SYSTEM AND HVAC CONTROL PROJECT (FMCC)	127
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER NO. 1 - ERWIN VOSS & ASSOCIATES (FMCC WATER INFILTRATION PROJECT)	228
RESOLUTION AUTHORIZING CHANGE ORDER No. 1 - WEATHERGUARD ROOFING - COLLEGE UNION ROOF REPLACEMENT PROJECT (FMCC)	126
CHAIRMAN OF THE BOARD	
RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2004	1
CHAMBER OF COMMERCE	
RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION (CHAMBER OF COMMERCE)	172
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT -TOURISM PROMOTION AGENCY ADMINISTRATION(MONTGOMERY COUNTY CHAMBER OF COMMERCE)	156
CITY OF AMSTERDAM	
RESOLUTION EXPRESSING OPPOSITION TO PROPOSED LANDFILL - CITY OF AMSTERDAM	52
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR PROVISION OF PURCHASING SERVICES - CITY OF AMSTERDAM	153
COMMISSIONER OF JURORS	

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPOINTING MEMBER OF THE MONTGOMERY COUNTY JURY BOARD	8
COMMITTEE	
RESOLUTION DISSOLVING THE MONTGOMERY COUNTY TOURISM ADVISORY COMMITTEE	130
RESOLUTION RESCINDING RESOLUTION 202 OF 2001 AND RE- ESTABLISHING LABOR MANAGEMENT COMMITTEE	50
COMMUNITY COLLEGE CHARGEBACK	
RESOLUTION AMENDING 2004 OPERATING BUDGET (COMMUNITY COLLEGE TUITION)	302
COMMUNITY DEVELOPMENT	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES - POWER PALLET (EOD/PLANNING)	264
CONSULTANT	
RESOLUTION TRANSFERRING FUNDS - CONSULTING FEES (MONTGOMERY MEADOWS)	233, 301
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ALTREYA CONSULTING REVENUE MAXIMIZATION SERVICES	81
CONTRACT	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT)	172
RESOLUTION ACCEPTING JUVENILE JUSTICE GRANT (NYS DCJS) AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL CHILDREN'S CLINIC (PROBATION)	171
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA (RECRUITING AND RETENTION OF RNS AND LPNS - MONTGOMERY MEADOWS)	156
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SNOW AND ICE CONTROL (PUBLIC WORKS)	331
RESOLUTION ADOPTING 2005 STOP DWI PROGRAM	196
RESOLUTION AUTHORIZING CHANGE ORDER #2 - COBLESKILL STONE PRODUCTS - TARGET ACCESS ROAD/LOT#4 CONNECTOR (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	178
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PHILLIPS ASSOCIATES (FMCC INTEGRATED CAMPUS FIRE ALARM AND HVAC CONTROLS PROJECT)	228
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FIDELIS CARE NEW YORK (PUBLIC HEALTH)	193
RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 - COBLESKILL STONE PRODUCTS - NYS Rt. 5S RECONSTRUCTION (EOD/PLANNING)	194
RESOLUTION AUTHORIZING CHANGE ORDER NO.4 - COBLESKILL STONE PRODUCTS - NYS Rt. 5S RECONSTRUCTION (EOD/PLANNING)	195
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ID BADGE/DOOR ACCESS SYSTEM (PERSONNEL)	195

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER NO. 1 - ERWIN VOSS & ASSOCIATES (FMCC WATER INFILTRATION PROJECT)	228
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL (SHERIFF)	224
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 5 OF 2004 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	232
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - (EAP) EMPLOYEE ASSISTANCE PROGRAM - ST. MARY'S HOSPITAL (PERSONNEL)	328
RESOLUTION AWARDDING BID NO. 06-04 - DIGITAL EYEWITNESS IN CAR VIDEO SYSTEM (STOP DWI)	151
RESOLUTION AMENDING 2004 OPERATING BUDGET PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)	19
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STD SERVICES (PUBLIC HEALTH)	20
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - 2004 BRIDGE PROGRAM (PUBLIC WORKS)	129
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TB MEDICAL SERVICES (PUBLIC HEALTH)	20
RESOLUTION AUTHORIZING CHANGE ORDER #1 - COBLESKILL STONE PRODUCTS - NYS ROUTE 5S RECONSTRUCTION (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	131
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MASS TRANSPORTATION THIRD PARTY PROVIDER AGREEMENT	23
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM (ECONOMIC OPPORTUNITY AND DEVELOPMENT)	17
RESOLUTION ACCEPTING PROPOSAL - GIS MAPPING SYSTEM - 911 DISPATCH CENTER (SHERIFF)	39
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - STATE HOMELAND SECURITY & LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (EMERGENCY MANAGEMENT)	40
RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 CONDOR CONSTRUCTION - BOOKSTORE INTERIOR WATER INFILTRATION REPAIR PROJECT (FMCC)	79
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 5 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	261
RESOLUTION AWARDDING BRIDGE REPLACEMENT CONTRACT (DPW)	42
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)	328
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MONTGOMERY, HFM BOCES, COUNTY OF FULTON AND FMCC (HFM BOCES CONSTRUCTION PROJECT)	123
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EXCESS LIABILITY WORKERS COMPENSATION INSURANCE (PERSONNEL)	329

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION TRANSFERRING FUNDS - TRYON OIL BROWNFIELD PROJECT (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	155
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY SNOWMOBILE ASSOCIATION (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	155
RESOLUTION ACCEPTING CONSERVATION EASEMENT - FLORIDA BUSINESS PARK	154
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR PROVISION OF PURCHASING SERVICES - CITY OF AMSTERDAM	153
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF JOHNSTOWN	152
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THIRD PARTY DRUG AND ALCOHOL TESTING ADMINSTRATOR (PERSONNEL)	329
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING APPROPRIATIONS FOR INVESTIGATORS (SOCIAL SERVICES)	315
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT -TOURISM PROMOTION AGENCY ADMINISTRATION(MONTGOMERY COUNTY CHAMBER OF COMMERCE)	156
RESOLUTION TO RETAIN LEGAL COUNSEL (BOARD OF SUPERVISORS)	13
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - CR 65, RIVER ROAD RELOCATION AND TWO-SPAN REMOVAL (BIN 4425030) - DPW	16
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MONTGOMERY COUNTY OFFICE FOR AGING, INC. (BOARD OF SUPERVISORS)	16
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT 2004-2006 CONSOLIDATED SERVICES PLAN (SOCIAL SERVICES)	133
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CORNELL COOPERATIVE EXTENSION OF FULTON AND MONTGOMERY COUNTIES (BOARD OF SUPERVISORS)	16
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)	17
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM	152
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - GAT SUBSIDIZATION (MOSA)	264
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS UNIFORM COURT SYSTEM (SHERIFF'S OFFICE)	300
RESOLUTION TRANSFERRING FUNDS - CONSULTING FEES (MONTGOMERY MEADOWS)	301
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MICROFILMING ORIGINAL ASSESSMENT ROLLS - IMAGEMAX (HISTORY AND ARCHIVES)	265
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)	301, 325
COOPERATIVE EXTENSION	
RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - RESTORING CORNELL COOPERATIVE EXTENSION FUNDING	290

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPOINTING MEMBER OF BOARD OF DIRECTORS OF MONTGOMERY COUNTY COOPERATIVE EXTENSION ASSOCIATION	7
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CORNELL COOPERATIVE EXTENSION OF FULTON AND MONTGOMERY COUNTIES (BOARD OF SUPERVISORS)	16
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGRICULTURE ECONOMIC DEVELOPMENT FUNDING SUPPORT AGREEMENT COOPERATIVE EXTENSION	75
CORONERS	
RESOLUTION APPOINTING CORONER - WESTERN DISTRICT - (BOARD OF SUPERVISORS)	24
RESOLUTION AMENDING TENTATIVE BUDGET - CORONER'S OFFICE	306
RESOLUTION APPOINTING MONTGOMERY COUNTY CORONER - WESTERN DISTRICT (BOARD OF SUPERVISORS)	26
COUNTY ATTORNEY	
RESOLUTION TO RETAIN LEGAL COUNSEL (BOARD OF SUPERVISORS)	13
RESOLUTION APPOINTING COUNTY ATTORNEY	2
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING COUNTY ATTORNEY LINE ITEMS	313
COUNTY CLERK	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ELECTRONIC DOCUMENT IMAGING (COUNTY CLERK)	106
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING REVENUE LINE ITEMS	305
RESOLUTION ESTABLISHING FEE (COUNTY CLERK)	137
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING COUNTY CLERK POSITION	312
COURT	
RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY COURT LAW LIBRARY BOARD OF TRUSTEES	170
CSEA	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA (RECRUITING AND RETENTION OF RNS AND LPNS - MONTGOMERY MEADOWS)	156
RESOLUTION ESTABLISHING POSITION - BUILDING MAINTENANCE SERVICES SUPERVISOR (MONTGOMERY MEADOWS)	223
RESOLUTION ESTABLISHING POSITION - BUSINESS MANAGER (MONTGOMERY MEADOWS)	272
RESOLUTION AUTHORIZING RELOCATION OF CSEA AND NON-BARGAINING SALARY GRADE SCHEDULES	138
DAIRY FARMING	

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION STATING DISAPPROVAL OF THE PRESIDENT OF THE UNITED STATES LIBERALIZATION OF TRADE WITH AUSTRALIA	44
DATA PROCESSING	
RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS COMPUTER EQUIPMENT	99
RESOLUTION AUTHORIZING THE ELECTRONIC SUBMISSION OF THE PROCEEDING BOOKS FOR THE MONTGOMERY COUNTY BOARD OF SUPERVISORS - 1997 - 2003	148
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING REVENUE LINE ITEMS	305
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM	152
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF JOHNSTOWN	152
RESOLUTION AMENDING 2004 OPERATING BUDGET (DATA)	77
RESOLUTION APPROVING 2004 CAPITAL PROJECT OFFSET PRESS (DATA PROCESSING)	42
DENTAL SERVICES	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT INMATE DENTAL SERVICES (JAIL)	74
DEPARTMENT PUBLIC WORKS	
RESOLUTION AWARDDING BID NO. 04-04 SALE OF TIMBER (DPW)	68
RESOLUTION APPROVING 2004 CAPITAL PROJECTS ROAD RECONSTRUCTION (DPW)	69
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SACK & ASSOCIATES BOILER REPLACEMENT PROJECT (DPW)	69
RESOLUTION AWARDDING BID NO. 02-04 (PUBLIC WORKS)	70
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THE MEYERS GROUP - TELEPHONE SYSTEM PROJECT (DPW)	69
DEPOSITORIES	
RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2004 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME	3
DISTRICT ATTORNEY	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)	301, 325
RESOLUTION AMENDING 2004 OPERATING BUDGET FORFEITURE MONIES (DISTRICT ATTORNEY)	105
E-911	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - 911 EXPEDITED DEPLOYMENT GRANT (SHERIFF)	39

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ACCEPTING PROPOSAL - GIS MAPPING SYSTEM - 911 DISPATCH CENTER (SHERIFF)	39
ECONOMIC DEVELOPMENT	
RESOLUTION AUTHORIZING CHANGE ORDER #2 - COBLESKILL STONE PRODUCTS - TARGET ACCESS ROAD/LOT#4 CONNECTOR (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	178
RESOLUTION AUTHORIZING CHANGE ORDER NO.4 - COBLESKILL STONE PRODUCTS - NYS Rt. 5S RECONSTRUCTION (EOD/PLANNING)	195
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ECONOMIC OPPORTUNITY AND DEVELOPMENT	289
RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 - COBLESKILL STONE PRODUCTS - NYS Rt. 5S RECONSTRUCTION (EOD/PLANNING)	194
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT)	172
RESOLUTION REQUESTING TRANSPORTATION FUNDING - NYS ROUTE 5S RECONSTRUCTION - TARGET ACCESS ROAD PROJECT	199
RESOLUTION ASSUMING LEAD AGENCY STATUS UNDER SEQRA - MONTGOMERY COUNTY SMALL CITIES APPLICATION - POWER PALLET (EOD/PLANNING)	266
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM (ECONOMIC OPPORTUNITY AND DEVELOPMENT)	17
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- VAN ALSTINE HORTICULTURAL SERVICES	326
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 5 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	261
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MVEDD (ECONOMIC OPPORTUNITY)	76
RESOLUTION AUTHORIZING CHAIR TO SIGN AGREEMENT CONTRACT AMENDMENT MCDONALD ENGINEERING FLORIDA BUSINESS PARK WATER AND SEWER (ECONOMIC OPPORTUNITY)	76
ECONOMIC OPPORTUNITY & DEVELOPMENT	
RESOLUTION AUTHORIZING DIRECTOR OF ECONOMIC DEVELOPMENT TO IMPLEMENT HUD REQUIREMENTS - CDBG (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	131
RESOLUTION AUTHORIZING CHANGE ORDER #1 - COBLESKILL STONE PRODUCTS - NYS ROUTE 5S RECONSTRUCTION (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	131
RESOLUTION ESTABLISHING PLANNER TRAINEE POSITION ECONOMIC OPPORTUNITY AND DEVELOPMENT	98
RESOLUTION ESTABLISHING ANNUAL THIRTY-DAY AGRICULTURAL DISTRICT REVIEW PERIOD	131

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES - POWER PALLET (EOD/PLANNING)	264
RESOLUTION TRANSFERRING FUNDS - TRYON OIL BROWNFIELD PROJECT (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	155
RESOLUTION ACCEPTING CONSERVATION EASEMENT - FLORIDA BUSINESS PARK	154
RESOLUTION SUPPORTING NATURE TRAIL PROJECT- THOMAS H. BURBINE SR. MEMORIAL FOREST	154, 170
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY SNOWMOBILE ASSOCIATION (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	155
ELECTED OFFICIALS	
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2004 REPEAL OF LOCAL LAW NO. 7 OF 2002 WHICH ESTABLISHED A WAITING PERIOD FOR APPOINTIVE EMPLOYMENT FOR ELECTED OFFICIALS	80
EMERGENCY MANAGEMENT	
RESOLUTION AUTHORIZING SUBMISSION OF THE MONTGOMERY COUNTY PRE-MITIGATION DISASTER PLAN (EMERGENCY MANAGEMENT)	99
RESOLUTION ESTABLISHING A MONTGOMERY COUNTY EMS ADVISORY BOARD	191, 220, 258
RESOLUTION AMENDING 2004 OPERATING BUDGET - STATE HOMELAND SECURITY FUNDING (EMERGENCY MANAGEMENT)	153
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - STATE HOMELAND SECURITY & LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (EMERGENCY MANAGEMENT)	40
EMPIRE ZONE	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN EMPIRE ZONE ADMINISTRATIVE SERVICES AGREEMENT	75
ENVIRONMENTAL	
RESOLUTION CONSENTING TO FULTON COUNTY BOARD OF SUPERVISORS ACTING AS LEAD AGENCY IN THE SEQRA PROCESS FOR THE HFM BOCES CONSTRUCTION PROJECT	261
RESOLUTION ASSUMING LEAD AGENCY STATUS UNDER SEQRA - MONTGOMERY COUNTY SMALL CITIES APPLICATION - POWER PALLET (EOD/PLANNING)	266
FBI ANTENNA	
RESOLUTION AMENDING RESOLUTION 225 OF 2003 - FBI SITE ANTENNA SITE LICENSE (SHERIFF)	21
FEES	
RESOLUTION ESTABLISHING FEES - SHERIFF'S OFFICE	299
RESOLUTION ESTABLISHING PRIVATE ROOM RATE (MONTGOMERY MEADOWS)	153
RESOLUTION AUTHORIZING INCREASE IN FEES - GENEALOGICAL RESEARCH (HISTORY AND ARCHIVES)	266

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ESTABLISHING FEE (COUNTY CLERK)	137
FIRE	
RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE COORDINATOR	72
RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE ADVISORY BOARD MEMBERS	40
FIRE COORDINATOR	
RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF THE DEPARTING MONTGOMERY COUNTY FIRE COORDINATOR GEORGE KING	73
FIRE TRAINING CENTER	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - NYSDEC ENVIRONMENTAL RESTORATION PROGRAM - YOST FIRE TRAINING CENTER (DPW)	173, 190
FISH & WILDLIFE	
RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS	10
FIXED ASSETS	
RESOLUTION AUTHORIZING SALE OF TRAILER (SHERIFF)	134
FLORIDA BUSINESS PARK	
RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 - COBLESKILL STONE PRODUCTS - NYS Rt. 5S RECONSTRUCTION (EOD/PLANNING)	194
RESOLUTION ACCEPTING CONSERVATION EASEMENT - FLORIDA BUSINESS PARK	154
RESOLUTION AUTHORIZING CHANGE ORDER NO.4 - COBLESKILL STONE PRODUCTS - NYS Rt. 5S RECONSTRUCTION (EOD/PLANNING)	195
RESOLUTION AUTHORIZING CHAIR TO SIGN AGREEMENT CONTRACT AMENDMENT MCDONALD ENGINEERING FLORIDA BUSINESS PARK WATER AND SEWER (ECONOMIC OPPORTUNITY)	76
FOREST PRACTICE BOARD	
RESOLUTION APPOINTING REGION IV FOREST PRACTICE BOARD MEMBERS	11
FULTON-MONTGOMERY COMMUNITY COLLEGE	
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MONTGOMERY, HFM BOCES, COUNTY OF FULTON AND FMCC (HFM BOCES CONSTRUCTION PROJECT)	123
RESOLUTION REQUESTING INFORMATION FROM THE ADMINISTRATION OF FULTON-MONTGOMERY COMMUNITY COLLEGE	149
RESOLUTION APPROVING CAPITAL PROJECTS - INTEGRATED FIRE ALARM SYSTEM AND HVAC CONTROL PROJECT (FMCC)	127
RESOLUTION AUTHORIZING SUPPLEMENTAL FINANCING AGREEMENT RELATING TO DORMITORY AUTHORITY AND THE STATE OF NEW YORK UPSTATE COMMUNITY COLLEGES REVENUE BOND RESOLUTION ADOPTED DECEMBER 4, 2002 (1995 FMCC MASTER PLAN)	111

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING RFP - ENGINEERING & DESIGN SERVICES - FIRE ALARM SYSTEM/HVAC CONTROL CONVERSION PROJECTS (FMCC)	172
RESOLUTION AUTHORIZING CHANGE ORDER No. 1 - WEATHERGUARD ROOFING - COLLEGE UNION ROOF REPLACEMENT PROJECT (FMCC)	126
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 5 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	261
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 5 OF 2004 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	232
RESOLUTION ADOPTING 2004-2005 FMCC OPERATING BUDGET	234
RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 CONDOR CONSTRUCTION - BOOKSTORE INTERIOR WATER INFILTRATION REPAIR PROJECT (FMCC)	79
RESOLUTION RESCINDING RESOLUTION 317 OF 1966 - FMCC CAPITAL AND OPERATING EXPENSES	262
RESOLUTION ESTABLISHING PUBLIC HEARING - 2004-2005 FMCC OPERATING BUDGET	199
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PHILLIPS ASSOCIATES (FMCC INTEGRATED CAMPUS FIRE ALARM AND HVAC CONTROLS PROJECT)	228
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER NO. 1 - ERWIN VOSS & ASSOCIATES (FMCC WATER INFILTRATION PROJECT)	228
GRANT	
RESOLUTION AMENDING 2004 OPERATING BUDGET - STATE HOMELAND SECURITY FUNDING (EMERGENCY MANAGEMENT)	153
RESOLUTION ACCEPTING JUVENILE JUSTICE GRANT (NYS DCJS) AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL CHILDREN'S CLINIC (PROBATION)	171
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - 911 EXPEDITED DEPLOYMENT GRANT (SHERIFF)	39
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AWARD - LGRMIF (HISTORY AND ARCHIVES)	193
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES - POWER PALLET (EOD/PLANNING)	264
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)	301, 325
RESOLUTION AMENDING 2004 OPERATING BUDGET - LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT (SHERIFF)	134
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ELECTRONIC DOCUMENT IMAGING (COUNTY CLERK)	106
RESOLUTION AMENDING 2004 OPERATING BUDGET - DCJS GRANT - K-9 VEHICLE, EQUIPMENT AND TRAINING (SHERIFF)	272
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GOVERNOR'S TRAFFIC SAFETY COMMITTEE - BUNY GRANT (SHERIFF'S OFFICE)	327

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - NYSDEC ENVIRONMENTAL RESTORATION PROGRAM - YOST FIRE TRAINING CENTER (DPW)	173, 190
RESOLUTION ACCEPTING GRANT AWARD - DCJS LOCAL LAW ENFORCEMENT BLOCK GRANT - K-9 VEHICLE AND EQUIPMENT (SHERIFF)	224
RESOLUTION RATIFYING APPLICATIONS FOR CERTAIN GRANT FUNDING (SHERIFF)	135
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS UNIFORM COURT SYSTEM (SHERIFF'S OFFICE)	300
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AWARD - LGRMIF (SHERIFF)	197
RESOLUTION AMENDING 2004 OPERATING BUDGET - CHILD PASSENGER SAFETY INCENTIVE GRANT (PUBLIC HEALTH)	267
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION NYS DCJS BUREAU OF JUSTICE FUNDING (SHERIFF)	101
RESOLUTION AMENDING 2004 OPERATING BUDGET - IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)	100
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AGREEMENT 911 EXPEDITED DEPLOYMENT GRANT (SHERIFF)	102
RESOLUTION ACCEPTING GRANT AWARD - BUREAU OF JUSTICE ASSISTANCE (SHERIFF)	177
RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION (CHAMBER OF COMMERCE)	172
RESOLUTION AMENDING 2004 OPERATING BUDGET - PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)	266
HFM BOCES	
RESOLUTION CONSENTING TO FULTON COUNTY BOARD OF SUPERVISORS ACTING AS LEAD AGENCY IN THE SEQRA PROCESS FOR THE HFM BOCES CONSTRUCTION PROJECT	261
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MONTGOMERY, HFM BOCES, COUNTY OF FULTON AND FMCC (HFM BOCES CONSTRUCTION PROJECT)	123
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 5 OF 2004 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	232
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 5 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	261
HISTORY AND ARCHIVES	
RESOLUTION REAPPOINTING COUNTY HISTORIAN/RECORDS MANAGEMENT OFFICER	8
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITIONS (SOCIAL SERVICES - HISTORY & ARCHIVES)	320
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AWARD - LGRMIF (HISTORY AND ARCHIVES)	193
RESOLUTION AUTHORIZING INCREASE IN FEES - GENEALOGICAL RESEARCH (HISTORY AND ARCHIVES)	266

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN DEED OF GIFT STATE EDUCATION DEPARTMENT (HISTORY & ARCHIVES)	76
RESOLUTION REESTABLISHING A RECORDS MANAGEMENT ADVISORY BOARD AND RESCINDING RESOLUTION 82 OF 1989 AND 434 OF 1997 WHICH CREATED PREVIOUS RECORDS MANAGEMENT ADVISORY BOARDS (HISTORY & ARCHIVES)	132
RESOLUTION APPROVING REMOVAL OF ARCHIVAL RECORDS (HISTORY AND ARCHIVES)	265
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MICROFILMING ORIGINAL ASSESSMENT ROLLS - IMAGEMAX (HISTORY AND ARCHIVES)	265
HUD	
RESOLUTION AUTHORIZING DIRECTOR OF ECONOMIC DEVELOPMENT TO IMPLEMENT HUD REQUIREMENTS - CDBG (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	131
INDUSTRIAL DEVELOPMENT	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- VAN ALSTINE HORTICULTURAL SERVICES	326
INDUSTRIAL DEVELOPMENT AGENCY	
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 5 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	261
INDUSTRIAL PARK	
RESOLUTION AUTHORIZING CHANGE ORDER #2 - COBLESKILL STONE PRODUCTS - TARGET ACCESS ROAD/LOT#4 CONNECTOR (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	178
INSURANCE	
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVISING HEALTH INSURANCE	283
JAIL	
RESOLUTION APPOINTING JAIL PHYSICIAN	191
JURY	
RESOLUTION APPOINTING MEMBER OF THE MONTGOMERY COUNTY JURY BOARD	8
LABOR MANAGEMENT	
RESOLUTION RESCINDING RESOLUTION 202 OF 2001 AND RE- ESTABLISHING LABOR MANAGEMENT COMMITTEE	50
LANDFILL	
RESOLUTION EXPRESSING OPPOSITION TO PROPOSED LANDFILL - CITY OF AMSTERDAM	52
LEASE	

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 5 OF 2004 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	232
LOCAL LAW	
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 2 OF 2004	51
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 5 OF 2004 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	232
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2004 REPEAL OF LOCAL LAW NO. 7 OF 2002 WHICH ESTABLISHED A WAITING PERIOD FOR APPOINTIVE EMPLOYMENT FOR ELECTED OFFICIALS	80
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 2004 SALE OF COUNTY- OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE	80
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 1 OF 2004	46
MCI DA	
RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS	171
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT)	172
MENTAL HEALTH	
RESOLUTION AMENDING 2004 OPERATING BUDGET PSYCHIATRIC PHYSICIAN (MENTAL HEALTH)	104
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDMENT - ST. MARY'S HOSPITAL - COMMUNITY MENTAL HEALTH AND ALCOHOLISM CENTER (MENTAL HEALTH)	327
RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT - PSYCHIATRIST (MENTAL HEALTH)	81
RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH)	80
RESOLUTION TRANSFERRING FUNDS (MENTAL HEALTH)	149
RESOLUTION APPOINTING MEMBER - COMMUNITY SERVICE BOARD (MENTAL HEALTH)	170
MONTGOMERY MEADOWS	
RESOLUTION AWARDDING BID NO. 03-04 (MEADOWS)	79
RESOLUTION AUTHORIZING RELOCATION OF CSEA AND NON-BARGAINING SALARY GRADE SCHEDULES	138
RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER CORRECTION	306
RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR	138

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #6 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE (MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY)	296
RESOLUTION IN SUPPORT OF SENATE BILL S5854 AND ASSEMBLY BILL A10124 AMENDING SOCIAL SERVICES LAW, IN RELATION TO STATE REIMBURSEMENT FOR CARE, TREATMENT, MAINTENANCE AND NURSING SERVICES IN NURSING HOMES	127
RESOLUTION AMENDING 2004 OPERATING BUDGET (SOCIAL SERVICES)	303
RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER REDUCTION	316, 319
RESOLUTION TRANSFERRING FUNDS - CONSULTING FEES (MONTGOMERY MEADOWS)	233, 301
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR AN INTERIM LICENSED MEADOWS ADMINISTRATOR	78
RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR (MONTGOMERY MEADOWS)	78
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT REHABILITATION PROGRAM (MONTGOMERY MEADOWS)	49
RESOLUTION ESTABLISHING POSITION - REGISTERED PROFESSIONAL NURSE (MONTGOMERY MEADOWS)	274
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3 OF 2004 - A LOCAL LAW TO AMEND LOCAL LAW #2 OF 1985 WHICH ESTABLISHED A MONTGOMERY COUNTY INFIRMARY DEPARTMENT	85
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING VARIOUS LINE ITEMS	319
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)	49, 104, 132, 174, 223
RESOLUTION APPOINTING AN INTERIM NURSING HOME ADMINISTRATOR	84
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2004 A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1985 A LOCAL LAW, WHICH ESTABLISHED A MONTGOMERY COUNTY INFIRMARY DEPARTMENT	105
RESOLUTION ACCEPTING A PROPOSAL FOR THE SALE OF THE MONTGOMERY MEADOWS AND ESTABLISHING A PUBLIC HEARING ON INTRO. LOCAL LAW #6 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE	260
RESOLUTION AUTHORIZING THE NEGOTIATION PROCESS FOR THE ASSUMPTION/PURCHASE OF THE MONTGOMERY MEADOWS	150
RESOLUTION AUTHORIZING THE SALE OF THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY	196
RESOLUTION ESTABLISHING PRIVATE ROOM RATE (MONTGOMERY MEADOWS)	153
RESOLUTION ESTABLISHING POSITION - BUSINESS MANAGER (MONTGOMERY MEADOWS)	272
RESOLUTION ESTABLISHING POSITION - BUILDING MAINTENANCE SERVICES SUPERVISOR (MONTGOMERY MEADOWS)	223
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA (RECRUITING AND RETENTION OF RNS AND LPNS - MONTGOMERY MEADOWS)	156

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING MONTGOMERY MEADOWS LINE ITEMS	320
MORTGAGE TAX	
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY	110, 268
RESOLUTION RECOMMENDING THE STATE LEGISLATURE AMEND SUCH SECTIONS OF THE NEW YORK STATE TAX LAW TO AUTHORIZE THE COUNTY OF MONTGOMERY TO INCREASE MORTGAGE RECORDING TAX AND EXPEND SAME IN ANY APPROPRIATE MANNER	288
RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - CREATION OF COUNTY MORTGAGE TAX REVENUE LINE ITEM	289
MOSA	
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING MOSA SUBSIDY	284
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - GAT SUBSIDIZATION (MOSA)	264
RESOLUTION APPOINTING MOSA BOARD REPRESENTATIVE	9
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING MOSA LINE ITEMS	305
NEWSPAPER	
RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2004	3
NON-BARGAINING UNIT PERSONNEL	
RESOLUTION AUTHORIZING SALARY INCREASES - NON-BARGAINING EMPLOYEES	229
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 4 OF 2004 - A LOCAL LAW ESTABLISHING THE 2004 SALARIES OF VARIOUS COUNTY OFFICIALS	231
RESOLUTION AUTHORIZING RELOCATION OF CSEA AND NON-BARGAINING SALARY GRADE SCHEDULES	138
OCCUPANCY TAX ADVISORY BOARD	
RESOLUTION APPOINTING MEMBERS OF THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD	10
RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION (CHAMBER OF COMMERCE)	172
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT -TOURISM PROMOTION AGENCY ADMINISTRATION(MONTGOMERY COUNTY CHAMBER OF COMMERCE)	156
OFFICE FOR THE AGING	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MONTGOMERY COUNTY OFFICE FOR AGING, INC. (BOARD OF SUPERVISORS)	16
OFF-TRACK BETTING	
MEMORIALIZING RESOLUTION REQUESTING STATE OF NEW YORK AMEND CERTAIN RACING AND WAGERING LAWS IMPACTING THE ABILITY OF REGIONAL OFF TRACK BETTING CORPORATIONS TO PROVIDE NECESSARY FUNDS TO COUNTY AND LOCAL GOVERNMENTS FOR REAL PROPERTY TAX RELIEF	128

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ADVOCATING THAT CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION (CDROTB) BE ALLOWED TO OPERATE VIDEO LOTTERY TERMINALS (VLT) IN TELETHEATERS IN CDROTB	21
PERSONNEL	
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITIONS (SOCIAL SERVICES - HISTORY & ARCHIVES)	320
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING SHERIFF'S ROAD PATROL	287
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY DEPUTY SHERIFF'S ASSOCIATION (CORRECTION OFFICERS) FOR PERIOD OF JANUARY 1, 2002 – DECEMBER 31, 2003.	103
RESOLUTION AMENDING 2004 OPERATING BUDGET PSYCHIATRIC PHYSICIAN (MENTAL HEALTH)	104
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - (EAP) EMPLOYEE ASSISTANCE PROGRAM - ST. MARY'S HOSPITAL (PERSONNEL)	328
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PERSONNEL FRINGE BENEFITS CORRECTIONS	321
RESOLUTION APPOINTING MONTGOMERY COUNTY CORONER - WESTERN DISTRICT (BOARD OF SUPERVISORS)	26
RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION (PUBLIC WORKS)	99
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING PERSONNEL DEPARTMENT LINE ITEM	304
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS	286
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR AN INTERIM LICENSED MEADOWS ADMINISTRATOR	78
RESOLUTION ESTABLISHING POSITION - BUSINESS MANAGER (MONTGOMERY MEADOWS)	272
RESOLUTION ESTABLISHING POSITION - BUILDING MAINTENANCE SERVICES SUPERVISOR (MONTGOMERY MEADOWS)	223
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ID BADGE/DOOR ACCESS SYSTEM (PERSONNEL)	195
RESOLUTION TRANSFERRING FUNDS - PROFESSIONAL SERVICES (PERSONNEL)	175
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING SUPERVISORS' SALARIES	311
RESOLUTION TRANSFERRING FUNDS - CORRECTING LINE ITEMS (SHERIFF)	175
RESOLUTION RESCINDING RESOLUTION NO. 372 OF 1989 & RESOLUTION NO. 204 OF 2000 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS	50, 67, 97
RESOLUTION TRANSFERRING FUNDS - PROFESSIONAL SERVICES (PERSONNEL)	274
RESOLUTION APPOINTING REPUBLICAN ELECTION COMMISSIONER	6

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPOINTING JAIL PHYSICIAN	191
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 10 (PERSONNEL)	313
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 11 (BOARD OF ELECTIONS)	313
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THIRD PARTY DRUG AND ALCOHOL TESTING ADMINSTRATOR (PERSONNEL)	329
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EXCESS LIABILITY WORKERS COMPENSATION INSURANCE (PERSONNEL)	329
RESOLUTION TRANSFERRING FUNDS - UNEMPLOYMENT (PERSONNEL)	176
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF NON-BARGAINING SALARY INCREASES	270
RESOLUTION RESCINDING RESOLUTION 67 OF 2004 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS	329
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA (RECRUITING AND RETENTION OF RNS AND LPNS - MONTGOMERY MEADOWS)	156
RESOLUTION CREATING THE POSITION OF INTERIM SUPERINTENDENT, MONTGOMERY COUNTY SANITARY DISTRICT #1	176
RESOLUTION AMENDING 2004 OPERATING BUDGET & AUTHORIZING RETROACTIVE PAY FOR RAISES APPROVED BY AGREEMENTS WITH THE MONT. CO. DEPUTY SHERIFF'S POLICE BENEVOLENT ASSOCIATION (MCDSPBA) & THE MONT. CO. DEPUTY SHERIFF'S ASSOCIATION (CORRECTION OFFICERS)	269
RESOLUTION ESTABLISHING POSITION - SANITARY DISTRICT #1	302
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF INTERNAL AUDITING INITIATIVE	310
RESOLUTION DELEGATING AUTHORITY TO AMEND 2004 OPERATING BUDGET	331
RESOLUTION APPOINTING PROBATION DIRECTOR II	177
RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR	138
RESOLTUION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING COUNTY CLERK POSITION	312
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 4 OF 2004 - A LOCAL LAW ESTABLISHING THE 2004 SALARIES OF VARIOUS COUNTY OFFICIALS	231
RESOLUTION AUTHORIZING SALARY INCREASES - NON-BARGAINING EMPLOYEES	229
RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION - SHERIFF	135
RESOLUTION ESTABLISHING COMMUNITY SERVICE PROGRAM (BOARD OF SUPERVISORS)	136
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 12 (PUBLIC WORKS)	308
RESOLUTION ESTABLISHING POSITION - REGISTERED PROFESSIONAL NURSE (MONTGOMERY MEADOWS)	274

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING PART-TIME ATTORNEY POSITION (SOCIAL SERVICES)	315
RESOLUTION APPOINTING SUPERINTENDENT - MONTGOMERY COUNTY SANITARY DISTRICT #1	227
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING REAL PROPERTY RESEARCH TECH POSITION	312
RESOLUTION ADOPTING LOCAL RETIREMENT INCENTIVE PROGRAM FOR FISCAL YEAR 2004	226
RESOLUTION AUTHORIZING RELOCATION OF CSEA AND NON-BARGAINING SALARY GRADE SCHEDULES	138
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 06 (TREASURER)	312
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)	328
RESOLUTION APPOINTING INTERIM PROBATION DIRECTOR	138
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVISING HEALTH INSURANCE	283
PETTY CASH	
RESOLUTION CREATING PETTY CASH ACCOUNT (PROBATION)	23
PLANNING	
RESOLUTION ESTABLISHING PLANNER TRAINEE POSITION ECONOMIC OPPORTUNITY AND DEVELOPMENT	98
RESOLUTION REAPPOINTING MEMBERS OF THE MONTGOMERY COUNTY PLANNING BOARD	225
PROBATION	
RESOLUTION ACCEPTING JUVENILE JUSTICE GRANT (NYS DCJS) AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL CHILDREN'S CLINIC (PROBATION)	171
RESOLUTION CREATING PETTY CASH ACCOUNT (PROBATION)	23
RESOLUTION APPOINTING INTERIM PROBATION DIRECTOR	138
RESOLUTION APPOINTING PROBATION DIRECTOR II	177
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING VARIOUS LINE ITEMS	319
PUBLIC DEFENDER	
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PUBLIC DEFENDER'S OFFICE	306
PUBLIC HEALTH	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FIDELIS CARE NEW YORK (PUBLIC HEALTH)	193
RESOLUTION AMENDING 2004 OPERATING BUDGET - IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)	100

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)	77, 150, 298
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING PUBLIC HEALTH REVENUE LINE ITEM	304
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CONSULTING SERVICES SPHN (PUBLIC HEALTH)	47
RESOLUTION CHANGING SUPERVISING PUBLIC HEALTH NURSE TITLE TO ASSISTANT DIRECTOR PUBLIC HEALTH (PUBLIC HEALTH)	48
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TB MEDICAL SERVICES (PUBLIC HEALTH)	20
RESOLUTION AMENDING 2004 OPERATING BUDGET IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)	19
RESOLUTION AMENDING 2004 OPERATING BUDGET LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)	18
RESOLUTION AMENDING 2004 OPERATING BUDGET PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)	19
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STD SERVICES (PUBLIC HEALTH)	20
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 16 (PUBLIC HEALTH)	314
RESOLUTION AMENDING 2004 OPERATING BUDGET - CHILD PASSENGER SAFETY INCENTIVE GRANT (PUBLIC HEALTH)	267
RESOLUTION AMENDING 2004 OPERATING BUDGET - PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)	266
PUBLIC HEARING	
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 4 OF 2004 - A LOCAL LAW ESTABLISHING THE 2004 SALARIES OF VARIOUS COUNTY OFFICIALS	231
RESOLUTION ESTABLISHING PUBLIC HEARING - 2004-2005 FMCC OPERATING BUDGET	199
RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 5 OF 2004 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	232
RESOLUTION ESTABLISHING A PUBLIC HEARING ON 2005 TENTATIVE OPERATING BUDGET	290
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 2 OF 2004	51
RESOLUTION ESTABLISHING A PUBLIC HEARING FOR CONSIDERATION OF RAISING THE CONSTITUTIONAL TAX LIMIT	232
RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3 OF 2004 - A LOCAL LAW TO AMEND LOCAL LAW #2 OF 1985 WHICH ESTABLISHED A MONTGOMERY COUNTY INFIRMARY DEPARTMENT	85
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES - POWER PALLET (EOD/PLANNING)	264

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 1 OF 2004	46
RESOLUTION ACCEPTING A PROPOSAL FOR THE SALE OF THE MONTGOMERY MEADOWS AND ESTABLISHING A PUBLIC HEARING ON INTRO. LOCAL LAW #6 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE	260
PUBLIC WORKS	
RESOLUTION ACCEPTING BID - RFP#05-4 - COUNTY WIDE TELEPHONE SYSTEM	297
RESOLUTION AWARDDING BRIDGE REPLACEMENT CONTRACT (DPW)	42
RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION (PUBLIC WORKS)	99
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS	286
RESOLUTION TRANSFERRING FUNDS (DPW)	130
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - 2004 BRIDGE PROGRAM (PUBLIC WORKS)	129
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TEITSCH-KENT-FAY ARCHITECTS, P.C. - COUNTY BUILDINGS ENERGY COST COMPARISON STUDY - DPW	129
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - NYSDEC ENVIRONMENTAL RESTORATION PROGRAM - YOST FIRE TRAINING CENTER (DPW)	173, 190
RESOLUTION REJECTING LONG DISTANCE TELEPHONE SERVICES PROVIDER PROPOSALS	227
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SNOW AND ICE CONTROL (PUBLIC WORKS)	331
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 12 (PUBLIC WORKS)	308
RESOLUTION ACCEPTING BID PHARMACY DISPENSING SERVICES (CORRECTIONS FACILITY)	134
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING DPW SNOW CONTRACT	284
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - CR 65, RIVER ROAD RELOCATION AND TWO-SPAN REMOVAL (BIN 4425030) - DPW	16
PURCHASING	
RESOLUTION AUTHORIZING PURCHASE CONTRACT - NATURAL GAS AWARD	137
RESOLUTION TRANSFERRING FUNDS (DPW)	130
RESOLUTION ACCEPTING BID PHARMACY DISPENSING SERVICES (CORRECTIONS FACILITY)	134
RESOLUTION RESCINDING RESOLUTION 46 OF 2004 AND ACCEPTING MODIFIED PROPOSAL GIS MAPPING SYSTEM 911 DISPATCH CENTER (SHERIFF)	101
RESOLUTION AWARDDING BID NO. 04-04 SALE OF TIMBER (DPW)	68
RESOLUTION ACCEPTING BIDS - 2004 COUNTY AUCTION	139
RESOLUTION AWARDDING BID NO. 03-04 (MEADOWS)	79

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ACCEPTING BID - RFP#05-4 - COUNTY WIDE TELEPHONE SYSTEM	297
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF INTERNAL AUDITING INITIATIVE	310
RESOLUTION AUTHORIZING THE SALE OF THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY	196
RESOLUTION AWARDDING BID #05-04 - RADIO TOWER EQUIPMENT (SHERIFF)	151
RESOLUTION AWARDDING BID NO. 02-04 (PUBLIC WORKS)	70
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR PROVISION OF PURCHASING SERVICES - CITY OF AMSTERDAM	153
RESOLUTION REJECTING LONG DISTANCE TELEPHONE SERVICES PROVIDER PROPOSALS	227
REAL PROPERTY TAX SERVICE	
RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR	18
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING REVENUE LINE ITEMS	305
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING REAL PROPERTY RESEARCH TECH POSITION	312
REFERENDUM	
RESOLUTION ESTABLISHING A PUBLIC REFERENDUM ON THE QUESTION OF ALTERNATIVE FORMS OF COUNTY GOVERNMENT	273, 294
RETIREMENT	
RESOLUTION ESTABLISHING RETIREMENT CONTRIBUTION RESERVE FUNDS	297
RESOLUTION RESCINDING RESOLUTION NO. 372 OF 1989 & RESOLUTION NO. 204 OF 2000 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS	50, 67, 97
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RETIREMENT INCENTIVE LINE ITEM CHANGES	284
RESOLUTION ADOPTING LOCAL RETIREMENT INCENTIVE PROGRAM FOR FISCAL YEAR 2004	226
RESOLUTION RESCINDING RESOLUTION 67 OF 2004 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS	329
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - AMENDING USE OF RETIREMENT RESERVE FUND	307
REVOLVING LOAN	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- VAN ALSTINE HORTICULTURAL SERVICES	326
RULES OF PROCEDURE	
RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	12

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	2
RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	52
SALE	
RESOLUTION AUTHORIZING THE SALE OF THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY	196
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 1 OF 2004	46
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 2004 SALE OF COUNTY-OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE	80
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #6 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE (MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY)	296
RESOLUTION AWARDED BID NO. 04-04 SALE OF TIMBER (DPW)	68
RESOLUTION ACCEPTING A PROPOSAL FOR THE SALE OF THE MONTGOMERY MEADOWS AND ESTABLISHING A PUBLIC HEARING ON INTRO. LOCAL LAW #6 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE	260
RESOLUTION AUTHORIZING SALE OF TRAILER (SHERIFF)	134
SALES TAX	
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, ELECTING THE FALL, 2004, ONE-WEEK CLOTHING AND FOOTWEAR EXEMPTION FROM SALES AND COMPENSATING USE TAXES	160
SEWER DISTRICT	
RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT NO. 1 BOARD OF DIRECTORS	9
RESOLUTION ESTABLISHING POSITION - SANITARY DISTRICT #1	302
RESOLUTION RESCINDING RESOLUTION 67 OF 2004 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS	329
RESOLUTION RENAMING SANITARY SEWER DISTRICT #1 ADMINISTRATION BUILDING	173
RESOLUTION CREATING THE POSITION OF INTERIM SUPERINTENDENT, MONTGOMERY COUNTY SANITARY DISTRICT #1	176
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING VARIOUS LINE ITEMS	319
RESOLUTION APPOINTING SUPERINTENDENT - MONTGOMERY COUNTY SANITARY DISTRICT #1	227
SHERIFF	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AWARD - LGRMIF (SHERIFF)	197

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION - SHERIFF	135
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL (SHERIFF)	224
RESOLUTION AMENDING 2004 OPERATING BUDGET (SHERIFF'S OFFICE)	300
RESOLUTION APPOINTING JAIL PHYSICIAN	191
RESOLUTION RATIFYING APPLICATIONS FOR CERTAIN GRANT FUNDING (SHERIFF)	135
RESOLUTION AMENDING 2004 OPERATING BUDGET & AUTHORIZING RETROACTIVE PAY FOR RAISES APPROVED BY AGREEMENTS WITH THE MONT. CO. DEPUTY SHERIFF'S POLICE BENEVOLENT ASSOCIATION (MCDSPBA) & THE MONT. CO. DEPUTY SHERIFF'S ASSOCIATION (CORRECTION OFFICERS)	269
RESOLUTION TRANSFERRING FUNDS - CORRECTING LINE ITEMS (SHERIFF)	175
RESOLUTION ACCEPTING GRANT AWARD - BUREAU OF JUSTICE ASSISTANCE (SHERIFF)	177
RESOLUTION AMENDING 2004 OPERATING BUDGET - DCJS GRANT - K-9 VEHICLE, EQUIPMENT AND TRAINING (SHERIFF)	272
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING SHERIFF'S ROAD PATROL	287
RESOLUTION AMENDING RESOLUTION 225 OF 2003 - FBI SITE ANTENNA SITE LICENSE (SHERIFF)	21
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITION (SHERIFF'S OFFICE)	321
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ASHER GROUP NEW REVERSE-911 SYSTEM (SHERIFF)	75
RESOLUTION RESCINDING RESOLUTION 46 OF 2004 AND ACCEPTING MODIFIED PROPOSAL GIS MAPPING SYSTEM 911 DISPATCH CENTER (SHERIFF)	101
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION NYS DCJS BUREAU OF JUSTICE FUNDING (SHERIFF)	101
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AGREEMENT 911 EXPEDITED DEPLOYMENT GRANT (SHERIFF)	102
RESOLUTION TRANSFERRING FUNDS E911 RESERVE (SHERIFF)	102
RESOLUTION TRANSFERRING FUNDS K-9 UNIT CORRECTIONS FACILITY (SHERIFF)	103
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS UNIFORM COURT SYSTEM (SHERIFF'S OFFICE)	300
RESOLUTION APPROVING RETIREMENT AND TRANSFER OF K-9 REX (SHERIFF)	21
RESOLUTION AMENDING 2004 OPERATING BUDGET - LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT (SHERIFF)	134
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY DEPUTY SHERIFF'S ASSOCIATION (CORRECTION OFFICERS) FOR PERIOD OF JANUARY 1, 2002 – DECEMBER 31, 2003.	103
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - 911 EXPEDITED DEPLOYMENT GRANT (SHERIFF)	39

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AWARDING BID #05-04 - RADIO TOWER EQUIPMENT (SHERIFF)	151
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING JAIL CONTRACTUAL LINE ITEMS	287
RESOLUTION ACCEPTING GRANT AWARD - DCJS LOCAL LAW ENFORCEMENT BLOCK GRANT - K-9 VEHICLE AND EQUIPMENT (SHERIFF)	224
RESOLUTION ACCEPTING PROPOSAL - GIS MAPPING SYSTEM - 911 DISPATCH CENTER (SHERIFF)	39
RESOLUTION TRANSFERRING FUNDS - SHERIFF	39, 40
RESOLUTION AUTHORIZING SALE OF TRAILER (SHERIFF)	134
RESOLUTION ESTABLISHING FEES - SHERIFF'S OFFICE	299
RESOLUTION ACCEPTING BID PHARMACY DISPENSING SERVICES (CORRECTIONS FACILITY)	134
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GOVERNOR'S TRAFFIC SAFETY COMMITTEE - BUNY GRANT (SHERIFF'S OFFICE)	327
SNOWMOBILE TRAILS	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM (ECONOMIC OPPORTUNITY AND DEVELOPMENT)	17
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY SNOWMOBILE ASSOCIATION (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	155
SOCIAL SERVICES	
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING APPROPRIATIONS FOR INVESTIGATORS (SOCIAL SERVICES)	315
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING PART-TIME ATTORNEY POSITION (SOCIAL SERVICES)	315
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITIONS (SOCIAL SERVICES - HISTORY & ARCHIVES)	320
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT 2004-2006 CONSOLIDATED SERVICES PLAN (SOCIAL SERVICES)	133
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVENUE ADJUSTMENTS (SOCIAL SERVICES)	286
RESOLUTION AMENDING 2004 OPERATING BUDGET (SOCIAL SERVICES)	303
SOIL & WATER CONSERVATION	
RESOLUTION APPOINTING MEMBERS OF THE MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS	7
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)	17
STOP-DWI	
RESOLUTION AWARDING BID NO. 06-04 - DIGITAL EYEWITNESS IN CAR VIDEO SYSTEM (STOP DWI)	151

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ADOPTING 2005 STOP DWI PROGRAM	196
RESOLUTION AMENDING 2004 OPERATING BUDGET (STOP DWI)	12
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT IMPAIRED DRIVING DETERRENCE PROGRAM GRANT (STOP DWI)	73
RESOLUTION TRANSFERRING FUNDS STOP-DWI RESERVE (STOP-DWI)	135
SUPPORT LEGISLATION	
RESOLUTION REQUESTING THE PUBLIC SERVICE COMMISSION TO BLOCK THE SALE OF VERIZON'S UPSTATE TELEPHONE NETWORK AND TO OVERHAUL THE REGULATORY STRUCTURE FOR TELECOMMUNICATIONS IN NEW YORK STATE	222
RESOLUTION SUPPORTING NATURE TRAIL PROJECT- THOMAS H. BURBINE SR. MEMORIAL FOREST	154, 170
MEMORIALIZING RESOLUTION REQUESTING STATE OF NEW YORK AMEND CERTAIN RACING AND WAGERING LAWS IMPACTING THE ABILITY OF REGIONAL OFF TRACK BETTING CORPORATIONS TO PROVIDE NECESSARY FUNDS TO COUNTY AND LOCAL GOVERNMENTS FOR REAL PROPERTY TAX RELIEF	128
RESOLUTION TO REQUEST THE NEW YORK STATE LEGISLATURE TO INTRODUCE AND ENACT A REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIRE FIGHTERS AND AMBULANCE CORPS MEMBERS WHO SERVE AND RESIDE IN MONTGOMERY COUNTY	194
RESOLUTION URGING FEDERAL INTERVENTION TO ADDRESS THE PROPERTY TAX CRISIS IN NEW YORK STATE	198
RESOLUTION REQUESTING TRANSPORTATION FUNDING - NYS ROUTE 5S RECONSTRUCTION - TARGET ACCESS ROAD PROJECT	199
RESOLUTION AUTHORIZING BREAST CANCER AWARENESS DAY FUNDRAISER	225
RESOLUTION OF SUPPORT FOR THE ELIMINATION OF THE SUNSET PROVISIONS OF THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) AND THE CULTURAL EDUCATION FUND (CEF)	109
RESOLUTION IN SUPPORT OF SENATE BILL S5854 AND ASSEMBLY BILL A10124 AMENDING SOCIAL SERVICES LAW, IN RELATION TO STATE REIMBURSEMENT FOR CARE, TREATMENT, MAINTENANCE AND NURSING SERVICES IN NURSING HOMES	127
RESOLUTION REQUESTING THE STATE LEGISLATURE TO IMPLEMENT A CAP ON THE LOCAL SHARE OF MEDICAID AND TO FULLY FUND COST OF ALL NEW MANDATES TO LOCAL GOVERNMENTS	231
TAX ROLLS	
RESOLUTION CORRECTING 2004 TOWN AND COUNTY TAX ROLLS VARIOUS PARCELS	44
RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES, WATER RENTS AND SEWER TAXES	302
TELEPHONE	
RESOLUTION REJECTING LONG DISTANCE TELEPHONE SERVICES PROVIDER PROPOSALS	227

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
BOND RESOLUTION OF MONTGOMERY COUNTY AUTHORIZING THE ASSESSMENT, EVALUATION & REPLACEMENT OF A COUNTY-WIDE TELEPHONE SYSTEM; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$228,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST	332
RESOLUTION ACCEPTING BID - RFP#05-4 - COUNTY WIDE TELEPHONE SYSTEM	297
 TENTATIVE BUDGET	
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - AMENDING USE OF RETIREMENT RESERVE FUND	307
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING PART-TIME ATTORNEY POSITION (SOCIAL SERVICES)	315
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PUBLIC DEFENDER'S OFFICE	306
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 21 (YOUTH BUREAU / ACSD)	316
RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER CORRECTION	306
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING MOSA LINE ITEMS	305
RESOLUTION AMENDING TENTATIVE BUDGET - CORONER'S OFFICE	306
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVISING HEALTH INSURANCE	283
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS	286
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF INTERNAL AUDITING INITIATIVE	310
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RETIREMENT INCENTIVE LINE ITEM CHANGES	284
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING DPW SNOW CONTRACT	284
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING APPROPRIATIONS FOR INVESTIGATORS (SOCIAL SERVICES)	315
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 12 (PUBLIC WORKS)	308
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF NON-BARGAINING SALARY INCREASES	270
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 16 (PUBLIC HEALTH)	314
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 11 (BOARD OF ELECTIONS)	313
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING MOSA SUBSIDY	284
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 10 (PERSONNEL)	313

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING SUPERVISORS' SALARIES	311
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING CONTINGENT ACCOUNT	311
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 06 (TREASURER)	312
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING COUNTY ATTORNEY LINE ITEMS	313
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING REAL PROPERTY RESEARCH TECH POSITION	312
RESOLUTION INCREASING THE CONSTITUTIONAL TAX LIMIT FOR THE COUNTY OF MONTGOMERY	239, 263
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING COUNTY CLERK POSITION	312
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING BUDGET OFFICER	309
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING PUBLIC HEALTH REVENUE LINE ITEM	304
RESOLUTION ADOPTING 2005 OPERATING BUDGET	322
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PERSONNEL FRINGE BENEFITS CORRECTIONS	321
RESOLUTION ESTABLISHING RETIREMENT CONTRIBUTION RESERVE FUNDS	297
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITION (SHERIFF'S OFFICE)	321
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITIONS (SOCIAL SERVICES - HISTORY & ARCHIVES)	320
RESOLUTION ESTABLISHING A PUBLIC HEARING ON 2005 TENTATIVE OPERATING BUDGET	290
RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - RESTORING CORNELL COOPERATIVE EXTENSION FUNDING	290
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVENUE ADJUSTMENTS (SOCIAL SERVICES)	286
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ECONOMIC OPPORTUNITY AND DEVELOPMENT	289
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING MONTGOMERY MEADOWS LINE ITEMS	320
RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - CREATION OF COUNTY MORTGAGE TAX REVENUE LINE ITEM	289
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING VARIOUS LINE ITEMS	319
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING REVENUE LINE ITEMS	305

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER REDUCTION	316, 319
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING SHERIFF'S ROAD PATROL	287
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING JAIL CONTRACTUAL LINE ITEMS	287
TOURISM	
RESOLUTION DISSOLVING THE MONTGOMERY COUNTY TOURISM ADVISORY COMMITTEE	130
RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION (CHAMBER OF COMMERCE)	172
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT -TOURISM PROMOTION AGENCY ADMINISTRATION(MONTGOMERY COUNTY CHAMBER OF COMMERCE)	156
TRAFFIC SAFETY BOARD	
RESOLUTION TRANSFERRING FUNDS - UNEMPLOYMENT (PERSONNEL)	176
TRANSFER OF FUNDS	
RESOLUTION TRANSFERRING FUNDS - SHERIFF	39, 40
RESOLUTION TRANSFERRING FUNDS - LEGAL COUNSEL	110
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PHILLIPS ASSOCIATES (FMCC INTEGRATED CAMPUS FIRE ALARM AND HVAC CONTROLS PROJECT)	228
RESOLUTION TRANSFERRING FUNDS (DPW)	130
RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)	298
RESOLUTION AMENDING 2004 OPERATING BUDGET (SHERIFF'S OFFICE)	300
RESOLUTION TRANSFERRING FUNDS - CORRECTING LINE ITEMS (SHERIFF)	175
RESOLUTION TRANSFERRING FUNDS - PROFESSIONAL SERVICES (PERSONNEL)	175
RESOLUTION TRANSFERRING FUNDS - VEHICLE COSTS (VETERANS SERVICES)	268
RESOLUTION TRANSFERRING FUNDS K-9 UNIT CORRECTIONS FACILITY (SHERIFF)	103
RESOLUTION ESTABLISHING POSITION - REGISTERED PROFESSIONAL NURSE (MONTGOMERY MEADOWS)	274
RESOLUTION TRANSFERRING FUNDS E911 RESERVE (SHERIFF)	102
RESOLUTION TRANSFERRING FUNDS STOP-DWI RESERVE (STOP-DWI)	135
RESOLUTION TRANSFERRING FUNDS (VETERANS SERVICES)	106
RESOLUTION TRANSFERRING FUNDS (MENTAL HEALTH)	149
RESOLUTION TRANSFERRING FUNDS - CONSULTING FEES (MONTGOMERY MEADOWS)	233, 301
RESOLUTION TRANSFERRING FUNDS - PROFESSIONAL SERVICES (PERSONNEL)	274
RESOLUTION TRANSFERRING FUNDS - TRYON OIL BROWNFIELD PROJECT (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	155

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)	49, 104, 132, 174, 223
RESOLUTION TRANSFERRING FUNDS - INDIGENT BURIALS (VETERANS SERVICES)	268
TRANSPORTATION	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MASS TRANSPORTATION THIRD PARTY PROVIDER AGREEMENT	23
TREASURER	
RESOLUTION ACCEPTING BIDS - 2004 COUNTY AUCTION	139
BOND RESOLUTION OF MONTGOMERY COUNTY AUTHORIZING THE ASSESSMENT, EVALUATION & REPLACEMENT OF A COUNTY-WIDE TELEPHONE SYSTEM; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$228,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST	332
RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 06 (TREASURER)	312
RESOLUTION APPROVING 2004 CAPITAL PROJECT OFFSET PRESS (DATA PROCESSING)	42
RESOLUTION APPROVING 2004 CAPITAL PROJECTS ROAD RECONSTRUCTION (DPW)	69
RESOLUTION APPROVING CAPITAL PROJECT - EQUIPMENT REPLACEMENT (DPW)	129
RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2004 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME	3
RESOLUTION APPROVING 2004 CAPITAL PROJECTS - BRIDGE REHABILITATION/REPLACEMENT (DPW)	42
RESOLUTION CORRECTING 2004 TOWN AND COUNTY TAX ROLLS VARIOUS PARCELS	44
RESOLUTION AUTHORIZING DISBURSEMENT OF SURPLUS DOG LICENSE FUNDS	44
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE 'COUNTY') DATED APRIL 27, 2004, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$2,593,010.00; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST	107
VETERANS	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - TRANSPORTATION OF FULTON COUNTY VETERANS (VETERANS SERVICES)	48
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DVA (VETERANS)	133
RESOLUTION TRANSFERRING FUNDS - INDIGENT BURIALS (VETERANS SERVICES)	268
RESOLUTION TRANSFERRING FUNDS (VETERANS SERVICES)	106
RESOLUTION TRANSFERRING FUNDS - VEHICLE COSTS (VETERANS SERVICES)	268
YOUTH BUREAU	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS (YOUTH BUREAU)	74

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2004-2006 COMPREHENSIVE PLAN FOR YOUTH SERVICES (YOUTH BUREAU)	48
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SAFE PLACES GRANT ACCEPTANCE - 2004 (YOUTH BUREAU)	22
RESOLUTION AMENDING RESOLUTION NO. 258 OF 2003 STATE FUNDING (YOUTH BUREAU)	22

RESOLUTIONS INDEX

Res #	Title	Page
1	RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2004	1
2	RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR 2004	1
3	RESOLUTION APPOINTING COUNTY ATTORNEY	2
4	RESOLUTION ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	2
5	RESOLUTION APPOINTING COUNTY AUDITOR	3, 14
6	RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2004	3
7	RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2004 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME	3
8	RESOLUTION RESCINDING RESOLUTION 316 OF 2003 (ALTERNATIVES TO INCARCERATION PROGRAM)	5
9	RESOLUTION AMENDING 2004 OPERATING BUDGET (BOARD OF ELECTIONS)	5
10	RESOLUTION APPOINTING REPUBLICAN ELECTION COMMISSIONER	6
11	RESOLUTION APPOINTING MEMBER OF BOARD OF DIRECTORS OF MONTGOMERY COUNTY COOPERATIVE EXTENSION ASSOCIATION	7
12	RESOLUTION APPOINTING MEMBERS OF THE MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS	7
13	RESOLUTION REAPPOINTING COUNTY HISTORIAN/RECORDS MANAGEMENT OFFICER	8
14	RESOLUTION APPOINTING MEMBER OF THE MONTGOMERY COUNTY JURY BOARD	8
15	RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT NO. 1 BOARD OF DIRECTORS	9
16	RESOLUTION APPOINTING MOSA BOARD REPRESENTATIVE	9
17	RESOLUTION APPOINTING MEMBERS OF THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD	10
18	RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS	10
19	RESOLUTION APPOINTING REGION IV FOREST PRACTICE BOARD MEMBERS	11
20	RESOLUTION AMENDING 2004 OPERATING BUDGET (STOP DWI)	12
21	RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	12
22	RESOLUTION TO RETAIN LEGAL COUNSEL (BOARD OF SUPERVISORS)	13
23	RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDIT BY THE NEW YORK STATE COMPTROLLER	15
24	RESOLUTION LIMITING ELIGIBILITY OF SUPERVISORS FOR MILEAGE REIMBURSEMENT	15
25	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - CR 65, RIVER ROAD RELOCATION AND TWO-SPAN REMOVAL (BIN 4425030) - DPW	16

RESOLUTIONS INDEX

Res #	Title	Page
26	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MONTGOMERY COUNTY OFFICE FOR AGING, INC. (BOARD OF SUPERVISORS)	16
27	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CORNELL COOPERATIVE EXTENSION OF FULTON AND MONTGOMERY COUNTIES (BOARD OF SUPERVISORS)	16
28	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)	17
29	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM (ECONOMIC OPPORTUNITY AND DEVELOPMENT)	17
30	RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR	18
31	RESOLUTION AMENDING 2004 OPERATING BUDGET LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)	18
32	RESOLUTION AMENDING 2004 OPERATING BUDGET IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)	19
33	RESOLUTION AMENDING 2004 OPERATING BUDGET PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)	19
34	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STD SERVICES (PUBLIC HEALTH)	20
35	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TB MEDICAL SERVICES (PUBLIC HEALTH)	20
36	RESOLUTION APPROVING RETIREMENT AND TRANSFER OF K-9 REX (SHERIFF)	21
37	RESOLUTION AMENDING RESOLUTION 225 OF 2003 - FBI SITE ANTENNA SITE LICENSE (SHERIFF)	21
38	RESOLUTION ADVOCATING THAT CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION (CDROTB) BE ALLOWED TO OPERATE VIDEO LOTTERY TERMINALS (VLT) IN TELETHEATERS IN CDROTB	21
39	RESOLUTION AMENDING RESOLUTION NO. 258 OF 2003 STATE FUNDING (YOUTH BUREAU)	22
40	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SAFE PLACES GRANT ACCEPTANCE - 2004 (YOUTH BUREAU)	22
41	RESOLUTION APPOINTING BUDGET OFFICER (BOARD OF SUPERVISORS)	23
42	RESOLUTION CREATING PETTY CASH ACCOUNT (PROBATION)	23
43	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MASS TRANSPORTATION THIRD PARTY PROVIDER AGREEMENT	23
44	RESOLUTION APPOINTING CORONER - WESTERN DISTRICT - (BOARD OF SUPERVISORS)	24
45	RESOLUTION APPOINTING MONTGOMERY COUNTY CORONER - WESTERN DISTRICT (BOARD OF SUPERVISORS)	26
46	RESOLUTION ACCEPTING PROPOSAL - GIS MAPPING SYSTEM - 911 DISPATCH CENTER (SHERIFF)	39
47	RESOLUTION TRANSFERRING FUNDS - SHERIFF	39, 40

RESOLUTIONS INDEX

Res #	Title	Page
48	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - STATE HOMELAND SECURITY & LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (EMERGENCY MANAGEMENT)	40
49	RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE ADVISORY BOARD MEMBERS	40
50	RESOLUTION APPOINTING MONTGOMERY COUNTY ARSON ADVISORY BOARD MEMBERS	41
51	RESOLUTION APPROVING 2004 CAPITAL PROJECTS - BRIDGE REHABILITATION/REPLACEMENT (DPW)	42
52	RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT (DPW)	42
53	RESOLUTION APPROVING 2004 CAPITAL PROJECT OFFSET PRESS (DATA PROCESSING)	42
54	RESOLUTION RESCINDING RESOLUTION 27 OF 2000 AND APPOINTING MEMBERS - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE	43
55	RESOLUTION STATING DISAPPROVAL OF THE PRESIDENT OF THE UNITED STATES LIBERALIZATION OF TRADE WITH AUSTRALIA	44
56	RESOLUTION AUTHORIZING DISBURSEMENT OF SURPLUS DOG LICENSE FUNDS	44
57	RESOLUTION CORRECTING 2004 TOWN AND COUNTY TAX ROLLS VARIOUS PARCELS	44
58	RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 1 OF 2004	46
59	RESOLUTION AMENDING 2004 OPERATING BUDGET - EARLY INTERVENTION/CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANTS (PUBLIC HEALTH)	46
60	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CONSULTING SERVICES SPHN (PUBLIC HEALTH)	47
61	RESOLUTION CHANGING SUPERVISING PUBLIC HEALTH NURSE TITLE TO ASSISTANT DIRECTOR PUBLIC HEALTH (PUBLIC HEALTH)	48
62	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2004-2006 COMPREHENSIVE PLAN FOR YOUTH SERVICES (YOUTH BUREAU)	48
63	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - TRANSPORTATION OF FULTON COUNTY VETERANS (VETERANS SERVICES)	48
64	RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)	49
65	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT REHABILITATION PROGRAM (MONTGOMERY MEADOWS)	49
66	RESOLUTION RESCINDING RESOLUTION 202 OF 2001 AND RE- ESTABLISHING LABOR MANAGEMENT COMMITTEE	50
67	RESOLUTION RESCINDING RESOLUTION NO. 372 OF 1989 & RESOLUTION NO. 204 OF 2000 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS	50, 67, 97
68	RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 2 OF 2004	51
69	RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	52

RESOLUTIONS INDEX

Res #	Title	Page
70	RESOLUTION EXPRESSING OPPOSITION TO PROPOSED LANDFILL - CITY OF AMSTERDAM	52
71	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - 911 EXPEDITED DEPLOYMENT GRANT (SHERIFF)	39
72	RESOLUTION AWARDDING BID NO. 04-04 SALE OF TIMBER (DPW)	68
73	RESOLUTION APPROVING 2004 CAPITAL PROJECTS ROAD RECONSTRUCTION (DPW)	69
74	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SACK & ASSOCIATES BOILER REPLACEMENT PROJECT (DPW)	69
75	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THE MEYERS GROUP - TELEPHONE SYSTEM PROJECT (DPW)	69
76	RESOLUTION AWARDDING BID NO. 02-04 (PUBLIC WORKS)	70
77	RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE COORDINATOR	72
78	RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF THE DEPARTING MONTGOMERY COUNTY FIRE COORDINATOR GEORGE KING	73
79	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT IMPAIRED DRIVING DETERRENCE PROGRAM GRANT (STOP DWI)	73
80	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS (YOUTH BUREAU)	74
81	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT INMATE DENTAL SERVICES (JAIL)	74
82	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ASHER GROUP NEW REVERSE-911 SYSTEM (SHERIFF)	75
83	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGRICULTURE ECONOMIC DEVELOPMENT FUNDING SUPPORT AGREEMENT COOPERATIVE EXTENSION	75
84	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN EMPIRE ZONE ADMINISTRATIVE SERVICES AGREEMENT	75
85	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MVEDD (ECONOMIC OPPORTUNITY)	76
86	RESOLUTION AUTHORIZING CHAIR TO SIGN AGREEMENT CONTRACT AMENDMENT MCDONALD ENGINEERING FLORIDA BUSINESS PARK WATER AND SEWER (ECONOMIC OPPORTUNITY)	76
87	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN DEED OF GIFT STATE EDUCATION DEPARTMENT (HISTORY & ARCHIVES)	76
88	RESOLUTION AMENDING 2004 OPERATING BUDGET (DATA)	77
89	RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)	77
90	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR AN INTERIM LICENSED MEADOWS ADMINISTRATOR	78
91	RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR (MONTGOMERY MEADOWS)	78
92	RESOLUTION AWARDDING BID NO. 03-04 (MEADOWS)	79

RESOLUTIONS INDEX

Res #	Title	Page
93	RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 CONDOR CONSTRUCTION - BOOKSTORE INTERIOR WATER INFILTRATION REPAIR PROJECT (FMCC)	79
94	RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH)	80
95	RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 2004 SALE OF COUNTY- OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE	80
96	RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2004 REPEAL OF LOCAL LAW NO. 7 OF 2002 WHICH ESTABLISHED A WAITING PERIOD FOR APPOINTIVE EMPLOYMENT FOR ELECTED OFFICIALS	80
97	RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT - PSYCHIATRIST (MENTAL HEALTH)	81
98	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ALTREYA CONSULTING REVENUE MAXIMIZATION SERVICES	81
99	RESOLUTION INDICATING A VOTE OF CONFIDENCE FOR THE CURRENT CHAIRMAN - DOMINICK STAGLIANO AND HIS APPOINTMENT AS BUDGET OFFICER OF MONTGOMERY COUNTY	82
100	RESOLUTION APPOINTING AN INTERIM NURSING HOME ADMINISTRATOR	84
101	RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3 OF 2004 - A LOCAL LAW TO AMEND LOCAL LAW #2 OF 1985 WHICH ESTABLISHED A MONTGOMERY COUNTY INFIRMARY DEPARTMENT	85
102	RESOLUTION ESTABLISHING PLANNER TRAINEE POSITION ECONOMIC OPPORTUNITY AND DEVELOPMENT	98
103	RESOLUTION AUTHORIZING SUBMISSION OF THE MONTGOMERY COUNTY PRE-MITIGATION DISASTER PLAN (EMERGENCY MANAGEMENT)	99
104	RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS COMPUTER EQUIPMENT	99
105	RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION (PUBLIC WORKS)	99
106	RESOLUTION AMENDING 2004 OPERATING BUDGET - IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)	100
107	RESOLUTION AMENDING 2004 OPERATING BUDGET LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)	100
108	RESOLUTION RESCINDING RESOLUTION 46 OF 2004 AND ACCEPTING MODIFIED PROPOSAL GIS MAPPING SYSTEM 911 DISPATCH CENTER (SHERIFF)	101
109	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION NYS DCJS BUREAU OF JUSTICE FUNDING (SHERIFF)	101
110	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AGREEMENT 911 EXPEDITED DEPLOYMENT GRANT (SHERIFF)	102
111	RESOLUTION TRANSFERRING FUNDS E911 RESERVE (SHERIFF)	102
112	RESOLUTION TRANSFERRING FUNDS K-9 UNIT CORRECTIONS FACILITY (SHERIFF)	103
113	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY DEPUTY SHERIFF'S ASSOCIATION (CORRECTION OFFICERS) FOR PERIOD OF JANUARY 1, 2002 – DECEMBER 31, 2003.	103

RESOLUTIONS INDEX

Res #	Title	Page
114	RESOLUTION AMENDING 2004 OPERATING BUDGET PSYCHIATRIC PHYSICIAN (MENTAL HEALTH)	104
115	RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)	104
116	RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2004 A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1985 A LOCAL LAW, WHICH ESTABLISHED A MONTGOMERY COUNTY INFIRMARY DEPARTMENT	105
117	RESOLUTION AMENDING 2004 OPERATING BUDGET FORFEITURE MONIES (DISTRICT ATTORNEY)	105
118	RESOLUTION TRANSFERRING FUNDS (VETERANS SERVICES)	106
119	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT ELECTRONIC DOCUMENT IMAGING (COUNTY CLERK)	106
120	BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE 'COUNTY') DATED APRIL 27, 2004, AUTHORIZING VARIOUS COUNTY IMPROVEMENTS; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$2,593,010.00; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST	107
121	RESOLUTION OF SUPPORT FOR THE ELIMINATION OF THE SUNSET PROVISIONS OF THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) AND THE CULTURAL EDUCATION FUND (CEF)	109
122	RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY	110
123	RESOLUTION TRANSFERRING FUNDS - LEGAL COUNSEL	110
124	RESOLUTION AUTHORIZING SUPPLEMENTAL FINANCING AGREEMENT RELATING TO DORMITORY AUTHORITY AND THE STATE OF NEW YORK UPSTATE COMMUNITY COLLEGES REVENUE BOND RESOLUTION ADOPTED DECEMBER 4, 2002 (1995 FMCC MASTER PLAN)	111
125	RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MONTGOMERY, HFM BOCES, COUNTY OF FULTON AND FMCC (HFM BOCES CONSTRUCTION PROJECT)	123
126	RESOLUTION AUTHORIZING CHANGE ORDER No. 1 - WEATHERGUARD ROOFING - COLLEGE UNION ROOF REPLACEMENT PROJECT (FMCC)	126
127	RESOLUTION APPROVING CAPITAL PROJECTS - INTEGRATED FIRE ALARM SYSTEM AND HVAC CONTROL PROJECT (FMCC)	127
128	RESOLUTION IN SUPPORT OF SENATE BILL S5854 AND ASSEMBLY BILL A10124 AMENDING SOCIAL SERVICES LAW, IN RELATION TO STATE REIMBURSEMENT FOR CARE, TREATMENT, MAINTENANCE AND NURSING SERVICES IN NURSING HOMES	127
129	MEMORIALIZING RESOLUTION REQUESTING STATE OF NEW YORK AMEND CERTAIN RACING AND WAGERING LAWS IMPACTING THE ABILITY OF REGIONAL OFF TRACK BETTING CORPORATIONS TO PROVIDE NECESSARY FUNDS TO COUNTY AND LOCAL GOVERNMENTS FOR REAL PROPERTY TAX RELIEF	128
130	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - 2004 BRIDGE PROGRAM (PUBLIC WORKS)	129
131	RESOLUTION APPROVING CAPITAL PROJECT - EQUIPMENT REPLACEMENT (DPW)	129
132	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TEITSCH-KENT-FAY ARCHITECTS, P.C. - COUNTY BUILDINGS ENERGY COST COMPARISON STUDY - DPW	129

RESOLUTIONS INDEX

Res #	Title	Page
133	RESOLUTION TRANSFERRING FUNDS (DPW)	130
134	RESOLUTION DISSOLVING THE MONTGOMERY COUNTY TOURISM ADVISORY COMMITTEE	130
135	RESOLUTION ESTABLISHING ANNUAL THIRTY-DAY AGRICULTURAL DISTRICT REVIEW PERIOD	131
136	RESOLUTION AUTHORIZING CHANGE ORDER #1 - COBLESKILL STONE PRODUCTS - NYS ROUTE 5S RECONSTRUCTION (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	131
137	RESOLUTION AUTHORIZING DIRECTOR OF ECONOMIC DEVELOPMENT TO IMPLEMENT HUD REQUIREMENTS - CDBG (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	131
138	RESOLUTION REESTABLISHING A RECORDS MANAGEMENT ADVISORY BOARD AND RESCINDING RESOLUTION 82 OF 1989 AND 434 OF 1997 WHICH CREATED PREVIOUS RECORDS MANAGEMENT ADVISORY BOARDS (HISTORY & ARCHIVES)	132
139	RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)	132
140	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT 2004-2006 CONSOLIDATED SERVICES PLAN (SOCIAL SERVICES)	133
141	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DVA (VETERANS)	133
142	RESOLUTION AUTHORIZING SALE OF TRAILER (SHERIFF)	134
143	RESOLUTION ACCEPTING BID PHARMACY DISPENSING SERVICES (CORRECTIONS FACILITY)	134
144	RESOLUTION AMENDING 2004 OPERATING BUDGET - LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT (SHERIFF)	134
145	RESOLUTION AMENDING 2004 OPERATING BUDGET - TEMPORARY POSITION - SHERIFF	135
146	RESOLUTION RATIFYING APPLICATIONS FOR CERTAIN GRANT FUNDING (SHERIFF)	135
147	RESOLUTION TRANSFERRING FUNDS STOP-DWI RESERVE (STOP-DWI)	135
148	RESOLUTION ESTABLISHING COMMUNITY SERVICE PROGRAM (BOARD OF SUPERVISORS)	136
149	RESOLUTION ESTABLISHING FEE (COUNTY CLERK)	137
150	RESOLUTION AUTHORIZING PURCHASE CONTRACT - NATURAL GAS AWARD	137
151	RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR	138
152	RESOLUTION APPOINTING INTERIM PROBATION DIRECTOR	138
153	RESOLUTION AUTHORIZING RELOCATION OF CSEA AND NON-BARGAINING SALARY GRADE SCHEDULES	138
154	RESOLUTION ACCEPTING BIDS - 2004 COUNTY AUCTION	139
155	RESOLUTION AUTHORIZING THE ELECTRONIC SUBMISSION OF THE PROCEEDING BOOKS FOR THE MONTGOMERY COUNTY BOARD OF SUPERVISORS - 1997 - 2003	148
156	RESOLUTION REQUESTING INFORMATION FROM THE ADMINISTRATION OF FULTON-MONTGOMERY COMMUNITY COLLEGE	149

RESOLUTIONS INDEX

Res #	Title	Page
157	RESOLUTION TRANSFERRING FUNDS (MENTAL HEALTH)	149
158	RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)	150
159	RESOLUTION AUTHORIZING THE NEGOTIATION PROCESS FOR THE ASSUMPTION/PURCHASE OF THE MONTGOMERY MEADOWS	150
160	RESOLUTION AWARDDING BID #05-04 - RADIO TOWER EQUIPMENT (SHERIFF)	151
161	RESOLUTION AWARDDING BID NO. 06-04 - DIGITAL EYEWITNESS IN CAR VIDEO SYSTEM (STOP DWI)	151
162	RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL (ALTERNATIVES TO INCARCERATION)	152
163	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM	152
164	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF JOHNSTOWN	152
165	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT FOR PROVISION OF PURCHASING SERVICES - CITY OF AMSTERDAM	153
166	RESOLUTION ESTABLISHING PRIVATE ROOM RATE (MONTGOMERY MEADOWS)	153
167	RESOLUTION AMENDING 2004 OPERATING BUDGET - STATE HOMELAND SECURITY FUNDING (EMERGENCY MANAGEMENT)	153
168	RESOLUTION ACCEPTING CONSERVATION EASEMENT - FLORIDA BUSINESS PARK	154
169	RESOLUTION SUPPORTING NATURE TRAIL PROJECT- THOMAS H. BURBINE SR. MEMORIAL FOREST	154, 170
170	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY SNOWMOBILE ASSOCIATION (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	155
171	RESOLUTION TRANSFERRING FUNDS - TRYON OIL BROWNFIELD PROJECT (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	155
172	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT -TOURISM PROMOTION AGENCY ADMINISTRATION(MONTGOMERY COUNTY CHAMBER OF COMMERCE)	156
173	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA (RECRUITING AND RETENTION OF RNS AND LPNS - MONTGOMERY MEADOWS)	156
174	RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, ELECTING THE FALL, 2004, ONE-WEEK CLOTHING AND FOOTWEAR EXEMPTION FROM SALES AND COMPENSATING USE TAXES	160
175	RESOLUTION APPOINTING MEMBER - COMMUNITY SERVICE BOARD (MENTAL HEALTH)	170
176	RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY COURT LAW LIBRARY BOARD OF TRUSTEES	170
177	RESOLUTION ACCEPTING JUVENILE JUSTICE GRANT (NYS DCJS) AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL CHILDREN'S CLINIC (PROBATION)	171
178	RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS	171

RESOLUTIONS INDEX

Res #	Title	Page
179	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT)	172
180	RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION (CHAMBER OF COMMERCE)	172
181	RESOLUTION AUTHORIZING RFP - ENGINEERING & DESIGN SERVIES - FIRE ALARM SYSTEM/HVAC CONTROL CONVERSION PROJECTS (FMCC)	172
182	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - NYSDEC ENVIRONMENTAL RESTORATION PROGRAM - YOST FIRE TRAINING CENTER (DPW)	173, 190
183	RESOLUTION RENAMING SANITARY SEWER DISTRICT #1 ADMINISTRATION BUILDING	173
184	RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)	174
185	RESOLUTION TRANSFERRING FUNDS - PROFESSIONAL SERVICES (PERSONNEL)	175
186	RESOLUTION TRANSFERRING FUNDS - CORRECTING LINE ITEMS (SHERIFF)	175
187	RESOLUTION CREATING THE POSITION OF INTERIM SUPERINTENDENT, MONTGOMERY COUNTY SANITARY DISTRICT #1	176
188	RESOLUTION TRANSFERRING FUNDS - UNEMPLOYMENT (PERSONNEL)	176
189	RESOLUTION ACCEPTING GRANT AWARD - BUREAU OF JUSTICE ASSISTANCE (SHERIFF)	177
190	RESOLUTION APPOINTING PROBATION DIRECTOR II	177
191	RESOLUTION AUTHORIZING CHANGE ORDER #2 - COBLESKILL STONE PRODUCTS - TARGET ACCESS ROAD/LOT#4 CONNECTOR (ECONOMIC OPPORTUNITY AND DEVELOPMENT/PLANNING)	178
192	RESOLUTION APPOINTING JAIL PHYSICIAN	191
193	RESOLUTION ESTABLISHING A MONTGOMERY COUNTY EMS ADVISORY BOARD	191, 220, 258
194	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AWARD - LGRMIF (HISTORY AND ARCHIVES)	193
195	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FIDELIS CARE NEW YORK (PUBLIC HEALTH)	193
196	RESOLUTION TO REQUEST THE NEW YORK STATE LEGISLATURE TO INTRODUCE AND ENACT A REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIRE FIGHTERS AND AMBULANCE CORPS MEMBERS WHO SERVE AND RESIDE IN MONTGOMERY COUNTY	194
197	RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 - COBLESKILL STONE PRODUCTS - NYS Rt. 5S RECONSTRUCTION (EOD/PLANNING)	194
198	RESOLUTION AUTHORIZING CHANGE ORDER NO.4 - COBLESKILL STONE PRODUCTS - NYS Rt. 5S RECONSTRUCTION (EOD/PLANNING)	195
199	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ID BADGE/DOOR ACCESS SYSTEM (PERSONNEL)	195
200	RESOLUTION ADOPTING 2005 STOP DWI PROGRAM	196
201	RESOLUTION AUTHORIZING THE SALE OF THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY	196

RESOLUTIONS INDEX

Res #	Title	Page
202	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AWARD - LGRMIF (SHERIFF)	197
203	RESOLUTION URGING FEDERAL INTERVENTION TO ADDRESS THE PROPERTY TAX CRISIS IN NEW YORK STATE	198
204	RESOLUTION ESTABLISHING PUBLIC HEARING - 2004-2005 FMCC OPERATING BUDGET	199
205	RESOLUTION REQUESTING TRANSPORTATION FUNDING - NYS ROUTE 5S RECONSTRUCTION - TARGET ACCESS ROAD PROJECT	199
206	RESOLUTION CONSENTING TO FULTON COUNTY BOARD OF SUPERVISORS ACTING AS LEAD AGENCY IN THE SEQRA PROCESS FOR THE HFM BOCES CONSTRUCTION PROJECT	261
207	RESOLUTION REQUESTING THE PUBLIC SERVICE COMMISSION TO BLOCK THE SALE OF VERIZON'S UPSTATE TELEPHONE NETWORK AND TO OVERHAUL THE REGULATORY STRUCTURE FOR TELECOMMUNICATIONS IN NEW YORK STATE	222
208	RESOLUTION TRANSFERRING FUNDS (MONTGOMERY MEADOWS)	223
209	RESOLUTION ESTABLISHING POSITION - BUILDING MAINTENANCE SERVICES SUPERVISOR (MONTGOMERY MEADOWS)	223
210	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL (SHERIFF)	224
211	RESOLUTION ACCEPTING GRANT AWARD - DCJS LOCAL LAW ENFORCEMENT BLOCK GRANT - K-9 VEHICLE AND EQUIPMENT (SHERIFF)	224
212	RESOLUTION REAPPOINTING MEMBERS OF THE MONTGOMERY COUNTY PLANNING BOARD	225
213	RESOLUTION AUTHORIZING BREAST CANCER AWARENESS DAY FUNDRAISER	225
214	RESOLUTION ADOPTING LOCAL RETIREMENT INCENTIVE PROGRAM FOR FISCAL YEAR 2004	226
215	RESOLUTION REJECTING LONG DISTANCE TELEPHONE SERVICES PROVIDER PROPOSALS	227
216	RESOLUTION APPOINTING SUPERINTENDENT - MONTGOMERY COUNTY SANITARY DISTRICT #1	227
217	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER NO. 1 - ERWIN VOSS & ASSOCIATES (FMCC WATER INFILTRATION PROJECT)	228
218	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PHILLIPS ASSOCIATES (FMCC INTEGRATED CAMPUS FIRE ALARM AND HVAC CONTROLS PROJECT)	228
219	RESOLUTION AUTHORIZING SALARY INCREASES - NON-BARGAINING EMPLOYEES	229
220	RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 4 OF 2004 - A LOCAL LAW ESTABLISHING THE 2004 SALARIES OF VARIOUS COUNTY OFFICIALS	231
221	RESOLUTION REQUESTING THE STATE LEGISLATURE TO IMPLEMENT A CAP ON THE LOCAL SHARE OF MEDICAID AND TO FULLY FUND COST OF ALL NEW MANDATES TO LOCAL GOVERNMENTS	231
222	RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 5 OF 2004 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	232

RESOLUTIONS INDEX

Res #	Title	Page
223	RESOLUTION ESTABLISHING A PUBLIC HEARING FOR CONSIDERATION OF RAISING THE CONSTITUTIONAL TAX LIMIT	232
224	RESOLUTION TRANSFERRING FUNDS - CONSULTING FEES (MONTGOMERY MEADOWS)	233
225	RESOLUTION ADOPTING 2004-2005 FMCC OPERATING BUDGET	234
226	RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 5 - A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR HFM BOCES	261
227	RESOLUTION INCREASING THE CONSTITUTIONAL TAX LIMIT FOR THE COUNTY OF MONTGOMERY	239, 263
228	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - GAT SUBSIDIZATION (MOSA)	264
229	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES - POWER PALLET (EOD/PLANNING)	264
230	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MICROFILMING ORIGINAL ASSESSMENT ROLLS - IMAGEMAX (HISTORY AND ARCHIVES)	265
231	RESOLUTION APPROVING REMOVAL OF ARCHIVAL RECORDS (HISTORY AND ARCHIVES)	265
232	RESOLUTION AUTHORIZING INCREASE IN FEES - GENEALOGICAL RESEARCH (HISTORY AND ARCHIVES)	266
233	RESOLUTION ASSUMING LEAD AGENCY STATUS UNDER SEQRA - MONTGOMERY COUNTY SMALL CITIES APPLICATION - POWER PALLET (EOD/PLANNING)	266
234	RESOLUTION RESCINDING RESOLUTION 317 OF 1966 - FMCC CAPITAL AND OPERATING EXPENSES	262
235	RESOLUTION ACCEPTING A PROPOSAL FOR THE SALE OF THE MONTGOMERY MEADOWS AND ESTABLISHING A PUBLIC HEARING ON INTRO. LOCAL LAW #6 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE	260
236	RESOLUTION AMENDING 2004 OPERATING BUDGET - PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)	266
237	RESOLUTION AMENDING 2004 OPERATING BUDGET - CHILD PASSENGER SAFETY INCENTIVE GRANT (PUBLIC HEALTH)	267
238	RESOLUTION TRANSFERRING FUNDS - VEHICLE COSTS (VETERANS SERVICES)	268
239	RESOLUTION TRANSFERRING FUNDS - INDIGENT BURIALS (VETERANS SERVICES)	268
240	RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY	268
241	RESOLUTION AMENDING 2004 OPERATING BUDGET & AUTHORIZING RETROACTIVE PAY FOR RAISES APPROVED BY AGREEMENTS WITH THE MONT. CO. DEPUTY SHERIFF'S POLICE BENEVOLENT ASSOCIATION (MCDSPBA) & THE MONT. CO. DEPUTY SHERIFF'S ASSOCIATION (CORRECTION OFFICERS)	269
242	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF NON-BARGAINING SALARY INCREASES	270

RESOLUTIONS INDEX

Res #	Title	Page
243	RESOLUTION ESTABLISHING POSITION - BUSINESS MANAGER (MONTGOMERY MEADOWS)	272
244	RESOLUTION AMENDING 2004 OPERATING BUDGET - DCJS GRANT - K-9 VEHICLE, EQUIPMENT AND TRAINING (SHERIFF)	272
245	RESOLUTION ESTABLISHING A PUBLIC REFERENDUM ON THE QUESTION OF ALTERNATIVE FORMS OF COUNTY GOVERNMENT	273, 294
246	RESOLUTION TRANSFERRING FUNDS - PROFESSIONAL SERVICES (PERSONNEL)	274
247	RESOLUTION ESTABLISHING POSITION - REGISTERED PROFESSIONAL NURSE (MONTGOMERY MEADOWS)	274
248	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVISING HEALTH INSURANCE	283
249	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING MOSA SUBSIDY	284
250	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING DPW SNOW CONTRACT	284
251	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RETIREMENT INCENTIVE LINE ITEM CHANGES	284
252	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS	286
253	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REVENUE ADJUSTMENTS (SOCIAL SERVICES)	286
254	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING JAIL CONTRACTUAL LINE ITEMS	287
255	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING SHERIFF'S ROAD PATROL	287
256	RESOLUTION RECOMMENDING THE STATE LEGISLATURE AMEND SUCH SECTIONS OF THE NEW YORK STATE TAX LAW TO AUTHORIZE THE COUNTY OF MONTGOMERY TO INCREASE MORTGAGE RECORDING TAX AND EXPEND SAME IN ANY APPROPRIATE MANNER	288
257	RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - CREATION OF COUNTY MORTGAGE TAX REVENUE LINE ITEM	289
258	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ECONOMIC OPPORTUNITY AND DEVELOPMENT	289
259	RESOLUTION AMENDING THE 2005 TENTATIVE OPERATING BUDGET - RESTORING CORNELL COOPERATIVE EXTENSION FUNDING	290
260	RESOLUTION ESTABLISHING A PUBLIC HEARING ON 2005 TENTATIVE OPERATING BUDGET	290
261	RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #6 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED REAL PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE (MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY)	296
262	RESOLUTION ESTABLISHING RETIREMENT CONTRIBUTION RESERVE FUNDS	297
263	RESOLUTION ACCEPTING BID - RFP#05-4 - COUNTY WIDE TELEPHONE SYSTEM	297

RESOLUTIONS INDEX

Res #	Title	Page
264	RESOLUTION RESCHEDULING BOARD OF SUPERVISORS' DECEMBER 2004 MEETING	298
265	RESOLUTION AMENDING 2004 OPERATING BUDGET (PUBLIC HEALTH)	298
266	RESOLUTION ESTABLISHING FEES - SHERIFF'S OFFICE	299
267	RESOLUTION AMENDING 2004 OPERATING BUDGET (SHERIFF'S OFFICE)	300
268	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS UNIFORM COURT SYSTEM (SHERIFF'S OFFICE)	300
269	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)	301, 325
270	RESOLUTION TRANSFERRING FUNDS - CONSULTING FEES (MONTGOMERY MEADOWS)	301
271	RESOLUTION ESTABLISHING POSITION - SANITARY DISTRICT #1	302
272	RESOLUTION AMENDING 2004 OPERATING BUDGET (COMMUNITY COLLEGE TUITION)	302
273	RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES, WATER RENTS AND SEWER TAXES	302
274	RESOLUTION AMENDING 2004 OPERATING BUDGET (SOCIAL SERVICES)	303
275	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING PERSONNEL DEPARTMENT LINE ITEM	304
276	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING PUBLIC HEALTH REVENUE LINE ITEM	304
277	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING REVENUE LINE ITEMS	305
278	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING MOSA LINE ITEMS	305
279	RESOLUTION AMENDING TENTATIVE BUDGET - CORONER'S OFFICE	306
280	RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER CORRECTION	306
281	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PUBLIC DEFENDER'S OFFICE	306
282	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - AMENDING USE OF RETIREMENT RESERVE FUND	307
283	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 12 (PUBLIC WORKS)	308
284	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - ELIMINATING BUDGET OFFICER	309
285	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REMOVAL OF INTERNAL AUDITING INITIATIVE	310
286	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING SUPERVISORS' SALARIES	311
287	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REDUCING CONTINGENT ACCOUNT	311

RESOLUTIONS INDEX

Res #	Title	Page
288	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 06 (TREASURER)	312
289	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING REAL PROPERTY RESEARCH TECH POSITION	312
290	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING COUNTY CLERK POSITION	312
291	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING COUNTY ATTORNEY LINE ITEMS	313
292	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 10 (PERSONNEL)	313
293	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 11 (BOARD OF ELECTIONS)	313
294	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 16 (PUBLIC HEALTH)	314
295	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - INCREASING APPROPRIATIONS FOR INVESTIGATORS (SOCIAL SERVICES)	315
296	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - RESTORING PART-TIME ATTORNEY POSITION (SOCIAL SERVICES)	315
297	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - DEPARTMENT 21 (YOUTH BUREAU / ACSD)	316
298	RESOLUTION AMENDING 2005 TENTATIVE BUDGET - MEADOWS INTERFUND TRANSFER REDUCTION	316, 319
299	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING VARIOUS LINE ITEMS	319
300	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - CORRECTING MONTGOMERY MEADOWS LINE ITEMS	320
301	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITIONS (SOCIAL SERVICES - HISTORY & ARCHIVES)	320
302	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - REINSTATING POSITION (SHERIFF'S OFFICE)	321
303	RESOLUTION AMENDING 2005 TENTATIVE OPERATING BUDGET - PERSONNEL FRINGE BENEFITS CORRECTIONS	321
304	RESOLUTION ADOPTING 2005 OPERATING BUDGET	322
305	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- VAN ALSTINE HORTICULTURAL SERVICES	326
306	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDMENT - ST. MARY'S HOSPITAL - COMMUNITY MENTAL HEALTH AND ALCOHOLISM CENTER (MENTAL HEALTH)	327
307	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GOVERNOR'S TRAFFIC SAFETY COMMITTEE - BUNY GRANT (SHERIFF'S OFFICE)	327
308	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)	328

RESOLUTIONS INDEX

Res #	Title	Page
309	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - (EAP) EMPLOYEE ASSISTANCE PROGRAM - ST. MARY'S HOSPITAL (PERSONNEL)	328
310	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THIRD PARTY DRUG AND ALCOHOL TESTING ADMINSTRATOR (PERSONNEL)	329
311	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EXCESS LIABILITY WORKERS COMPENSATION INSURANCE (PERSONNEL)	329
312	RESOLUTION RESCINDING RESOLUTION 67 OF 2004 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS	329
313	RESOLUTION AUTHORIZING ACCOUNT PAYABLE YEAR-END ADJUSTMENTS - 2004 OPERATING BUDGET	330
314	RESOLUTION DELEGATING AUTHORITY TO AMEND 2004 OPERATING BUDGET	331
315	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SNOW AND ICE CONTROL (PUBLIC WORKS)	331
316	RESOLUTION FIXING DATE AND TIME FOR 2005 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS	331
317	BOND RESOLUTION OF MONTGOMERY COUNTY AUTHORIZING THE ASSESSMENT, EVALUATION & REPLACEMENT OF A COUNTY-WIDE TELEPHONE SYSTEM; ESTIMATING THE AGGREGATE COST THEREOF TO BE \$228,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE SAID COST	332



Attachment for:

Resolution
4 of 2004

RULES OF PROCEDURE

As Adopted by Resolution No. 4 – January 2, 2004

STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

ARTICLE 1 - MEETINGS

SECTION I. Organizational Meeting

Rule 1. The organizational meeting of the Board of Supervisors shall be called and governed in accordance with Section 151 of County Law attached hereto.

Rule 2. At the organizational meeting, or an adjourned session thereof, the Board of Supervisors shall review and adopt the Rules of Procedure for the ensuing year, appoint officers whose terms have expired, and address any other matters the Chairman wishes to bring before the Board.

SECTION II. Regular and Special Meetings

Rule 3. The Board of Supervisors shall, in addition to meeting to organize the Board, hold regular meetings on the fourth Tuesday of the month at 7:00 P.M., when such day falls on a legal holiday, the meeting shall be fixed by Resolution duly adopted at the previous meeting.

Rule 4. All meetings of the Board of Supervisors shall be held and governed in accordance with Section 152 of County Law.

ARTICLE II - RULES OF PROCEDURE

Rule 5. All acts of the Board of Supervisors shall be in accordance with Section 153 of County Law.

Rule 6. A quorum of the Board of Supervisors shall consist of not less than eight members of the Board representing a simple majority (935) of the weighted votes of members of the Board, but a lesser number may adjourn. No part of this rule shall be construed to waive the requirements of these Rules of Procedure which relate to the number of votes for the passage of any resolution or other action by the Board.

Rule 7. Passage of any motion to suspend a rule shall require a two-thirds majority (1,246) of the weighted votes of the members of the Board at a regular or special meeting of the Board, except those rules of procedure prescribed by a state or county law.

RULES OF PROCEDURE

Rule 8. Any member desiring to speak or present any subject matter to the Board, shall address the Chair, and shall not proceed until recognized by the Chair and awarded the floor for such purpose.

Rule 9. Persons not members of the Board may, with the consent of the Chairman, be permitted to speak regarding matters pending before the Board.

Rule 10. While a motion is under debate, no member shall speak more than three separate occasions, for a total of five minutes, on any question, without leave of the Chairman.

Rule 11. The order of business of each session of the Board shall be as follows:

1. Call to Order
2. Salute to the Flag
3. Moment of Silence
4. Roll call of members.
5. Adoption of Agenda
6. Privilege of the floor (including special presentations).
7. Unfinished business.
8. New Business - Resolutions, Local Laws, etc.
9. Adjournment.

Rule 12. Reading of the minutes of the previous session shall be dispensed with unless required. In the absence of objection or correction, the minutes shall stand approved without formal motion.

Rule 13. After a resolution or motion is stated by the Chair, it shall be deemed to be in possession of the Board, but may be withdrawn at any time with the consent of the Board, before a decision is made or any amendment adopted.

Rule 14. When a question shall be under consideration, no motion shall be received, except as herein specified, which motions shall have precedence in the following order:

1. Adjourn (undebatable)
2. Take a recess (undebatable)
3. Lay on the Table (undebatable)
4. For the previous question (undebatable)
5. Limit debate (undebatable)
6. Refer (debatable)
7. Amend (debatable)
8. Postpone consideration (debatable)

Rule 15. No motion for the reconsideration of the vote upon any question shall be entertained unless moved by one who voted in the majority upon such question, and unless such motion be made prior to the adjournment of the following regularly called Board meeting. When a motion for the reconsideration of any question has been made and decided, there shall be no further

RULES OF PROCEDURE

consideration of the same resolution.

Rule 16. A roll call vote shall be taken by the Clerk when required by law or upon the request of any member of the Board. (County Law No. 153, sub 4) Such roll call shall be taken randomly and must be completed before any other action is taken. During such roll call, every member of the Board of Supervisors shall vote Aye or Nay, or may abstain or pass, upon the roll call for voting. Any member who shall pass upon the calling of the roll shall be polled at the conclusion of the roll call vote. A member may only pass once.

Rule 17. Voting Majority

A) A majority (935) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for the adoption or rejection of any resolution or local law then before the Board, unless otherwise specified by State law.

B) A two-thirds majority (1,246) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for adoption of any resolution or local law establishing a two-thirds weighted vote approval requirement, when such requirement is not specified by State law.

C) No member of the Board may give a proxy, or in any other fashion delegate his authority, to vote upon any matter pending before the Board.

D) The rescission, revocation or reversal of any action, resolution, local law, motion, or other matter voted upon by the Board shall be effected by the same ratio of votes of the Board as was required for its adoption, approval or passage.

E) In the course of responding to a roll call vote, a Supervisor may give an explanation of his/her vote.

Rule 18. All resolutions entered into the minutes shall record the names of those members of the Board who voted in the minority and those not voting by reason of being excused or absent.

ARTICLE III. - CHAIRMAN AND VICE CHAIRMAN OF THE BOARD

Rule 19. The Chairman of the Board shall be the presiding officer and shall call the Board to order and, except in the absence of a quorum, shall proceed to conduct business in the manner prescribed by these rules.

Rule 20. The duties of the Vice Chairman shall include all duties and functions of the Chairman in his/her absence, excluding the appointment of the members of Standing Committees. The Vice Chairman shall serve at the direction either of the Chairman or of the Board of Supervisors, which direction shall always supersede the Chairman. The Vice Chairman shall receive no additional compensation unless he/she shall act as Chairman in excess of thirty (30) consecutive days after assuming the duties of Chairman.

RULES OF PROCEDURE

Rule 21. In the absence of the Chairman at any meeting of the Board of Supervisors, the Vice Chairman shall serve as Acting Chairman and shall call the Board to order. In the absence of the Chairman and Vice Chairman, the Clerk of the Board shall, after 15 minutes, call the Board to order and the members present and voting shall select a member of the Board to serve as Acting Chairman at such meeting. The Acting Chairman shall have and exercise all the powers and duties of the Chairman at the meeting over which he is called to preside. (County Law No. 151, sub 6)

Rule 22. In the case of a vacancy in the Office of Vice Chairman, the Clerk of the Board of Supervisors shall accept nominations to select a successor, who shall be a member of the Board, at the next regular meeting of the Board of Supervisors. The person so selected shall serve as Vice Chairman of the Board for the unexpired term of the previous Vice Chairman.

Rule 23. The Chairman shall preserve order and decorum and decide all questions of order, which decisions shall be final unless an appeal is taken to the Board. On an appeal from the decision of the Chairman, he shall have the right to assign his reason for his decision.

Rule 24. The Chairman shall decide all questions relating to the priority of business, that is the priority of one question or subject matter over another under the same order of business, without debate.

Rule 25. In those instances where there is disagreement concerning the interpretation of the Rules of Procedure, the County Administrator, in concert with the County Attorney, shall act as Parliamentarian to advise the Chairman of the Board, who shall rule on all questions of order or procedure

ARTICLE IV. - RESOLUTIONS

Rule 26. All resolutions and local laws shall have a prime sponsor and at least one second and shall be reduced to writing. Resolutions and local laws not originating from committee having jurisdiction over a particular matter shall be filed with the Clerk of the Board in accordance with rule 29.

Rule 27. Upon request of any member of the Board of Supervisors any amendment to a resolution shall be reduced to writing.

Rule 28. The Clerk of the Board shall read the title of all resolutions and local laws filed and mailed in accordance with Rule 34, except that upon request of a member of the Board a resolution or local law shall be read in its entirety. Any resolution or local law before the Board, which has not been filed and mailed in accordance with Rule 34, shall be read in its entirety by the Clerk of the Board, at the request of the Chairman of the Board.

Rule 29. Procedure

RULES OF PROCEDURE

- A) All resolutions requested or proposed shall be submitted through the Clerk of the Board of Supervisors to the Chairman of the Board for inclusion to the agenda of the Committee principally concerned, at least ten (10) calendar days prior to the committee meeting at which it is to be considered.

A copy of all requested and proposed Resolution shall be submitted to the County Administrator and County Attorney, within the same time frame.

The Clerk of the Board shall issue a tracking number and title to each proposed resolution and maintain a list to be provided to the Supervisors each month as to the status of each proposal.

- B) Proposals for “new” programs, not currently budgeted, shall be accompanied by an informational memorandum which shall detail the following information:

- 1) Statement of Intent
- 2) Plans, Goals, and Objectives
- 3) Program Description
- 4) Operational Impact – Services
- 5) Fiscal Impact – Cost Resources
- 6) Method of Financing
- 7) Intra-agency Coordination (if applicable)
- 8) Anticipated Benefits
- 9) Anticipated Problems

- C) Supervisors, in lieu of the informational memorandum above, may appear before the standing committee to discuss any resolution(s) they may wish to propose.

- D) The Chairman of the Board shall determine items to be scheduled for consideration at Committee, Regular and Special Board meetings.

- 1) At least five (5) calendar days prior to the regular Committee Meeting at which a resolution is to be considered by the Committee, the Clerk of the Board shall forward a copy of the Committee Agenda, containing each request, to each member of the Committee, either by mail or by personal delivery.
- 2) At least five calendar days prior to the Regular Meeting at which a resolution is to be considered by the Board, the Clerk of the Board

RULES OF PROCEDURE

shall forward to each Board member a list of all resolutions to be considered at the meeting, along with a copy of the corresponding informational memorandum.

- E) The Chairman of the Board shall notify the sponsor when a proposed resolution has not been included on the agenda, citing the reason for such exclusion.

Rule 30. Notwithstanding the foregoing, an emergency Resolution (one which concerns any matter where delay in the consideration thereof would adversely affect the interests of the County, the Board of Supervisors, or any department, official or agency of the County or the public), may be placed on the agenda at any Regular Meeting of the Board by a vote of two-thirds of the aggregate of the weighted votes of the members present.

ARTICLE V. - COMMITTEES

Rule 31. Because committee reports and recommendations are not binding upon the Board, Standing and Special Committees shall not use a weighted vote in the work of the committees; however, any member of the Board may offer, upon the expiration of 60 days following the date of referral of a Resolution or Local Law to a Standing committee, pursuant to Rule No. 30 of these Standing Rules, any matter entrusted by the rules, or otherwise, to any committee, withdrawn from consideration of such committee to be considered by the Board.

Rule 32. Each Committee shall review all issues forwarded by the Clerk of the Board for their consideration. Committees shall report on each item providing a recommendation for approval, recommendation of disapproval or no recommendation by the affirmative vote of a simple majority of to Committee members. If a committee shall disapprove a Resolution or Local Law by the affirmative vote of a simple majority of the members of the committee referred for its consideration, the Chairman of the Committee shall notify the sponsor of such Resolution or Local Law of its disapproval and the committee shall file a report with the Board stating its disapproval and outlining the reasons therefor. No item is to be reported out of committee without a recommendation by at least a simple majority of the members of the Committee or in accordance with these Rules.

Rule 33. Any proposed Resolution or Local Law referred to a jurisdictional Committee pursuant to Rule 29, which is neither reported out of Committee in accordance with Rule 32, nor removed from the Committee in accordance with Rule No. 31, within 90 days after its referral to the proper jurisdictional committee per Rule No. 29, shall expire and shall not be subject to further consideration without reintroduction pursuant to the Rules.

Rule 34. The Chairman of the Board shall appoint the members and designate the chairman of all standing committees, within ten days following his election. He shall also appoint the members and designate chairmen of all Special Committees, or subsequently created Standing

RULES OF PROCEDURE

committees, within ten (10) days following creation thereof. (County Law, Section 154, sub 3)

Rule 35. The Board may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members. Each member of any special committee shall serve for the period specified in such resolution, but in any event not longer than the term for which he shall have been elected as a Supervisor. (County Law, Section 154, sub 2)

Rule 36. Standing committees shall consist of those members so designated for that Committee, exclusive of the Chairman of the Board. The presence of a majority of committee members, inclusive of the Chairman of the Board (or Vice Chairman in the Chairman's absence), shall constitute a quorum for the purpose of conducting committee business.

Rule 37. The members of all standing committees shall be appointed for the duration of one year. Nothing herein contained shall be construed to allow any person to continue to serve on any committee after he has ceased to be a member of the Board.

Rule 38. The Chairman of the Board of Supervisors (or Vice Chairman, in Chairman's absence) shall be an ex-officio member of all Standing and Special Committees of the Board and as such shall have the right to participate in all functions of all such committees including the right to vote. The Chairman shall be counted in determining the presence of a quorum. (County Law, Section 450, sub. 1)

Rule 39. The Chairman of the Board shall fill any vacancy occurring on any standing or special committee within thirty days after such vacancy occurs. In the event such vacancy occurs in the position of committee chairman, he shall designate a new committee chairman within ten (10) days after such vacancy occurs. (County Law, Section 154, sub 4)

Rule 40. Neither the chairman, nor any other member of a standing committee, shall be removed during the term of which the committee was appointed without prior consent of the member.

Rule 41. The chairman of each standing or special committee shall be the presiding officer and shall cause the members thereof to be notified in advance of each meeting. The committee chairman shall call all necessary meetings. Upon his refusal or neglect to call any meeting, the Clerk of the Board, upon written request signed by the Chairman of the Board, or by a majority of the committee, shall call such meeting. Committee meetings of an emergency nature (identified as such by a vote of two-thirds (1,246) of the aggregate of the weighted votes of the total membership of the Board) will be permitted during a Regular Meeting of the Board.

Rule 42. For the purposes of aiding and assisting the Board in the transaction of its business, there shall be the following Standing Committees which shall provide general supervision, through the County Administrator, for the County Departments, Agencies, and activities, as designated. Their duties shall be as required by law, as directed by the Chairman of the Board or as designated herein.

RULES OF PROCEDURE

43.1 HEALTH AND HUMAN SERVICES

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

Office for the Aging	Public Health Service
Veterans Services Agency	Youth Bureau
Youth Board	Mental Health
Office of Community Services	

and all other related matters referred to the Committee.

43.2 GENERAL SERVICES / PUBLIC WORKS AND SOLID WASTE

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

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

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

43.3 FINANCE/GOVERNMENT

Within the jurisdiction of this Committee shall fall all issues arising from all authorized agencies and the following departments (divisions):

Board of Elections	County Administrator
Clerk of the Board	County Auditor
County Attorney	County Treasurer
County Clerk	Real Property Tax Services
Tentative Budget Review	Tentative Capital Budget Review
Purchasing Department	Rules of Procedure
Policies	Intergovernmental Relations

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

43.4 PUBLIC SAFETY

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

RULES OF PROCEDURE

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

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

43.5 PLANNING, AGRICULTURE AND ECONOMIC DEVELOPMENT

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

Agriculture	County Historian
Cooperative Extension	Planning Department
Tourism	Economic Opportunity and Development
Record Management	Private Industry Council
Workforce Development Board	

43.6 PERSONNEL

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

Employee Benefits	Civil Service
Employee Training	Insurance
Personnel Department	Grievances
Collective Bargaining	

43.7 EDUCATION

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

Fulton Montgomery Community College

43.8 INFIRMARY

Within the jurisdiction of this Committee shall fall all issues arising out of the Montgomery Meadows Residential Health Care Facility and all other related matters referred to the Committee.

RULES OF PROCEDURE

43.9 SOCIAL SERVICES

Within the jurisdiction of this Committee shall fall all issues arising out of the Department of Social Services and all other related matters referred to the Committee.

ARTICLE VI. - RULES OF ORDER

Rule 44. The rules contained in the most recent edition of “Robert’s Rules of Order” shall govern the Board of Supervisors in all cases to which they are applicable, and in which they are not inconsistent with:

1. These Rules of Procedure;
2. Any special rules of order the Board may adopt;
3. Any statutes applicable to the Board.

ARTICLE VII. - MISCELLANEOUS

Rule 45. The Clerk of the Board shall serve as secretary of standing committees of the Board, provided that the Clerk of the Board may designate another County Officer or employee as secretary, with the approval of the Committee Chairman.

Rule 46. These rules may be amended with the approval of a simple majority (935) of the weighted vote of the members of the Board, by adoption of a Resolution filed and mailed in accordance with Rule 29, except for rules prescribed by state statute or county law. To the extent that a state or county law, which prescribes these rules, is amended, these standing rules shall stand amended consistent with such amended statute or law, without formal action by the Board.



Attachment for:

Resolution
21 of 2004

RULES OF PROCEDURE

As Adopted by Resolution No. 4 – January 2, 2004 **As Amended by Resolution No. 21 – January 13, 2004**

STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

ARTICLE 1 - MEETINGS

SECTION I. Organizational Meeting

Rule 1. The organizational meeting of the Board of Supervisors shall be called and governed in accordance with Section 151 of County Law attached hereto.

Rule 2. At the organizational meeting, or an adjourned session thereof, the Board of Supervisors shall review and adopt the Rules of Procedure for the ensuing year, appoint officers whose terms have expired, and address any other matters the Chairman wishes to bring before the Board.

SECTION II. Regular and Special Meetings

Rule 3. The Board of Supervisors shall, in addition to meeting to organize the Board, hold regular meetings on the fourth Tuesday of the month at 7:00 P.M., when such day falls on a legal holiday; the meeting shall be fixed by Resolution duly adopted at the previous meeting.

Rule 4. All meetings of the Board of Supervisors shall be held and governed in accordance with Section 152 of County Law.

ARTICLE II - RULES OF PROCEDURE

Rule 5. All acts of the Board of Supervisors shall be in accordance with Section 153 of County Law.

Rule 6. A quorum of the Board of Supervisors shall consist of not less than eight members of the Board representing a simple majority (935) of the weighted votes of members of the Board, but a lesser number may adjourn. No part of this rule shall be construed to waive the requirements of these Rules of Procedure which relate to the number of votes for the passage of any resolution or other action by the Board.

Rule 7. Passage of any motion to suspend a rule shall require a two-thirds majority (1,246) of the weighted votes of the members of the Board at a regular or special meeting of the Board, except those rules of procedure prescribed by a state or county law.

RULES OF PROCEDURE

Rule 8. Any member desiring to speak or present any subject matter to the Board, shall address the Chair, and shall not proceed until recognized by the Chair and awarded the floor for such purpose.

Rule 9. Persons not members of the Board may, with the consent of the Chairman, be permitted to speak regarding matters pending before the Board.

Rule 10. While a motion is under debate, no member shall speak more than three separate occasions, for a total of five minutes, on any question, without leave of the Chairman.

Rule 11. The order of business of each session of the Board shall be as follows:

1. Call to Order
2. Salute to the Flag
3. Moment of Silence
4. Roll call of members.
5. Adoption of Agenda
6. Privilege of the floor (including special presentations).
7. Unfinished business.
8. New Business - Resolutions, Local Laws, etc.
9. Adjournment.

Rule 12. Reading of the minutes of the previous session shall be dispensed with unless required. In the absence of objection or correction, the minutes shall stand approved without formal motion.

Rule 13. After a resolution or motion is stated by the Chair, it shall be deemed to be in possession of the Board, but may be withdrawn at any time with the consent of the Board, before a decision is made or any amendment adopted.

Rule 14. When a question shall be under consideration, no motion shall be received, except as herein specified, which motions shall have precedence in the following order:

1. Adjourn (undebatable)
2. Take a recess (undebatable)
3. Lay on the Table (undebatable)
4. For the previous question (undebatable)
5. Limit debate (undebatable)
6. Refer (debatable)
7. Amend (debatable)
8. Postpone consideration (debatable)

Rule 15. No motion for the reconsideration of the vote upon any question shall be entertained unless moved by one who voted in the majority upon such question, and unless such motion be made prior to the adjournment of the following regularly called Board meeting. When a motion

RULES OF PROCEDURE

for the reconsideration of any question has been made and decided, there shall be no further consideration of the same resolution.

Rule 16. A roll call vote shall be taken by the Clerk when required by law or upon the request of any member of the Board. (County Law No. 153, sub 4) Such roll call shall be taken randomly and must be completed before any other action is taken. During such roll call, every member of the Board of Supervisors shall vote Aye or Nay, or may abstain or pass, upon the roll call for voting. Any member who shall pass upon the calling of the roll shall be polled at the conclusion of the roll call vote. A member may only pass once.

Rule 17. Voting Majority

A) A majority (935) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for the adoption or rejection of any resolution or local law then before the Board, unless otherwise specified by State law.

B) A two-thirds majority (1,246) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for adoption of any resolution or local law establishing a two-thirds weighted vote approval requirement, when such requirement is not specified by State law.

C) No member of the Board may give a proxy, or in any other fashion delegate his authority, to vote upon any matter pending before the Board.

D) The rescission, revocation or reversal of any action, resolution, local law, motion, or other matter voted upon by the Board shall be effected by the same ratio of votes of the Board as was required for its adoption, approval or passage.

E) In the course of responding to a roll call vote, a Supervisor may give an explanation of his/her vote.

Rule 18. All resolutions entered into the minutes shall record the names of those members of the Board who voted in the minority and those not voting by reason of being excused or absent.

ARTICLE III. - CHAIRMAN AND VICE CHAIRMAN OF THE BOARD

Rule 19. The Chairman of the Board shall be the presiding officer and shall call the Board to order and, except in the absence of a quorum, shall proceed to conduct business in the manner prescribed by these rules.

Rule 20. The duties of the Vice Chairman shall include all duties and functions of the Chairman in his/her absence, excluding the appointment of the members of Standing Committees. The Vice Chairman shall serve at the direction either of the Chairman or of the Board of Supervisors, which direction shall always supersede the Chairman. The Vice Chairman shall receive no additional compensation unless he/she shall act as Chairman in excess of thirty (30) consecutive

RULES OF PROCEDURE

days after assuming the duties of Chairman.

Rule 21. In the absence of the Chairman at any meeting of the Board of Supervisors, the Vice Chairman shall serve as Acting Chairman and shall call the Board to order. In the absence of the Chairman and Vice Chairman, the Clerk of the Board shall, after 15 minutes, call the Board to order and the members present and voting shall select a member of the Board to serve as Acting Chairman at such meeting. The Acting Chairman shall have and exercise all the powers and duties of the Chairman at the meeting over which he is called to preside. (County Law No. 151, sub 6)

Rule 22. In the case of a vacancy in the Office of Vice Chairman, the Clerk of the Board of Supervisors shall accept nominations to select a successor, who shall be a member of the Board, at the next regular meeting of the Board of Supervisors. The person so selected shall serve as Vice Chairman of the Board for the unexpired term of the previous Vice Chairman.

Rule 23. The Chairman shall preserve order and decorum and decide all questions of order, which decisions shall be final unless an appeal is taken to the Board. On an appeal from the decision of the Chairman, he shall have the right to assign his reason for his decision.

Rule 24. The Chairman shall decide all questions relating to the priority of business, that is the priority of one question or subject matter over another under the same order of business, without debate.

Rule 25. In those instances where there is disagreement concerning the interpretation of the Rules of Procedure, the County Administrator, in concert with the County Attorney, shall act as Parliamentarian to advise the Chairman of the Board, who shall rule on all questions of order or procedure

ARTICLE IV. - RESOLUTIONS

Rule 26. All resolutions and local laws shall have a prime sponsor and at least one second and shall be reduced to writing. Resolutions and local laws not originating from committee having jurisdiction over a particular matter shall be filed with the Clerk of the Board in accordance with rule 29.

Rule 27. Upon request of any member of the Board of Supervisors any amendment to a resolution shall be reduced to writing.

Rule 28. The Clerk of the Board shall read the title of all resolutions and local laws filed and mailed in accordance with Rule 34, except that upon request of a member of the Board a resolution or local law shall be read in its entirety. Any resolution or local law before the Board, which has not been filed and mailed in accordance with Rule 34, shall be read in its entirety by the Clerk of the Board, at the request of the Chairman of the Board.

Rule 29. Procedure

RULES OF PROCEDURE

- A) All resolutions requested or proposed shall be submitted through the Clerk of the Board of Supervisors to the Chairman of the Board for inclusion to the agenda of the Committee principally concerned, at least ten (10) calendar days prior to the committee meeting at which it is to be considered.

A copy of all requested and proposed Resolution shall be submitted to the County Administrator and County Attorney, within the same time frame.

The Clerk of the Board shall issue a tracking number and title to each proposed resolution and maintain a list to be provided to the Supervisors each month as to the status of each proposal.

- B) Proposals for “new” programs, not currently budgeted, shall be accompanied by an informational memorandum which shall detail the following information:

- 1) Statement of Intent
- 2) Plans, Goals, and Objectives
- 3) Program Description
- 4) Operational Impact – Services
- 5) Fiscal Impact – Cost Resources
- 6) Method of Financing
- 7) Intra-agency Coordination (if applicable)
- 8) Anticipated Benefits
- 9) Anticipated Problems

- C) Supervisors, in lieu of the informational memorandum above, may appear before the standing committee to discuss any resolution(s) they may wish to propose.

- D) The Chairman of the Board shall determine items to be scheduled for consideration at Committee, Regular and Special Board meetings.

- 1) At least five (5) calendar days prior to the regular Committee Meeting at which a resolution is to be considered by the Committee, the Clerk of the Board shall forward a copy of the Committee Agenda, containing each request, to each member of the Committee, either by mail or by personal delivery.

RULES OF PROCEDURE

- 2) At least five calendar days prior to the Regular Meeting at which a resolution is to be considered by the Board, the Clerk of the Board shall forward to each Board member a list of all resolutions to be considered at the meeting, along with a copy of the corresponding informational memorandum.
- E) The Chairman of the Board shall notify the sponsor when a proposed resolution has not been included on the agenda, citing the reason for such exclusion.

Rule 30. Notwithstanding the foregoing, an emergency Resolution (one which concerns any matter where delay in the consideration thereof would adversely affect the interests of the County, the Board of Supervisors, or any department, official or agency of the County or the public), may be placed on the agenda at any Regular Meeting of the Board by a vote of two-thirds of the aggregate of the weighted votes of the members present.

ARTICLE V. - COMMITTEES

Rule 31. Because committee reports and recommendations are not binding upon the Board, Standing and Special Committees shall not use a weighted vote in the work of the committees; however, any member of the Board may offer, upon the expiration of 60 days following the date of referral of a Resolution or Local Law to a Standing committee, pursuant to Rule No. 30 of these Standing Rules, any matter entrusted by the rules, or otherwise, to any committee, withdrawn from consideration of such committee to be considered by the Board.

Rule 32. Each Committee shall review all issues forwarded by the Clerk of the Board for their consideration. Committees shall report on each item providing a recommendation for approval, recommendation of disapproval or no recommendation by the affirmative vote of a simple majority of to Committee members. If a committee shall disapprove a Resolution or Local Law by the affirmative vote of a simple majority of the members of the committee referred for its consideration, the Chairman of the Committee shall notify the sponsor of such Resolution or Local Law of its disapproval and the committee shall file a report with the Board stating its disapproval and outlining the reasons therefor. No item is to be reported out of committee without a recommendation by at least a simple majority of the members of the Committee or in accordance with these Rules.

Rule 33. Any proposed Resolution or Local Law referred to a jurisdictional Committee pursuant to Rule 29, which is neither reported out of Committee in accordance with Rule 32, nor removed from the Committee in accordance with Rule No. 31, within 90 days after its referral to the proper jurisdictional committee per Rule No. 29, shall expire and shall not be subject to further consideration without reintroduction pursuant to the Rules.

Rule 34. The Chairman of the Board shall appoint the members and designate the chairman of

RULES OF PROCEDURE

all standing committees, within ten days following his election. He shall also appoint the members and designate chairmen of all Special Committees, or subsequently created Standing committees, within ten (10) days following creation thereof. (County Law, Section 154, sub 3)

Rule 35. The Board may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members. Each member of any special committee shall serve for the period specified in such resolution, but in any event not longer than the term for which he shall have been elected as a Supervisor. (County Law, Section 154, sub 2)

Rule 36. Standing committees shall consist of those members so designated for that Committee, exclusive of the Chairman of the Board. The presence of a majority of committee members, inclusive of the Chairman of the Board (or Vice Chairman in the Chairman's absence), shall constitute a quorum for the purpose of conducting committee business.

Rule 37. The members of all standing committees shall be appointed for the duration of one year. Nothing herein contained shall be construed to allow any person to continue to serve on any committee after he has ceased to be a member of the Board.

Rule 38. The Chairman of the Board of Supervisors (or Vice Chairman, in Chairman's absence) shall be an ex-officio member of all Standing and Special Committees of the Board and as such shall have the right to participate in all functions of all such committees including the right to vote. The Chairman shall be counted in determining the presence of a quorum. (County Law, Section 450, sub. 1)

Rule 39. The Chairman of the Board shall fill any vacancy occurring on any standing or special committee within thirty days after such vacancy occurs. In the event such vacancy occurs in the position of committee chairman, he shall designate a new committee chairman within ten (10) days after such vacancy occurs. (County Law, Section 154, sub 4)

Rule 40. Neither the chairman, nor any other member of a standing committee, shall be removed during the term of which the committee was appointed without prior consent of the member.

Rule 41. The chairman of each standing or special committee shall be the presiding officer and shall cause the members thereof to be notified in advance of each meeting. The committee chairman shall call all necessary meetings. Upon his refusal or neglect to call any meeting, the Clerk of the Board, upon written request signed by the Chairman of the Board, or by a majority of the committee, shall call such meeting. Committee meetings of an emergency nature (identified as such by a vote of two-thirds (1,246) of the aggregate of the weighted votes of the total membership of the Board) will be permitted during a Regular Meeting of the Board.

Rule 42. For the purposes of aiding and assisting the Board in the transaction of its business, there shall be the following Standing Committees which shall provide general supervision, through the County Administrator, for the County Departments, Agencies, and activities, as designated. Their duties shall be as required by law, as directed by the Chairman of the Board or

RULES OF PROCEDURE

as designated herein.

43.1 HEALTH AND HUMAN SERVICES/SOCIAL SERVICES

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

Office for the Aging	Public Health Service
Veterans Services Agency	Youth Bureau
Youth Board	Mental Health
Office of Community Services	Meadows Residential Health Care Facility
Department of Social Services	

and all other related matters referred to the Committee.

43.2 GENERAL SERVICES / PUBLIC WORKS AND SOLID WASTE

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

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

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

43.3 FINANCE/PERSONNEL

Within the jurisdiction of this Committee shall fall all issues arising from all authorized agencies and the following departments (divisions):

Board of Elections	Clerk of the Board
County Auditor	County Attorney
County Treasurer	County Clerk
Real Property Tax Services	Tentative Budget Review
Tentative Capital Budget Review	Purchasing Department
Employee Benefits	Civil Service
Employee Training	Insurance
Personnel Department	Grievances
Collective Bargaining	

as well as Borrowing and Indebtedness, External Audit, Taxation, Supervisors' Expenses, Resolutions and Local Laws involving the appropriation or expenditure of funds; and all other

RULES OF PROCEDURE

related matters referred to the Committee.

43.4 PUBLIC SAFETY

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

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

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

43.5 PLANNING, AGRICULTURE AND ECONOMIC DEVELOPMENT

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

Agriculture	County Historian
Cooperative Extension	Planners
Tourism	Economic Opportunity and Development
Record Management	Private Industry Council
Workforce Development Board	

43.6 EDUCATION/GOVERNMENT

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

Fulton Montgomery Community College	Rules of Procedure
Policies	Intergovernmental Relations

as well as the review and modification of the existing County Law form of Government and all other related matters referred to the Committee.

ARTICLE VI. - RULES OF ORDER

Rule 44. The rules contained in the most recent edition of “Robert’s Rules of Order” shall govern the Board of Supervisors in all cases to which they are applicable, and in which they are not inconsistent with:

1. These Rules of Procedure;

RULES OF PROCEDURE

2. Any special rules of order the Board may adopt;
3. Any statutes applicable to the Board.

ARTICLE VII. - MISCELLANEOUS

Rule 45. The Clerk of the Board shall serve as secretary of standing committees of the Board, provided that the Clerk of the Board may designate another County Officer or employee as secretary, with the approval of the Committee Chairman.

Rule 46. These rules may be amended with the approval of a simple majority (935) of the weighted vote of the members of the Board, by adoption of a Resolution filed and mailed in accordance with Rule 34, except for rules prescribed by state statute or county law. To the extent that a state or county law, which prescribes these rules, is amended, these standing rules shall stand amended consistent with such amended statute or law, without formal action by the Board.



Attachment for:

**Resolution
69 of 2004**

RULES OF PROCEDURE

As Adopted by Resolution No. 4 – January 2, 2004
As Amended by Resolution No. 21 – January 13, 2004
As Amended by Resolution No. 69 – February 24, 2004

STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

ARTICLE 1 - MEETINGS

SECTION I. Organizational Meeting

Rule 1. The organizational meeting of the Board of Supervisors shall be called and governed in accordance with Section 151 of County Law attached hereto.

Rule 2. At the organizational meeting, or an adjourned session thereof, the Board of Supervisors shall review and adopt the Rules of Procedure for the ensuing year, appoint officers whose terms have expired, and address any other matters the Chairman wishes to bring before the Board.

SECTION II. Regular and Special Meetings

Rule 3. The Board of Supervisors shall, in addition to meeting to organize the Board, hold regular meetings on the fourth Tuesday of the month at 7:00 P.M., when such day falls on a legal holiday; the meeting shall be fixed by Resolution duly adopted at the previous meeting.

Rule 4. All meetings of the Board of Supervisors shall be held and governed in accordance with Section 152 of County Law.

ARTICLE II - RULES OF PROCEDURE

Rule 5. All acts of the Board of Supervisors shall be in accordance with Section 153 of County Law.

Rule 6. A quorum of the Board of Supervisors shall consist of not less than eight members of the Board representing a simple majority (935) of the weighted votes of members of the Board, but a lesser number may adjourn. No part of this rule shall be construed to waive the requirements of these Rules of Procedure which relate to the number of votes for the passage of any resolution or other action by the Board.

Rule 7. Passage of any motion to suspend a rule shall require a two-thirds majority (1,246) of

RULES OF PROCEDURE

the weighted votes of the members of the Board at a regular or special meeting of the Board, except those rules of procedure prescribed by a state or county law.

Rule 8. Any member desiring to speak or present any subject matter to the Board, shall address the Chair, and shall not proceed until recognized by the Chair and awarded the floor for such purpose.

Rule 9. Persons not members of the Board may, with the consent of the Chairman, be permitted to speak regarding matters pending before the Board.

Rule 10. While a motion is under debate, no member shall speak more than three separate occasions, for a total of five minutes, on any question, without leave of the Chairman.

Rule 11. The order of business of each Regular Meeting of the Board shall be as follows:

1. Call to Order
2. Salute to the Flag
3. Roll call of members.
4. Privilege of the floor (including special presentations).
5. Approval of Minutes of Previous Meetings
6. Approval of Budgetary Transfers
7. Unfinished business.
8. New Business - Resolutions, Local Laws, etc.
9. Adjournment.

Rule 12. Reading of the minutes of the previous session shall be dispensed with unless required.

Rule 13. After a resolution or motion is stated by the Chair, it shall be deemed to be in possession of the Board, but may be withdrawn at any time with the consent of the Board, before a decision is made or any amendment adopted.

Rule 14. When a question shall be under consideration, no motion shall be received, except as herein specified, which motions shall have precedence in the following order:

1. Adjourn (undebatable)
2. Take a recess (undebatable)
3. Lay on the Table (undebatable)
4. For the previous question (undebatable)
5. Limit debate (undebatable)
6. Refer (debatable)
7. Amend (debatable)
8. Postpone consideration (debatable)

Rule 15. No motion for the reconsideration of the vote upon any question shall be entertained unless moved by one who voted in the majority upon such question, and unless such motion be made prior to the adjournment of the following regularly called Board meeting. When a motion

RULES OF PROCEDURE

for the reconsideration of any question has been made and decided, there shall be no further consideration of the same resolution.

Rule 16. A roll call vote shall be taken by the Clerk when required by law or upon the request of any member of the Board. (County Law No. 153, sub 4) Such roll call shall be taken randomly and must be completed before any other action is taken. During such roll call, every member of the Board of Supervisors shall vote Aye or Nay, or may abstain or pass, upon the roll call for voting. Any member who shall pass upon the calling of the roll shall be polled at the conclusion of the roll call vote. A member may only pass once.

Rule 17. Voting Majority

A) A majority (935) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for the adoption or rejection of any resolution or local law then before the Board, unless otherwise specified by State law.

B) A two-thirds majority (1,246) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for adoption of any resolution or local law establishing a two-thirds weighted vote approval requirement, when such requirement is not specified by State law.

C) No member of the Board may give a proxy, or in any other fashion delegate his authority, to vote upon any matter pending before the Board.

D) The rescission, revocation or reversal of any action, resolution, local law, motion, or other matter voted upon by the Board shall be effected by the same ratio of votes of the Board as was required for its adoption, approval or passage.

E) In the course of responding to a roll call vote, a Supervisor may give an explanation of his/her vote.

Rule 18. All resolutions entered into the minutes shall record the names of those members of the Board who voted in the minority and those not voting by reason of being excused or absent.

ARTICLE III. - CHAIRMAN AND VICE CHAIRMAN OF THE BOARD

Rule 19. The Chairman of the Board shall be the presiding officer and shall call the Board to order and, except in the absence of a quorum, shall proceed to conduct business in the manner prescribed by these rules.

Rule 20. The duties of the Vice Chairman shall include all duties and functions of the Chairman in his/her absence, excluding the appointment of the members of Standing Committees. The Vice Chairman shall serve at the direction either of the Chairman or of the Board of Supervisors, which direction shall always supersede the Chairman. The Vice Chairman shall receive no additional compensation unless he/she shall act as Chairman in excess of thirty (30) consecutive

RULES OF PROCEDURE

days after assuming the duties of Chairman.

Rule 21. In the absence of the Chairman at any meeting of the Board of Supervisors, the Vice Chairman shall serve as Acting Chairman and shall call the Board to order. In the absence of the Chairman and Vice Chairman, the Clerk of the Board shall, after 15 minutes, call the Board to order and the members present and voting shall select a member of the Board to serve as Acting Chairman at such meeting. The Acting Chairman shall have and exercise all the powers and duties of the Chairman at the meeting over which he is called to preside. (County Law No. 151, sub 6)

Rule 22. In the case of a vacancy in the Office of Vice Chairman, the Clerk of the Board of Supervisors shall accept nominations to select a successor, who shall be a member of the Board, at the next regular meeting of the Board of Supervisors. The person so selected shall serve as Vice Chairman of the Board for the unexpired term of the previous Vice Chairman.

Rule 23. The Chairman shall preserve order and decorum and decide all questions of order, which decisions shall be final unless an appeal is taken to the Board. On an appeal from the decision of the Chairman, he shall have the right to assign his reason for his decision.

Rule 24. The Chairman shall decide all questions relating to the priority of business, that is the priority of one question or subject matter over another under the same order of business, without debate.

Rule 25. In those instances where there is disagreement concerning the interpretation of the Rules of Procedure the County Attorney shall act as Parliamentarian to advise the Chairman of the Board, who shall rule on all questions of order or procedure

ARTICLE IV. - RESOLUTIONS

Rule 26. All proposed resolutions and local laws shall have a prime sponsor and at least one second and shall be reduced to writing. Proposed Resolutions and local laws not originating from committee having jurisdiction over a particular matter shall be filed with the Clerk of the Board in accordance with rule 29.

Rule 27. Upon request of any member of the Board of Supervisors any amendment to a resolution shall be reduced to writing.

Rule 28. The Clerk of the Board shall read the title of all resolutions and local laws filed and mailed in accordance with Rule 29, except that upon request of a member of the Board a resolution or local law shall be read in its entirety. Any resolution or local law before the Board, which has not been filed and mailed in accordance with Rule 29, shall be read in its entirety by the Clerk of the Board, at the request of any member of the Board.

Rule 29. Procedure

RULES OF PROCEDURE

- A) All resolutions requested or proposed shall be submitted through the Clerk of the Board of Supervisors to the Chairman of the Board for inclusion to the agenda of the Committee principally concerned, at least ten (10) calendar days prior to the committee meeting at which it is to be considered.

The Clerk of the Board shall issue a tracking number and title to each proposed resolution and maintain a list to be provided to the Supervisors each month as to the status of each requested and proposed resolution.

- B) Resolutions containing proposals for “new” programs, not currently budgeted, shall be accompanied by an informational memorandum which shall detail the following information:

- 1) Statement of Intent
- 2) Plans, Goals, and Objectives
- 3) Program Description
- 4) Operational Impact – Services
- 5) Fiscal Impact – Cost Resources
- 6) Method of Financing
- 7) Intra-agency Coordination (if applicable)
- 8) Anticipated Benefits
- 9) Anticipated Problems

- C) Supervisors, in lieu of the informational memorandum above, may appear before the committee principally concerned or the standing committee to discuss any resolution(s) they may wish to propose.

- D) The Chairman of the Board, together with the chairman of said committee, shall determine items to be scheduled for consideration at Committee, Regular and Special Board meetings.

- 1) At least five (5) calendar days prior to a standing committee or a committee principally concerned meeting, at which a proposed resolution is to be considered by the Committee, the Clerk of the Board shall forward a copy of the Committee Agenda and proposed resolutions to each member of the Committee, all other members of the Board of Supervisors and the County Attorney, either by mail or by personal delivery.
- 2) At least five calendar days prior to the Regular Meeting at which a resolution is to be considered by the Board, the Clerk of the Board shall forward to each Board member and the County Attorney a list of all resolutions to be considered at the meeting, along with a copy of the corresponding informational memorandum.

RULES OF PROCEDURE

- E) Neither the Chairman of the Board or any Committee Chairperson shall exclude from an agenda for from discussion any item requested by a Supervisor, unless written notification citing the reason for the exclusion is provided to the sponsor of the resolution and the entire board at least five calendar days prior to the regular meeting.

Any decision by the Chairman of the Board of a Committee Chairperson to exclude a resolution or discussion item from an agenda can be overruled by a motion to discharge the resolution. A motion to discharge must have sponsor and a second, which may differ from the Resolution's primary sponsor and second. A majority weighted vote (935) for regular board meetings shall be sufficient to pass the motion to discharge, which will place the resolution on that meeting's agenda. A simple majority vote (non-weighted) shall be sufficient to pass the motion to discharge, which will place the resolution on that committee's agenda.

Rule 30. Notwithstanding the foregoing, an emergency Resolution (one which concerns any matter where delay in the consideration thereof would adversely affect the interests of the County, the Board of Supervisors, or any department, official or agency of the County or the public), may be placed on the agenda at any Regular Meeting of the Board by a vote of two-thirds of the aggregate of the weighted votes of the members present.

ARTICLE V. - COMMITTEES

Rule 31. Committee reports and recommendations shall not be binding upon the Board because Standing and Special Committees shall not use a weighted vote

Rule 32. Each Committee shall review all issues forwarded by the Clerk of the Board for its consideration. Committees shall report on each item and may provide a recommendation for approval or disapproval by the affirmative vote of a simple majority of to Committee members. If a committee shall disapprove a Resolution or Local Law by the affirmative vote of a simple majority of the members of the committee referred for its consideration, the Chairman of the Committee shall notify the sponsor of such Resolution or Local Law of its disapproval and the committee shall file a report with the Board stating its disapproval and outlining the reasons therefor. No item is to be reported out of committee without a recommendation by at least a simple majority of the members of the Committee or in accordance with these Rules.

Rule 33. The Chairman of the Board shall appoint the members and designate the chairman of all standing committees, within ten days following his election. He shall also appoint the members and designate chairmen of all Special Committees, or subsequently created Standing committees, within ten (10) days following creation thereof. (County Law, Section 154, sub 3)

Rule 34. The Board may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its

RULES OF PROCEDURE

members. Each member of any special committee shall serve for the period specified in such resolution, but in any event not longer than the term for which he shall have been elected as a Supervisor. (County Law, Section 154, sub 2)

Rule 35. Standing committees shall consist of those members so designated for that Committee, exclusive of the Chairman of the Board. The presence of a majority of committee members, inclusive of the Chairman of the Board (or Vice Chairman in the Chairman's absence), shall constitute a quorum for the purpose of conducting committee business.

Rule 36. The members of all standing committees shall be appointed for the duration of one year. Nothing herein contained shall be construed to allow any person to continue to serve on any committee after he has ceased to be a member of the Board.

Rule 37. The Chairman of the Board of Supervisors (or Vice Chairman, in Chairman's absence) shall be an ex-officio member of all Standing and Special Committees of the Board and as such shall have the right to participate in all functions of all such committees including the right to vote. The Chairman shall be counted in determining the presence of a quorum. (County Law, Section 450, sub. 1)

Rule 38. The Chairman of the Board shall fill any vacancy occurring on any standing or special committee within thirty days after such vacancy occurs. In the event such vacancy occurs in the position of committee chairman, he shall designate a new committee chairman within ten (10) days after such vacancy occurs. (County Law, Section 154, sub 4)

Rule 39. Neither the chairman, nor any other member of a standing committee, shall be removed during the term of which the committee was appointed without prior consent of the member.

Rule 40. The chairman of each standing or special committee shall be the presiding officer and shall cause the members thereof to be notified in advance of each meeting. The committee chairman shall call all necessary meetings. Upon his refusal or neglect to call any meeting, the Clerk of the Board, upon written request signed by the Chairman of the Board, or by a majority of the committee, shall call such meeting. Committee meetings of an emergency nature (identified as such by a vote of two-thirds (1,246) of the aggregate of the weighted votes of the total membership of the Board) will be permitted during a Regular Meeting of the Board.

Rule 41. For the purposes of aiding and assisting the Board in the transaction of its business, there shall be the following Standing Committees, which shall provide general supervision, for the County Departments, Agencies, and activities, as designated. Their duties shall be as required by law, as directed by the Chairman of the Board or as designated herein.

41.1 HEALTH AND HUMAN SERVICES/SOCIAL SERVICES

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

RULES OF PROCEDURE

Office for the Aging	Public Health Service
Veterans Services Agency	Youth Bureau
Youth Board	Mental Health
Office of Community Services	Meadows Residential Health Care Facility
Department of Social Services	

and all other related matters referred to the Committee.

41.2 GENERAL SERVICES / PUBLIC WORKS AND SOLID WASTE

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

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

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

41.3 FINANCE/PERSONNEL

Within the jurisdiction of this Committee shall fall all issues arising from all authorized agencies and the following departments (divisions):

Board of Elections	Clerk of the Board
County Auditor	County Attorney
County Treasurer	County Clerk
Real Property Tax Services	Tentative Budget Review
Tentative Capital Budget Review	Purchasing Department
Employee Benefits	Civil Service
Employee Training	Insurance
Personnel Department	Grievances
Collective Bargaining	

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

41.4 PUBLIC SAFETY

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

RULES OF PROCEDURE

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

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

41.5 PLANNING, AGRICULTURE AND ECONOMIC DEVELOPMENT

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

Agriculture	County Historian
Cooperative Extension	Planners
Tourism	Economic Opportunity and Development
Record Management	Private Industry Council
Workforce Development Board	

41.6 EDUCATION/GOVERNMENT

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

Fulton Montgomery Community College	Rules of Procedure
Policies	Intergovernmental Relations

as well as the review and modification of the existing County Law form of Government and all other related matters referred to the Committee.

ARTICLE VI. - RULES OF ORDER

Rule 42. The rules contained in the most recent edition of “Robert’s Rules of Order” shall govern the Board of Supervisors in all cases to which they are applicable, and in which they are not inconsistent with:

1. These Rules of Procedure;
2. Any special rules of order the Board may adopt;
3. Any statutes applicable to the Board.

RULES OF PROCEDURE

ARTICLE VII. - MISCELLANEOUS

Rule 43. The Clerk of the Board shall serve as secretary of standing committees of the Board, provided that the Clerk of the Board may designate another County Officer or employee as secretary, with the approval of the Committee Chairman.

Rule 44. The Clerk of the Board shall provide, monthly, a set of brief minutes of meeting for all committee meetings taking place during that month to all Supervisors as part of the information packet supplied to the Board of supervisors prior to that month's regular meeting of the Board of Supervisors.

Rule 45. These rules may be amended with the approval of a simple majority (935) of the weighted vote of the members of the Board, by adoption of a Resolution filed and distributed in accordance with Rule 29, except for rules prescribed by state statute or county law. To the extent that a state or county law, which prescribes these rules, is amended, these standing rules shall stand amended consistent with such amended statute or law, without formal action by the Board.



Attachment for:

Resolution
95 of 2004

NOTICE OF ADOPTION OF INTRODUCTORY LOCAL LAW NO. 1 OF 2004
STATE OF NEW YORK
COUNTY OF MONTGOMERY

PLEASE TAKE NOTICE that on the 23rd day of March, 2004, the Board of Supervisors of Montgomery County adopted Introductory Local Law No. 1 of 2004 entitled "A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County purpose" and the following is a true copy thereof.

County of Montgomery
Introductory Local Law No. 1 of 2004.
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 parcels, known as SBL No. 113.-1-16.2 and SBL No. 113.-1-16.3 located on in the Town of Root is no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the sale and conveyance of all the right, title and interest of the County in and to said real property to William Auty and Gary Harrington for the sum of \$150.00.

BY ORDER OF THE BOARD OF SUPERVISORS

Christine Pasquarelli, Clerk of the Board

Dated: March 31, 2004



Attachment for:

**Resolution
96 of 2004**

County of Montgomery
Introductory Local Law No. 2 of 2004

A Local Law Repealing Local Law #7 of 2002, which establishes a waiting period
for Appointive Employment of Elected County Officials

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

SECTION 1. The Local Law, which established awaiting period for Appointive
Employment of Elected County Officials hereby, is 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.



Attachment for:

**Resolution
104 of 2004**

Items currently awaiting auction (items with some value)

Current
Value

04/21/04 13:44:30 FIXED ASSET MASTER FILE - DISPOSITION = 6 (AUCTION)

CU #	DEPT NO	DESC	COMMENTS	Current Value
CU 46	69	EPSON II 40 MEG COMPUTER S/N0251005837		\$1.00
CU 100	9	IBM PROPRINTER II 4201-002 SN#003424272	FROM COUNTY CLERK,NOT NEEDED,MOVED TO DATA-BSMT	\$2.00
CU 172	43	IBM PC BASE MODEL 8530-021 S#002729015	AUCTION PER MEMO OF 12/10/02	\$1.00
CU 173	43	IBM DISPLAY STATION 8512-001 SN867168	AUCTION PER MEMO OF 12/10/02	\$1.00
CU 175	43	IBM PROPRINTER SHEETFEED	AUCTION PER MEMO OF 12/10/02	\$2.00
CU 312	9	IBM 8557-23CGGYG PS/2 MODEL 57	READY FOR AUCTION PER NEAL	\$1.00
CU 313	9	IBM 8514-1243254 COLOR DISPLAY 15"	WAS MO MEADOWS,NO LONGER NEEDED,TO DATA STORAGE	\$1.00
CU 317	9	IBM MODEL 1852 TAPE BACKUP FOR PC S#92F3434	READY FOR AUCTION PER NEAL	\$2.00
CU 325	9	IBM LASER PRINTER W/CABLE #4019-001 S#11-NO558/ADA	FROM MEADOWS TO DATA BSMT	\$10.00
CU 367	9	IBM PC 486DX/33 MOD 6384M30 S#2323DBBDC/850HD	BOE TO DATA PER JOAN 8/26/02,FOR AUCTION PER NEAL	\$1.00
CU 455	9	IBM PC/SERVER 8640-Z03 S#23-D9499 (BASE)	P HEALTH TO DATA FOR AUCTION PER REQUEST 11/20/02	\$1.00
CU 492	9	PONY 486DX2-66 FILE SERVER S#94082487		\$1.00
CU 503	9	PONY 486SX/33 PC S#94082477	WAS PERSONNEL,FOR AUCTION PER NEAL,02/2003	\$1.00
CU 510	9	PONY 486SX/33 PC S#94082473	FROM MO MEADOWS,OBSOLETE,TO DATA BSMT	\$1.00
CU 513	9	PONY 486SX/33 PC S#94082469	READY FOR AUCTION PER NEAL	\$1.00
CU 524	25	PONY 486SX/33 PC S#94082482	FOR AUCTION PER D.ROCKEFELLER	\$1.00
CU 534	9	PONY 486SX/33 PC S#94082481+420MB HARD DRIVE	WAS P.DEFENDER, FOR AUCTION PER NEAL	\$1.00
CU 559	9	PREMIERE PC 486DX2-540-8 W/TOKEN RING CARD	READY FOR AUCTION PER NEAL	\$2.00
CU 568	9	PRINTER HP DESK JET 1200 S#SGC5502763	WAS:P.HEALTH	\$5.00
CU 582	9	7010-130 B2755 X-STATION,6091-019 F6556 MONTR		\$2.00
CU 590	9	PRINTER HP DESKJET 1200C S#USC5702283/USA3A16094	FROM TREAS,NO LONGER NEEDED,TO DATA-BSMT	\$1.00
CU 607	9	PC 486DX4-100 DATA PRO 545 MB W/ETHERNET+8 MB	WAS VETERANS,READY FOR AUCTION PER NEAL	\$1.00
CU 653	9	MINI TOWER PC W/KEYBOARD AND WINDOWS 95	P.HEALTH TO DATA PER NOTIFY 12/3/01	\$1.00
CU 699	9	PENTIUM 133 PC TATUNG S#200133BB05090017	WAS PROBATION,READY FOR AUCTION PER NEAL	\$1.00
CU 700	9	PENTIUM 133 PC TATUNG S#200133BB05090016	WAS PROBATION,READY FOR AUCTION PER NEAL	\$5.00
CU 739	9	CSU/DSU 56KB CM-1056DP S#97055021	FROM SHERIFF TO DATA	\$5.00
CU 740	9	CSU/DSU 56KB CM-1056DP S#97055022	SHERIFF TO DATA	\$1.00
CU 817	29	PERSONAL COMPUTER GATEWAY E1000 S#0008978610	AUCTION PER NEAL	\$1.00
CU 819	9	PERSONAL COMPUTER IBM 386 S#23NLZTB-FROM HVCC	FROM HIST & ARCHIVES 03/02,FOR AUCTION PER NEAL	\$2.00
CU 847	9	COMPUTER PRINTER HP DESKJET 340 S#SSG7BH12186	PER P.HEALTH 6/26/03	\$5.00
CU 856	9	COMP. PRINTER TROY 512 PLUS MICR S#JPKH048085	FROM TREAD,NO LONGER NEEDED,TO DATA-BSMT	\$1.00
CU 910	9	PONY PENTIUM 166PC S/N:468492RGDATA0038	WAS SOCIAL SERVICES	\$63.00



Attachment for:

**Resolution
116 of 2004**

County of Montgomery
Introductory Local Law No. 3 of 2004

“A Local Law Amending Local Law No. 2 of 1985 – A Local Law Which
Established a Montgomery County Infirmary Department”

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

SECTION 1. Section 3b, of Local Law No. 2 of 1985, which established a Montgomery County Infirmary Department, is amended as follows:

(b) The Administrator shall be appointed by the Montgomery County Board of Supervisors. The Administrator shall be in the exempt service of Civil Service Classification.

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.



Attachment for:

**Resolution
125 of 2004**

THIS MEMORANDUM OF UNDERSTANDING made this 28th day of April, 2004 by and among HAMILTON, FULTON AND MONTGOMERY BOARD OF COOPERATIVE EDUCATIONAL SERVICES (HFM BOCES), having an office and place of business at 25 Main Street, Johnstown, New York 12095, COUNTY OF FULTON (Fulton) having an office and place of business at 223 West Main Street, Johnstown, New York, COUNTY OF MONTGOMERY (Montgomery and together with Fulton, the Counties) having an office and place of business at 20 Park Street, Fonda, New York 12068, and FULTON MONTGOMERY COMMUNITY COLLEGE (FMCC) having an office and place of business at 2805 St. HWY 67, Johnstown, New York 12095..

WHEREAS, HFM BOCES educational needs require the construction of an educational and administrative facility; and

WHEREAS, Chapter 305 of the laws of 2003, as amended by Chapter 6 of the laws of 2004 (the Act), provides that HFM BOCES may enter into a lease for a period not to exceed thirty (30) years with respect to suitable land owned by Fulton and/or Montgomery Counties at or near FMCC, classrooms, offices or buildings (the Facility) upon or in which to maintain and conduct such cooperative educational services and administrative offices (the Facility); and

WHEREAS, there exists on the FMCC campus, land suitable for the construction of the Facility; and

WHEREAS, title to the entire FMCC campus is held jointly by the Counties, as joint tenants, "in trust for the uses and purposes" of FMCC; and

NOW THEREFORE, the parties agree as follows:

Section 1. The Counties will form a not-for-profit corporation that complies with the rules set forth in Rev. Rul. 63-20 and Rev. Proc. 82-26 (the "63-20 Corporation") The Board of Supervisors of each of the Counties will approve the formation of the 63-20 Corporation. The by-laws of the 63-20 Corporation will provide that the 63-20 Corporation will have an equal number of directors, half of whom will be appointed by the Board of Supervisors of each of the Counties.

Section 2. The Counties will enter into a thirty (30) year ground lease with the 63-20 Corporation (the "Ground Lease") whereby the Counties will lease the Land to the 63-20 Corporation and the 63-20 Corporation will pay ground rent of \$1 per year. As additional consideration for the lease of the Land, the 63-20 Corporation will provide to FMCC 3,200 square feet in the Facility. The Board of Supervisors of each of the Counties and the Board of Trustees of FMCC will approve the Ground Lease. The Ground Lease also will require the approval of the State University of New York

Section 3. The 63-20 Corporation will enter into a guaranteed maximum price design/build contract with Turner Construction Corporation or an affiliated entity (the "Turner Contract") for the construction of the Facility. The obligations of the 63-20 Corporation under the Turner Contract will be special limited obligations payable only from the proceeds of the Bonds (as defined in

Section 4 hereof).

Section 4. The 63-20 Corporation will issue tax-exempt bonds (the "Bonds") in an aggregate amount equal to the amount due under the Turner Contract plus the cost of issuance of the Bonds. The Board of Supervisors of each of the Counties will approve the issuance of the Bonds by the 63-20 Corporation. The Bonds will be underwritten by First Albany Corporation. The principal and interest payments on the Bonds will not exceed \$1,600,000 in the first five fiscal year, to increase no more than 1.5% annually thereafter.

Section 5. The 63-20 Corporation will enter into a thirty (30) year lease with HFM BOCES (the "Facility Lease") whereby the 63-20 Corporation will lease the Land and the Facility to HFM BOCES and HFM BOCES will make lease payments to the 63-20 Corporation in an amount sufficient to pay the debt service on the Bonds. The Facility Lease will be a triple net lease with HFM BOCES being responsible for the payment of all costs of operating, maintaining and insuring the Facility. The execution of the Facility Lease by HFM BOCES will require the approval of the voters of HFM BOCES and the New York State Education Department.

Section 6. The Act requires that as a condition of HFM BOCES receiving aid from the State of New York in connection with the lease of the Facility, the Ground Lease will provide that title to the Facility (as such term is used in the Act) shall be conveyed to FMCC for use for elementary/secondary educational purposes. Since FMCC does not hold title to land or buildings, at the expiration of the Ground Lease and the Lease, the 63-20 Corporation will be dissolved. Title to the Land and the Facility will be held jointly by the Counties in trust for the uses and purposes of FMCC. In order to comply with the provision of the Act that requires that the at the expiration of the Facility Lease the Facility be used for elementary/secondary educational purposes, simultaneously with the execution of the Ground Lease, the Counties will execute a restrictive covenant. The restrictive covenant will provide that the Facility will be used for elementary/secondary educational purposes.

Section 7. The final maturity of the Bonds and the expiration dates of the Ground Lease and the Facility lease will occur simultaneously.

Section 8. The parties acknowledge that none of the approvals specified herein have not been obtained and that the terms of the Turner Contract have not been agreed to. Unless the approvals are obtained and the terms of the Turner Contract finalized, the parties do not intend to be bound and there shall be no contract binding them to undertake the actions outlined above (collectively, the "Project"). Although the parties intend to proceed with the Project in good faith, the parties expressly agree that none of the parties hereto can be held liable for an alleged breach of an agreement to negotiate in good faith. The parties further agree that none of the parties hereto can be held liable for expenses incurred or opportunities foregone by the others in reliance on this Memorandum of Understanding.

Section 9. This Memorandum of Understanding may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same document.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and first above written.

HAMILTON, FULTON AND MONTGOMERY BOARD
OF COOPERATIVE EDUCATIONAL SERVICES

By:

President

COUNTY OF FULTON

By:

COUNTY OF MONTGOMERY

By:

FULTON MONTGOMERY COMMUNITY COLLEGE



Attachment for:

**Resolution
192 of 2004**

Request for Proposal

"Jail Medical Director"

The County of Montgomery is requesting proposals from qualified providers to provide part-time physician services to its skilled nursing facility, at the Montgomery County Sheriff's Office / Jail located at 200 Clark Drive, Fultonville, NY.

Scope of Services:

A licensed and currently registered physician who shall be responsible for the provision of medical services for up to 163 inmates at the Montgomery County Jail, as the Medical Director, oversee the administration of the facility medical unit. Other medical services will include but not be limited to the following:

- Oversee nursing staff
- Provide service to inmate population utilizing current standards of Medical/Surgical practice
- Services to be provided on scheduled work days and times at the jail with a minimum of two days a week totaling a minimum of 14hrs. to complete medical sick call and discuss specific cases with jail medical staff
- Prescribe or approve special diets
- Prepare reports to document examinations, treatments and orders made and to ensure their completeness
- As Medical Director of the jail provide the Sheriff with direction in management of the jail medical unit and attend administrative meetings with the Sheriff (Under Sheriff or Jail Administrator) as needed, be involved and approve all policies and procedures regarding the operation of the medical unit
- Provide an evaluation and recommend treatment on all admissions consistent with NYS Commission of Corrections standards including those on medications
- Authorize inmate hospitalization, consultation with specialist, laboratory work, nursing care and other specialized treatment on

inmates including, but not limited to recommendations of surgical operations when required

- Visit jail when specific inmates need a physician's evaluation on other than normal visit days
- Be accessible 24hrs. a day for facility emergency decisions
- Develop and monitor inmate chronic care plans
- Coordinate response to any infectious disease incidents or exposures in the facility
- Be part of inmate discharge plans as needed
- Substitute generic drugs for brand name drugs whenever indicated
- Submit copy of professional license
- Provide for coverage while on vacation



Attachment for:

Resolution
226 of 2004

LOCAL LAW NUMBER 5
COUNTY OF MONTGOMERY, NEW YORK

A LOCAL LAW APPROVING THE EXECUTION AND DELIVERY OF A GROUND LEASE
BY MONTGOMERY COUNTY RELATING TO A CAPITAL PROJECT FOR THE HAMILTON
FULTON MONTGOMERY BOARD OF COOPERATIVE EDUCATIONAL SERVICES

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, Chapter 6 of the Laws of 2004 (the “Special Act”) authorizes the Hamilton Fulton Montgomery Board of Cooperative Educational Services (the “BOCES”) to enter into a lease of a building facility to contain approximately 150,000 square feet of space (the “Facility”) to be constructed on a parcel of real estate containing approximately 20 acres (the “Land”) located at the Fulton-Montgomery Community College (the “Community College”) campus on Route 67 in the Town of Johnstown, Fulton County and the Town of Mohawk, Montgomery County and owned jointly by Fulton and Montgomery Counties; and

WHEREAS, the Montgomery County Industrial Development Agency (the “Agency”) will issue its revenue bonds to finance the project (the “Project”); and

WHEREAS, in order to assist the BOCES, Fulton County and Montgomery County have been requested to enter into a ground lease (the “Ground Lease”) so as to make the Land available for the construction of the Facility; and

WHEREAS, the term of the Ground Lease will be equal to thirty years; and

WHEREAS, in connection with the undertaking of the Project, the BOCES will agree to sublease a portion of the Facility to the Community College for use by the Community College;

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

SECTION 1. Term of Ground Lease. Notwithstanding Section 215 of the New York State County Law, the Board of Supervisors of Montgomery County is hereby authorized to lease the Land owned jointly by Fulton County and Montgomery County pursuant to the Ground Lease for a term not to exceed thirty years.

SECTION 2. Approval of Ground Lease. The execution and delivery of the Ground Lease are hereby approved. Upon review and approval by the County Attorney, the Chairman of the Board of Supervisors of the County is hereby authorized, on behalf of the County, to execute and deliver the Ground Lease.

SECTION 3. Severability. If any article, section, subsection, paragraph, phrase or sentence of this

local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereof.

SECTION 4. Effective Date. This local law is adopted subject to permissive referendum pursuant to Section 24 of the New York State Municipal Home Rule Law.

STATE OF NEW YORK)
) ss.:
COUNTY OF MONTGOMERY)

I, the undersigned, Clerk of the Board of Supervisors of the County of Montgomery, New York, do hereby certify that I have compared the foregoing copy of Resolution No. ____ of the Board of Supervisors of said County of Montgomery with the original thereof on file in my office and duly adopted by said Board of Supervisors at a meeting of said Board of Supervisors on the ____ day of _____, 2004 and that the same is a true and correct copy of such resolution and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the seal of said County this ____ day of _____, 2004.

(Deputy) Clerk, Montgomery Board of
Supervisors



Attachment for:

**Resolution
231 of 2004**

<u>Record Title</u>	<u>Date</u>	<u>Location</u>	<u>Notes</u>
1. Collection of Mrs. Hiram Clark	1901-1973	Fulton County	newsclippings
2. Town & City Seals of Massachusetts	pub. 1951	Massachusetts	not relevant to this area
3. Handy Book for Genealogists	pub. 1962	-----	reference
4. Eire – Ireland	pub. 1983	Ireland	history of Ireland
5. The Fate of Polish Archives During WWII	pub. 1964	Poland	reference
6. Public Record Repositories in Maine	pub. 1976	Maine	reference, outdated
7. Records in Pennsylvania Archives	pub. 1871	PA	73 vols., reference, outdated
8. This Is America – My Country	pub. 1952	USA	3 vols., reference, not unique
9. Pictorial History of World War II	pub. 1951	USA	2 vols., reference, not unique
10. Pictorial History of Korean War	pub. 1952	USA	2 vols., reference, not unique
11. Congressional Sons of Israel	pub. 1977		history of USA relations w/Israel
12. The Handbook of American Genealogy	pub. 1934		research guide, outdated
13. The Yearbook of Agriculture	pub. 1970-75		5 vols., general info re. Agriculture
14. The Complete Prophecies of Nostradamus	pub. 1946		not relevant to this area
15. The Marvelous Career of Theodore Roosevelt	pub. 1910		biography, not relevant
16. Yankee magazine	1974-79		22 periodicals re. New England tourism
17. History of Utah	pub. 1890	Utah	not relevant to this area
18. The Successful Stockman & Manual of Husbandry	pub. 1901		general info re. Horses
19. Pioneer Days in the Black Hills	pub. 1939	South Dakota	general history of the Black Hills
20. The Gold Star Book of New Canaan	pub. 1948	Connecticut	not relevant to this area
21. New Canaan War Veterans Speak	pub. 1946	Connecticut	speeches by War vets of New Canaan
22. The Restoration of Colonial Williamsburg	pub. 1935	Virginia	relates of restoration of Williamsburg
23. At Home in Early Sandusky	pub. 1976	Ohio	history of Sandusky, OH
24. Photograph album, Westchester County Home	1903-07	Westchester County, NY	photographs of institution in Westchester
25. The Handbook of American Genealogy	1932, '34, etc.		4 vols., research guides, outdated
26. Journal of School District No. 5, Ballston Spa	19 th c.	Saratoga County	school records, not relevant to this area

51. A Treatise on the Law of Executions	pub. 1878		Reference, not relevant to mission
52. A Treatise on the Law of Mortgages	pub. 1877		Reference, not relevant to mission
53. The Law & Practice in Proceedings Supplementary to Execution	pub. 1886		Reference, not relevant to mission
54. Medical Jusisprudence of Insanity	pub. 1860		Reference, not relevant to mission
55. A Treatise on Extradition & Interstate Rendition	pub. 1891		Reference, not relevant to mission
56. A Treatise on Statutes on Rules of Construction	pub. 1878		Reference, not relevant to mission
57. The Law of Suspension of Power of Alienation in NYS	pub. 1891		Reference, not relevant to mission
58. Witnesses and their Testimony	pub. 1886		Reference, not relevant to mission
59. The American Law Register	pub. 1862		Reference, not relevant to mission
60. The Laws of Infancy	pub. 1862		Reference, not relevant to mission
61. Laws: Watercourses	pub. 1869		Reference, not relevant to mission
62. Practice in Attachment of Property	pub. 1906		Reference, not relevant to mission
63. Annual report of Supervisors – St. Lawrence County 1927		St. Lawrence County	not relevant to this area
64. Proceedings of Board of Supervisors, Fulton County 1944-64 (not inclusive)		Fulton County	7 vols., not relevant to this area



Attachment for:

**Resolution
235 of 2004**

**The Providers Inc.
Proposal to
Montgomery County Board of Supervisors
for
the Privatization of
Montgomery Meadows Healthcare Facility**



"Long Term care should be about life worth living for"
-William Thomas, MD

May - 2004

The Providers Inc.

- Presenters -

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The Providers Inc.

Table of Contents



The Proposal	1
The Idea	2
The Rational	2, 3
The Concept / Goal	4
• The Delivery	4
• The Changes	4
• Technology	4
Comparison	5
Lift Free Environment	6
Education	6
Expected Outcomes	6, 7
Recognition	7
Founder of The Green House Project	7
Design Center	8
• Housing Layout	8
• Interior Design	9
Credits	10

The Proposal

There is a movement that is occurring in long term care; it is happening abroad and across this country. Society is looking critically at how we presently care for the elderly and is challenging providers to develop new models of care.

This movement to transform long term for the elderly began several years ago in Sherburne, New York where Dr. William Thomas and his wife founded the *Eden Alternative*. Their concept has been acclaimed world wide and has been adopted by hundreds of nursing homes, promotes a major cultural and environmental change that incorporates plants, animals and children within existing facilities.

The Dr. Robert Wood Johnson Foundation through a grant has enabled Dr. Thomas to realize the next phase of the transformation of present nursing homes by *The Green House Project*, an innovated alternative to our present system of institutionalization of our elderly.

The first of The Green Houses was built last year (2003) in Tupelo, Mississippi. During this past year visitors from across the United States and many countries have toured this facility; the Administrator has been deluged with requests for additional information. Preliminary reports from Tupelo indicate a waiting list of over three hundred and thirty potential residents, a staff turnover rate in direct care workers that has been reduced from 85% to 5%. *

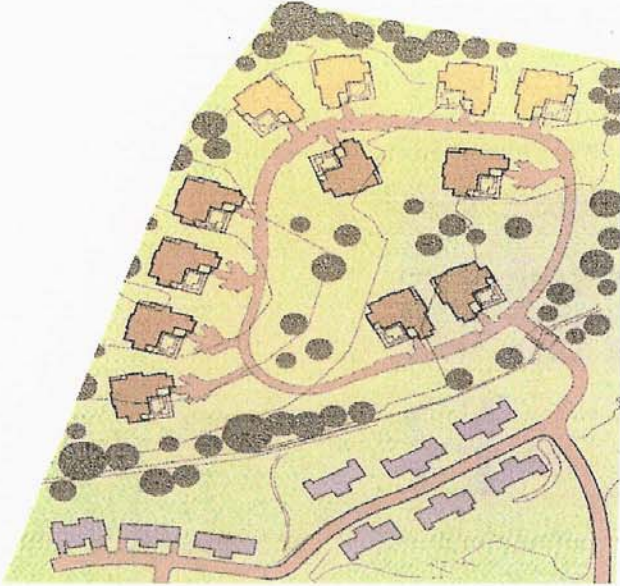
The Providers Inc. proposes to establish a Green House community with the construction of individual homes that will accommodate eight to twelve long term skilled nursing residents. The Providers Inc. proposes to renovate and modify the existing facility to accommodate a specialized unit, a state of the arts rehabilitation center and the support services necessary to maintain The Green House concept.

This Green House Project will be the first of its kind in the East. Currently Green Houses are under construction in Michigan with future projects planned in Nebraska and Arizona.

The Board of Supervisors has a unique opportunity to be part of this exciting project and to be in the forefront of a movement that will bring distinction to Montgomery County through the establishment of a revolutionary design in elder care services.

The Idea

The time has come to reinvent the long-term care environment for the 21st century. The growing numbers of elderly in America and around the world demand and expect change. We must abolish the widespread practice of institutionalizing of the frail, the chronically ill and the elderly among us. However, before we can begin to dismantle the policies, procedures and even the buildings that defined the facility-based era of long-term care we must develop proven alternatives to the status quo.



The Green House Project is a new model for long-term care focusing primarily on improving the quality of life for the nation's frail elders. Green Houses are group homes that use a social and habilitative model of care and maximum staff empowerment to serve elders needing skilled care. These models are designed to feel more like home than today's typical long-term care institution and to blend easily into their community or surroundings.

The Rational

The Green House Project is founded on the idea that the physical and social environments in which we deliver long-term care can and should be warm, smart, and green. Long-term care should be about life worth living for today's elders.

The facility-based approach, which has dominated American long-term care for the past three decades, is not keeping pace with society's rising demands for quality of care and quality of life. While much of the blame for this failure has been laid on the shoulders of the people who work in and manage these facilities, the truth is that long-term care facilities are staffed with good, kind-hearted people.



There is a growing consensus that American long-term care institutions are beyond repair. Even when facilities are tightly regulated and well funded; these organizations struggle to meet the complex and intimate needs of those for whom they care.

The Green House is a self-contained residence, designed like a private home. The physical space is meant not merely to be “homelike”, but to be a home. The Green Houses themselves will be small (eight to twelve person) community homes where people requiring skilled nursing services can live and receive the care they need.

We will link them with a sophisticated health care delivery network that can ensure quality, provide expertise, organize back up staffing, and deliver office support, e.g. accounting/ billing. Inside, we will create warmth through the floor plan, furnishings, décor and, most importantly, the people.

Developing intimate relationships will be made easier by the fact that each Green House will provide a minimum of 36 hours of staffing a day --six hours per elder per day -- a standard far above that provided in conventional, facility-based long-term care. The “smart” house will use technology that ensures safety, promotes quality of care, accuracy in record keeping, and community and family involvement.



We believe that The Green House can become a high-quality, safe, cost-effective alternative to institutionalization for frail and disabled people who require skilled care. They are designed to operate within the parameters of existing funding and regulations and will ensure that they live up to their promise of a life worth living for the people they serve.

The Concept / Goal

The Green House is a group home for elders built to a residential scale that delivers the necessary clinical care within a habilitative, social model in which primacy is given to the elder's quality of life.

The Green House Project was developed by and has drawn its philosophical foundation from the work of William Thomas, MD. The model redesigns how care is delivered to elders. The goal of the model is to provide the frail elder with an environment that promotes autonomy, dignity, privacy and choice.

The Green House Project's Goal Is To Deliver

- excellent quality of life
- safe and effective clinical
- improved job satisfaction for staff

The Green House Project Includes Changes In

- facility size
- interior design
- staffing patterns
- job descriptions
- patterns of clinical care delivery

Technology

The goal is to create a paperless, simple data entry, web based record which is capable of report generating.

- Certified Aide to Clinical support nurse – emergency pendant, and two way-radio
- Elder to Certified Aide – pendant / bracelet call system
- Internet access with mini camera for family visit capability and educational / training capacity



<i>COMPARISON</i>	<i>NURSING HOME</i>	<i>GREEN HOUSE</i>
SIZE	Usually 120+ beds divided into 20 – 40 bed units	8 – 12 elders
PHILOSOPHY	Medical model – provide services to frail patients	Social habilitative model, an intentional community where primacy is given to quality of life
ORGANIZATION	Steep bureaucracy, nurses control all unit activity	Flattened bureaucracy, empowerment of direct care staff. Nurses visit the house to provide skilled services
DECISION MAKING	Decisions made by the organization	Placed as close to the elder as possible. House councils plan menus, activities, house routines
ACCESS	Space belongs to the institution; elders have access to their room and public areas, many spaces off limits	Space belongs to the elders, access to all areas of the house
OUTDOOR SPACE	Often challenging to access, particularly without assistance	Easy access , fenced, shaded and, in full view of the hearth and kitchen allowing observation by staff
LIVING AREAS	Most commonly double bedrooms and shared baths. Lounges and dining rooms usually at the end of long corridors	Private rooms with private baths, and a central hearth with an adjacent open kitchen and dining area. Short halls with access to the hearth
KITCHEN	Off limits to elders and visitors	Elders and visitors have access and may participate in cooking activities.
NURSES STATION	In the center of most units	None. Locked Medication and supply cabinets in each room. Nurses visit rooms and administer medications
DINING	Large dining rooms with many elders	Several dining tables which acts as a focal point for an enjoyable community meal
STAFFING	Departmental with segmented tasks. Retention = 35%	Elder Assistant is a universal worker providing direct care, laundry, housekeeping, and cooking. Retention = 95+%
VISITORS	Limited ability to participate	May participate in meals and other activities, may prepare snacks in the kitchen, or hold family celebrations in the Green House.

Lift Free Environment

Ceiling lifts for elder transfer that span from the bed to the bathroom.

Education

- Elders are educated by participating in the process.
- Elders will also need individual training in using technology in the Green House
- Family members – are an integral part of the Green House. Their presence is desired and encouraged and as participants, they will need training in the core philosophy
- Community – The Green House is not an institution but a home that is like similar homes in its environment. It seeks to integrate the elders as opposed to the isolation of traditional institutions
- Volunteers – will be trained in the Green House philosophy, helping skills, observing skills, and use of technology

Green House Expected Outcomes

In process and structure, Green Houses will provide a natural environment that promotes human flourishing and good experience with elder hood and the later stages of life. Quality of life and social participation for residents is expected to be better, and residents are expected to be more functionally independent in terms of care activities because of the enhanced environment and greater permissiveness; for example, they may be involved in activities such laundry, housekeeping, and food



preparation, and may be somewhat independent in bathing. At the same time, the Green House plans to provide supports and safeguards that result in excellent health outcomes. As family members select to participate more actively in Green Houses; they will have greater satisfaction with their relative's care.

Direct care staff is expected to know residents better, to have a greater sense of their ability to positively affect resident's lives, and to be better satisfied with their jobs. Research indicates that staff retention increased from 35% to 95% in Green House environment.

The Green Houses in Tupelo, Mississippi have achieved better resident outcomes through a dramatically and historically new way of organizing care and life for nursing home residents. The small scale of Green House, the varied functions of the care givers, and the flattened hierarchy allows more opportunity for elders to be known, for their health needs to be identified and understood, and for health needs to be met. The lift free environment is expected to result in reduces transfer related injuries.

The Green House Design Recognized Nationally

The Green House at Traceway in Tupelo, Mississippi recently received:

- The Design for Aging Citation for Excellence from the American Institute of Architects (AIA)
- Design for Aging Knowledge Community (DFA)
- The American Association of Homes and Services for the Aging (AAHSA)

The Green House Project has been selected for publication in Design for Aging: 2004. It was exhibited along with eight Citations for Excellence recipients at the AAHSA Annual meeting & Exposition, October 26 – 29, 2003, in Denver, Colorado. It will also be part of an exhibit at the AIA 2004 National Convention and Expo in Chicago, Illinois, June 10 – 12, 2004.

* Rosalie Kane from the University of Minnesota is the researcher who is studying the outcomes of The Green House Project. Although the data has not been compiled, early indications show that employee turnover has been low – early numbers at less than 5%. There have been no un-staffed slots on any shift since opening and very low rate of sick calls.

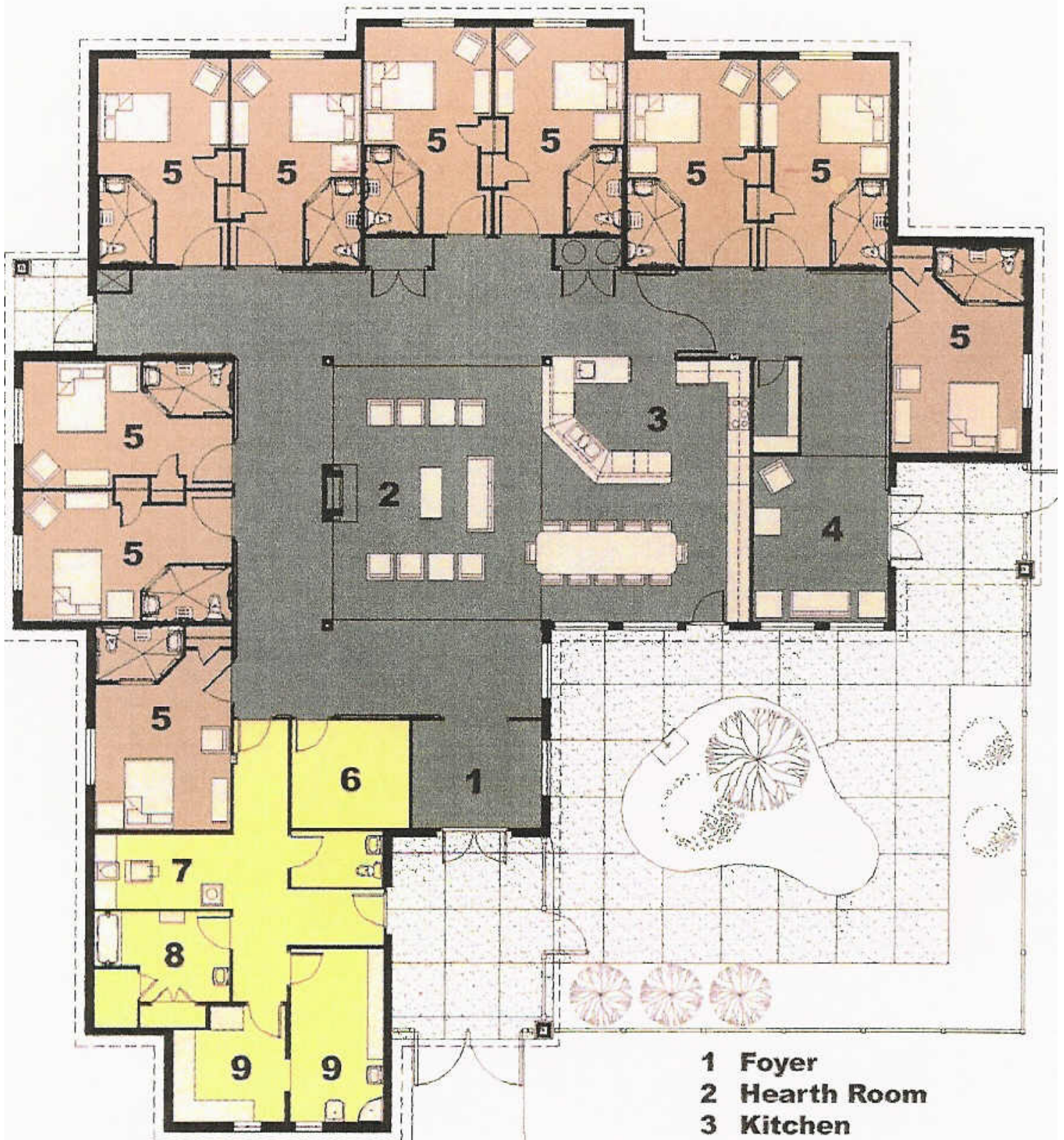
Founder

Dr. William Thomas, the President of the Center for Growing and Becoming and founder of the Green House Project, is a Harvard trained physician with a special interest in aging and the elderly. Dr. Thomas, and his wife Judy Meyers-Thomas, conceived The Eden Alternative, a new approach to the care of frail elders, in 1991.



Dr. William Thomas, MD

*Design Center
by
McCarty Architects*



- Common
- Bedroom / Private
- Service

- 1 Foyer**
- 2 Hearth Room**
- 3 Kitchen**
- 4 Den**
- 5 Bedroom**
- 6 Office**
- 7 Beauty Shop**
- 8 Spa**
- 9 Utility Room**

0 4 8 16

McCarty Architects

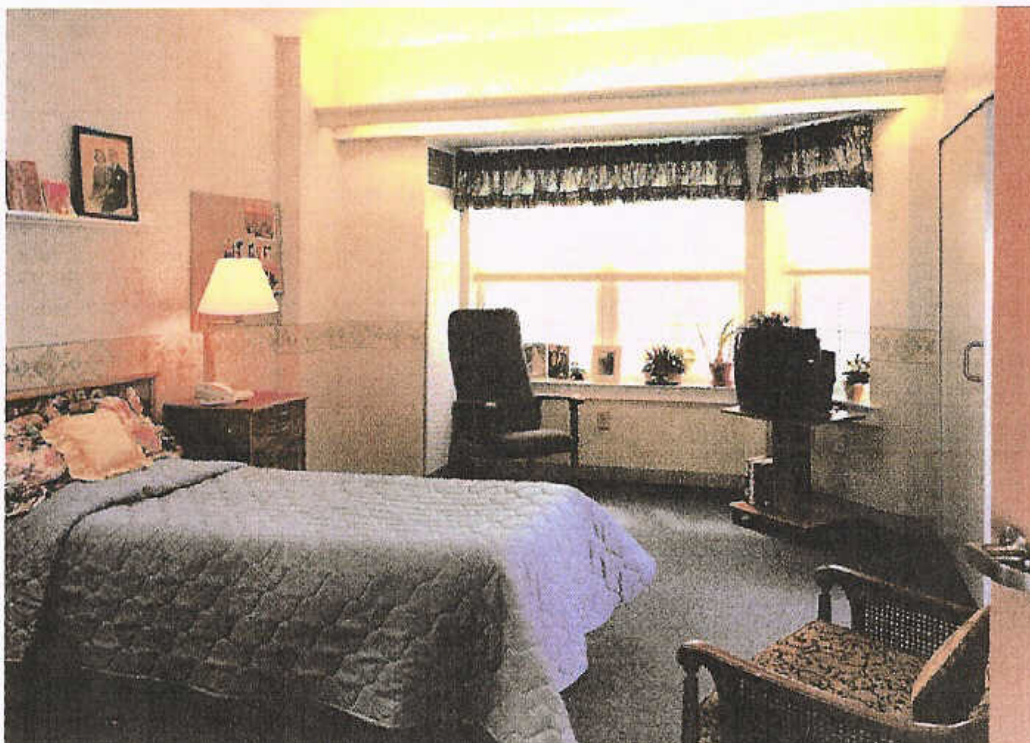
View of the Hearth Area



Living Room / Kitchen View



Bedroom



Credits

The Providers Inc. acknowledges the following credits:

- Dr. William Thomas, MD
- The Green House Project
- The Eden Alternative
- McCarty Architects
- Traceway Retirement Community, Tupelo, Missis
- www.nursinghomesmagazine.com
- www.fastcompany.com
- www.pioneernetwork.org



*This presentation was prepared by Ernest Orts of Herk
(315) 868-6406 ♦ email: eorts@mvnh.com
for The Providers Inc.*



Attachment for:

Resolution
261 of 2004

County of Montgomery
Introductory Local Law No. 6 of 2004

A Local Law Authorizing the Private Sale of County-Owned
Property and Related Assets, Not Needed for a County Purpose
(Montgomery Meadows Residential Health Care Facility)

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 parcels, known as the Montgomery Meadows Residential Health Care Facility, SBL 55.6-12.1 and SBL 55.6-12.3, located 100 Sandy Drive, in the City of Amsterdam, are no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the sale and conveyance of all the right, title and interest of the County in and to said real properties to The Providers, Inc. of Broadalbin, New York, for the sum of Montgomery County's net undepreciated value of the property, plant, equipment and operation of Montgomery Meadows Residential Health Care Facility as of the date of closing, that figure most recently calculated to be \$1,643,810, as of December 31, 2003.